



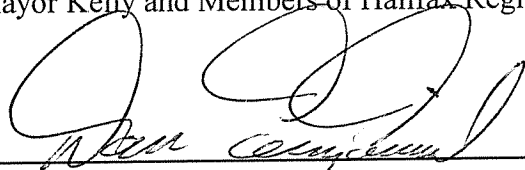
PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

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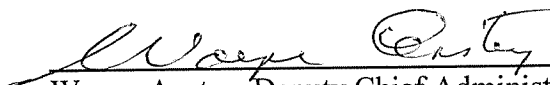
Halifax Regional Council
June 19, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: June 18, 2007

SUBJECT: Cost Shared Paving of Subdivision Streets Outside the Core;
Construction Agreement No. 2007- 010

ORIGIN

This report originates from staff.

RECOMMENDATIONS:

It is recommended that:

1. His Worship the Mayor and the Municipal Clerk be authorized, by resolution of Regional Council, to sign on behalf of Halifax Regional Municipality, Construction Agreement No. 2007 - 010 between HRM and the Nova Scotia Department of Transportation and Public Works (NSTPW), to pave the 9 "J" class subdivision roads, as outlined in the Discussion Section of this report.
2. HRM Regional Council approve the waiving of the right to petition for paving as per the discussion section of this report.

BACKGROUND

Each year, HRM submits a prioritized list of gravel streets outside the core area to the Nova Scotia Department of Transportation and Public Works (NSTPW) for cost sharing for paving under the Aid-to-Municipalities Program. These streets are owned and maintained by the NSTPW.

DISCUSSION

HRM submitted to NSTPW a prioritized list of gravel streets. On May 22, 2007, HRM received a letter from NSDOT&PW with proposed Construction Agreement No. 2007-010, which provides for 50% cost sharing on an estimated total paving program of \$1,844,500 on the following streets:

Lynwood Drive - Brookside - District 22
Ben Court - Brookside - District 22
West Avenue - Beaverbank- District 2
Osprey Way - Lawrencetown - District 3
Kerry Drive - Lawrencetown - District 3
Keltic Drive - Lawrencetown - District 3
Killarney Crescent - Lawrencetown - District 3
Kensington Court - Lawrencetown - District 3
Cambridge Drive - Lawrencetown - District 3

With regard to the nine streets listed, Osprey Way and Kerry Drive were successfully petitioned in 2000 at the LIC rate of \$19.00 per linear foot. Keltic Drive and Cambridge Drive were successfully petitioned in 2003 at the LIC rate of \$22.00 per linear foot, and Killarney Crescent's 2003 petition failed. Kensington Court was never petitioned, however, Councilor Hendsbee has opted to waive the right to petition. Lynwood Drive, Ben Court and West Street were all successfully petitioned at \$17.00 per linear foot. Due to the increased cost of asphalt and construction, the Local Improvement Rate is currently estimated at \$30.00 per linear foot. Councillor Rankin (District 22), Councillor Snow (District 2) and Councilor Hendsbee (District 3) have requested that the right to re-petition be waived in order to allow the paving to proceed on the remaining streets that were approved by NSTPW.

BUDGET IMPLICATIONS

There is no net cost to HRM because half the total cost is recovered from the Province, and half is recovered through the HRM Local Improvement Charges for paving.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

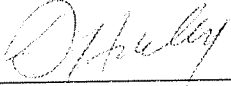
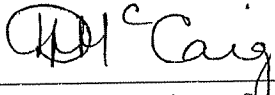

ALTERNATIVES

There are no recommended alternatives.

