

Halifax Regional Council

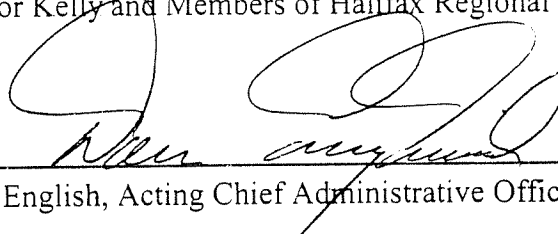
December 9, 2003

*Dec. 16, 2003*

*Jan. 13, 2004*

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

**SUBMITTED BY:**

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

**DATE:** November 26, 2003

**SUBJECT:** By-Law L-114, Respecting Charges for Local Improvement Projects,  
Point Pleasant Drive Sanitary Sewer

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**ORIGIN**

This report is a follow-up to the completion of the Point Pleasant Drive upgrading works as approved by Halifax Regional Council on June 11, 2002 and completed in the fall of 2002 and relates to the approval of the By-Law required in order to allocate the local improvement charges applicable to this project.

**RECOMMENDATION**

It is recommended that Halifax Regional Council approve in principle and begin the formal process for the adoption of By-Law L-114, Respecting Charges for Local Improvement Projects, Point Pleasant Drive Sanitary Sewer.

## BACKGROUND

At the Halifax Regional Council Meeting held on June 11, 2002, Halifax Regional Council approved the upgrading project for Point Pleasant Drive in Halifax. A copy of the report is attached. The project consisted of the reconstruction of Point Pleasant Drive between Young Avenue and the park entrance and included the renewal of the water main and the installation of a new gravity sanitary sewer and pumping station to service homes along that section of the street. Contract 01-302 was awarded to J.R. Eisener Contracting Limited in the amount of \$411,880.23 along with a Project Management Contract to KVM Consultants in the amount of \$10,000 plus Net HST for a Total Project Cost of \$422,523. A Local Improvement Charge (LIC) of \$99.95 per foot was also approved as the charge to be applied on a frontage basis upon completion of the project.

With all works of that project now completed and the new sanitary sewer system in service, this report completes this project by initiating the process to put into effect the necessary By-Law for the allocation and recovery of the approved LIC rate of \$99.95 per foot of frontage.

## DISCUSSION

The final project costs and the resultant amount applicable for recovery by the approved local improvement charge rate of \$99.95 is as follows.

Total completed construction cost:	\$416,445.00
Completed project management/inspection costs:	5,569.00
<b>Total Completed Project costs:</b>	<b><u>\$422,014.00</u></b>
Less HRWC contribution for water main renewal:	20,539.00
Less Street upgrading costs:	141,617.00
<b>Net Sanitary Sewer Costs:</b>	<b><u>\$259,858.00</u></b>
<b>Funding:</b>	
HRM: 50% as per Local Improvement Policy:	\$129,929.00
Residents local improvement charge, 556.96 feet of frontage @ \$99.95/ft:	55,668.00
Additional HRM cost	74,261.00
	<b><u>\$259,858.00</u></b>

**By-Law L-114, Respecting Charges  
for Local Improvement Projects,  
Point Pleasant Drive Sanitary Sewer  
Council Report**

-3-

**December 9, 2003**

The report to Council of June 11, 2002 recommended approval of the recovery of Local Improvement Charges in the amount of \$129,929. This recovery was based on 1300 lineal feet of frontage, of which 742.98 lineal feet was along Point Pleasant Park. Therefore, the original LIC estimates included the Point Pleasant Park frontage, resulting in a preliminary estimate of \$129,929. The actual amount to be recovered from LIC will be \$55,668. The funding for the \$74,261 shortfall is outlined in the Budget Implications of this report.

