

HALIFAX

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Item No. 11.1.2
Halifax Regional Council
November 18, 2014

TO: Mayor Savage and Members of Halifax Regional Council

Original signed by



SUBMITTED BY:

Richard Butts, Chief Administrative Officer

Original Signed by



Mike Labrecque, Deputy Chief Administrative Officer

DATE: October 23, 2014

SUBJECT: Sole-Source Award – Dalhousie Cities & Environment Unit

ORIGIN

Dalhousie Cities & Environment Unit initiated a request to the Municipality for funding support to include it its application to the Nova Scotia Moves program. The Approved Project Budget 2014-15 includes (page K1) \$90,000 in opportunity projects for Active Transportation.

LEGISLATIVE AUTHORITY

The Halifax Charter Section 35(2)(d)(i) states the CAO may “make or authorize expenditures, and enter into contracts on behalf of the Municipality for anything required for the Municipality where the amount of the expenditure is budgeted or within the amount determined by the Council by policy, and may delegate this authority to employees of the Municipality”.

In accordance with Administrative Order #35, The Procurement Policy, Section 8(11)(A), which was approved by Regional Council on June 8, 2004 and most recently amended on May 1, 2012, the CAO may approve the award of contracts where the award conforms to the Procurement Policy and does not exceed \$50,000 for sole/single source, \$500,000 for RFQ’s, tenders and RFP’s, where the funds and programs have been approved by Regional Council as part of the annual business planning and budget process, and the expenditure will not result in an over-expenditure of the entire budget. Section 9(4)K goes on to state that the CAO may approve the award of contract "where the CAO does not decide that the award is a matter best dealt with by Halifax Regional Council". The CAO has determined that the award referenced in this report is best dealt with by Regional Council.

The following report conforms to the above Policy and Charter.

RECOMMENDATION

It is recommended that Regional Council, in accordance with the sole source provisions of Administrative Order 35, Section 8(11)(A) sub-section (k) (For the procurement from a public body or a not-for-profit corporation), award a contract for the Bike-friendly Certification & Bike Parking Support Program to Dalhousie Cities & Environment Unit at a cost of \$15,000 including net HST, with funding from CTU00420-Bikeway Master Plan Implementation, as outlined in the Financial Implications section of this report.

BACKGROUND

The Nova Scotia Moves Program, initiated in 2012, provides funding for projects that promote the Province's Sustainable Transportation Strategy. The Program provides up to 50% of project costs but requires applicants to secure at least 25% of the project cost from local or regional sources. To meet this local funding requirement in order to leverage Nova Scotia Moves funding, the Dalhousie Cities & Environment Unit sought to partner with HRM on implementing recommendations from the approved 2014 HRM Active Transportation Priorities Plan. Specifically, they chose to focus on the following recommendation:

Recommendation #28: Council should continue to support cycling through the supply and installation of bicycle racks and repair stands and should consider a pilot program to support the installation of more bicycle parking at commercial locations and schools which predated the 2006 Land Use Bylaw bicycle parking requirements.

The approved 2014-15 Project Budget for Active Transportation included \$90,000 for opportunity projects which was to include bike parking, bike-friendly catchbasin replacements and wayfinding. The Cities & Environment Unit proposed a \$42,000 project to develop a mechanism for encouraging commercial and institutional properties to play a more active role in the supply of bicycle parking and to fund some implementation consistent with Active Transportation Priorities Plan recommendation. Since this project fit under the objectives of both the Nova Scotia Moves Program and HRM's approved Project Budget, they proposed a funding model where \$21,000 in cash would come from NS Moves, \$15,000 from HRM and the remaining \$6,000 from other sources and in-kind contributions.

DISCUSSION

The Higher Education Partnership, signed by HRM with seven Universities (including Dalhousie) and three Community Colleges in March, 2014 states, in part, that the signatories "will strive for greater operational alignment on issues and opportunities on matters of mutual impact and overlap."

HRM has been very active over the past three years in installing bicycle parking within the street right-of-way. In many commercial and institutional settings, however, the street right-of-way is either too crowded to provide room for bike parking or is too far away from the cyclist's destination to be attractive. As of 2006, land use by-laws in the Regional Centre and urban communities require bicycle parking to be installed as part of most commercial, institutional and multi-unit residential developments. For developments constructed prior to that, it is evident that bicycle parking will remain undersupplied without a program in place to encourage or facilitate its implementation.