ATTACHMENTS

- Construction Agreement No. 2007-010 (copy)
- Plan 1 - showing streets in District 22
- Plan 2 - showing streets in District 2
- Plan 3 - showing streets in District 3

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:	Ann Reid, LIC Technician, Design & Construction Services at 490-6849
Report Approved by:	 David Hubley, P.Eng., Manager, Design & Construction Services at 490-4845
Financial Approval by:	 For Catherine Sanderson, Sr Manager, Financial Services, 490-1562
Report Approved by:	 Mike Labrecque, P.Eng., Director, Transportation and Public Works at 490-4855

AR/pm



Transportation and Public Works

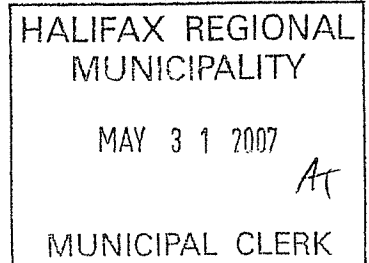
*Highway Engineering and
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B3J 2N2

Bus: 902-424-2303
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E-mail: shannost@gov.ns.ca

May 29, 2007

Ms Jan Gibson
Municipal Clerk
Halifax Regional Municipality
Box 1749
Halifax, NS
B3J 3A5



Dear Ms Gibson:

RE: PAVING OF J CLASS STREETS PROGRAM

Attached are two copies of agreements requested by the Municipality to be entered into with the Minister of Transportation and Public Works for paving of J Class streets.

Please have the Mayor and yourself sign both copies of the agreement, have witnessed, affix the Municipal Seal and return to me along with the attached completed and sealed Resolution of Council authorizing the Mayor and yourself to sign. **Tenders for the paving cannot be awarded until we have received the signed agreement**

Yours truly,

Stephen J. Shannon, P. Eng.
A/Program Management Engineer

cc Peter Merritt, District Director - Central

Attachments

RESOLUTION OF COUNCIL

The following Resolution was passed at a meeting of the Council of the Halifax Regional Municipality of on the ____ day of _____ A.D., 2007.

Moved by

Seconded by

"That the Mayor and myself be authorized to sign Construction Agreement No.2007-010 for the paving of the following J Class streets:

**Lynwood Drive,
Bens Court
West Avenue
Osprey Way
Kerry Drive
Keltic Drive
Killarney Crescent
Kensington Court
Cambridge Drive**

dated the 29th day of May A.D., 2007."

Motion Carried.

I certify that the above Resolution was passed at a duly called meeting of the Halifax Regional Municipal Council on _____ A.D., 2007.

Municipal Clerk



Transportation and Public Works

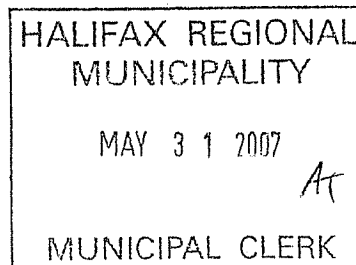
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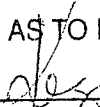
I certify that the above Resolution was passed at a duly called meeting of the Halifax Regional Municipal Council on _____ A.D., 2007.

Municipal Clerk



**Transportation and
Public Works**

APPROVED AS TO FORM


Municipal Solicitor

CONSTRUCTION AGREEMENT NO. 2007-010

THIS AGREEMENT made this 29th day of May A.D., 2007.

BETWEEN: THE HONOURABLE ANGUS MacISAAC, as Minister of Transportation and Public Works for the Province of Nova Scotia, hereinafter called the "Minister",

OF THE ONE PART

-and-

The HALIFAX REGIONAL MUNICIPALITY, a body corporate, hereinafter called the "Municipality".

OF THE OTHER PART

WHEREAS the Minister is of the opinion that the streets within the Municipality hereinafter more particularly described, are necessary and in the public interest;

AND WHEREAS by Memorandum to the Cabinet Number MH1104 dated May 12, 1988 the Executive Council approved a cost sharing paving policy on Village Streets and Subdivision Streets;

NOW THIS AGREEMENT WITNESSETH that in consideration of covenants, promises and agreements herein contained to be by them observed, performed and paid, the parties mutually agree as follows:

1. INTERPRETATION:

In this Agreement, "Paving" means the work of completion of grading, gravelling and asphalt concrete paving of the streets listed below and shall also include pre-engineering, and/or design costs, on site engineering supervision and inspection and incidental costs from the edge of the existing paved roadway to the limit of the right of way.