The By- Law also contains a provision which imposes a charge of \$5,997.00 in respect of all future connections to the water and sewer systems for properties which are not assessed a local improvement charge. This charge is based upon a standard 60 lineal foot frontage at \$99.95 per lineal foot. The reason for this charge is to ensure that residents outside the charge area do not receive the benefit of water and sewer service funded by residents within a charge area. The purpose for which these funds can be used will be the subject of a separate report to Council. It is expected that these funds might be used to service water and sewer extensions in the future.

**Petitioning Process**

For Council's information and prior to the tendering/awarding of Contract 01-302, cost information and the calculated LIC rate of \$99.95 was circulated to all seven property owners to be affected by this process. The results of that process and liaison with Councillor Uteck and a number of the property owners in question resulted in the moving forward of this project. Attached to this report is the petition sent to the owners of the properties affected.

During the petitioning process one property owner was petitioned on the actual frontage of the property and not on the minimum as required under By-Law L-100. As a result By-law L-114 being recommended by staff makes provision for this difference by honoring the frontage included in the petition.

**BUDGET IMPLICATIONS**

The final construction costs for this project remain in line and consistent with the projections presented to Council at the time of the Tender Award in June, 2002 and with the overall project funding allocation as outlined in the Discussion Section of that report.

The LIC recovery amount presented in the report of June 11, 2002 will not be fully achieved due to the parkland frontage. The \$74,261 applicable to the Park frontage is, however, included in Capital Account CYR00340, Point Pleasant Drive Sanitary Sewer as a result of Councils' approval of the use of capital funds from a previously approved Paving Renewal project for Point Pleasant Drive.

**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 and the utilization of Capital and Operating reserves, as well as any relevant legislation.

By-Law L-114, Respecting Charges  
for Local Improvement Projects,  
Point Pleasant Drive Sanitary Sewer  
Council Report

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December 9, 2003

**BY-LAW RATIONALIZATION COMMITTEE**

The recommended amendment has been reviewed and approved by the By-Law Rationalization Committee and has been "Approved to Form" by the Municipal Solicitor.

**ALTERNATIVES**

There are no recommended alternatives.

**ATTACHMENTS**

1. By-Law Number L-114, Respecting Charges for Local Improvement Projects, Point Pleasant Drive Sanitary Sewer
2. Report to Council dated June 7, 2002
3. Schematic plan of service area.
4. Petition to residents

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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.

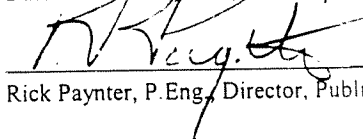
Report Prepared by:

Reg H. Ridgley, CGA, Manager, Strategic Capital Project Support, 490-6475  
Gerry Boyd, P. Eng., Manager, Design & Construction Services at 490-4845

Report Approved by:

  
Dale MacLennan, C.A., Director, Financial Services 490-6238

Report Approved by:

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

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RG/GB

# HALIFAX REGIONAL MUNICIPALITY

## BY-LAW NUMBER L- 114 RESPECTING CHARGES FOR LOCAL IMPROVEMENT PROJECTS

Be It Enacted by the Council for the Halifax Regional Municipality that By-Law L-100, the Local Improvement By-Law, be amended as follows:

1. Schedule "A" of By-Law L-100 is amended by adding the following:

- (a) The Point Pleasant Drive sewer installation and water main renewal project is a plan to install a new sanitary sewer and pumping station and renew the existing water main to service properties located within the boundaries identified on a plan entitled "Point Pleasant Drive Sewer Project , By-Law L-114, January, 8, 2003" as attached.
- (b) The Project will be funded by local improvement charges based on the entire cost of the project less Halifax Regional Municipality and Halifax Regional Water Commission cost sharing
- (c) The local improvement charges will be imposed at a rate of \$99.95 per calculated lineal foot on each property which abuts in whole or in part any street
- (d) For the purpose of this project only, the minimum calculated frontage charge of 60 lineal feet for PID # 40280489 is hereby waived
- (e) A further charge of five thousand, nine hundred and ninety seven dollars (\$5997.00) is hereby levied in respect of all future connections to the sewer systems for properties which are not assessed a local improvement charge.

