

Halifax Regional Municipality Ice Arena Project

Request for Proposals

11 August 2008

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For the purposes of this *RFP*, the terms in quotation marks have the following meanings:

"Agreements" mean the legal documents to be negotiated between the Regional Municipality and the Preferred Proponent for part or all of the development, design, construction, finance, marketing and operation of the Project.

"Developer" means the Preferred Proponent once the Agreements are signed.

"Evaluation Team" means the personnel and consultants named by the Regional Municipality to evaluate the Proposals received.

"Preferred Proponent" means the Proponent deemed to have the best overall Proposal in response to the RFP, and named as such in writing.

"Project" means part or all of the design, construction, operation and maintenance of the Ice Arena Facility.

"Proponent" means an entity submitting a response to the *RFP* and includes the Regional Municipality in respect of any project proposal it prepares.

"Proposal" means the response to the *RFP*.

"Regional Municipality" means the Regional Municipality of Halifax, Nova Scotia

"RFP" means the Request for Proposals for the Project.

"Shadow Price" means the financial, risk and other costs that the Regional Municipality estimates it will incur if it proceeds to provide the Halifax Regional Municipality Arena Complex through a traditional design-bid-build process using public finance, as documented in Appendix C, and which will be used as a benchmark to test whether any proposal offers value for money.

"Substantial Completion" means the date as defined in the *Builders Lien Act*.

"Time of Day" means all times given in this document are (local) Atlantic Times, either AST or ADT as applicable to the season of the year.

Overview & Objectives

1.1 Statement of Opportunity

In January 2008, the Halifax Regional Municipality issued a Request for Expressions of Interest for a Partnership Opportunity to Construct and Operate an Arena Complex in Halifax Regional Municipality. The primary purpose of the Request for Expressions of Interest was to determine the level of interest in the design, development and operation of a new multi-pad indoor arena in HRM. The HRM has now secured an option for one acceptable location for the complex to enable proponents without a site to make a proposal, although the Regional Municipality is prepared to consider alternate sites that meet certain criteria specified in this RFP. The proposed complex would provide access to youth hockey (both female and male) as well as servicing other arena users such as figure skating, public skating and adult hockey and other related uses a proponent may consider appropriate.

The Regional Municipality is seeking Proposals from qualified Proponents to develop new ice surfaces within the Halifax Regional Municipality service area. The objective of this Request for Proposals (RFP) is to select a single Proponent based on the submission of detailed technical and financial Proposals for the development of the Project. The selected Developer will design, construct, finance (optional), operate and maintain the Facility on the HRM site or on a site to be provided by the Developer, which will meet the site selection criteria specified.

This RFP identifies the issues that are to be addressed in the Proposals. Unless otherwise stated in this document, all terms and conditions of EOI 08-019 remain and shall apply to this solicitation.

The Regional Municipality of Halifax shall not be obligated in any manner to any Proponent whatsoever until a written agreement has been duly executed relating to an approved proposal.

Notwithstanding any express or implied provision on this RFP, the Halifax Regional Municipality reserves the right to cancel the RFP, in whole or in part, at any time without recourse to any Proponent. In the event the Regional Municipality is in breach of any express or implied provision of this RFP or any provision of law, each Proponent by responding to the RFP agrees that the maximum amount of damages of any kind, under any circumstances, for such breach which may be incurred or claimed by the Proponent is \$500.

The Halifax Regional Municipality has the right to not award the project work contemplated by the RFP for any reason including choosing to design, construct, finance, operate or maintain the facility or otherwise perform the project work itself. In choosing to perform the project work itself the Halifax Regional Municipality need not be in compliance with any provisions of the RFP.

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1.1.1 Opportunity

The requirement is for a minimum of 4 NHL size ice sheets. The Regional Municipality will consider larger facilities providing the Proponent can demonstrate a compelling and credible business case for the larger size, and providing that it can be funded within the budgetary constraints set by the Regional Municipality. The Regional Municipality shadow price in Appendix C includes for the provision of four ice surfaces, and adjustments will be made to the shadow price for value for money comparison, if the proposal is significantly different.

The Regional Municipality is prepared to consider a publicly financed proposal, or a privately financed facility with the Regional Municipality making financial contributions which can take many forms such as:

- ✓ Purchase of ice time; and
- ✓ Cash contributions either as a lump sum or annual payments.