The 2014 Active Transportation Priorities Plan, approved by Regional Council in September, identified the importance of providing bicycle parking to meet community needs and recognized that further expansion of bicycle parking was limited due to the need to work more effectively with businesses and schools. With existing internal resources this recommendation will be challenging to deliver and would likely be deferred until 2016 or later. An opportunity to work with the Dalhousie Cities & Environment Unit to fulfil this plan recommendation, with supporting funding from the Nova Scotia Moves program is a valuable opportunity that should be pursued.

The work plan proposed will deliver more than just an implementation protocol, but will develop a sense of stewardship and pride amongst participants through branding and marketing. Specifically, the work plan includes these tasks:

- Developing the process to provide support on siting, selection of rack type and installation
- Developing the process to subsidize bike parking infrastructure costs on private land with funding committed to the project by Halifax

- Outreach to identify organizations interested in participating in the certification/bike parking program
- Develop certification program including branding, scoring system, promotional strategy (i.e., how are certified organizations recognized?) and application process
- Pilot the certification/bike parking program (i.e. complete audits and installations before March 31, 2015 and identify options for operating/administering the program beyond March 31, 2015
- Identify options for operating/administering the program beyond March 31, 2015

The bulk of HRM's contribution to the project will be the provision of bicycle parking hardware. Without the Cities & Environment Unit project, staff would continue to seek locations on-street and in public spaces to install this hardware, but over the past three years those areas have been well-stocked with bicycle parking. Community demand is for parking in other areas and this is where the project will provide significant value to HRM.

The Cities & Environment Unit has received letters of support for the project from the Greater Burnside Business Association and Main Street and Area Business Association.

FINANCIAL IMPLICATIONS

HRM's commitment of funding to this project is consistent with the approved Project Budget for Active Transportation. Funding in the amount of \$14,383.52, plus net HST of \$616.48, for a net total of \$15,000.00 is available in Project Account No. CTU00420 – Bikeway Master Plan Implementation. The budget availability has been confirmed by Finance.

Budget Summary:	<u>Project Account No. CTU00420 – Bikeway Master Plan Implementation</u>	
	Cumulative Unspent Budget	\$904,630.25
	Less: Sole Source Award	<u>\$ 15,000.00</u> *
	Balance	\$889,630.25

* This project was estimated in the Approved 2014/15 Project Budget at \$20,000 (out of an estimated \$90,000 for opportunity projects).

The balance of funds will be used for other Active Transportation projects listed in the Project Supplementary Sheet.

COMMUNITY ENGAGEMENT

Substantial community engagement was undertaken in 2013 as part of the development of the Active Transportation Priorities Plan.

ENVIRONMENTAL IMPLICATIONS

The Nova Scotia Sustainable Transportation Strategy strives to reduce the impact of transportation on the environment and any project funded under the NS Moves program has been judged to meet those objectives.

ALTERNATIVES

Regional Council may choose not to approve the award to the Cities & Environment Unit. Should that occur, we will advise the NS Moves program that HRM's conditional funding has not been approved and the proponent and the funding agency will have to determine the status of the project.

Regional Council may choose to proceed with the project as proposed, but to do so with an open tender call. This approach would remove the opportunity for external funding.

ATTACHMENTS

Procurement Policy Section 8 (11).

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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Appendix A
Administrative Order 35
Procurement Policy Section 8 (11) (A)
Sole Source/Single Source Purchases

(11) **Alternative Procurement Practices** may be used as follows:

A. Sole Source/Single Source Purchases. These occur:

- (a) To ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licences, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative.
- (b) Where there is an absence of competition for technical reasons and the goods or services can be supplied only by a particular supplier and no alternative or substitute exists.
- (c) For the procurement of goods or services the supply of which is controlled by a supplier that is a statutory monopoly.
- (d) For the purchase of goods on a commodity market.
- (e) For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor.
- (f) For work to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work.
- (g) For the procurement of a prototype of a first good or service to be developed in the course of and for a particular contract for research, experiment, study or original development, but not for any subsequent purchases.
- (h) For the purchase of goods under exceptionally advantageous circumstances such as bankruptcy or receivership
- (i) For the procurement of original works of art.
- (j) For the procurement of goods intended for resale to the public.
- (k) For the procurement from a public body or a not-for-profit corporation.
- (l) For the procurement of goods or services for the purpose of evaluating or piloting new or innovative technology with demonstrated environmental, economic or social benefits when compared to conventional technology, but not for any subsequent purchases.

The terms and conditions of a sole source/single source purchase shall be negotiated. Sole source/single source purchases over \$25,000 and not exceeding \$50,000 shall be approved by the CAO.