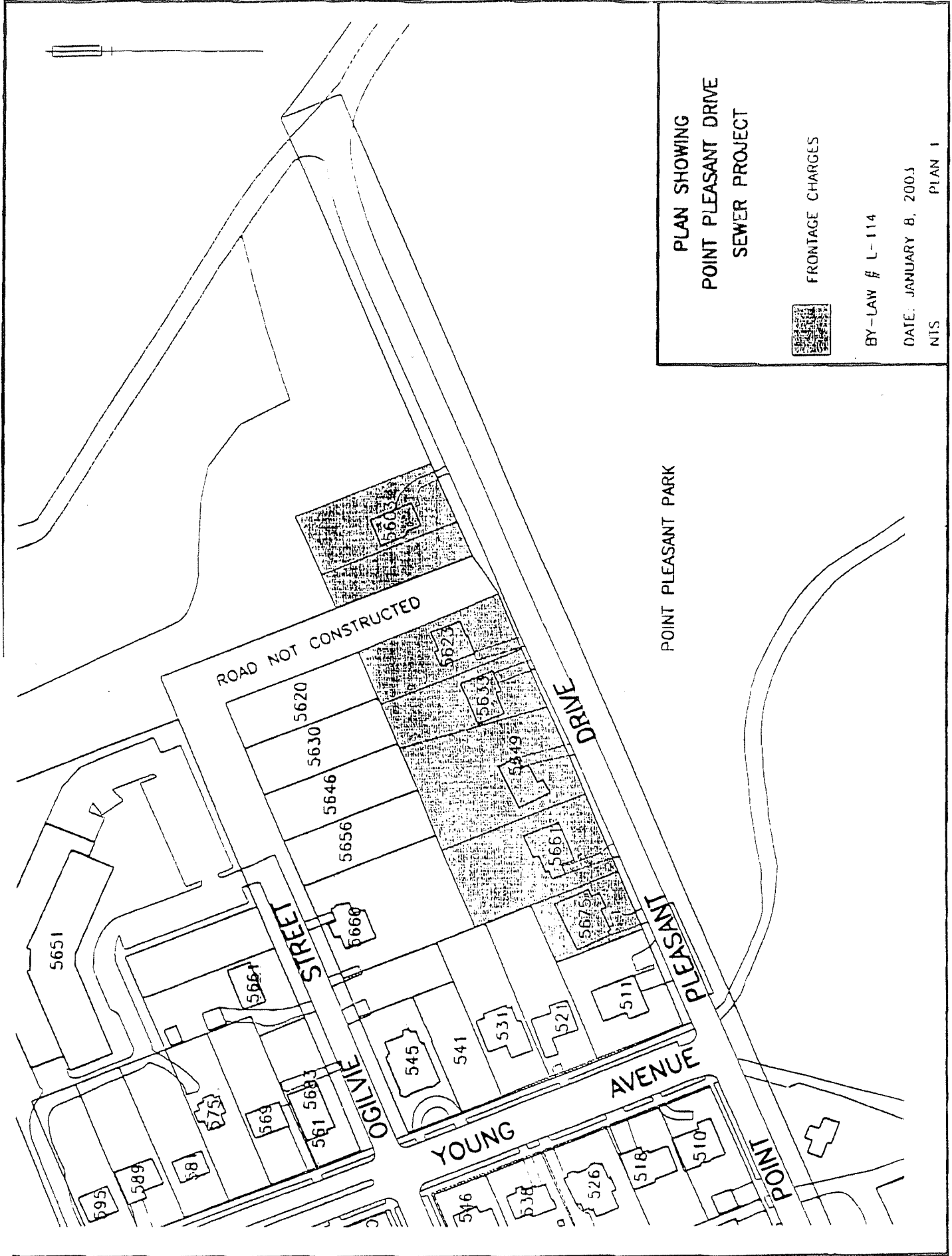
Done and passed by Council this            day of            , 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of the Halifax Regional Council held on 2004.

