



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 12.2.2**  
**Audit & Finance Standing Committee**  
**October 20, 2021**

**TO:** Chair and Members of Audit & Finance Standing Committee

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**SUBMITTED BY:**

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John MacPherson, Executive Director, Corporate & Customer Services

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Jacques Dubé, Chief Administrative Officer

**DATE:** October 1, 2021

**SUBJECT:** Award – NRFP 21-164 – Halifax Commons Aquatic Project

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**ORIGIN**

The approved 2021/22 Capital Budget, Supplemental Report page B32 (Halifax Common Pool Reconstruction – CB210020).

**LEGISLATIVE AUTHORITY**

Halifax Regional Municipality Council approved, Dec 11, 2012, that all budget increases are to be presented to the Audit and Finance Standing Committee, prior to submission to Council.

The *Halifax Regional Municipality Charter*, S.N.S. 2008, c. 39, subsections 93(1), 79, 35(2)(d)(i) and 120(6) provide:

93(1) The Council shall make estimates of the sums that are required by the Municipality for the fiscal year;

79 The Municipality may spend money for municipal purposes in accordance with this section;

35(2)(d)(i) The CAO can only authorize budgeted expenditures or within the amount determined by Council by policy;

120(6) The Municipality may maintain other reserve funds for such purposes as the Council may determine;

**RECOMMENDATION ON PAGE 2**

Halifax Regional Municipality Policy on Changes to Cost Sharing for Capital Projects - Changes requiring Council approval

Halifax Regional Municipality Reserve Policy - No reserve funds will be expended without the CAO's recommendation and Council approval.

## **RECOMMENDATION**

It is recommended that the Audit & Finance Standing Committee recommend that Regional Council:

1. Approve an unbudgeted withdrawal in the amount of \$1,538,135 (net HST included), from the General Contingency Reserve, Q421; and
2. Increase 2021/22 Capital Project Number CB210020 – Halifax Common Pool Reconstruction by \$1,538,135 (net HST Included); and
3. Award NRFP 21-164 – Halifax Commons Aquatic Project, to the highest scoring proponent meeting specifications, Marco Construction Limited, at a cost of \$18,134,293 (net HST included) with funding from Project Account No. CB210020 – Halifax Common Pool Reconstruction and Project Account No. CB190008 – Energy Efficiency Initiatives, as outlined in the Financial section of this report.

## **BACKGROUND**

The existing aquatic facilities at the Halifax Common are dated, no longer in good condition and no longer meet the needs of the community. This project will replace the existing pool, splashpad, and Pavilion building. The new facilities will be accessible, net zero ready and meet the needs of the users.

The major components are an outdoor public pool, splash pad, aquatic building, shade structures and new landscaping. The design of these features and their siting is influenced by major underground sewer and water infrastructure that run through the site, particularly the two large, combined sewer pipes (formally Freshwater Brook) that run on both sides of the existing pool area, and the main water transmission line that feeds downtown Halifax. This underground infrastructure restricts any expansion of the aquatic area in its current location. Therefore, the area to the west of the pool was identified as the best alternative site on the Common for the proposed aquatic area. Existing facilities in this area include the children's playground, asphalt play area with basketball standards, and an open lawn area used for community events such as the Natal Day celebrations. These facilities would be relocated or accommodated elsewhere on the Common. Community events would move to the Oval on the North Common. Basketball activities will be accommodated at the adjacent Citadel High School which has a full fenced basketball court and four half courts available for community use outside of school hours.

The outdoor pool is envisioned as a public community pool primarily for leisure aquatic recreation designed for all ages and abilities. Recreational pools are designed for broad participation and have a combination of facility features that allow for diverse programming, multifunctionality, scheduling flexibility and accessibility. The proposed pool includes:

- Capacity of 450 people,
- Approximately 25 x 48 metres, with one third the area being a sloped beach entry,
- Six-foot depth (1.8m) deep end would be able to be roped off for swimming lanes, although the pool would not be designed for competition swimming,
- Accessibility features include the zero-entry pool access (beach entry and ramp with handrail),
- Spray features and climber wall in the deep end,
- Pool deck for circulation and lifeguard use.

The splash pad component of the facility would be separate from the pool and envisioned to have a variety of spray features that would be themed to reflect the natural history of the Common and the historic Freshwater Brook. The splash pad will be placed outside the fenced area to allow better public access during times when the pool is not in operation or at capacity. Co-locating the splash pad with the building and pool would allow for efficient utility servicing and user access to the changerooms and public washrooms.

A new building would house the aquatic mechanical systems, universal shower and change rooms, universal public washrooms, lifeguard offices, and storage. It will also contain multi-purpose community space with a kitchenette.

The construction work will require closing a portion of the Common to ensure the safety and security of the public, however, a large portion of the Halifax Common will still be available for public use.

The playground would be replaced and relocated to the area north of the skatepark in the site of the current splash pad and Pavilion building. The existing playground was built before 2007 and will be ready for recapitalization during the project timeline. The replacement playground would integrate with the surrounding landscape to provide a variety of nature play opportunities. It would also be designed for inclusive play for children of all abilities and include accessible pathways. It would be designed for high volume use with robust play structures and resilient surfacing. The playground will also be funded through this Capital Project account, but the delivery method is not included with this proposal and may be tendered separately. The playground delivery will follow completion of this project and is expected late 2023.

