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**Item No. 11.1.1**  
**Halifax Regional Council**  
**April 28, 2015**

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

**SUBMITTED BY:** Original signed by   
Richard Butts, Chief Administrative Officer

Original Signed by   
Mike Labrecque, Deputy Chief Administrative Officer

**DATE:** April 2, 2015

**SUBJECT:** Award Tender No. 15-161 - Emera Oval Phase II (Pavilion)

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### **ORIGIN**

Approval of the multi-year plan for the construction of a permanent ice surface on the North Common as per the March 29, 2011, Committee of the Whole, Agenda Item No.3.

### **LEGISLATIVE AUTHORITY**

Under the *HRM Charter*, Section 79, Halifax Regional Council may expend money for municipal purposes. Administrative Order No. 35, the Procurement Policy, requires Council to approve the award of contracts for sole sources exceeding \$50,000 or \$500,000 for Tenders and RFPs. See Charter Sections 79(1) and 322(3).

Halifax Regional Municipality Charter;

66A (1) The Municipality may erect on the North Common of Halifax a permanent building to be used exclusively to support the Oval on the North Common.

(2) A building or structure on the North Common used at the time of the coming into force of this Section or erected pursuant to subsection (1) may continue to be used for its original purpose but no change in the use of that building or structure may be made unless approved by the Governor in Council and, when the building or structure is no longer required for that purpose and the Governor in Council has not approved its use for another purpose, the land occupied by that building or structure must revert to public open space.

**RECOMMENDATION ON PAGE 2**

## **RECOMMENDATION**

It is recommended that Halifax Regional Council award Tender No. 15-161, Emera Oval Phase II (Pavilion), to the lowest bidder meeting specifications, Seagate Construction Inc., for a total Tender price of \$2,567,271.03 (Net HST Included), with funding from CBX01344 - Outdoor Arena Legacy Project, as outlined in the Financial Implications section of this report.

## **BACKGROUND**

In the fall of 2010, HRM constructed a temporary long track speed skating oval as an event venue for the 2011 Canada Winter Games. Following the successful hosting of the Games, the Public's response to the Oval as a recreational facility was positive. Regional Council on March 29, 2011, approved a multi-year plan for the construction of a permanent ice surface on the North Common.

To provide a permanent Oval the work was divided into two phases; Building the Basics (Phase I), construction of the operational oval itself on the North Common by December 2011, and Building the Oval Amenities (Phase II), construction of the accessory permanent building to house the ice re-surfacers, skate rental and storage room, equipment for skate sharpening, staff office and public washrooms.

In 2012, HRM requested amendments to the Halifax Regional Municipality Charter to permit the building of a permanent building on the Halifax North Common to serve the needs of the Emera Oval. The Province expressed concern that the building only be for those purposes and that the building was appropriate in scale, form, quality and function for the Common. HRM was able to assure the Province that it would hold true to its usual practice of Public Consultation in order to assure itself and the Province that the building would be of scale, function, quality and form to fit with the Halifax Common. The Province of Nova Scotia in the role of Grantor of the Halifax Common gave permission for the placement of a permanent building to support the skating oval on the Halifax North Common through amendments to the Halifax Charter (Bill 157 - Bill 157 Halifax Regional Municipality Charter (Amended)) in December of 2012.

The design of the permanent Oval and associated amenities has been defined by HRM's public consultative process which has encouraged active and participative engagement of a broad and diverse demographic from the community. The result of the Public's participation in the focus groups, public meetings and survey responses not only identified the need for the new facility to support the skating in winter but also reinforced the idea that the building should be a recreational destination offering year round programs focussed on low cost, or no cost, activities for the public. This process reinforced the public's vision that the Halifax Common is an important civic focal point for the Region.

In November 2012, the CAO approved the award of RFP No. 12-176 (Emera Oval Phase II Amenities) for the design of the accessory permanent building to DSRA Envision Architects. DSRA was to include within the design the previous public consultation input and the programming requirements of Community Recreation Services. On February 13, 2013, the public participated in an open discussion about the future pavilion building that included a participatory workshop aimed at generating ideas for the character and use of the building. The ideas generated from the Public's input assisted DSRA in the development of a schematic design for a building that reinforces the sense of place and civic identity that the Oval has created. On June 5, 2014, the project team presented to the public the final design which was well received.

