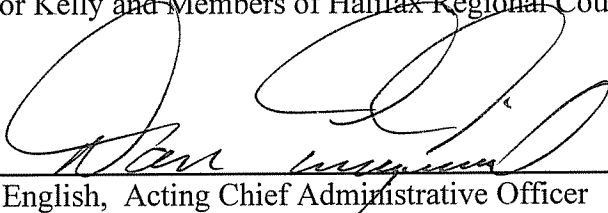


---

**Halifax Regional Council**  
**August 20, 2002**

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:**

  
\_\_\_\_\_  
Dan English, Acting Chief Administrative Officer

**DATE:** August 13, 2002

**SUBJECT:** **New Paving of Subdivision Streets Outside The Core - 50/50 Cost Sharing, NSDTPW/HRM**

---

**ORIGIN**

The Approved 2002/03 Capital Budget - New Paving of Subdivision Streets Outside The Core, Account CXR00483.

**RECOMMENDATION**

It is recommended that Halifax Regional Council authorize the Mayor and the Municipal Clerk to execute the attached Agreement between the Nova Scotia Department of Transportation & Public Works and the Halifax Regional Municipality which relates to the paving of "J" Class gravel subdivision roads outside the Core for 2002/03 and as per the Budget Implications section of the report.

## **BACKGROUND**

By correspondence to the Nova Scotia Department of Transportation & Public Works dated May 6, 2002, the Halifax Regional Municipality submitted a list of thirteen (13) gravel roads to the Province for consideration for our proposed 2002/03 Gravel Road Paving Program outside the Core. The thirteen (13) gravel roads submitted were taken in order of priority from the attached previously established priority listing.

## **DISCUSSION**

Of the thirteen (13) gravel roads submitted for approval, eight (8) have been approved by the Province at a total estimated cost of \$631,000 of which 50% or \$315,500 will be billed to HRM as per Clause 2(b) of the Agreement. The final costs will be determined once the program has been tendered by the Province. The net cost to the Halifax Regional Municipality is zero as the HRM portion of the program cost is recovered from the property owners in the form of a Local Improvement Charge.

## **BUDGET IMPLICATIONS**

Funding for the HRM portion of this project in the estimated amount of \$315,500 is available in the approved Capital Budget, Account No. CXR00483, New Paving of Subdivision Streets Outside the Core Area. The budget availability has been approved by Finance.

**Budget Summary:** Account No. CXR00483,

Cumulative Unspent Budget	\$1,167,145
This Report	<u>\$ 315,500</u>
	\$ 851,645

The remaining funds from this account are required for any future project approved between HRM and the Province.

## **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**

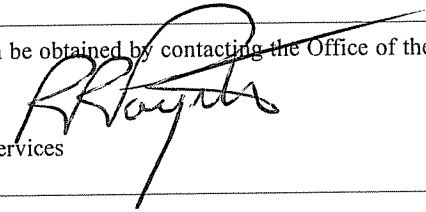
There are no recommended alternatives.

**ATTACHMENTS**

- 1) Construction Agreement 2002-09
- 2) Priority listing of Gravel Subdivision Streets Outside the Core

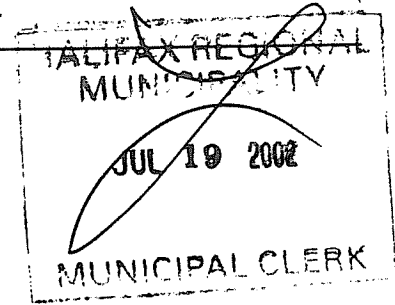
Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared/Approved by: Rick Paynter, P.Eng., A/Director,  
Public Works & Transportation Services



/krr

July 17, 2002



Ms. Vi Carmichael  
Municipal Clerk  
Halifax Regional Municipality  
P.O. Box 1749  
Halifax, NS  
B3J 3A5

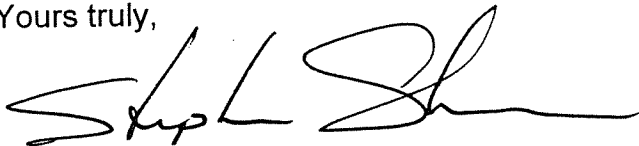
Dear Ms. Carmichael:

**RE: AID TO MUNICIPALITIES PROGRAM - PAVING OF J CLASS STREETS**

Attached are two copies of a draft agreement requested by the Municipality to be entered into with the Minister of Transportation and Public Works for paving of J Class streets under the Aid to Municipalities Program.

