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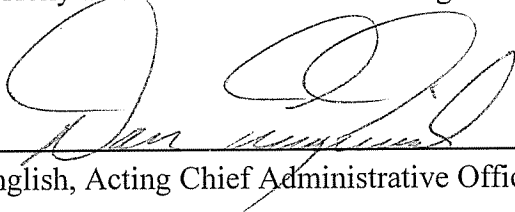


PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
July 8, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Dan English, Acting Chief Administrative Officer

DATE: July 2, 2003

SUBJECT: **Cost Shared Paving of Subdivision Streets**
- Construction Agreement No. 2003-14

ORIGIN

This report originates from staff.

RECOMMENDATION

It is recommended that Regional Council authorize the Mayor and Municipal Clerk to sign the attached cost sharing agreement, Construction Agreement No. 2003-14, with the Nova Scotia Department of Public Works and Transportation (NSDOT&PW).

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. Last year was the first year in several that the Province cost shared with HRM under this program.

DISCUSSION

On March 11, 2003, HRM submitted to NSDOT&PW a prioritized list of gravel streets that were successfully petitioned by HRM. On June 20, 2003, HRM received a letter from NSDOT&PW with proposed Construction Agreement No. 2003-14, which provides for 50% cost sharing on an estimated total paving program of \$616,500 on the following streets:

Country Lake Drive, Lake Echo
Minna Drive, Hammonds Plains
Cheshire Lane, Hammonds Plains
Paddington Way, Hammonds Plains
McDonald Lake Drive, Hatchet Lake
Bayview Drive, White's Lake

BUDGET IMPLICATIONS

There is no net cost to HRM because half the total cost is recovered by 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

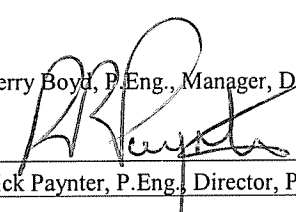
Construction Agreement No. 2003-14 (copy)

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 by:

Gerry Boyd, P.Eng., Manager, Design and Construction Services, 490-4896 *gmb*

Report Approved by:


Rick Paynter, P.Eng., Director, Public Works & Transportation Services, 490-4855

GB/kr



NOVA SCOTIA
TRANSPORTATION & PUBLIC WORKS

CONSTRUCTION AGREEMENT NO. 2003-14

THIS AGREEMENT made this 12th day of June A.D., 2003

BETWEEN: **THE HONOURABLE Michael G. Baker, QC,**
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 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 Country Lake Drive

Section II Minna Drive, Cheshire Lane and Paddington Way

Section III McDonald Lake Drive

Section IV Bayview Drive

The work consists of grading, gravelling, and asphalt concrete paving. The work

is estimated to cost \$616,500 and will be shared equally by the Minister and the Municipality, with each party contributing \$308,250 for the completion of this work.

(b) As soon as possible after the tender closing, the Department shall supply the Municipality with name of the successful bidder and their bid. At that time, the Department will give the Municipality a more accurate estimate of the total cost.

(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 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.

3. **TERMINATION OF AGREEMENT**

Unless a contract for this work has been awarded by the 31st day of July 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 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

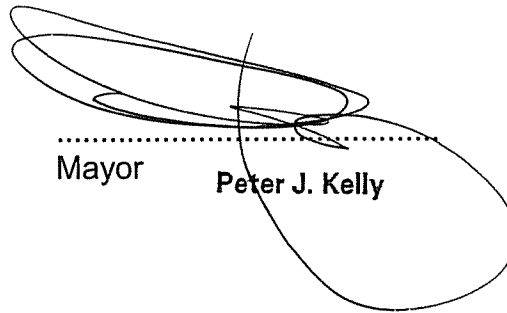
in the presence of

.....
Witness

Kelly MacLennan
.....
Witness

.....
Witness

.....
Minister of Transportation
& Public Works
Province of Nova Scotia


.....

Mayor Peter J. Kelly

.....
Municipal Clerk

