



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

Information Item No. 1
Audit and Finance Standing Committee
November 15, 2023

TO: Chair and Members of Audit and Finance Standing Committee

SUBMITTED BY: **-ORIGINAL SIGNED-**

John Traves, K.C., Acting Chief Administrative Officer

DATE: November 2, 2023

SUBJECT: **CAO Contract Amendment Reporting**

INFORMATION REPORT

ORIGIN

This report originates from the ratification of a new Procurement policy 2022-012-ADM in November 2022. The Policy states the CAO may approve and sign contract amendments that exceed the thresholds detailed below, provided that the CAO must submit a report including the details of such contract amendments at the next scheduled meeting of the Audit & Finance Standing Committee.

LEGISLATIVE AUTHORITY

Administrative Order Number 2022-012-ADM, the Procurement Policy

32(7) The approval and signing authority limits for cumulative contract amendments are as follows:

Position	Approval Authority
CAO	(a) \$20,000 or (b) a 20% increase to the originally approved contract amount, whichever is greater.
CAO (with reporting to Audit & Finance)	The CAO may approve and sign contract amendments that exceed the thresholds above, provided that the CAO must submit a report including the details of such contract amendments at the next scheduled meeting of the Audit & Finance Standing Committee.

BACKGROUND

The purpose of this report is to provide a list of all CAO approved Contract Amendment Reports.

2022-012-ADM allows for the CAO to approve and sign amendments that exceed the threshold of 20% or \$20,000, provided that the CAO must submit a report including the details of such contract amendments at the next scheduled meeting of the Audit and Finance Standing Committee.

DISCUSSION

All CAO Contract Amendment Reports recorded in Attachment 1 are available for viewing from the Procurement Department. This excludes reports that are marked Private & Confidential.

FINANCIAL IMPLICATIONS

The financial implications, including budget details and account details are in the Financial Implications section of the individual reports as outlined in Attachment 1, and available on file in the Procurement Department.

COMMUNITY ENGAGEMENT

No community engagement was required.

ATTACHMENTS

Attachment 1 – List of approved CAO Contract Amendments.

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.

Report Prepared by: Jane Pryor/Director, Procurement/Finance & Asset Management, 902.292.3128

ATTACHMENT 1

Approved CAO Contract Amendment Reports

Name	Original PO Awarded Amount	Value of Amendment	Updated Value of PO	% of Increase	Reason for Increase
CAO Award Contract Amendment PO #2070891329 Consultant Services for the Demolition of the Former Red Cross Building, 1940 Gottingen Street	\$65,629	\$29,258	\$94,887	45%	Staff has recommended an increase to PO #2070891329 – Pinchin Ltd. for changes to the contracted scope of work in the amount of \$9,334 (net HST included) for additional part time site abatement monitoring plus an additional \$5,666 (8.63% increase) contingency allowance for potential future unforeseen site conditions requiring additional contract administrative costs. The release of these contingency funds will be by approval of the PM and only if necessary.
CAO Award Contract Amendment PO # 2070877271 Consulting Services for Life Safety Work at Lions Arena Spryfield	\$48,702	\$79,327	\$128,029	163%	Design Consulting Services for Spryfield Lions Rink – Electrical Upgrades and Renovations with EXP Architects Inc.
CAO Award Contract Amendment PO #2070799716 and PO #2070805687 Consulting Services for the Replacement MacIntosh Depot	<u>207079916</u> \$653,735 <u>2070805687</u> \$24,980	\$715,037 \$70,803	\$1,368,772 \$95,783	109% 283%	Staff has recommended an increase to PO #2070799716, EXP Services Inc. for changes to the contracted scope of work. Staff has also recommended an increase to PO #2070805687 WSP Canada Inc. for changes to the contracted scope of work, the requested amount is for mileage as additional trips were required to the building compared to the estimated amount.
CAO Award Contract Amendment PO #2070887247 Functional Plan for IMP AAA Bicycle Network of Slayter Street Local Street Bikeway and Connections	\$56,763	\$28,663	\$85,246	50.5%	To successfully achieve the project's objectives, the proposed additional scope includes, revisiting previously developed concepts, additional Active Transportation counts as well as exploring a new concept without traffic diverters and instead installing half signals.

<p>CAO Contract Amendment PO #2070812846 Consulting Services for Alderney Gate Recapitalization Phase 2</p>	<p>\$63,832</p>	<p>\$90,633</p>	<p>\$154,465</p>	<p>142%</p>	<p>Multiple changes in the scope of work and delays in material delivery resulted in an extended timeline and increased fees to Abbott Brown. Regional Council approved an increase in fees in August 2022 in the amount of \$16,029 for these changes. The project schedule has now been further extended due to delivery and installation of the generator which will require the consultant to return to the project to oversee the work.</p>
<p>CAO Award Contract Amendment 21-302 Change Order No. 2</p>	<p>\$185,204</p>	<p>\$34,904</p>	<p>\$220,108</p>	<p>19%</p>	<p>This change order was previously approved by former Executive Director of HRM Planning & Development, Kelly Denty. This was done in error, as the Executive Director cannot approve change orders that exceed 15% or \$15,000, whichever is greater. Therefore, approval is now being sought from the CAO in accordance with the Procurement Policy.</p>
<p>CAO Award Contract Amendment Bell Canada Local Voice (Landline) Contract Extension and Execute</p>	<p>\$1,455,000 (over three years)</p>	<p>\$694,914</p>	<p>\$2,149,914</p>	<p>48%</p>	<p>Amendment 4, which outlines the extension for landline services has some impacts to the Municipality. IT accepts these impacts, as IT works through the competitive procurement process for these services.</p>



P.O. Box 1749
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CAO Contract Amendment Report

APPROVED BY: Original Signed
Cathie O'Toole, Chief Administrative Officer

APPROVAL DATE: September 25, 2023

SUBJECT: **CAO Award – CA22-170 RFP Increase to PO 2070891329, Consultant Services for the Demolition of the Former Red Cross Building, 1940 Gottingen Street**

ORIGIN

This report originates from a need to increase contract PO 2070891329.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S 2008, c.39:

Section 79A (1) Subject to subsections (2) to (4), the Municipality may only spend money for municipal purposes if:

- (a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality;
- (b) the expenditure is in respect of an emergency under the Emergency Management Act; or
- (c) the expenditure is legally required to be paid.

