

PO Box 1749 Halifax, Nova Scotia B3J 3A5 Canada

> Halifax Regional Council June 14, 2005

TO:

Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

George McLellan, Chief Administrative Officer

Dan English, Deputy Chief Administrative Officer

DATE:

June 3, 2005

**SUBJECT:** 

Cost Shared Paving of Subdivision Streets Outside the Core

Construction Agreement No. 2005-016

#### **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. 2005-016 between HRM and the Nova Scotia Department of Transportation and Public Works (NSDOT&PW) and relative to the two "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.

#### **DISCUSSION**

On February 7, 2005, HRM submitted to NSDOT&PW a prioritized list of gravel streets that were successfully petitioned by HRM. On April 22, 2005, HRM received a letter from NSDOT&PW with proposed Construction Agreement No. 2005-016, which provides for 50% cost sharing on an estimated total paving program of \$647,000 on the following streets:

Bristol Avenue, Stillwater Lake Rising Sun Trail, Stillwater Lake

# **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. 2005-016 (copy)

Additional copies of this repor	t, and information on its status, can be obtained 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 Habley, 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/



# Transportation and Public Works

#### **CONSTRUCTION AGREEMENT NO. 2005-016**

THIS AGREEMENT made this 22<sup>nd</sup> day of April 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>	Estimated Cost
Bristol Avenue	From Sherwood Dr to end	1.86 km	\$512,000
Rising Sun Trail	From Leeward Ave to end	0.49 km	\$135,000

The work consists of grading, gravelling, and asphalt concrete paving. The work is estimated to cost \$647,000 and will be shared equally by the Minister and the Municipality, with each party contributing \$323,500 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