The Minister will not be responsible for or share in any part of the cost of feasibility studies, the construction, reconstruction, relocation, repairs or adjustments of sidewalks, water lines, fire hydrants, sanitary sewers, sanitary sewer manholes, utility poles, street lighting or similar work.

2. CONSTRUCTION:

a) The Minister agrees to carry out work on the following streets in the Municipality:

<u>Name</u>	<u>Description</u>	<u>Length</u>	<u>Estimated Cost</u>
Lynwood Drive	Brookside	0.57	180,000
Bens Court	Brookside	0.18	73,500
West Avenue	Beaverbank	0.45	145,000
Osprey Way	Lawrencetown	1.00	449,000
Kerry Drive	Lawrencetown	0.48	173,000
Keltic Drive	Lawrencetown	0.95	366,000
Killarney Crescent	Lawrencetown	0.55	195,000
Kensington Court	Lawrencetown	0.31	137,000
Cambridge Drive	Lawrencetown	0.33	126,000

The work consists of grading, gravelling, and asphalt concrete paving. The work is estimated to cost \$ 1,844,500 and will be shared equally by the Minister and the Municipality, with each party contributing \$ 922,250 for the completion of this work.

b) The Municipality shall be notified in writing of any anticipated cost in excess of the amount approved by the Municipality in "a)" above plus 10%. If the Department does not receive a reply in writing from the Municipality within 10 working days, it will be assumed that the Municipality approves this additional expenditure and will pay its share of this additional expenditure.

c) When the Municipality elects to have the Department include adjustments to manholes, catch basins or water valves in the tender for paving the street(s), the following unit prices are to be used for recovery of charges from the Municipality, regardless of the tendered contract unit prices:

- Adjustments of manholes and catch basins - \$400.00
- Adjustment of water valves - \$200.00

d) The Municipality shall acquire at its own expense all land required for the construction of the streets and shall bear the cost of any and all land claims for damage or alterations to property or otherwise arising out of or connected with the construction of the streets.

e) The Municipality shall pay to the Minister within 60 days of submission of accounts, fifty percent (50%) of the cost of all shareable construction completed in accordance with the provisions.

IN WITNESS WHEREOF the Minister has hereunto subscribed his hand and affixed his seal and the Municipality has set and affixed its corporate seal authenticated by the signatures of the Mayor and the Municipal Clerk hereunto duly authorized.