1.2 Background

HALIFAX REGIONAL MUNICIPALITY

The Halifax Regional Municipality was formed on April 1, 1996 through the amalgamation of the former City of Halifax, City of Dartmouth, Town of Bedford, Halifax County Municipality, and Metropolitan Authority.

The new municipality spans a geographic area of 5,600 square kilometres and provides municipal services to a population of approximately 350,000. These services include such typical municipal functions as police and fire protection, community development and planning, engineering and public works sewage treatment, parks and recreation facilities, solid waste management and public transit.

The process to date has helped provide guidance for structuring acceptable proposals and these guidelines are as follows:

- New ice facilities can be proposed anywhere within the Halifax Regional Municipality area provided that the sites proposed meet guidelines defined later in this RFP,
- Private sector proposals must demonstrate superior value for money when tested against the public sector benchmark,

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- The opportunity should be offered on an open and transparent basis to all companies who have been prequalified and short-listed through the Request for Expressions of Interest process.

These guidelines are reflected in the content of this RFP, and in the evaluation framework.

1.3 Responsibilities of the Developer

The Developer will be required to:

- ✓ Either use the Regional Municipality site or provide a site for the Facility;
- ✓ Design and construct the Facility;
- ✓ Either use public finance or obtain financing and propose any public subsidy that may be required;
- ✓ Operate and maintain the Facility; and
- ✓ Market the facilities and plan events.

All of these functions will be specified under one agreement, the Development Agreement that the Developer will enter into with the Regional Municipality. Section 1.10, Risk Allocation Outline, identifies the general allocation of Project responsibilities between the Regional Municipality and the Developer.

The Developer will be responsible for dealing with all agencies having jurisdiction over the Developer and the Project. The Developer will also be responsible for resolving all issues that arise from the development process and the marketing and event planning for the Facility. The Developer will be required to participate in the development of a communications strategy with the Regional Municipality and the Developer and the Regional Municipality will jointly communicate with the general public including existing user groups.

1.5 Site Choices

1.5.1 Regional Municipality Site

The Regional Municipality Site is located at Hammonds Plains Road in Bedford West. Detailed site plans are attached in Appendix C. HRM is also considering a park and ride for part of the site. The Regional

Overview & Objectives

Municipality has secured an option to purchase this 14.2 acre site. If accepted, the purchase price will be approximately \$4.9M plus grading and compaction. In the event that a Proponent chooses to use this site, the Regional Municipality's acquisition costs for the portion needed for the arena complex project only will be added to the Proponent's financial proposal for comparison purposes with a Proponent which brings its own site. The Proponent using this site should identify how much they would need for their proposal.

1.5.2 Alternate Site Provision

If a Proponent wishes to provide an alternate site for the new ice facilities, the following conditions must be satisfied:

- ✓ The site must meet the site selection criteria (1.5.3).
- ✓ The Proponent must demonstrate that it either already controls the ownership of the site, or can provide reasonable certainty that it can acquire control of the site within the required timeframe.
- ✓ The site must not be the subject of environmental contamination or environmental sensitivities such as habitat impacts that cannot be quickly and cost effectively remedied.
- ✓ The site must be suitable for an arena complex including:
 - Currently zoned or rezoning supported by agency having jurisdiction;
 - Water and wastewater disposal systems available, or services can be provided in a reasonable time frame.

1.5.3 Site Selection Criteria

The following site selection criteria have been defined, and any proposed site will be evaluated by the Regional Municipality with respect to compliance with these criteria:

- Accessible by vehicle, bicycle, transit and walking
- Parking available on site
- Low impact on nearby residents
- Will attract other businesses to the Halifax Regional Municipality area
- Ownership of the site can be secured in a time frame that will not impact the required opening date of September 2010

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- Site is currently available
- Site is close to population centers
- Site is well situated to serve existing populations as well as areas of new and forecasted growth, taking into consideration potential user demographics (Appendix A Background Documents may provide one source of assistance)
- Site is adjacent to major arterial roadways
- Site is in close proximity to other ancillary support services i.e. restaurants, hotels, shopping

Details of how these criteria will be used in the evaluation of proposals are discussed later in this document.

1.6 Value for Money

The Regional Municipality is preparing an analysis of the costs to the Regional Municipality for providing a four ice sheet facility using debt financing provided through the Regional Municipality, implementing the project using a traditional design-bid-build method on the Hammonds Plains Road site. This analysis will be made available to all Proponents by addendum when it is completed, which is anticipated to be by 30 September 2008.