Administrative Order Number 2022-012-ADM, the Procurement Policy

32(7) The approval and signing authority limits for cumulative contract amendments are as follows:

Position	Approval Authority
DCAO or Executive Director (or their delegate)	(a) \$15,000; or (b) a 15% increase to the originally approved contract amount, whichever is greater.
CAO	(a) \$20,000 or (b) a 20% increase to the originally approved contract amount, whichever is greater.
CAO (with reporting to Audit & Finance)	The CAO may approve and sign contract amendments that exceed the thresholds above, provided that the CAO must submit a report including the details of such contract amendments at the next scheduled meeting of the Audit & Finance Standing Committee.
Council	Any amount

RECOMMENDATION

It is recommended that the Chief Administrative Officer approves an increase of \$15,000 (net HST included) to PO #2070891329 (RFP 22-170 - Consultant Services for the Demolition of the Former Red Cross Building- 1940 Gottingen Street) with Pinchin Ltd. with funding from CB230026 – Demolition of 1940 Gottingen Street as outlined in the Financial Implications section of this report.

BACKGROUND

The former City of Halifax (“the City”) acquired property (now referred as the Downtown Gateway block) from the federal government in 1966. The City then entered into a lease agreement with the Canadian Red Cross Society for approximately 1.2 acres of the Gateway block, upon which an office building was erected at 1940 Gottingen Street. Several decades later, the Red Cross Society (renamed Canadian Blood Services) moved to a new facility in Dartmouth; the former Red Cross building remained vacant since 2013, as it was deemed unoccupiable without significant capital investment. The property was then, in 2014, approved by Council as surplus to municipal requirements.

After a process of consultation with the Mi’kmaq Native Friendship Society (MNFS), Halifax Regional Council—on June 14, 2022—categorized the property as Community Interest (CI) pursuant to Administrative Order 50, Respecting the Disposal of Surplus Real Property. Council also invited the MNFS to apply to the CI process for consideration of a below-market-value transaction for the 1940 Gottingen Street property. The intended sale supports the Society’s construction of a new, architecturally iconic, and culturally significant, Mi’kmaq Native Friendship Centre (MNFC). In March 2023, following a public hearing, Council ratified the transaction by approving the terms and conditions of sale, thereby engaging MNFS in the spirit of truth and reconciliation.

Furthermore, as part of the approved motion of June 14, 2022, Council directed staff to initiate the process to demolish the former Red Cross building at 1940 Gottingen Street, allowing the property’s conveyance to MNFS as vacant. Subsequently, staff hired Pinchin in 2022 to further assess the environmental condition of the property and building, and to prepare specifications for its demolition.

In accordance with section 32(7) of the Procurement Policy, notice of this contract amendment will be reported to the next scheduled meeting of the Audit & Finance Standing Committee.

DISCUSSION

Staff has recommended an increase to PO #2070891329 – Pinchin Ltd. for changes to the contracted scope of work in the amount of \$9,334 (net HST included) for additional part time site abatement monitoring plus an additional \$5,666 (8.63% increase) contingency allowance for potential future unforeseen site conditions requiring additional contract administrative costs. The release of these contingency funds will be by approval of the PM and only if necessary.

A summary of the funding changes are as follows:

PO Award (net HST included)	\$65,629
CO increases approved to date	\$14,258
Request for Increase (net HST included)	<u>\$15,000</u>
New Contract Value (net HST included)	\$94,887

The total amount of changes (approved and pending) is \$29,258, which represents a cumulative increase of 44.58% to the original contract value of \$65,629.

FINANCIAL IMPLICATIONS

Budget Summary:	<u>Project Account No. CB230026 – Demolition of 1940 Gottingen Street</u>	
	Cumulative Uncommitted Budget	\$1,276,271.30
	Less: Contract Amendment #03	\$ 15,000.00
	Balance	\$1,261,273.30

The balance of funds will be used for any unforeseen site conditions that may arise during demolition and site remediation. At the conclusion of the project, any remaining funds will be returned to Q421 - Options Reserve.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in the Report. To reach this conclusion, consideration was given to financial, legal and compliance, and service delivery risks.

ENVIRONMENTAL IMPLICATIONS

Hazardous materials will be processed in accordance with Provincial legislation.

SOCIAL VALUE

Bids for the original tender were evaluated using a scored process including the evaluation of Technical and Financial components. The Technical submission included an employment, skills/training and/or social value supply chain development section. Pinchin Ltd. Scored 7.67 out of 10 based on the criteria.

ALTERNATIVES

The CAO could choose not to approve the recommendation.

ATTACHMENTS

No attachments

A copy of this report and information on its status can be obtained by contacting the Procurement Office at 902.490.4170, or Fax 902.490.6425.

Report Prepared by: Darren Young, Manager, Major Projects, Facility Design & Construction, 902.476.9295



P.O. Box 1749
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CAO Contract Amendment Report

APPROVED BY: Original Signed

Cathie O’Toole, Chief Administrative Officer

APPROVAL DATE: October 17, 2023

SUBJECT: **CAO Contact Amendment Report - Increase to PO 2070877271 Consulting Services for Life Safety Work at Lions Arena Spryfield**

ORIGIN

This report originates from a need to increase Purchase Order 2070877271.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S 2008, c.39:

Section 79A (1) Subject to subsections (2) to (4), the Municipality may only spend money for municipal purposes if:

- (a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality;
- (b) the expenditure is in respect of an emergency under the Emergency Management Act; or
- (c) the expenditure is legally required to be paid.