SIGNED, SEALED AND DELIVERED
in the presence of

Witness

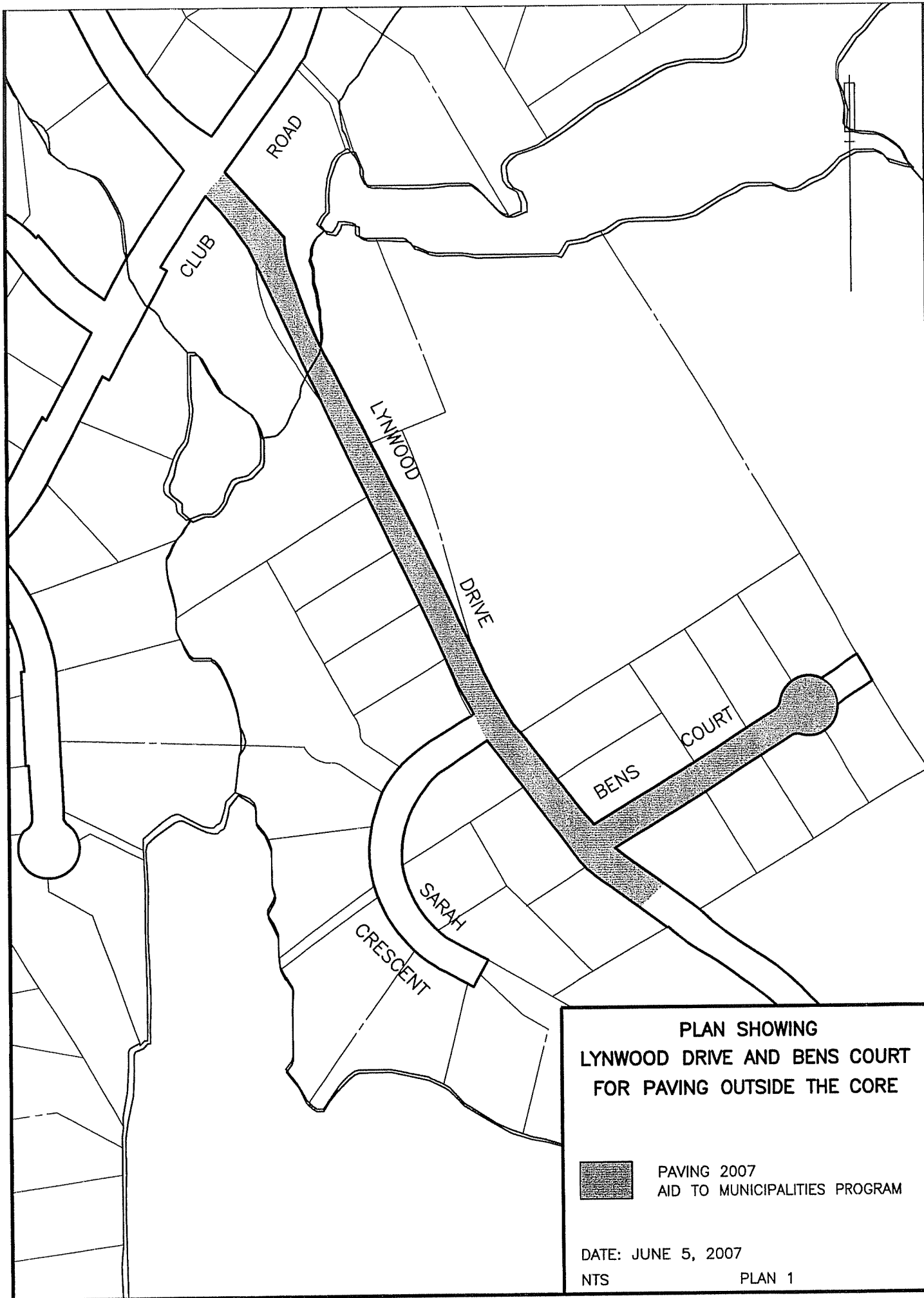
Minister of Transportation &
Public Works
Province of Nova Scotia