Please have the Mayor and yourself sign both copies, have witnessed, affix the Municipal Seal and return to me along with the attached completed 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



**NOVA SCOTIA**  
TRANSPORTATION & PUBLIC WORKS

**CONSTRUCTION AGREEMENT NO. 2002-09**

APPROVED  
AS TO FORM

Municipal Solicitor

**THIS AGREEMENT** made this 16th day of July A.D., 2002.

**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 bituminous paving of the streets listed below and shall also include pre-engineering; and /or design costs, on site engineering supervision and inspection, grading and paving, storm drainage, main storm sewers, main storm sewer manholes, catch basins, culverts extension, curbs, cut, fill, gravel, railway signal systems, 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:

Section I	Jamil's Road; from Selig Road southwesterly to Hage's Lane	0.42km
Section II	Hage's Lane; from Jamil's Road westerly and southerly to the turning circle (Lot #63)	0.90km
Section III	Windsor Drive; from end of pavement to turning circle	0.94km

Section IV	Oxford Court; from Windsor Drive to turning circle	0.09km
Section V	Stoney Creek Drive; top portion to Riverfront Court	0.15km
Section VI	Riverfront Court	0.10km
Section VII	Foxwood Crescent	0.61km
Section VIII	Stillwater Court	0.09km

The work consists of grading, gravelling, and asphalt concrete paving. The work is estimated to cost \$631,000 and will be shared equally by the Minister and the Municipality, with each party contributing \$315,500 for the completion of this work.

(b) As soon as possible after the tender closing, the Department shall supply the Municipality with a list of bidders and their respective bids and request the Municipality approval to award the contract. At that time, the Department will give the Municipality a more accurate estimate of their costs.

(c) The Municipality shall be notified in writing of any anticipated cost in excess of the amount approved by the Municipality in "b" 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 their share of this additional expenditure.

(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 (50) percent of the cost of all shareable construction completed in accordance with the provisions of this agreement.

(f) The Municipality will, at the request of the Minister permit any person or persons, designated by him to inspect or audit any books, records, agreements or any other documents relating to the construction undertaken by the Municipality under this agreement.

3. **TERMINATION OF AGREEMENT**

Unless a contract for this work has been awarded by the 31st day of March A.D. 2003 this agreement will be null and void.



**IN WITNESS WHEREOF** the Minister has hereunto subscribed his hand and affixed his seal and 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

**HALIFAX REGIONAL MUNICIPALITY**  
**PUBLIC WORKS AND TRANSPORTATION SERVICES**  
**PRIORITY LIST FOR PAVING OF GRAVEL ROADS OUTSIDE THE CORE AREA**  
**BASED ON DATE OF PETITION**