\_\_\_\_\_  
Vi Carmichael, Municipal Clerk



PLAN SHOWING  
 POINT PLEASANT DRIVE  
 SEWER PROJECT

FRONTAGE CHARGES

BY-LAW # L-114  
 DATE: JANUARY 8, 2003  
 NIS PLAN 1

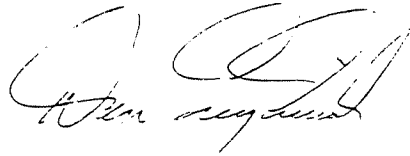
POINT PLEASANT PARK

11.3.12

Halifax Regional Council  
June 11, 2002

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

**SUBMITTED BY:**



Dan English, Acting Chief Administrative Officer

**DATE:** June 7, 2002

**SUBJECT:** Award of Unit Price Tender No. 01-302, Point Pleasant Drive Sanitary Sewer and Pumping Station - West Region

**ORIGIN**

This report is a follow-up to the staff presentation and discussion that took place at the Halifax Regional Council Meeting on December 18<sup>th</sup>, 2001, item 8.5 and on May 28, 2002, item 12.1 (ii).

**RECOMMENDATIONS**

It is recommended that Council:

1. Approve the recovery of Local Improvement Charges applicable to the new sanitary sewer and pumping station on Point Pleasant Drive, in the amount of \$129,929.12, based on a Local Improvement Charge of \$99.95 per foot of frontage.
2. Authorize an increase to Account No. CYR00340, Point Pleasant Drive Sanitary Sewer in the amount of \$65,561.14 with funding provided from Account No. CRESPOOL as indicated in the Budget Implication section of this report.
3. Approve an increase in the Gross Budget for Account No. CZR00357, Paving Resurfacing by \$20,539., with no net impact to the capital budget as this represents funding from HRWC associated with the watermain renewal as indicated in the attached memorandum dated April 24, 2002 to the Halifax Regional Water Commission.
4. Award Tender No. 01-302, Point Pleasant Drive Sanitary Sewer and Pumping Station to Eisener Contracting Limited for materials and services listed at the unit prices quoted, including the upgrading of Point Pleasant Drive, for a total price of \$387,000., plus net HST for a total of \$411,880.23, with funding authorized from Capital Account Nos. CYR00340 and CZR00357 as per the Budget Implications section of this report.
5. Approve the appointment of KVM Consultants for project management and inspection services applicable to the pumping station component of the project, for a fee of \$10,000. plus net HST.

## BACKGROUND

At the Halifax Regional Council Meeting held on December 18<sup>th</sup>, 2001, discussion took place between staff and Council regarding a proposal to install a new sanitary sewer and pumping station on Point Pleasant Drive. This was a project that was initially budgeted for in 1998 with a Local Improvement Charge determined in the amount of \$86.50 per lineal foot based on the estimated construction costs of \$225,000. The project did not proceed in 1998 and was not brought forward again until the fall of 2001, at which time it was tendered. The increase in construction costs between 1998 and 2001 resulted in the Local Improvement Charge increasing to \$130.76 per lineal foot. The tender bids received in the fall of 2001, exclusive of taxes, were:

1.	J.R. Eisener Contracting Limited	\$289,000.00
2.	Amber Contracting Limited	\$299,464.00
3.	W. Eric Whebby Limited	\$320,000.00
4.	A.C.L. Construction Limited	\$351,815.50
5.	Dexter Construction Company Limited	\$405,916.00
6.	Ocean Contractors Limited	\$481,600.00

A motion by Councillor Uteck asking Council to approve the initial Local Improvement Charge of \$86.50 was not approved. It is to be noted that the costs presented on this project both in 1998 and in 2001, did not include any reinstatement work to Point Pleasant Drive other than the immediate trench area, since there was a possibility that the Harbour Solutions would require a new trunk sewer.