The Regional Municipality will use this benchmark model to determine if any of the Proposals submitted represent better value for money. In the event that value for money cannot be demonstrated, the Regional Municipality will reserve the right to terminate the RFP process.

Details of the Halifax Regional Municipality Arena benchmark model will be provided by addendum in Appendix D. In comparing proposals to the shadow price, the Regional Municipality will also assess additional costs or savings that the Regional Municipality would incur if it proceeded with the proposal.

1.7 Labour Issues

The Regional Municipality currently owns 16 of the 21 arenas in the municipality, and operates 4 of these 16. The other 12 are operated on behalf of the Regional Municipality by Community Boards. Of the arenas not owned by the Regional Municipality all are owned by institutional or non

Overview & Objectives

profit. There are currently no private for profit arenas in HRM. The Regional Municipality values a positive labour climate and respects the collective agreements of its unions. Proponents should explain in their proposal how they would be prepared to address this issue. Proponents will be required to satisfy themselves regarding the issues with respect to the rights of the existing employees of the Regional Municipality who operate arenas.

1.8 Responsibilities of the Regional Municipality

The Regional Municipality will:

- Evaluate the Proposals
- Negotiate the Development Agreement.
- Monitor the progress of the Work; and
- Ensure the satisfactory execution of the Development Agreement

1.9 Schedule

The anticipated schedule for the Project is as follows:

Anticipated Date	Action
Monday August 11, 2008	Distribution of the RFP
Monday August 18, 2008	Briefing Meeting 10:00 a.m Location: Compass Rose Boardroom, 2 nd Floor Alderney Gate 40 Alderney Drive, Dartmouth
Friday October 17, 2008 at 3:00 pm.	RFP Closing Time
Tuesday November 18, 2008	Presentation of evaluation team recommendation to the Regional Municipality Council

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1.10 Risk Allocation

The following table summarizes the anticipated allocation of project risks between the Regional Municipality and the Developer:

Risks / Ownership	Regional Municipality	Developer
<u>Site and Land</u>		
▪ Provision of any alternate site for construction of the facility		✓
▪ Optioning of lands for any alternate site		✓
▪ Exercise of options, if required, to purchase any alternate Site		✓
▪ Site consolidation/subdivision		✓
▪ Rezoning of Lands		✓
▪ Environmental contamination or environmental sensitivities of site risk	✓ RM provided site	✓ Developer provided site
▪ Site geotechnical conditions		✓
▪ Demolition, site clearing and diversion/relocation of utilities		✓
<u>Facilities Design</u>		
▪ Planning and development of the site		✓
▪ Regional Municipality supplied data	✓ (accuracy)	✓ (sufficiency, interpretation)
▪ Design of Arena complex		✓
▪ Design error		✓
▪ Changed conditions		✓
▪ Patent infringement		✓

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Risks / Ownership	Regional Municipality	Developer
<u>Facilities Construction</u>		
▪ Building permits		✓
▪ Construction of all facilities		✓
▪ Commissioning of facilities		✓
▪ Occupancy permit		✓
▪ Quality management		✓
▪ Quality monitoring and audit	✓	
<u>Administrative or Miscellaneous</u>		
▪ Feasibility of the Project		✓
▪ Regional Municipality initiated changes to the scope of the Project	✓	
▪ Developer insolvency		✓
▪ Labour	✓	✓
▪ Community use as a condition of any subsidy	✓	
▪ Delays by Regional Municipality	✓	
▪ Force Majeure		✓
<u>Site/Construction</u>		
▪ Weather		✓
▪ Fire		✓
▪ Vandalism		✓
▪ Damage to Works		✓
▪ Damage/injury to 3 rd parties		✓
▪ Defective Works/materials		✓
▪ Maintenance during possession of Site		✓
▪ Quality assurance/quality control		✓
▪ Workers' Compensation Council Issues		✓
▪ Insurance – wrap up and course of construction insurance		✓
▪ Site servicing		✓
<u>Operation</u>		
▪ Marketing of the Facility		✓
▪ Agreements with community based user groups		✓
▪ Mitigation of nuisances to any surrounding neighbourhood		✓

Overview & Objectives

Instructions to Proponents

2.1 Purpose and Eligibility

The purpose of this RFP is to solicit Proposals from Proponents leading to the selection of a single Preferred Proponent.