## **DISCUSSION**

The new Emera Oval Pavilion's building program and design has created a signature building that reflects the sense of civic place the oval has created. The facility will offer year round programs and services that will meet the public's expectations as a result of the community consultation process. The building reinforces the signature design and architectural design elements originally discussed and developed

from the Public's input at the participatory workshop. These design elements included:

- Flexible, functional (multiple programs all seasons), dynamic spaces;
- Accessible and welcoming;
- Green technology and eco-friendly;
- A design that compliments the Oval; and
- A design that reflects the aesthetic of the city and the importance of the North Common as a place and civic identity.

The building design has approximately 4,714 square feet of heated space and 2,034 square feet of covered exterior multi-use space which allows for greater use of exterior space for outdoor seasonal program space.

The scope of this award includes the construction of the Oval Pavilion building, new landscaping, including concrete plaza around the building, grass sodded areas, concrete stair and ramp and installation of new and reuse of existing concrete pavers to blend with existing area of the Oval plaza.

As per the tender documents, the project is to be totally completed including approved occupancy permit by November 31, 2015.

The Tender closed under budget and the over-all contractor response to the solicitation was high.

The above listed Tender package was publically advertised on the Province of Nova Scotia website on February 23, 2015 and closed March 24, 2015.

Bids were received from the following qualified bidders:

<b>Company</b>	<b>Total Price (before net HST)</b>	<b>Total Price (net HST included)</b>
Seagate Construction	\$2,461,760.00	\$2,567,271.03
Avondale Construction	\$2,519,000.00	\$2,626,964.34
Marco Maritimes	\$2,523,200.00	\$2,631,344.35
Bird Construction	\$2,640,000.00	\$2,753,150.40
J.W. Lindsay	\$2,679,080.00	\$2,793,905.37
PCL Constructors	\$2,711,300.00	\$2,827,506.32
Maxim Construction	\$2,744,000.00	\$2,861,607.84
Blunden Construction	\$2,910,000.00	\$3,034,722.60
RCS Construction	\$3,000,000.00	\$3,128,580.00

### **FINANCIAL IMPLICATIONS**

Based on the lowest qualified bid price of \$2,461,760.00, plus net HST of \$105,511.03, for a net total cost of \$2,567,271.03, funding is available in the approved 2014/15 Project Budget from Project No. CBX01344 – Outdoor Arena Legacy Project. The budget availability has been confirmed by Finance.

Budget Summary:	<u>Project Account No. CBX01344 – Outdoor Arena Legacy Project</u>
	Cumulative Unspent Budget \$2,758,180.62
	<b>Less: Tender No. 15-161</b> <b><u>\$2,567,271.03 *</u></b>
	Balance \$ 190,909.59

\* The pre-Tender construction estimate for this project was \$2,687,700. The Tender submission is 4.7 percent lower than the pre-Tender estimate.

Remaining funds will be used for other costs related to the Oval and other outdoor facilities.

### **COMMUNITY ENGAGEMENT**

Community participation was undertaken for the design of the permanent Oval and associated amenities encouraging active and participative engagement of a broad and diverse demographic from the community. The Public's participation in the focus groups, public meetings and survey responses reinforced the idea of the Oval being a recreational destination offering year round programs focussed on low cost or no cost activities for the public. This process reinforced the public's vision that the Halifax Common is an important civic focal point for the Region. Although the process for public consultation was not a requirement of the legislation, the Province of Nova Scotia was advised HRM would continue its process of public engagement for this project.

### **ENVIRONMENTAL IMPLICATIONS**

A geotechnical investigation and environmental soils sampling was conducted on the site. A layer of contamination in the form of ash was identified which is known to be ubiquitous throughout the Halifax Peninsula and is associated with the historic Halifax Explosion. The detection of contaminants above the acceptable limits required HRM to notify Nova Scotia Environment (NSE). As a result of these findings, HRM engaged Stantec to prepare a Risk Management Plan (RMP) to ensure contamination is addressed in accordance with the Nova Scotia Contaminated Sites Regulations (NS CSR) of NSE. The Risk Management Plan was included in the Tender documents.

### **ALTERNATIVES**

Regional Council may choose not to approve the recommendation in the report. This is not recommended by staff. The proposed Tender is a key component in meeting Council's request to complete the multi-year plan for the construction of a permanent oval and accessory building. To not construct the new Pavilion project could result in loss of community support and momentum.

### **ATTACHMENTS**

Attachment A – Emera Oval Pavilion Draft Rendering – View from the North West

Attachment B – Emera Oval Pavilion Draft Rendering – View from Ice Surface looking towards the South West

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.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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# EMERA OVAL PAVILION

Draft Rendering - View from the North West

Attachment A





# EMERA OVAL PAVILION

Draft Rendering - View from Ice Surface looking towards the South West

Attachment B