Administrative Order Number 2022-012-ADM, the Procurement Policy

32(7) The approval and signing authority limits for cumulative contract amendments are as follows:

Position	Approval Authority
DCAO or Executive Director (or their delegate)	(a) \$15,000; or (b) a 15% increase to the originally approved contract amount, whichever is greater.
CAO	(a) \$20,000 or (b) a 20% increase to the originally approved contract amount, whichever is greater.
CAO (with reporting to Audit & Finance)	The CAO may approve and sign contract amendments that exceed the thresholds above, provided that the CAO must submit a report including the details of such contract amendments at the next scheduled meeting of the Audit & Finance Standing Committee.
Council	Any amount

RECOMMENDATION

It is recommended that the Chief Administrative Officer approves an increase of \$65,172 (net HST included) to PO 2070877271, Design Consulting Services for Spryfield Lions Rink – Electrical Upgrades and Renovations with EXP Architects Inc. with funding from CB200001 Multi-District Facilities as outlined in the Financial Implications section of this report.

BACKGROUND

The Spryfield Lions Rink is a pre-engineered steel frame structure built in 1972. A gymnasium, constructed using a similar steel frame system, was added in 1982.

Spryfield Lions Rink is a well-used facility within the community; however, due to its age, it needs ongoing maintenance to keep it functional and safe for public use. The scope of work of the design consultant's services and resulting construction work is addressing outdated and aging electrical systems, deficiencies in fire separations, combustible materials, and provides an updated fire alarm system. A new facility is currently planned to begin design in 2025/26, therefore this scope of work is limited to Code and safety items only.

The Building Standards office is aware of the deficiencies within the facility and are of the understanding that they will be corrected as part of this scope of work. An Order to Comply was issued for this facility and a Building Official will require those items be addressed in order to maintain occupancy.

On April 28, 2023, there was a fire in the facility (on the gym side) that is believed to have started in an electrical junction box. The fire was discovered early and contained to one room. However, this incident highlights the need for action if the building is to remain open to the public. The clean-up and re-construction in the area of the fire is not part of the scope of this project.

In the Spring of 2023, the furnace serving the gymnasium stopped functioning and was determined by those servicing it, to be beyond repair. Options are being explored to replace the heating system; however, this is not part of EXP's scope of work.

The Construction Contract Tender for the scope of work under EXP's direction closed on May 10th and was awarded to Avondale Construction in early July 2023.

DISCUSSION

The additional scope being requested is made up of two components: additional Construction Administration fees for longer duration of construction, and fees for additional scope in the gymnasium including design and construction administration services.

The project was initially anticipated to take 2 months to complete, and this is the timeline on which EXP based their fee for Construction Administration. This assumed work being done over the summer months with full access to the facility. The successful bidder anticipated it would take 6 months and indeed that is more accurate based on progress to date. It is possible that with the addition of more scope in the gymnasium, that it will go beyond the 6-month timeline.

Due to the fire, and the failure of the gymnasium heating, it is most efficient to add scope to EXP's services to help coordinate the known Building Code and Fire Code issues in the gymnasium, with the repairs to the burned spaces and the gymnasium heating.

Staff is recommending an increase to EXP PO 207087721 for changes to the contracted scope of work in the amount of \$65,172 (net HST included).

A summary of the changes are as follows:

PO Award (net HST included)	\$ 48,702
CO increases approved to date (net HST included)	\$ 14,155
Request for Increase (net HST included)	<u>\$ 65,172</u>
New Contract Value (net HST included)	\$128,029

The total amount of changes (approved and pending) is \$79,327 (net HST included), which represents a cumulative increase of 163% to the original contract value of \$48,702 (net HST included).

In accordance with section 32(7) of the Procurement Policy, notice of this contract amendment will be reported to the next scheduled meeting of the Audit & Finance Standing Committee.

FINANCIAL IMPLICATIONS

Budget Summary:	<u>Project Account No. CB200001 – Multi-District Facilities Upgrades</u>
	Cumulative Uncommitted Budget \$3,099,872
	Less: Contract Amendment #2 <u>\$ 65,172</u>
	Balance \$3,034,700

The balance of funds will be used to complete the remaining projects outlined in the Approved 2023/24 Capital Budget for this project account.

RISK CONSIDERATION

No risk implications were identified.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

SOCIAL VALUE

There were no social value considerations for the Consultant engagement as they were hired from the standing offer agreement list.

ALTERNATIVES

The CAO could choose not to approve the recommendation.

ATTACHMENTS

None

A copy of this report and information on its status can be obtained by contacting the Procurement Office at 902.490.4170, or Fax 902.490.6425.

Report Prepared by: Sheena Moore, Project Manager, Facility Design & Construction, Property, Fleet & Environment
902-497-4843



P.O. Box 1749
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CAO Contract Amendment Report

APPROVED BY: Original Signed

Cathie O'Toole, Chief Administrative Officer

APPROVAL DATE: October 20, 2023

SUBJECT: **CAO Contract Amendment – RFP 18-169, Increases to PO 2070799716 and PO 2070805687**

ORIGIN

This report originates from a need to increase Purchase Orders 2070799716 and 2070805687.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S 2008, c.39:

Section 79A (1) Subject to subsections (2) to (4), the Municipality may only spend money for municipal purposes if:

- (a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality;
- (b) the expenditure is in respect of an emergency under the Emergency Management Act; or
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Administrative Order Number 2022-012-ADM, the Procurement Policy

32(7) The approval and signing authority limits for cumulative contract amendments are as follows:

Position	Approval Authority
DCAO or Executive Director (or their delegate)	(a) \$15,000; or (b) a 15% increase to the originally approved contract amount, whichever is greater.
CAO	(a) \$20,000 or (b) a 20% increase to the originally approved contract amount, whichever is greater.
CAO (with reporting to Audit & Finance)	The CAO may approve and sign contract amendments that exceed the thresholds above, provided that the CAO must submit a report including the details of such contract amendments at the next scheduled meeting of the Audit & Finance Standing Committee.
Council	Any amount

RECOMMENDATION

It is recommended that the Chief Administrative Officer:

1. Approve an increase of \$170,771 (net HST included) to PO 2070799716: Consulting Services for the Replacement Mackintosh Depot with EXP Services Inc. with funding from CB000089 Mackintosh Depot Replacement; and
2. Approve an increase of \$779 (net HST included) to PO 2070805687: Consulting Services for the Commissioning of the Mackintosh Depot with WSP Canada Inc. with funding from CB000089 Mackintosh Depot Replacement, as outlined in the Financial Implications section of this report.