The Proponent judged to have the best overall Proposal will be selected to enter into negotiations leading to an Agreement with the Regional Municipality. If negotiations are unsuccessful, the next qualified, highest rated Proponent would be deemed to be the Preferred Proponent and negotiations may be commenced with it. The Regional Municipality may also terminate the process, rather than move to the next highest rated proponent.

Only those Proposals in response to this RFP, which have been submitted by a short-listed proponent, and which offer superior value for money to the Regional Municipality shadow price will be considered.

This is a Request for Proposals and is not a contract tender or proposal call. No contractual, tort or other legal obligations are created or imposed on the Regional Municipality or any other agency by this RFP or by the making of any Proposal or by consideration of or failure or refusal to consider any Proposal by the Regional Municipality.

The Regional Municipality intends to make a decision regarding the proposals received at its Council meeting on November 18, 2008. There is therefore limited time to negotiate and refine the proposal that will be recommended. All Proponents are strongly encouraged to provide firm details, including costs to users and the Regional Municipality and not to rely on refining their proposal through a protracted negotiation stage.

2.2 Receipt of Complete RFP

It is the Proponent's responsibility to ensure that the Proponent has received a complete RFP as listed in the Table of Contents. The submission of a Proposal constitutes representation by a Proponent that it has verified receipt of a complete RFP including any and all Addenda. Each and every Proposal will be deemed to be made on the basis of the entire RFP, including any and all Addenda issued prior to the Closing Time.

Instructions to Proponents

2.3 Proponent's Clarification

The Proponent must review the entire RFP prior to making a Proposal. Any requests for clarification of issues related to the RFP must be transmitted in writing to the Contact Person. Unless otherwise expressly permitted by the Contact Person in writing, requests for clarification of the subject matter of this RFP must be transmitted in writing to the Contact Person no later than ten (10) days before the Closing Time.

The Contact Person will distribute copies of all RFP clarification requests and the corresponding responses to such requests to all Proponents in the form of an addendum.

By making a Proposal, the Proponent indicates acceptance of the entire RFP and waives any further right to rectify, clarify, or qualify any aspect of the RFP.

2.4 Proponent's Investigation

By making a Proposal, a Proponent is deemed to:

- have investigated and satisfied itself of every condition affecting the Work, including but not limited to the Site provision and conditions, labour supply conditions, and resources to be provided; and
- have based its investigation on its own examination, knowledge, information, and judgement, and not upon any statement, representation, or information made or given by or on behalf of the Regional Municipality other than information contained in this RFP.

2.5 Freedom of Information

The Regional Municipality recognises the importance to Proponents that their ideas and plans remain confidential, otherwise they may be reluctant to disclose such ideas. The Regional Municipality will endeavour to respect the confidentiality of such ideas and refrain from disclosing such information to the shortlisted Proponents in the next stage, either by direct written or verbal transmission.

However, it should be recognised that all Proposals once submitted become the property of the Regional Municipality and, the Regional Municipality Council, acting in its absolute and unfettered discretion, may authorize the release of any information it deems to be in the public interest.

Instructions to Proponents

The Regional Municipality is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*. As a result, the Regional Municipality cannot guarantee that any information forwarded to the Regional Municipality can be held in confidence.

2.6 Terms and Conditions

This RFP and the RFP responses do not create a tender process. This RFP is not an invitation for an offer to contract and it is not an offer to contract made by the Regional Municipality. By this RFP, the Regional Municipality reserves to itself absolute and unfettered discretion to invite Proposals, consider and analyze Proposals, select the Preferred Proponent who may be invited to negotiate an agreement with the Regional Municipality as the Regional Municipality considers desirable.

Without limiting the generality of the foregoing, the Regional Municipality reserves the right to:

- Reject or short-list any Proposal whether or not complete or whether or not it contains all required information;
- Require clarification where the Proposal is unclear;
- Reject any or all Proposals without any obligation, or any compensation or reimbursement, to the Proponents, and the Regional Municipality is under no obligation to proceed to the next stage; and
- Disqualify any Proposal without discussion with the Proponent, and to reject any Proposal that the Regional Municipality considers is not in the best interests of the Regional Municipality.

Wherever this RFP creates a power of the Regional Municipality to make a decision or to exercise any contractual right or remedy, the Regional Municipality may do so in its absolute and unfettered discretion to do anything else, and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice, applies to the Regional Municipality.