## DISCUSSION

Subsequent to the discussion at Regional Council on December 18<sup>th</sup>, 2001, and in consultation with Councillor Uteck, staff proceeded to take a further review of this project with the objective of reducing the Local Improvement Charges to the area residents. Staff was advised that Harbour Solutions would now not be impacting on Point Pleasant Drive, and thus staff has investigated and finds merit in having the Halifax Regional Water Commission involved in this project through the renewal of the water main system. Subsequently, HRWC advised that they are prepared to renew the watermain system and enter into a joint project. Since the reinstatement of the street pavement would now be a significant portion of the entire street, staff is recommending that the entire street pavement be renewed. This would make it possible for a significant portion of the pavement reinstatement costs to be absorbed by the budgets for the water system and the pavement renewal, thus enabling the Local Improvement Charges to the residents to be reflective of the sanitary sewer costs only. Staff has received a price of \$98,000. exclusive of taxes from J. R. Eisener for the paving renewal of Point Pleasant Drive from Young Avenue to the Park entrance, which staff recognizes as a reasonable cost for the associated work involved. Considering HRWC's contribution towards reinstatement associated with the watermain renewal the cost of the paving renewal would be reduced by \$20,539. for a net cost of \$77,461. Using this approach the Local Improvement Charges can now be reduced to \$99.95 per foot frontage.



On the basis of the revised approach of adding the water main renewal and paving renewal to the overall scope for this project, staff is able to present a project package, inclusive of Tender 01-302, Upgrading of Point Pleasant Dr., Project Mgmt. Consultant Fees and net HST, that results in a total cost of \$422,523.13 and a revised Local Improvement Charge of \$99.95 per foot frontage.

The cost of the watermain renewal is not included in these figures as the contractor is entering into a separate agreement with HRWC.

**BUDGET IMPLICATIONS**

Based on the lowest tendered price of \$387,000., from J. R. Eisener Contracting Limited for the sanitary sewer and reconstruction of Point Pleasant Drive , plus net HST plus consultant fees funding is available in the 2002/2003 Approved Capital Budget under Account Nos. CYR00340 and CZR00357. The budget availability has been approved by Financial Services.

**Budget Summary**

**Account No. CYR00340, Point Pleasant Drive Sanitary Sewer**

Cumulative Unspent Budget	\$252,661.57
Plus: Transfer from CRESPOOL	\$ 65,561.14
Less: <b>Tender No. 01-302</b>	<b><u>\$318,222.71</u></b>
	\$ 0.00

**Budget Summary**

**Account No. CZR00357, Paving Resurfacing**

Cumulative Unspent Budget	\$3,561,477.00
Plus: Cost Sharing from HRWC	\$ 20,539.00
Less: <b>Tender No. 01-302</b>	<b>\$ 104,300.42*</b>
Tender No. 02-247	\$ 196,729.00
Tender No. 02-251	<u>\$ 342,717.00</u>
	<b>\$2,938,269.58</b>

The remaining funds in Account No. CZR00357 are required to implement the remaining 2002/2003 Paving Resurfacing and Street Reconstructions.

\*This project was not included in the estimate in the 2002/03 Capital Budget, and these additional costs, as a result of the reconstruction of Point Pleasant Drive, will be offset by a reduction in scope of work in other paving projects approved in District 13. At the time of confirming this report it was anticipated that Council would be reviewing the above 3 tenders on June 11, 2002.

This meets the criteria for use of the Capital Pool Fund as per the Capital Pool Procedures Report dated May 8, 2001 and approved by Council May 15, 2001.

**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.

The installation of a new sanitary sewer and pumping station will add to existing infrastructure inventories and as such will increase the annual operating budget. Over the long-term, as infrastructure ages, future capital dollars will be required for replacement.

**ALTERNATIVES**

There are no alternatives being recommended.

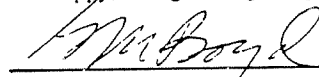
**ATTACHMENT**

Memorandum dated April 24, 2002 confirming cost sharing with HWRC.

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.