BACKGROUND

On September 4, 2018, RFP #18-169 was awarded to EXP Services Inc. with the scope of designing the new Mackintosh Depot. Phase 1 of the contract included providing design services and tendering for the new building. The consultant was awarded change orders for completing geotechnical testing, siting studies, and design fees for the addition of a third floor. On January 17, 2019, WSP Canada Inc. was awarded Phase 1 of the Mackintosh Depot commissioning contract to provide services through design.

Phase 2 of the award for both parties was issued by a change order during the Council award report for the construction contract of the new Mackintosh Depot on March 9, 2021. Phase 2 included contract administration services for EXP Services Inc. and construction commissioning services for WSP Canada Inc.

The contracts were awarded in a phased approach as this Capital Project Account was not identified in the multi-year project list in 2018. Issuing the consultants Phase 2 of the project as a change order put each proponent over the 20% threshold for contract amendments.

In accordance with section 32(7) of the Procurement Policy, notice of this contract amendment will be reported to the next scheduled meeting of the Audit & Finance Standing Committee.

DISCUSSION

Staff has recommended an increase to PO #2070799716 – EXP Services Inc. for changes to the contracted scope of work in the amount of \$170,771 (net HST included). The requested amount is for the following services:

- A conceptual needs assessment for the Traffic Management group
- Full time supervision as per the needs of Halifax Water during permitting
- Driveway changes on Bayne St. to match requirements of the Windsor St. Exchange project
- Changes to the runoff spillway to satisfy the needs of CN Rail
- Floor plan modifications required by the addition of a third floor due to the road transfers in Public Works
- Additional project support required by LEED, door hardware changes, security changes, and Code Blue installation

A summary of the funding changes are as follows:

PO Award (net HST included)	\$ 653,735
CO increases approved to date	\$ 544,266
Request for Increase (net HST included)	<u>\$ 170,771</u>
New Contract Value (net HST included)	\$1,368,772

Previous CO Increases	Approval	Amount (Net HST)
Geotechnical Testing of Original Site	Director – John MacPherson	18,146
Geotechnical Testing of the revised Bayne St. site	Director – John MacPherson	9,908
Additional days with the Drill Rig for Geotechnical testing	Director – John MacPherson	3,390
Additional consulting fees associated with switching building design to new Bayne St. site	Director – John MacPherson	47,809
Additional consulting fees associated with a design change from two floors to three floors of office space	Council (Item 11.1.4 – August 18, 2020)	181,970
Phase 2 design award for consulting admin through building construction	Council (Item No. 11.1.1 – March 9, 2021)	283,043

The total amount of changes (approved and pending) is \$715,037, which represents a cumulative increase of 109% to the original contract value of \$653,735. The current percentage of design fees in relation to capital construction costs are in line with industry standards.

Staff has also recommended an increase to PO #2070805687 – WSP Canada Inc. for changes to the contracted scope of work in the amount of \$779 (net HST included). The requested amount is for mileage as additional trips were required to the building compared to the estimated amount.

A summary of the funding changes are as follows:

PO Award (net HST included)	\$ 24,980
CO increases approved to date	\$ 70,024
Request for Increase (net HST included)	\$ 779
New Contract Value (net HST included)	\$ 95,783

Previous CO Increases	Approval	Amount (Net HST)
Phase 2 design award for consulting admin through building construction	Council (Item No. 11.1.1 – March 9, 2021)	70,024

The total amount of changes (approved and pending) is \$70,803, which represents a cumulative increase of 283% to the original contract value of \$24,980. The current percentage of design fees in relation to capital construction costs are in line with industry standards.

FINANCIAL IMPLICATIONS

Funding in the amount of \$170,771 (net HST included) for EXP Services Inc. and \$779 (net HST included) for WSP Canada Inc. is available from Project Account No. CB000089 – Mackintosh Depot Replacement. The budget availability has been confirmed by Finance.

Budget Summary:	<u>Project Account No. CB000089 Mackintosh Depot Replacement</u>
	Cumulative Uncommitted Budget \$1,530,467
	Less: Increase to PO 2070805687 \$ 779
	Less: Increase to PO 2070799716 \$ 170,771
	Balance \$1,358,917

The balance of funds will be used for the final phase of the Mackintosh Depot Replacement including the partial demolition of the old Mackintosh Depot and building of a new Wash Bay.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

SOCIAL VALUE

No social value considerations were identified.

ALTERNATIVES

The CAO may choose not to approve the recommendation.

ATTACHMENTS

None.

A copy of this report and information on its status can be obtained by contacting the Procurement Office at 902.490.4170, or Fax 902.490.6425.

Report Prepared by: Nick Allen, Project Manager, Facility Design & Construction, Property, Fleet & Environment 902.293.3527



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

CAO Contract Amendment Report

APPROVED BY: Original Signed

 Cathie O’Toole, Chief Administrative Officer

APPROVAL DATE: October 20, 2023

SUBJECT: **CAO Award – CA 22-5022 Functional Plan for IMP AAA Bicycle Network of Slayter Street Local Street Bikeway and Connections**

ORIGIN

This report originates from a need to increase contract to Roster Call Up 22-5022.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S 2008, c.39:

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Council	Any amount

RECOMMENDATION

It is recommended that the Chief Administrative Officer approve an increase of \$16,743 (net HST included) to Roster Call Up 22-5022 / PO 2070887247 with WSP Canada with funding from CR200007 Regional Centre AAA Bikeways, as outlined in this report.

BACKGROUND

The Slayter Street Local Street Bikeway and Local Street Connections Project is considering changes to several streets close to the MacDonald Bridge in Dartmouth, including Slayter Street, Pine Street, Albro Lake Road, and Woodland Avenue with impacts on Maple Street and Victoria Road. The resulting functional plan will recommend changes to pedestrian infrastructure, new all-ages-and-abilities (AAA) cycling facilities and propose traffic calming facilities on local streets.