All Proposals are prepared by and at the expense of each Proponent subject to the anticipated payment of an honorarium outlined in Section 2.5. The Regional Municipality is not responsible in any respect for any expenses, damage, loss or liability incurred by a Proponent, or for any plans, drawings, specifications, studies or analyses prepared by or for a Proponent in the preparation of its Proposal. The intent of this section is to place on each Proponent the sole risk and liability for any expense,

Instructions to Proponents

damage, loss or liability incurred or borne by the Proponent in connection with its consideration of and response to this RFP, including the preparation of its Proposal. Without limiting the generality of the foregoing, the Regional Municipality is not liable for any information it provides and does not represent or warrant its accuracy or completeness.

The Regional Municipality's receipt or discussion of any information (including information obtained in any Proposal, ideas, models, drawings, or other materials communicated or exhibited by any Proponent or on its behalf) from the Proponent shall not impose any obligations whatsoever on the Regional Municipality.

There is no guarantee by the Regional Municipality, its agents or representatives that:

- The process initiated by issuance of this RFP of acquiring the Project from the private sector will continue; or
- As a result of this RFP process, the Regional Municipality will enter into a contract or contracts for the Project.

The Regional Municipality and its respective members, agents, employees, and elected representatives shall not be responsible for any liabilities, costs, expenses, loss or damage incurred, sustained or suffered by any Proponent(s) prior to, subsequent to, or by reason of the acceptance or the non-acceptance by the Regional Municipality of any Proposal, or by reason of any delay in selecting the shortlisted Proponents or the Preferred Proponent.

2.7 Decision of the Regional Municipality

The decision of the Regional Municipality in deciding and selecting proponents to participate in any RFP will be final and binding.

2.8 Commercial in Confidence Meeting(s)

A Proponent may, at any time prior to the submission of its Proposal, by written request to the Contact Person, apply for commercial "in confidence" meeting(s) with the Regional Municipality for the purpose of discussing in private the viability or acceptability of a proposed aspect or element of its Proposal prior to its submission, or commercially sensitive issues relating to its Proposal. The application must set out in writing in the application the questions the Proponent wishes to have answered, and should be clearly marked "Commercial in Confidence".

Instructions to Proponents

The Regional Municipality will not be obligated to grant a requested meeting. The Regional Municipality will not be obligated to answer the questions. If the Regional Municipality declines to answer any question it will keep the question in confidence.

If the Regional Municipality grants a confidential meeting with a Proponent under this Section, then any minutes of such meeting will not be distributed. The Regional Municipality does, however, reserve the right to issue copies of any commercial in confidence questions and answers to all Proponents if, in its judgement, it can do so without compromising confidentiality.

2.9 Absence of Conflict of Interest

The Proponent shall declare in its response, that no member of the Regional Municipality Council and no officer or employee or agent or consultant of the Regional Municipality, is or will become, interested directly or indirectly as a contracting party, partner, shareholder, surety or otherwise in the performance of the contract, or in the supplies, work or business to which it relates, or in any portion of the profits thereof, or in any of the monies to be derived therefrom, unless otherwise stated.

Proposal Requirements

3.1 Proposal Procedures

3.1.1 Basic Requirement

Incomplete Proposals may be disqualified. An authorized representative of the Proponent must sign the Proposal.

If the Proponent is a partnership or joint venture, each partner or joint venturer of the partnership or joint venture as the case may be, agrees to be held jointly and severally liable for any and all duties and obligations of the Proponent and any agreement with the Regional Municipality. No changes may be made to a team selected through this RFP without the prior written consent of the Regional Municipality.

The declaration letters must also state that the Proponent team members:

- have read the Request for Proposals;
- understand and are fully aware of the commitments made on their behalf in the Proposal;
- have authorized the Proponent to make the commitments set out in the Proposal; and
- are aware and agree to the inclusion of their firm as a member of the Proponent.

Where the Proponent is a single corporation, it must submit a letter setting out the above matters.

3.1.2 Contact Person

In order to maintain the integrity of the procurement process, it is an express condition of this Request for Proposal that the only contact regarding the Project will be through the Regional Municipality's appointed representative. Proponents are requested to refrain from promoting their projects in a public forum. Failure to adhere to this condition may result in disqualification.