	Street Name	Area/Subdivision	District	Petition Date	Estimated Cost
1	Jamil's Road	Prospect	23	Aug 1998	\$79,000
2	Hage's Lane	Prospect	23	Aug 1998	\$157,000
3	Windsor Drive also Includes Oxford Court	Hammonds Plains	22	June 1998	\$175,000
4	Stoney Creek Drive(only the part to Riverfront Crt)	Mineville	3	Oct 1998	\$31,000
5	Riverfront Court	Mineville	3	Oct 1998	\$20,000
6	Foxwood Crescent	Mineville	3	Oct 1998	\$85,000
7	Stillwater Court	Mineville	3	Oct 1998	\$19,000
8	Longburn Drive	Maplewood on the Lakes, Hammonds Plains	22	Jan 1999	\$75,000
9	Country Lake Drive	Lawrencetown	3	June 1999	\$159,000
10	Minna Drive	Haliburton Heights, Hammonds Plains	22	Oct 1999	\$102,000
11	Cheshire Lane	Haliburton Heights, Hammonds Plains	22	Oct 1999	\$68,000
12	Paddington Way	Haliburton Heights, Hammonds Plains	22	Oct 1999	\$23,000
13	McDonald Lake Drive	Hatchet Lake	23	Nov 1999	\$157,000
14	Bristol Avenue	Haliburton Heights, Hammonds Plains	22	Jan 2000	\$373,000
15	Leeward Avenue	Hammonds Plains	22	Jan 2000	\$246,000
16	Rising Sun Trail	Highland Park, Hammonds Plains	22	Jan 2000	\$97,000
17	White Sands Court	Three Brooks Subdivision, Hubley	22	July 2000	\$43,000
18	Three Brooks Drive( to White Sands Run)	Three Brooks Subdivision, Hubley	22	Aug 2000	\$151,000
19	Fox Ridge	Upper Tantallon, St. Margaret's Village	23	July 2000	\$54,000
20	Ashford Crescent	Upper Tantallon, St. Margaret's Village	23	July 2000	\$152,000
21	Fox Hollow Drive	Upper Tantallon, St. Margaret's Village	23	July 2000	\$130,000
22	Magnolia Court	Upper Tantallon, St. Margaret's Village	23	July 2000	\$14,000
23	West Avenue	Beaver Bank	19	Feb 2000	\$95,000
24	Lynwood Drive	St. Margaret's Bay/Prospect	23	Apr 2000	\$114,000
25	Bens Court	Brookside	23	Apr 2000	\$37,000
26	Eagle Glen Road	Hammonds Plains	22	Feb 2000	\$62,000
27	Meadow View Drive	Porters Lake	3	June 2000	\$72,000
28	Bellefontaine Court	Lawrencetown	3	June 2000	\$42,000
29	Lillian Drive	Lawrencetown	3	May 2000	\$106,000
30	George Cyril Drive	Lawrencetown	3	May 2000	\$73,000
31	Doherty Drive	Lawrencetown	3	May 2000	\$84,000
32	Craig Allen Court	Lawrencetown	3	May 2000	\$25,000
33	Glenn Drive	Lawrencetown	3	May 2000	\$88,000
34	Jan Marie Drive	Lawrencetown	3	May 2000	\$70,000
35	Robinson Lake Road	Lawrencetown	3	May 2000	\$198,000
36	Kerry Drive	Lawrencetown	3	May 2000	\$97,000
37	Inverary Crt.	West Porters Lake	3	Feb 2000	\$181,000
38	Greenough Drive	West Porters Lake	3	Feb 2000	\$160,000
39	Renee Dr.	Lawrencetown	3	Apr 2000	\$41,000
40	Trevor Dr.	Lawrencetown	3	May 2000	\$41,000
41	Megan Drive	Lawrencetown	3	May 2000	\$99,000
42	Lisa Ann Drive	Lawrencetown	3	May 2000	\$316,000
43	Michelle Drive	Lawrencetown	3	May 2000	\$250,000
44	Shepherd's Lane	Lawrencetown	3	May 2000	\$233,000
45	Mark Crescent	Lawrencetown	3	May 2000	\$95,000
46	Colony Way	Lawrencetown	3	May 2000	\$100,000
47	Atlantic View Dr	Lawrencetown	3	Mar 2000	\$99,000
48	Russell Drive	Lawrencetown	3	June 2000	\$148,000
49	Forge Court	Lawrencetown	3	Apr 2000	\$62,000
50	Lester Drive	Lawrencetown	3	Apr 2000	\$61,000
51	Queen's Road	Lawrencetown	3	Oct 2000	\$34,000
52	Joel Crescent	Lawrencetown	3	Oct 2000	\$68,000
53	Sylvania Terrace	Hammonds Plains	22	Oct 2000	\$310,000
54	Hummingbird Lane	Hammonds Plains	22	Oct 2000	\$76,000
55	Timberlane Drive	Hammonds Plains	22	Oct 2000	\$114,000
56	Shelby Drive	Hammonds Plains	22	Oct 2000	\$216,000
57	Weaver Court	Hammonds Plains	22	Oct 2000	\$65,000
58	Nicole Court	Hammonds Plains	22	Oct 2000	\$27,000
59	Sonia Drive	Lawrencetown	3	Feb 2001	\$33,000
60	Cathy Court	Lawrencetown	3	Feb 2001	\$86,000
61	Carmicheal Court	Brookside	23	Feb 2001	\$48,000
62	Abbey Road	Stillwater Lake	22	Apr 2001	\$98,000
	<b>TOTAL</b>				<b>\$6,634,000</b>

*RF* *WJ*