In August 2022, Project Planning and Design Services, through referencing the Consulting Roster, approved an award to WSP Canada to complete the Active Transportation functional planning study for \$56,762 (Net HST included) under Purchase Order 2070887247. The scope of the original contract included:

- Determine the feasibility and preferred design options for all ages and abilities (AAA) bicycle facilities along Slayter Street from Thistle/Pine to Albro Lake to the approved Bikeway on Victoria and Albro Lake.
- Determining the feasibility and preferred design options for traffic calming facilities changes on the connecting local streets.
- Two phases of public and stakeholder engagement
- Preliminary design (30%) of the preferred local street bikeway/complete streets options
- Implementation plan and cost estimates

As planning progressed many complexities of the design options were better understood. In addition, feedback from the technical committee was received. As a result, additional work has been required. Two previous change orders added scope for the consulting team that included:

- Conducting analyses to better understand the impacts of the concepts to the operational performance at signalized intersections would be required; in particular, the impacts relating to the redistribution of vehicles as a result of traffic diversion treatments being considered, as well as the removal of the westbound left turn lane on Albro Lake Road at Victoria Road.
- Completing additional concept development for a segment of Albro Lake Road to develop a concept to present to the public that does not require the removal of the left turn lane.

Following the work described above and subsequent discussions with various impacted business units, the need for further planning work has been identified. To successfully achieve the project's objectives, the proposed additional scope includes, revisiting previously developed concepts, additional AT counts as well as exploring a new concept without traffic diverters and instead installing half signals. The additional information will provide information for public feedback sessions and the 30% functional plan.

Previous change orders and the current request are summarized below:

Original Award Amount (Net HST included):	\$56,763
Change Order #1 (Net HST Included):	\$ 5,173
Change Order #2 (Net HST Included):	\$ 6,747
Current Request for Increase (Net HST included):	\$16,743
Cumulative Increase to Date (Net HST Included):	\$28,663
New Contract Value (Net HST Included)	\$85,426

This request represents a cumulative increase of 50.5% to the original contract of \$56,763 (Net HST Included).

In accordance with section 32(7) of the Procurement Policy, notice of this contract amendment will be reported to the next scheduled meeting of the Audit & Finance Standing Committee.

DISCUSSION

The Slayter Street Local Street Bikeway and Local Street Connections Project is considering improvements for some streets in Dartmouth, Regional Centre, including Slayter Street (parallel to Victoria Road), Pine Street, Woodland Avenue, Albro Lake Road and the intersections. The resulting functional plan will recommend improvements to pedestrian infrastructure and new all-ages-and-abilities (AAA) cycling connections as identified in the Integrated Mobility Plan and Active Transportation Priorities Plan.

Slayter Street in Dartmouth is predominantly a residential street that stretches from Thistle Street near Dartmouth High School to Albro Lake Road in the North End of Dartmouth. It travels parallel to Victoria Road which is an important busy commercial, institutional, and residential corridor in Dartmouth that supports a range of important municipal objectives including pedestrian connectivity, transit service, vehicle and truck movements, emergency vehicle access, and more. Factoring all of this into achieving the project's objectives has required significantly more resources than originally anticipated.

Prior to bringing the local streets traffic calming facilities to the public for feedback, internal business units want to have the data collected to ensure that these facilities to slow and deter traffic from using Slayter Street do not negatively impact the adjacent local streets and commercial streets. Business units staff advised that additional options be explored to achieve a AAA Local Street Bikeway along Slayter Street. Exploring these options requires additional resources from WSP.

As mentioned in the Background Section and listed below, the proposed additional scope includes revisiting previously developed concepts, additional AT counts as well as exploring a new concept without traffic diverters and instead using half signals. This information will be included for public feedback and the 30% functional plan.

WSP Canada was awarded the contract to complete the functional planning study. The requested addition to scope to WSP Canada's contract includes the following additional scope:

- Conduct turning movement counts for motor vehicles, pedestrians, and cyclists at various intersections within the study area.
- Preparation of a concept drawing with coordination of half signals and without traffic diversion treatments.
- A review of the active transportation crossing, including the traffic signal warrant.
- A memo with results of counts, and traffic analysis for the HRM Internal Technical Committee.

The Traffic and AT Impact Analysis is necessary to inform an internal discussion about the feasibility of coordinating half signals with out installation of traffic diverters and impacts on intersections based on the concepts produced for all road users.

FINANCIAL IMPLICATIONS

The proposed increase to the contract is \$16,743 (Net HST Included). The cumulative increase to date, including the first and second change order, would be \$28,663 (Net HST Included). The revised total project cost would be \$85,426 (Net HST Included). There are sufficient funds in Public Works' Active Transportation account allocated to "Functional Plans and Detailed Designs" to cover the increase.

Funding in the amount of \$16,743 (Net HST Included) is available from Capital Project Account CR200007 – Regional Centre AAA Bikeways.

Budget Summary: Project Account NO. CR200007 Regional Centre AAA Bikeways

Cumulative Uncommitted Budget	\$5,601,648
<u>Less: Contract Amendment #4</u>	<u>\$ 16,743</u>
Balance	\$5,584,905

The balance of funds will be used to implement the remaining 2023/24 Regional Centre AAA Bikeways projects approved by Council.

The project was originally estimated in 2021 at \$56,763 (Net HST Included). The approved 2021/2022 Capital Budget had funding identified for planning and design.

RISK CONSIDERATION

If either of the contract engagements are not continued, the Slayter Street Functional Plan will need to be completed by staff. This will delay both completion of the Plan, and a key integration opportunity with the Budget and Business Planning cycle for implementing the AAA Regional Centre Bicycle Network will be missed.

ENVIRONMENTAL IMPLICATIONS

This report's recommendations are supportive of the sustainability objectives of the municipality as they aim to make it safer and more comfortable for residents to choose sustainable transportation options for everyday transportation purposes. Creating opportunities for residents to make this shift is intended to increase AT mode share, reduce greenhouse gas emissions, and help HRM meet the mode share targets outlined in the Regional Plan and the Integrated Mobility Plan, as well as advance the HalifACT 2050 goal to decarbonize transportation.