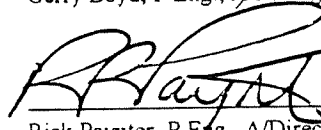
Report Prepared by: Ian Guppy, P Eng., Design Engineer at 490-6824

Report Approved:



Gerry Boyd, P Eng., A/Manager, Design & Construction Services at 490-6820

Report Approved by:



Rick Paynter, P Eng., A/Director, Public Works and Transportation Services at 490-4855

IG/bhs

To Jan Guppy



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PUBLIC WORKS AND TRANSPORTATION SERVICES  
DESIGN & CONSTRUCTION SERVICES

MEMORANDUM

TO: Jamie Hannam, Chief Engineer, Halifax Regional Water Commission  
FROM: Ian Guppy, Design Engineer  
DATE: April 24, 2002  
SUBJECT: Point Pleasant Drive (Watermain Replacement)

In order to proceed with this project we need to formalize the cost sharing of reinstatement costs. In the most recent discussions on this subject, HRWC has agreed to pay their share of the cost of reinstatement. This includes the cost of the asphalt and gravel over the length of the watermain and across the reinstatement width. Since the original tender work scope did not include street construction I have used, as agreed, the unit prices for asphalt and gravel from HRM's 2001 cost database (average tender prices for 2001). Based on these unit prices the HRWC's share of reinstatement costs is as follows:

Reinstatement Area	340 m x 1.2 m	=	408 m <sup>2</sup>
Cost for Type 1 Gravel	408 m <sup>2</sup> x \$9.00/ m <sup>2</sup>	=	\$ 3,672.00
Cost for Type 2 Gravel	408 m <sup>2</sup> x \$13.00/ m <sup>2</sup>	=	\$ 5,304.00
Cost for Type C Asphalt	408 m <sup>2</sup> x \$8.00/ m <sup>2</sup>	=	\$ 3,264.00
Cost for Type B Asphalt	408 m <sup>2</sup> x \$13.00/ m <sup>2</sup>	=	\$ 5,304.00
	Subtotal	=	\$ 17,544.00
	Net HST	=	\$ 1,127.90
	Total	=	\$ 18,671.90

P.O. Box 1749, Halifax, Nova Scotia, Tel: 490-6824, Fax 490-4858  
E-mail: guppyi@region.halifax.ns.ca Web Site: www.region.halifax.ns.ca

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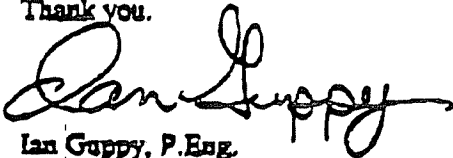
Based on the 2001 average tender prices and the above cost sharing, HRWC's costs for the Point Pleasant Drive project can be summarized as follows:

Watermain Renewal Tender	\$ 0.00
(Direct arrangement between HRWC and Eisener Contracting Limited)	
Reinstatement Cost Sharing	\$ 17,544.00
	\$ 17,544.00
Net HST	\$ 1,127.90
<hr/>	
Project Subtotal	\$ 18,671.90
<hr/>	
10% Quality Control / Quality Assurance and Unforeseen Works	\$ 1,867.10

Project Total = \$ 20,539.

If you agree to this arrangement, please indicate by signing the enclosed copy and returning it to me. If you have any questions, please call me at 490-6824.

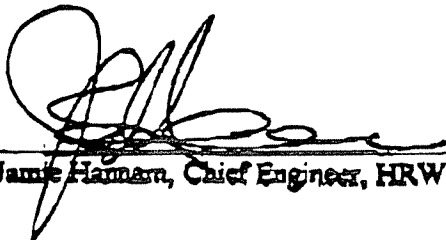
Thank you.



