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Halifax Regional Council
September 27, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

Dan English, Acting Chief Administrative Officer

Wayne Anstey, Acting Deputy Chief Administrative Officer

DATE: September 21, 2005

SUBJECT: **Cost Shared Paving of Subdivision Streets Outside the Core
Construction Agreement No. 2005-024**

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. 2005-024 between HRM and the Nova Scotia Department of Transportation and Public Works (NSDOT&PW) and relative to the "J" Class subdivision road as outlined in the Discussion Section of this report.

BACKGROUND

By correspondence to NSDOT&PW dated February 7, 2005, HRM submitted a list of five (5) gravel roads to the Province for consideration for the 2005-06 paving program. Subsequently the Province approved Bristol Avenue and Rising Sun Trail for paving and completed the work under Construction Agreement No. 2005-016.

DISCUSSION

NSDOT&PW has notified HRM that there is funding available to complete one more street from the list of prioritized streets that were submitted by HRM. The next approved candidate is Leeward Avenue from Eagle Glenn Road to existing pavement in Highland Park, Hammonds Plains. The street was successfully petitioned in 2000 and the cost is estimated at \$385,000.

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

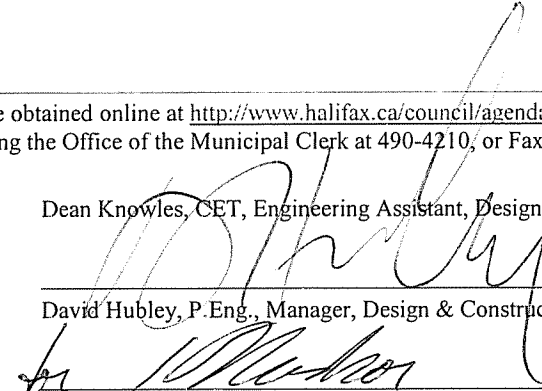
There are no recommended alternatives.

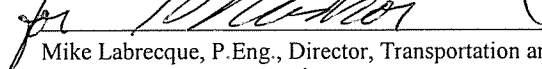
ATTACHMENTS

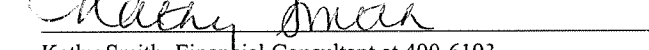
1. Resolution of Council
2. Construction Agreement No. 2005-024 (copy)

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.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: Dean Knowles, CET, Engineering Assistant, Design & Construction Services at 490-6825

Report Approved by: 
David Hubley, P.Eng., Manager, Design & Construction Services at 490-4845

Report Approved by: 
Mike Labrecque, P.Eng., Director, Transportation and Public Works Services at 490-4851

Report Approved by: 
Kathy Smith, Financial Consultant at 490-6193

DHK/

RESOLUTION OF COUNCIL

The following Resolution was passed at a meeting of the Council of the Halifax Regional Municipality on the ____ day of _____ A.D., 2005.

Moved by

Seconded by

"That the Mayor and myself be authorized to sign Construction Agreement No.2005-024 for the paving of the following J Class streets:

Leeward Avenue

dated the 20th day of September A.D., 2005."

Motion Carried.

I certify that the above Resolution was passed at a duly called meeting of the Regional Municipal Council on _____ A.D., 2005.

Municipal Clerk



CONSTRUCTION AGREEMENT NO. 2005-024

THIS AGREEMENT made this 20th day of September A.D., 2005.

BETWEEN: THE HONOURABLE RONALD S. RUSSELL, CD, 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 County:

<u>Name</u>	<u>Description</u>	<u>Length</u>	<u>Estimated Cost</u>
Leeward Avenue	From Eagle Glenn Rd to existing pavement	1.24 km	\$385,000

The work consists of grading, gravelling, and asphalt concrete paving. The work is estimated to cost \$385,000 and will be shared equally by the Minister and the Municipality, with each party contributing \$192,500 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 - \$300.00
- Adjustment of water valves - \$125.00

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 DELIVERED

in the presence of

Witness

Minister of Transportation & Public Works
Province of Nova Scotia

Witness

Mayor

Witness

Municipal Clerk