SOCIAL VALUE

There are no social value considerations at this point in the project as engagement has not yet been undertaken.

ALTERNATIVES

The Chief Administrative Officer could choose not to approve the change order. This is not recommended as the additional scope is key to achieving the objectives of the project.

ATTACHMENTS

1. Additional Scope Proposal, WSP Canada
2. Active Transportation page from the 2022/2023 Capital Project Supplementary Report

A copy of this report and information on its status can be obtained by contacting the Procurement Office at 902.490.4170, or Fax 902.490.6425.

Report Prepared by: Maria Jacobs, Active Transportation Planner, Public Works 902.225.9443



P.O. Box 1749
Halifax, Nova Scotia
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CAO Contract Amendment Report

APPROVED BY: Original Signed

Cathie O'Toole, Chief Administrative Officer

APPROVAL DATE: October 26, 2023

SUBJECT: **CAO Contract Amendment Report - PO 2070812846 Consulting Services for Alderney Gate Recapitalization Phase 2**

ORIGIN

This report originates from a need to increase contract PO 2070812846 - Consulting Services for Alderney Gate Recapitalization Phase 2, beyond 20% of its original award.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S 2008, c.39:

Section 79A (1) Subject to subsections (2) to (4), the Municipality may only spend money for municipal purposes if:

- (a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality;
- (b) the expenditure is in respect of an emergency under the Emergency Management Act; or
- (c) the expenditure is legally required to be paid.

Administrative Order Number 2022-012-ADM, the Procurement Policy

32(7) The approval and signing authority limits for cumulative contract amendments are as follows:

Position	Approval Authority
DCAO or Executive Director (or their delegate)	(a) \$15,000; or (b) a 15% increase to the originally approved contract amount, whichever is greater.
CAO	(a) \$20,000 or (b) a 20% increase to the originally approved contract amount, whichever is greater.
CAO (with reporting to Audit & Finance)	The CAO may approve and sign contract amendments that exceed the thresholds above, provided that the CAO must submit a report including the details of such contract amendments at the next scheduled meeting of the Audit & Finance Standing Committee.

Council	Any amount
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RECOMMENDATION

It is recommended that the Chief Administrative Officer approves an increase of \$13,635 for Consulting Services for Alderney Gate Recapitalization Phase 2, PO 2070812846, with Abbott Brown, with funding from CB190007 – Alderney Gate Recapitalization as outlined in the Financial Implications section of this report.

BACKGROUND

The Alderney Gate complex was originally built in the mid-1980's and has had several areas upgraded over the past few years. Renovation of the main lobby and entrance to the library will complete Phase 2 of a three-phase project that will see the main lobby and library space expanded for more inclusive and accessible public space. Phase 3 will complete the planned upgrades at a later date.

In March 2019, Abbott Brown was hired to design the Alderney Gate Recapitalization Phase 2 project. Multiple changes in the scope of work and delays in material delivery resulted in an extended timeline and increased fees to Abbott Brown. Regional Council approved an increase in fees in August 2022 in the amount of \$16,029 (Net HST included) for these changes. The total amount of approved changes to date is \$76,998 (net HST included), which represents a cumulative increase of 121%.

The project schedule has now been further extended due to delivery and installation of the generator which will require the consultant to return to the project to oversee the work. This will result in increased fees to Abbot Brown to complete the project.

In accordance with section 32(7) of the Procurement Policy, notice of this contract amendment will be reported to the next scheduled meeting of the Audit & Finance Standing Committee.

DISCUSSION

Staff have recommended an increase to Abbott Brown Architects PO 2070812846 for changes to the contracted scope of work in the amount of \$13,635 (net HST included).

A summary of the changes are as follows:

Budget Summary: PO Award (net HST included)	\$ 63,832
CO increases approved to date (net HST included)	\$ 76,998
Request for Increase (net HST included)	<u>\$ 13,635</u>
New Contract Value (net HST included)	\$154,465

The total amount of changes (approved and pending) is \$90,633 (Net HST included), which represents a cumulative increase of 142%.

FINANCIAL IMPLICATIONS

Funding in the amount of \$13,635 (net HST included) is available from Project Account No. CB190007 Alderney Gate Recapitalization. The budget availability has been confirmed by Finance.

Budget Summary:	<u>Project Account No. CB190007 – Alderney Gate Recapitalization</u>	
	Cumulative Uncommitted Budget	\$1,146,574
	Less: Contract Amendment #2070812846	\$ 13,635
	Balance	\$1,132,939

The balance of funds will be used for recapitalization work.

RISK CONSIDERATION

No risk considerations were identified.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

SOCIAL VALUE

No social value was identified.

ALTERNATIVES

The CAO could choose to not approve the recommendation.

ATTACHMENTS

None.

A copy of this report and information on its status can be obtained by contacting the Procurement Office at 902.490.4170, or Fax 902.490.6425.

Report Prepared by: Shauna Blundon, Project Manager 902.292.4080, Facility, Design & Construction, Property, Fleet & Environment.



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CAO Contract Amendment Report

APPROVED BY: Original Signed

Cathie O'Toole, Chief Administrative Officer

APPROVAL DATE: October 26, 2023

SUBJECT: CAO Award – 21-302 Change Order No. 2 Contract Amendment

ORIGIN

This report originates due to a \$15,090.18 (net HST included) contemplated increase to the contract value for 21-302 Dutch Village Road Detailed Design, which would result in a 19% (\$34,904.52, net HST included) cumulative increase to the original contract value.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S 2008, c.39:

Section 79A (1) Subject to subsections (2) to (4), the Municipality may only spend money for municipal purposes if:

- (a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality;
- (b) the expenditure is in respect of an emergency under the Emergency Management Act; or
- (c) the expenditure is legally required to be paid.