Witness

Mayor

Witness

Municipal Clerk

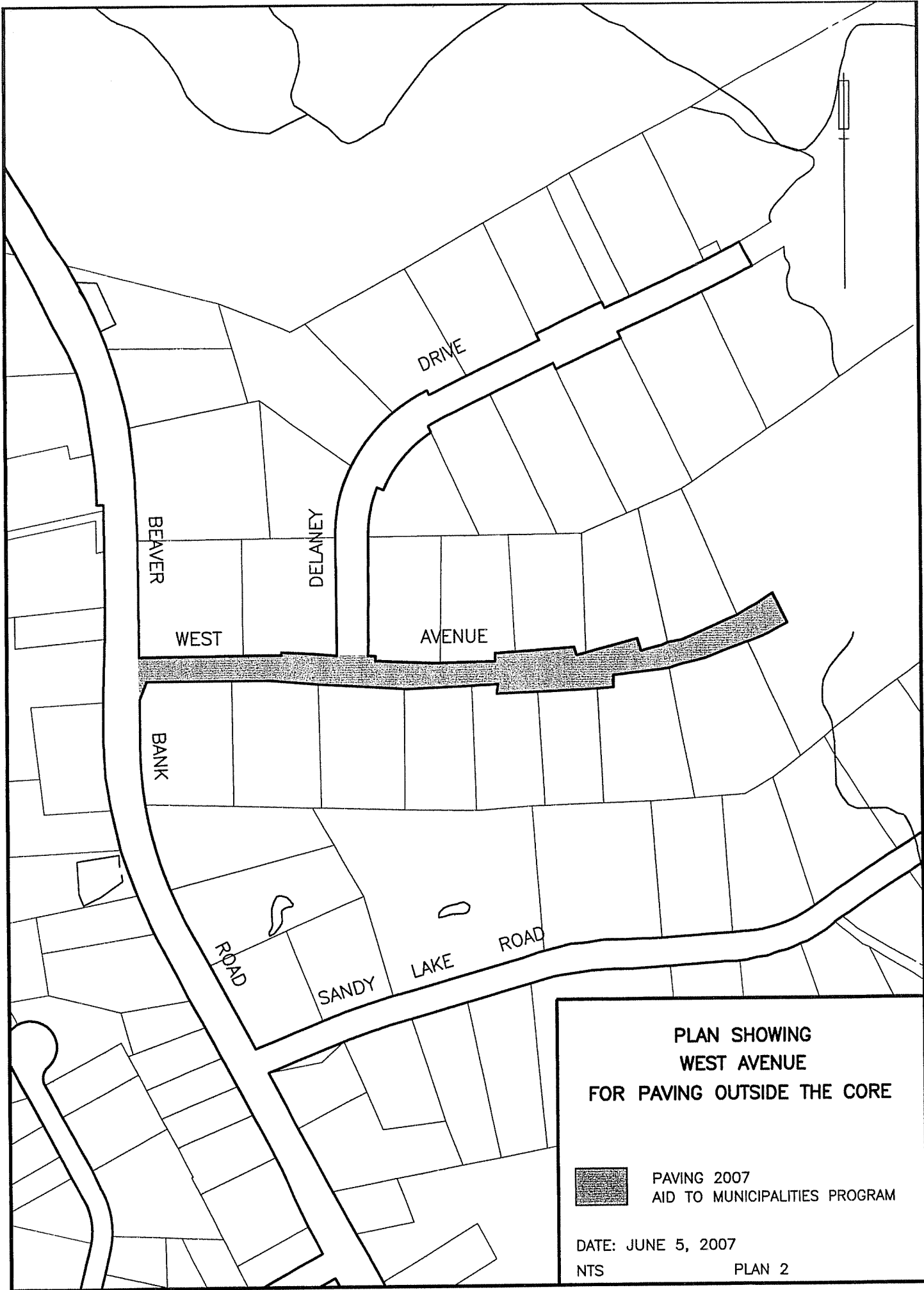


**PLAN SHOWING
LYNWOOD DRIVE AND BENS COURT
FOR PAVING OUTSIDE THE CORE**

 PAVING 2007
AID TO MUNICIPALITIES PROGRAM

DATE: JUNE 5, 2007
NTS

PLAN 1

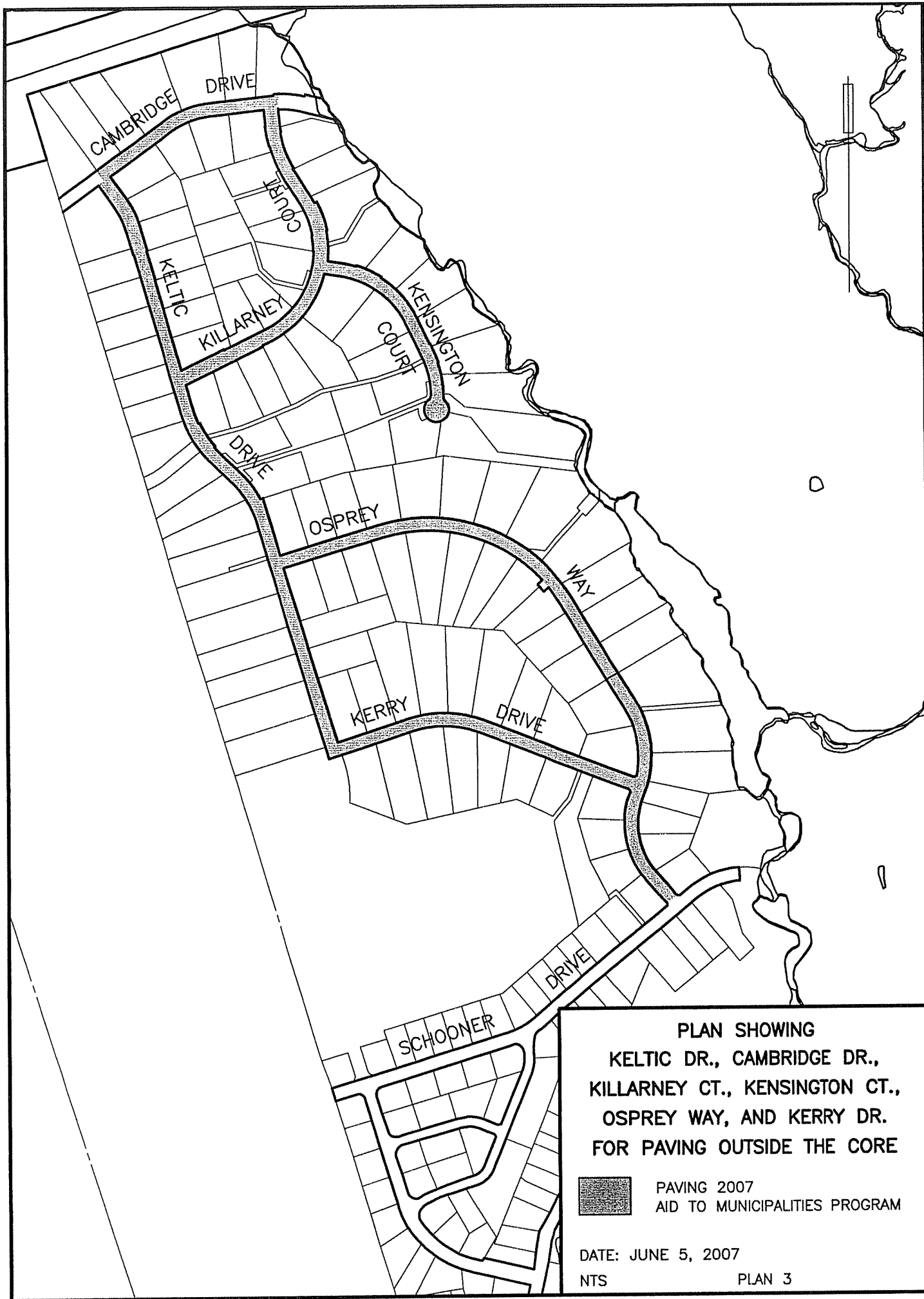


**PLAN SHOWING
WEST AVENUE
FOR PAVING OUTSIDE THE CORE**

 PAVING 2007
AID TO MUNICIPALITIES PROGRAM

DATE: JUNE 5, 2007
NTS

PLAN 2



**PLAN SHOWING
KELTIC DR., CAMBRIDGE DR.,
KILLARNEY CT., KENSINGTON CT.,
OSPREY WAY, AND KERRY DR.
FOR PAVING OUTSIDE THE CORE**

 **PAVING 2007
AID TO MUNICIPALITIES PROGRAM**

**DATE: JUNE 5, 2007
NTS PLAN 3**