

HALIFAX

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Item No. 15.1.4
Halifax Regional Council
September 28, 2021

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 
Jacques Dubé, Chief Administrative Officer

DATE: September 9, 2021

SUBJECT: Increase to Contract – PO 2070863453, 21-368 Bird Netting

ORIGIN

This report originates from a need to increase PO 2070863453, 21-368 Bird Netting Installation under Highway 111 Lake Banook Bridge, beyond 20% of its original award.

LEGISLATIVE AUTHORITY

The Municipality may spend money for municipal purposes in accordance with section 79A of the HRM Charter. The recommended contract award complies with all the pre-requisites for awarding contracts as set out in section 26 of Administrative Order 2020-004-ADM, the Procurement Administrative Order.

Section 32 of 2020-004-ADM, the Procurement Administrative Order, provides that contract amendments that exceed the greater of 20% of the original award amount or \$20,000, must be approved by Council for funds to be issued.

RECOMMENDATION

It is recommended that Halifax Regional Council approve an increase to the contract with Pro Tech Building Safety Systems (Tender 21-368, PO# 2070863453) for additional work added to the original scope in the amount of \$29,158 (net HST included) with funding from D935 as outlined in the Financial Implications section of this report.

BACKGROUND

The primary goal of this project is to install bird netting under the Hwy 111 Lake Banook bridge to prevent pigeons from roosting in that area.

Birch Cove Beach is a popular municipally-owned beach located on the western shoreline of Lake Banook, Dartmouth. During the summer of 2017, the beach was closed for 33 days out of a 62-day beach season due to high fecal coliform (*E. coli*) bacteria counts. This number of closures was higher than in all previous years and appeared to be part of an upward trend at this location. This beach was closed for 28 days in 2018, 2 in 2019, and 29 days in 2020, due to the combined effect of harmful algae bloom risk advisories (2018, 2020 and 2021 only) and elevated *E. coli* counts.

Bacteria (microbial) source tracking (MST) techniques were deployed to trace fecal contamination to specific hosts of origin, focusing on human, dog, ruminant (e.g., deer), and bird genetic markers. Elevated occurrence of each marker was found at specific lake locations in association with *E. coli* concentrations exceeding guideline levels for recreational activities.

Feces from hundreds of pigeons that roost under the Hwy 111 Lake MicMac Bridge was reported as one of the bacteria sources in the lake. These pigeons are also considered a nuisance for recreational lake users that travel under the bridge between Lake Banook and Lake MicMac.

During the placement of the installation equipment under the Hwy 111 bridge the Atlantic Division CanoeKayak Canada (ADCKC) contacted HRM with their concerns for the rower safety while using this location. Because the rowers are sitting in a backwards position in their boats they cannot see behind them, therefore the race course is set up for one lane going from Lake Banook to Lake MicMac and a second return lane coming back into Lake Banook under the bridge. The scaffolding required to install the bird netting under the bridge will close off one of these lanes. ACKDC has requested that the Municipality postpone the bird netting installation until November 1, 2021 when their race schedule will be completed. It was unknown during the solicitation process that the race schedule extended this late into the fall and therefore cold weather equipment and additional mobilization fees were not included in the original tender.

DISCUSSION

Pro Tech Building Safety Systems has stated that rescheduling the bird netting installation to November 1, 2021 will require additional scaffold rental, cold weather gear and safety equipment, labour for re-mobilizing, snow and ice control and additional labour for frozen bird debris. The installation and materials associated with the new schedule have a cost of \$29,158 (net HST included).

Staff is recommending an increase to the contract with Pro Tech Building Safety Systems, PO 2070863453, 21-368 Bird Netting, for changes to the contracted scope of work and schedule in the amount of \$29,158 (net HST included) for installation of the bird netting under the Hwy 111 Lake Banook Bridge as per the revised schedule. A summary of the changes are as follows:

Original Award (net HST included):	\$ 132,809.00
Request for increase - Revised Schedule (net HST included):	<u>\$ 29,158.00</u>
New Contract Value (net HST included):	\$ 161,967.00

The total cost of change orders is \$29,158 (net HST included), which represents a cumulative increase of 21.9% to the original contract value of \$132,809 (Net HST Included)

FINANCIAL IMPLICATIONS

Funding in the amount of \$29,158.00 (Net HST Included) is available from D935 – Energy and Environment. The budget availability has been confirmed by Finance.

Budget Summary: D935 – Energy and Environment– Bird Netting Installation

Cumulative Uncommitted Budget	\$ 270,724.00
Less: Increase to Tender 21-368 (PO# 2070863453)	\$ 29,158.00
Balance	\$ 241,566.00

The balance of funds from D935 will be used to implement other environmental projects.

This project was estimated in the Approved 2021/22 Operating Budget at \$210,000.

RISK CONSIDERATION

Approving the expenditure of \$29,158 to reschedule the installation of bird netting under the Hwy 111 Lake Banook Bridge noted above will mitigate the risk of injuries to paddlers using the race lanes in this location through the fall paddling season.

COMMUNITY ENGAGEMENT

There was no community engagement undertaken for this report.

ENVIRONMENTAL IMPLICATIONS

The installation of bird netting will remove the fecal matter from entering the lake from roosting pigeons under the bridge which will lead to lower bacteria levels in that location.

ALTERNATIVES

Council may choose not to approve the recommendation in the report, however, this is not recommended by staff as the additional scope of work is essential to providing safe recreational use of the lake and to safely install bird netting under the bridge.

ATTACHMENTS

No attachments.

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

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