The only authorized contact person for this RFP is:

Proposal Requirements

Stephen Terry,
Senior Procurement Consultant
Regional Municipality of Halifax
Procurement Section
P.O. Box 1749,
3rd Floor, Duke Tower,
Scotia Square, 5251 Duke Street
Halifax,
Nova Scotia,
B3J 3A5

Tel: (905) 490-2175

Fax: (905) 490-6425

The Regional Municipality anticipates three types of inquiries from Proponents:

1. General inquiries related to procedural issues;
2. Clarifications of the RFP document; and
3. Detailed project specific inquiries materially impacting the project.

All inquiries must be directed to the Contact Person. Written Addenda are the only means of changing, amending or correcting this RFP. The Contact Person may change, amend or correct this RFP by issuing an Addendum to each Proponent. No employee or agent of the Regional Municipality, other than the Contact Person, is authorized to change, amend or correct the RFP or issue any Addenda.

Information pertaining to this RFP that is offered by or obtained from sources other than the Contact Person is not official, may be inaccurate, and must not be relied on in any way by any Proponent for any purpose associated with this RFP.

3.1.3 Delivery of Proposals

Proposal Requirements

Proponents should submit six written copies (including one original) of a Proposal that addresses all of the documentation requirements of this RFP. Fax or E-Mail submissions will not be accepted.

Proposals must be delivered to the Regional Municipality at the Closing Location no later than

3:00 p.m. Halifax time on Friday October 17, 2008.

The Proponent must ensure that a clearly labelled and securely sealed Proposal is received at the Closing Location by the Closing Time. The Regional Municipality will assume no responsibility for timely receipt of any Proposal.

Each Proposal must be submitted to the Regional Municipality in a sealed package clearly addressed as follows:

Proposal: Halifax Regional Municipality Arena Project

Regional Municipality of Halifax
Procurement Section
P.O. Box 1749,
3rd Floor, Duke Tower,
Scotia Square, 5251 Duke Street
Halifax,
Nova Scotia,
B3J 3A5

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and must be accompanied by a transmittal form clearly listing the number and description of each item contained in the submission package.

It is the Proponent's sole responsibility to ensure that its submission is received on time.

3.1.4 Submission of Additional Proposals

Proposers are invited to submit more than one separately sealed detailed proposal should they believe it to be in the best interest of the Municipality. All proposals received on or before the closing time and date will be given equal consideration. All costs involved in submitting more than one proposal shall be the sole responsibility on the proposer.

Proposal Requirements

3.1.5 Release of Information

During the RFP process the Regional Municipality will not be releasing any information regarding the registered Proponents.

After the RFP closes the Regional Municipality will release the number of submissions received, the names of the Proponents, the name of the Preferred Proponent and the evaluation committee's recommendation to the Council with reasons and in sufficient detail to provide justification for the recommendation. Proponents are therefore advised to assume that some details of their proposals will become public knowledge at an early stage.

All documentation and information will be released in accordance with the *Freedom of Information and Protection of Privacy Act*.

Evaluation

4.1 Evaluation Process and Criteria

The Regional Municipality may select the Proponent who scores the highest number of points according to the evaluation criteria listed in this section, or it may determine to end the process and reject all proposals.

If a Proposal is determined to be unclear or deficient in some aspects but these deficiencies are capable of being clarified or remedied, the Contact Person may prepare a list of questions for the Proponent, to provide the Proponent with an opportunity to clarify or remedy its Proposal. If these clarifications and amendments do not overcome the deficiencies, the Regional Municipality may, at its sole discretion, decide to reject the Proposal.

Evaluation of Proposals will be based on the contents of the Proposals, and any clarifications provided in writing in response to the questions asked by the Contact Person. The evaluation will be conducted in the manner and sequence described in this section.

4.2 Evaluation Review

Proposals from prequalified Proponents only will be reviewed to ensure they meet all the mandatory requirements, policies and procedures as stated in this RFP.

No assumptions should be made that information regarding the Proponent or its members, their experience, expertise and performance on other projects is known, other than the documentation and Proposals made by the Proponent.

Proposals will be evaluated using two different types of criteria:

Pass/Fail: those criteria stipulating mandatory requirements, which include Proposal Completeness, and Financial Capacity. Proposals that do not meet the requirements of any of these criteria will be subject to disqualification.

Rated Criteria: Points will be awarded based on an analysis of the Financial Proposal outlined in Section 4.4 and the relative Technical Merits outlined in Section 4.5.