Ian Guppy, P.Eng.  
Design Engineer

cc: Rick Paynter, P.Eng., Manager, Design and Construction Services  
Gerry Boyd, P.Eng., Senior Design Engineer, Design and Construction Services

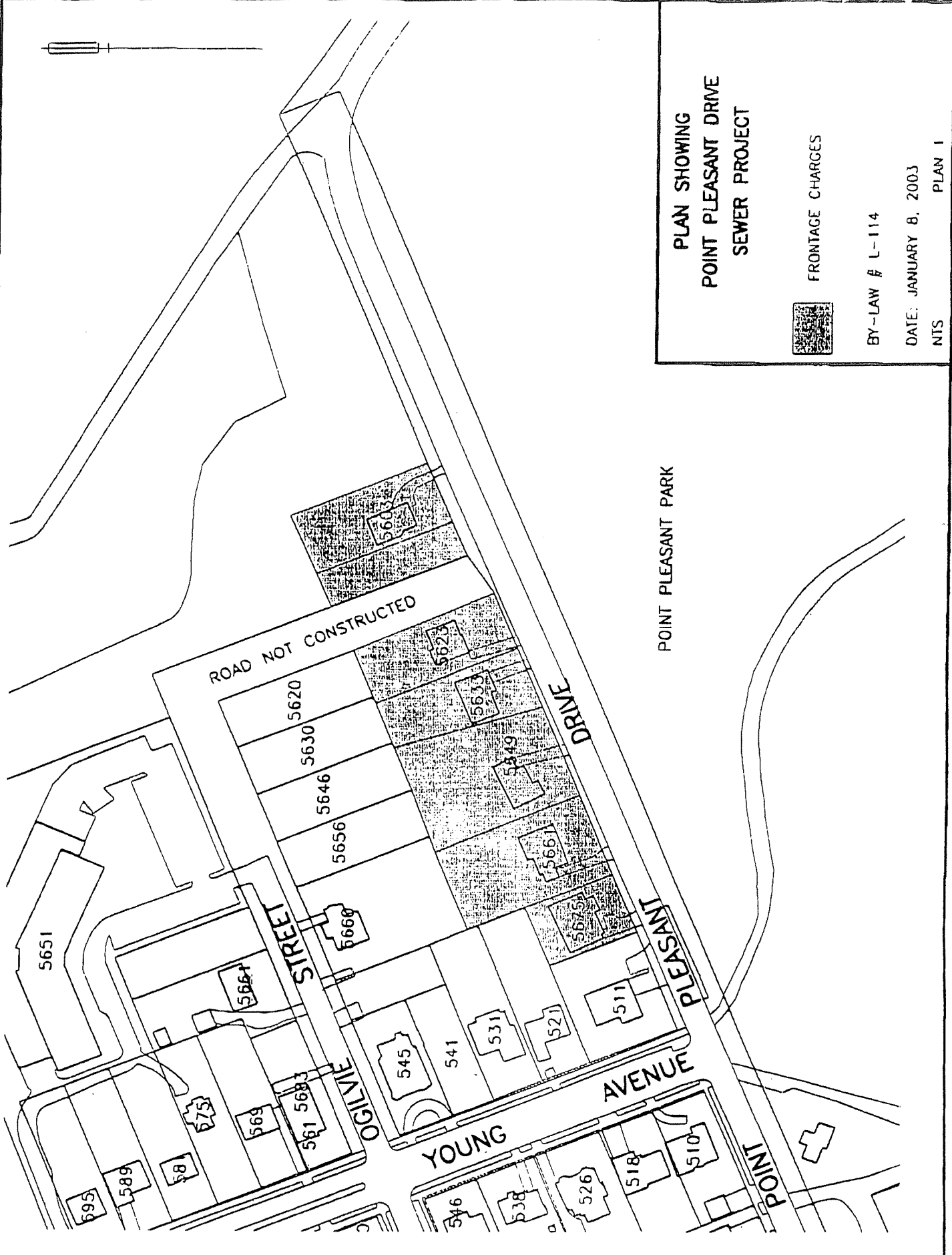
IG/



Jamie Flannan, Chief Engineer, HRWC

May 3, 2002  
Date

HRWC\wpl\03\...-pointpleasant.wpd



PLAN SHOWING  
 POINT PLEASANT DRIVE  
 SEWER PROJECT

 FRONTAGE CHARGES

BY-LAW # L-114

DATE: JANUARY 8, 2003

NTS PLAN 1

POINT PLEASANT PARK

ROAD NOT CONSTRUCTED

STREET

DRIVE

PLEASANT

AVENUE

YOUNG

POINT

5651

5603

5620

5630

5646

5656

5660

5667

5673

569

561

5683

545

541

531

521

511

5649

5633

5661

5675

595

589

58

546

538

526

518

510



Regional Operations  
Engineering & Transportation  
Director's Office

2776 Dutch Village Road  
Post Office Box 1749  
Halifax, Nova Scotia  
Canada B3J 3A5

Tel. 902.490.4855  
Fax. 902.490.6904

Email: dhillok@region.halifax.ns.ca

October 8, 1997

Point Pleasant Drive  
Halifax, NS B3H 1B4

Dear

Re: Sanitary Service - Point Pleasant Drive

As you are aware, Point Pleasant Drive abutting your property is not serviced by a public sewer. Although you have a public water supply, your property still utilizes a conventional on-site sewage disposal system. Condition and adequacy of the disposal system is not known.

In the 1998/99 fiscal year, Halifax Regional Municipality plans to reconstruct Point Pleasant Drive from Young Avenue to the end near the Container Terminal. The works will involve a complete re-construction including paving renewal, curb and gutter, etc.

In conjunction with these works, the Municipality, at the request of some property owners, is considering installation of sanitary sewer to service the abutting properties. The project will only proceed if the property owners want to have this service, and appropriate funds are approved by Council, unless required due to health reasons.

The estimated cost of the sanitary service, which would include a gravity sewer, a sewage pumping station and pump line, is approximately \$225,000. Based on the approved Local Improvement Policy of HRM, this cost has to be shared by the residents/benefiting property owners on a 50/50 basis. Local improvement charges are applied on the basis of property frontage serviced.