Administrative Order Number 2022-012-ADM, the Procurement Policy

32(7) The approval and signing authority limits for cumulative contract amendments are as follows:

Position	Approval Authority
DCAO or Executive Director (or their delegate)	(a) \$15,000; or (b) a 15% increase to the originally approved contract amount, whichever is greater.
CAO	(a) \$20,000 or (b) a 20% increase to the originally approved contract amount, whichever is greater.
CAO (with reporting to Audit & Finance)	The CAO may approve and sign contract amendments that exceed the thresholds above, provided that the CAO must submit a report including the details of such contract amendments at the next scheduled meeting of the Audit & Finance Standing Committee.
Council	Any amount

RECOMMENDATION

It is recommended that the Chief Administrative Officer approves an increase of \$15,090.18 (net HST Included) to Dutch Village Road Detailed Design 21-302 with DesignPoint Engineering & Surveying Ltd. with funding from CT200003 Major Strategic Multi-Modal Corridors: Dutch Village Road, as outlined in the Financial Implications section of this report.

BACKGROUND

DesignPoint was awarded the detail design for the Dutch Village Road Multi-modal corridor in 2021 for the original value of \$185,204 (net HST Included). One previous change order was approved, for additional changes requested to the landscaping design after its initial submission, in the amount of \$19,814.34 (net HST included).

DISCUSSION

HRM originally planned to acquire sections of three properties along Dutch Village Road to enable the Dutch Village Road Complete Streets project and detailed design work was carried out by the consultant following these assumptions provided to them by HRM. However, after two of the property owners were not receptive to selling, HRM requested additional design options to be explored and eventually cancelled two of the three property acquisitions to avoid schedule risks and public perception concerns associated with expropriation.

This change order was previously approved by former Executive Director of HRM Planning & Development, Kelly Denty. This was done in error, as the Executive Director cannot approve change orders that exceed 15% or \$15,000, whichever is greater. Therefore, approval is now being sought from the CAO in accordance with the Procurement Policy.

With the addition of this current, second, contemplated change order of \$15,090.18, the cumulative change order value is \$34,904.52 (net HST included). This represents 19% of the original contract value.

As this change order does not exceed the greater of \$20,000 or 20% of the original contract value, in accordance with section 32(7) of the Procurement Policy, no notification of this change to the Audit & Finance Standing Committee is required.

FINANCIAL IMPLICATIONS

Budget Summary:	<u>Project Account No. CT200003 - Major Strategic Multi Modal Corridor- Dutch Village Road</u>	
	Cumulative Uncommitted Budget	\$ 1,094,442
	Less: Contract Amendment #02	\$ 15,090 (net HST included)
	Balance	\$1,079,352

Planning and design for this project was budgeted at \$200,000.

The balance of funds will be used for construction period services.

RISK CONSIDERATION

This change order helps to reduce risks to project timelines.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

SOCIAL VALUE

No social value considerations were included as this was a modification to a prior contract which has already considered social value.

ALTERNATIVES

The alternative to continue with property acquisition was declined due to the expected risk to project timelines.

ATTACHMENTS

- 1) Scope change proposal from DesignPoint 13 January 2023
- 2) Related revision to associated streetscaping scope change 28 March 2023

A copy of this report and information on its status can be obtained by contacting the Procurement Office at 902.490.4170, or Fax 902.490.6425.

Report Prepared by: Charlie Elliott, P.Eng, Design Engineer, Design & Construction, PW 902-221-6726



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CAO Contract Amendment Report

APPROVED BY: Original Signed

Cathie O'Toole, Chief Administrative Officer

APPROVAL DATE: October 4, 2023

SUBJECT: Award Bell Canada Local Voice (Landline) Contract Extension and Execute Enclosed (Amendment 4)

ORIGIN

Extension of our existing Local Voice (Landline) contract with Bell Canada.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S 2008, c.39:

Section 79A (1) Subject to subsections (2) to (4), the Municipality may only spend money for municipal purposes if:

- (a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality;
- (b) the expenditure is in respect of an emergency under the Emergency Management Act; or
- (c) the expenditure is legally required to be paid.

Administrative Order Number 2022-012-ADM, the Procurement Policy

32(7) The approval and signing authority limits for cumulative contract amendments are as follows:

Position	Approval Authority
DCAO or Executive Director (or their delegate)	(a) \$15,000; or (b) a 15% increase to the originally approved contract amount, whichever is greater.
CAO	(a) \$20,000 or (b) a 20% increase to the originally approved contract amount, whichever is greater.
CAO (with reporting to Audit & Finance)	The CAO may approve and sign contract amendments that exceed the thresholds above, provided that the CAO must submit a report including the details of such contract amendments at the next scheduled meeting of the Audit & Finance Standing Committee.
Council	Any amount

RECOMMENDATION

It is recommended that the Chief Administrative Officer approve the contract amendment by signing a three (3) year contract with Bell Canada, for services related to landline. During this term IT will complete a full options assessment of telecom services required and advance to a procurement process as appropriate prior to January 1, 2026. The resulting annual fees for landline services will be funded from the IT Client Services Operating account A743-6201 and many other cost centres throughout the Municipality as outlined in the Financial Implications section of this report.

HRM Legal Services has approved as to form (this is a contract) and authority (the CAO is authorized to approve and execute the contract).

BACKGROUND

Halifax Regional Municipality (HRM) continues to use local voice (landline) services. The contract was awarded to Bell in 2017 as part of the MASH agreement from the Province of Nova Scotia. IT is currently working to complete an audit of these services within HRM, to eliminate redundancy and duplication in preparation for a new RFP to be completed and posted by December of 2024.