## **DISCUSSION**

A Non-binding Request for Proposals (NRFP) was publicly advertised on the Province of Nova Scotia's Procurement website May 14, 2021 and closed July 6, 2021. Design-Build proposals were received from the following companies:

Name of Company
Marco Construction Limited
PCL Construction Limited
Lindsay Construction Limited
Pomerleau Construction Limited

This award will procure a Design-Build team. The Design-Build team is multi-discipline and will provide design and construction services for the project. HRM staff will meet with the Design-Build team to provide over-sight and direction to ensure that the project meets the needs of the users.

A team consisting of staff from Corporate & Customer Services and Parks & Recreation, facilitated by Procurement, evaluated the proposals based on the criteria outlined in the NRFP.

The NRFP was scored using a two-envelope process. Envelope one (1) was the technical component of the NRFP (communication skills, team composition and experience, understanding of the Municipality's needs, business/technical solution, project management methodology). Envelope two (2) was the financial component of the NRFP.

Three proponents received 75 percent or greater from envelope one (1) and had their envelope two (2) opened and evaluated.

### ***Value Engineering***

As the pricing for the NRFP was greater than the approved budget, a value engineering exercise was

undertaken to reduce scope and costs. One of the significant savings was moving the planned facilities away from the Halifax Water infrastructure, thereby saving costs and risks with relocating this infrastructure. The value engineering price is the award price listed in this report.

**Scope of work and schedule:**

- New pool and splashpad,
- New landscaping, trees and shade structure,
- New facilities with public space, accessible public washrooms, change rooms, showers, and lockers.
- Solar PV panels and net zero ready,
- Demolition of existing Pavilion, spray park and pool.

It is anticipated that design work will commence within three weeks of the award. HRM building permits are expected to be issued in early/mid 2022, with construction to start shortly thereafter. The pool, splashpad, change and shower facilities are expected to open for the 2023 aquatic season.

**FINANCIAL IMPLICATIONS**

**Budget Summary: General Contingency Reserve, Q421**

Projected net available reserve balance, as of Q1	\$25,441,983
Unbudgeted withdrawal per recommendation #1	<u>\$ 1,538,135</u>
Projected net available balance	\$23,903,848

Based on the highest scoring proposal of \$17,389,000 plus net HST of \$745,293 for a net total cost of \$18,134,293, funding is available in the Approved 2021/22 Capital Budget from Project Account No. CB210020 – Halifax Common Pool Reconstruction and Project Account No. CB190008 – Energy Efficiency Initiatives. The budget availability has been confirmed by Finance.

**Budget Summary: Project Account No. CB210020 – Halifax Common Pool Reconstruction**

Cumulative Unspent Budget	\$16,604,730
<b>Plus: Approved Increase</b>	<b>\$ 1,538,135</b>
<b>Less: Tender No. 21-164</b>	<b><u>\$17,934,293</u></b>
Balance	\$ 208,572

**Budget Summary: Project Account No. CB190008 – Energy Efficiency Initiatives**

Cumulative Unspent Budget	\$1,370,355
<b>Less: Tender No. 21-164</b>	<b><u>\$ 200,000</u></b>
Balance	\$1,170,355

The project was estimated in the Approved 2021/22 Capital Budget at \$16,448,000 (net HST included). Remaining funds in CB210020 - Halifax Common Pool Reconstruction will be allocated for project contingency.

**RISK CONSIDERATION**

There is risk of unsuitable soil. HRM staff have completed a sampling program to determine if the existing soil is suitable for building. However, the sampling has limitations and unsuitable soils may be found and may need to be removed from site, leading to increased costs.

Previous sampling has indicated contaminated soils are found at this site and may need to be removed from site, leading to increased costs. The effects are mitigated with a previously completed environmental site assessment, keeping materials onsite as a managed site as per Provincial regulations.

Construction safety will be mitigated by ensuring safe work practices and standards are met during the construction process through a construction safety program.

Local resident disruption will be mitigated by adherence to the HRM noise by-laws and control measures to reduce dust and debris and containment to the site.

Disruptions to traffic will be managed with traffic control plans as per HRM by-laws.

### **COMMUNITY ENGAGEMENT**

Community engagement related the Halifax Commons Aquatic Project has been completed through the 2019 Long-Term Aquatic Strategy and identified the 2020/21 Capital Projects Budget. This project was a significant aspect in that consultation and has received support through these public processes.

### **ENVIRONMENTAL IMPLICATIONS**

An Environmental Site Assessment and multiple Hazardous Materials Assessments have been completed. Hazardous materials have been identified on site and will remain onsite as a managed hazardous site as per Provincial regulations.

### **ALTERNATIVES**

The Audit & Finance Standing Committee may choose to recommend that Regional Council:

1. Not approve the increase to 2021/22 Capital Project Number CB210010 – Halifax Common Pool Reconstruction. This may result in the tender being cancelled and re-issued with a reduced scope of work.
2. Not award the tender. This is not recommended by staff as this project is required for Parks & Recreation to meet the needs of this community and is part of the Long-Term Aquatic Strategy.

### **ATTACHMENTS**

None

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Greg MacKay, A/Manger, Building Infrastructure, Facility Design & Construction  
902.233.5171

**- Original Signed -**

Report Approved by: \_\_\_\_\_  
Darren Young, A/Director, Facility Design & Construction 902.476.9295

**- Original Signed -**

Report Approved by: \_\_\_\_\_  
Nalini Naidoo, A/Executive Director, Parks & Recreation, 902.476-7587

**- Original Signed -**

Financial Approval by: \_\_\_\_\_

Jerry Blackwood, Executive Director/CFO, Finance & Asset Management, 902.490.4630

**- Original Signed -**

Procurement Review:

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Jane Pryor, Director, Procurement, Finance & Asset Management  
902.490-4200

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