

PO Box 1749 Halifax, Nova Scotia B3J 3A5 Canada 9.1.19

Halifax Regional Council June 13, 2006

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 8, 2006

SUBJECT:

Cost Shared Paving of Subdivision Streets Outside the Core;

Construction Agreement No. 2006-003

ORIGIN

This report originates from staff.

RECOMMENDATION

It is recommended that 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. 2006-003 between HRM and the Nova Scotia Department of Transportation and Public Works (NSDOT&PW), to pave the 14 "J" class subdivision roads, as outlined in 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 (NSDOT&PW) for cost sharing for paving under the Aid-to-Municipalities Program. These streets are owned and maintained by the NSDOT&PW.

DISCUSSION

On April 4, 2006, HRM submitted to NSDOT&PW a prioritized list of gravel streets that were successfully petitioned by HRM. On June 1, 2006, HRM received a letter from NSDOT&PW with proposed Construction Agreement No. 2006-003, which provides for 50% cost sharing on an estimated total paving program of \$2, 200,000 on the following streets:

| Three Brooks Drive White Sands Court | Three Brooks Subdi | vision | (District 22) |
|---|--------------------|----------|---------------|
| Fox Hollow Drive | St. Margaret's Bay | _ | • |
| Fox Ridge Street | St. Margaret's Bay | Village | (District 23) |
| Ashford Crescent | St. Margaret's Bay | Village | (District 23) |
| Magnolia Court | St. Margaret's Bay | Village | (District 23) |
| Michelle Drive | Lawrencetown | (Distric | et 3) |
| Lisa Ann Drive | Lawrencetown | (Distric | et 3) |
| Shepard's Lane | Lawrencetown | (Distric | et 3) |
| Mark Crescent | Lawrencetown | (Distric | et 3) |
| Megan Drive | Lawrencetown | (Distric | et 3) |
| Renee Drive | Lawrencetown | (Distric | et 3) |
| Trevor Drive | Lawrencetown | (Distric | et 3) |
| Lester Drive | Lawrencetown | (Distric | et 3) |

With regard to the 14 streets listed, only the 4 streets in District 23 were successfully re-petitioned at the current estimated rate of \$30.00 per linear foot. For the remaining 10 streets both Councillor Rankin (District 22) and Councillor 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 NSDOT&PW.

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. 2006-003. (copy)

Plan 1 - showing streets in District 3

Plan 2 - showing streets in District 23

Plan 3 - showing streets in District 22

| A copy of this repo | ort can be obtained online at http://www.halifax.ca/council/agendasc/cagenda.html then iate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax |
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| 490-4208. | |
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| Report Prepared by: | Dean Knowles, CET, Design & Construction Services at 490-6825 |
| Business Unit Review: | |
| | David Hubiey, P. Fing., Manager, Design & Construction Services at 4900-4845 |
| | Cothen / |
| Report Approved by: | 10 10 10 10 10 10 10 10 10 10 10 10 10 1 |
| | Mike Labrecque, P.Eng., Director, Transportation and Public Works at 490-4855 |
| Financial Review: | Jor. Kathy Smith, Financial Consultant at 490-6153 |
| | Kathy Smith, Financial Consultant at 490-6153 |
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| Report Approved by: | Anna (Emeno) Marchand |
| | Catherine Sanderson, Senior Manager, Financial Services at 490-1562 |
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DHK/krr



Transportation and Public Works

CONSTRUCTION AGREEMENT NO. 2006-003

THIS AGREEMENT made this 29th day of May A.D., 2006.

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> | Estimated Cost |
|--------------------|---------------------------|---------------|-----------------------|
| Three Brooks Drive | Three Brooks Subdivision | 0.77 | \$191,250 |
| White Sands Court | Three Brooks Subdivision | 0.22 | \$55,500 |
| Fox Hollow Drive | St Margaret's Bay Village | 0.67 | \$166,500 |
| Fox Ridge Street | Margaret's Bay Village | 0.27 | \$68,250 |
| Ashford Crescent | St Margaret's Bay Village | 0.76 | \$190,750 |
| Magnolia Court | St Margaret's Bay Village | 0.07 | \$17,500 |
| Michelle Drive | Lawrencetown | 1.33 | \$333,000 |
| Lisa Ann Drive | Lawrencetown | 1.58 | \$393,750 |
| Shepard's Lane | Lawrencetown | 1.18 | \$294,500 |
| Mark Crescent | Lawrencetown | 0.48 | \$120,000 |
| Megan Drive | Lawrencetown | 0.50 | \$123,750 |
| Renee Drive | Lawrencetown | 0.21 | \$51,250 |
| Trevor Drive | Lawrencetown | 0.21 | \$52,750 |
| Lester Drive | Lawrencetown | 0.31 | \$77,000 |

The work consists of grading, gravelling, and asphalt concrete paving. The work is estimated to cost \$ 2,135,750 and will be shared equally by the Minister and the Municipality, with each party contributing \$ 1,067,875 for the completion of this work.

- b) As soon as possible after the tender closing, the Department shall supply the Municipality with the name of the successful bidder and respective bid. At that time, the Department will give the Municipality a more accurate estimate of the complete costs.
- c) 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.
- d) 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
- e) 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.
- f) 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 DEL | IVERED |
|------------------------|---|
| Witness | Minister of Transportation & Public Works Province of Nova Scotia |
| Witness | Mayor |
| Witness | Municipal Clerk |

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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., 2006. |
|--|
| Moved by Seconded by |
| "That the Mayor and myself be authorized to sign Construction Agreement No.2006-003 for the paving of the following J Class streets: |
| Three Brooks Drive, White Sands Court, Fox Hollow Drive, Fox Ridge Street, Ashford Crescent, Magnolia Court, Michelle Drive, Lisa Ann Drive, Shepard's Lane, Mark Crescent, Megan Drive, Renee Drive, Trevor Drive, Lester Drive |
| dated the 29th day of May A.D., 2006." |
| Motion Carried. |
| I certify that the above Resolution was passed at a duly called meeting of the Halifax |
| Regional Municipal Council on A.D., 2006. |
| |
| Municipal Clerk |