DISCUSSION

Amendment 4, which outlines the extension for landline services has some impacts to the Municipality. IT accepts these impacts, as IT works through the competitive procurement process for these services:

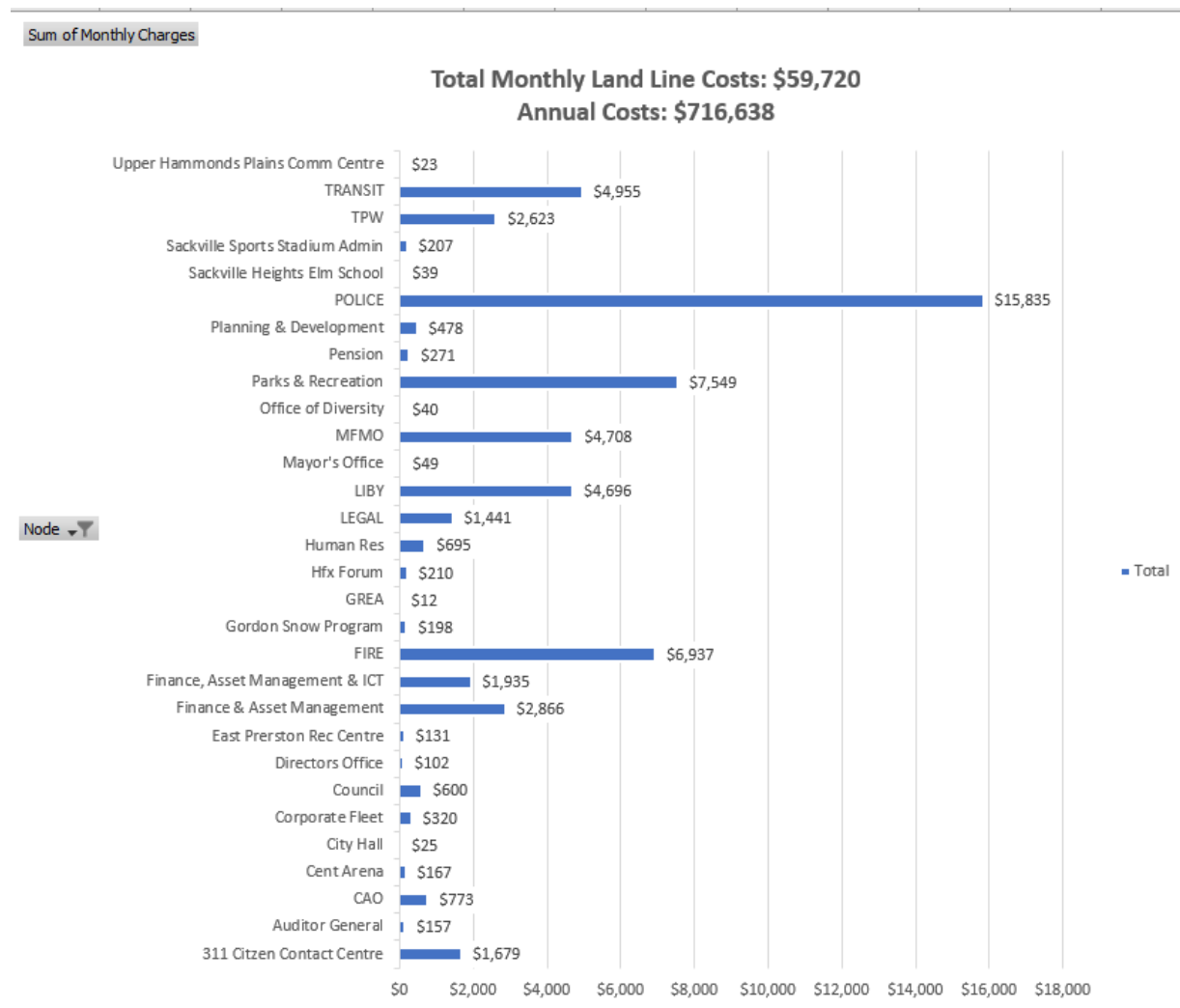
- The minimum term is three (3) years, 9 months which have passed in negotiations. The remaining term will allow IT to complete the procurement process for potentially a new service vendor.
- Bell is instituting a decrease in services which include line services, reporting and training, with this decrease in services there is no adjustment to fees.
- Bell has removed appendices to Schedule A, which removes service level commitments and a MACD process.
- Bell will allow HRM an adjustment in fees in the event HRM exercises the allowable annual decrease in landlines. Bell will allow HRM to transition telephony services from one to the other (i.e., landline services shifted to Mobility).

Bell refuses to use Access Lines verified by invoices, but instead seeks to impose volume pricing that includes other parties not recognized in HRM monthly invoices.

FINANCIAL IMPLICATIONS

This agreement is based on the volume of landlines throughout the Municipality. IT pays approximately \$485,000.00 per year. The chart below demonstrates the remaining spend across HRM. The total spending for 2022/2023 was \$716,638.00.

Should volume remain consistent, total spending across HRM over the course of the three (3) year contract amendment will be approximately \$2,149,914.



RISK & MITIGATION CONSIDERATIONS

- Bell is permitted to increase fees without notice to meet *or exceed* the prevailing tariffed fees for the “regulated territory” – s.1(b) of Amendment 4.
- If HRM terminates all of the Services during the Service Term, HRM must pay out the totality of remaining monthly payments – s.4(e) of Amendment 4. Given that Bell would be freed of its performance obligations under this scenario, such payment would represent a sort of wind-fall for Bell (revenues without costs). In addition, there is no wording to limit termination charges to situations where HRM has either breached the contract or seeks to terminate for convenience/without cause. Still, if HRM terminates as a result of Bell’s default of its obligations a court is unlikely to apply termination charges against HRM.
- The newly added service standards (see section 10 of Amendment 4) come with no specified remedies, such as credits. However, it is of significant note that neither in section 10 of Amendment 4 nor anywhere else in the Master Agreement or Schedule A does it state that the existence of certain specified remedies (or the lack thereof) imposes exclusive/exhaustive remedies on HRM. In the result, if Bell fails to perform any of its service obligations HRM can advance the position that Bell is in default under section 4.2 of the Master Agreement.

ENVIRONMENTAL IMPLICATIONS

There are no environmental considerations.

SOCIAL VALUE

The original award (adoption of PNS agreement) pre-dates the Social Value Framework, social value was not incorporated.

ALTERNATIVES

The CAO could choose not to award this contract amendment; however, this is not recommended.

ATTACHMENTS

Attachment 1 – Amendment 4 – Extension Document (for execution)

A copy of this report and information on its status can be obtained by contacting the Procurement Office at 902.490.4170, or Fax 902.490.6425.

Report Prepared by: Sandy Murdock, Contract Manager, IT, 902.237.5763