For your information, we have done the following calculations:

Total Estimated Project Cost	\$225,000.
Total Frontage Serviced	650' ± one side + 650' ± other side = 1,300 l.f.
HRM Share (50%)	\$225,000. ÷ 2 = \$112,500.
Abutters' Share (50%)	\$225,000. ÷ 2 = \$112,500.
Cost to Abutters (per l.f.)	<u>\$112,500</u> 1,300 l.f. = \$86.50±

**NOTE:** This is an estimate only. The actual cost will be determined after construction, and may vary from this amount.

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In addition to the above, there shall be a permit fee in the amount of \$60.00, and a trunk sewer charge in the amount of \$500.00 per property, payable at the time of connection.

Construction would include the installation of a building service connection from the main sewer to the property (street) line. You will be responsible for the connection from your building to the street line.

We are asking you and your neighbours who do not have sanitary services now to consider the merit of this proposal and let us know if you are interested and willing to pay for your share of the cost.

In order for this project to proceed, it must be approved by a two-thirds majority of the total abutting properties. Please indicate below by putting an X in one square indicating yes or no, and your signature. Duplicate copies are included for your records. Return the signed copy of the letter in the self addressed envelope by October 30, 1997.

I/we \_\_\_\_\_ want the sanitary sewer service and agree to pay the Local Improvement Charges.

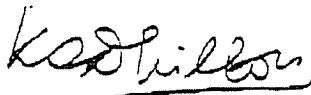
Yes

No

\_\_\_\_\_  
Signature(s)

If you have any questions or would like to discuss the matter further, please call Naipal S. Tomar, P.Eng., at 490-6946.

Yours very truly



KULVINDER DHILLON, P.ENG.  
DIRECTOR  
ENGINEERING AND TRANSPORTATION

KD/NST/plh

Enclosure

- cc: Councillor Larry Uteck
- cc: George McLellan, Commissioner
- cc: John P. Sheppard, P.Eng.
- cc: Naipal S. Tomar, P.Eng.