Evaluation

4.3 Pass/Fail Assessment

All Proposals will be reviewed on a pass/fail basis from two perspectives:

- **Proposal Completeness.** All required elements of the proposal are included.
- **Financial Capacity** to undertake the Project. The Regional Municipality may decline to accept a proposal if in its sole discretion it determines that the Proponent does not have the financial capacity to undertake the Project.

4.3.1 Proposal Completeness

The Proposal submissions will be reviewed to ensure they meet all the mandatory requirements, policies and procedures as stated in this RFP. The following are the mandatory requirements:

- Proposal received at Closing Location prior to Closing Time from a Registered Proponent
- Proposal received in a sealed package, including:
 - ✓ Demonstration of Financial Capacity
 - ✓ Proposed Financial Arrangement(s)
 - ✓ Proof of Proposed Project Site Land Tenure
 - ✓ Financial Arrangements among proponent members
 - ✓ Proposed Management Plan
 - ✓ Technical Reports
 - ✓ Proposed Project Schedule
 - ✓ Commitment of design to LEED Silver Certification as a minimum

4.3.2 Financial Capacity

Proposals must demonstrate that the Proponent has the financial capacity to fulfil its intended role. This will be a pass/fail determination by the Regional Municipality. The Regional Municipality has no predetermined format as to how the Proponent wishes to demonstrate its financial capacity to undertake the Project, but the following are suggested forms that may provide the required assurances:

- Preliminary financing commitment from the Proponent's lender if debt financing is required;
- Audited financial statement for the past three years.

Evaluation

Audited financial statements for publicly traded companies are public information, and so disclosure under these circumstances should not present Proponents with any concern. For privately owned companies, where the financial statements are not public knowledge, Proponents may submit this information in a sealed and separate envelope with the understanding that the Regional Municipality will not make this information public, unless required to do so under the provisions of the Freedom of Information and Protection of Privacy Act. Proponents may also require this information be reviewed solely by a third party accounting firm with disclosure to the Regional Municipality solely based on an assessment of the Proponent's adequate financial capacity.

Notwithstanding the foregoing, it is the Proponent's sole responsibility to clearly demonstrate to the Regional Municipality that they have the required individual and collective financial capacity to undertake the work. The determination of adequate financial capacity will be made solely by the Council of the Regional Municipality acting in its full and unfettered discretion, based on information provided by staff and specialist consultants. By submitting a Proposal, all Proponents acknowledge that the decision of the Regional Municipality Council shall be final in this regard, and there shall be no right of appeal.

Financial information will be returned to the Proponents that are not selected, with no copies retained by the Regional Municipality.

4.4 Financial Evaluation

4.4.1 Financial Assessment

The Evaluation Team will evaluate the Financial Proposal as follows:

- Pass / Fail Evaluation based on whether a complete financial proposal has been submitted,
- Demonstrated superior value for money to the Regional Municipality Shadow Price outlined in Appendix D; and
- Relative Financial Merits of that financial proposal.

It is recognized that the financial proposals may be very different in form. The Regional Municipality has no predetermined model regarding the financial proposal, and Proposals may differ in the following and other aspects:

- Ownership of the physical assets both now and in the future. Both public and private ownership is acceptable.

Evaluation

- Provision and ownership of the site
- Either public (e.g. Not for Profit Community Board) or private sector operation is acceptable
- Public sector financial contributions may include some or all of the following:
 - ❖ Lump sum cash contributions
 - ❖ Lease payments
 - ❖ Purchase of prime time and non prime time ice
 - ❖ Other valuable considerations

4.4.2 Financial Evaluation (100 points)

The Financial Evaluation will examine all costs to the Regional Municipality specified in the proposal, whether directly specified by the Proponent, or consequential as assessed by the Regional Municipality, e.g. loss of revenue at other Regional Municipality facilities. The Proponent will be expected to address the following issues in their financial submission;

- All contributions required from the Regional Municipality whether direct payments or by the provision of other valuable services
- A preliminary business plan providing revenue and expenditure expectations over 20 years with an emphasis on the first 5 years of operation. A capital replacement and repair fund should also be included.
- Proposed method of financing including any actual or implied loan or other guarantees required from the Regional Municipality
- An indication of the level of user fees that will be charged to customers

The Evaluation Team will then evaluate this financial proposal from two perspectives:

- **Relative merit** of the financial proposal to the other financial proposals received. The best financial proposal will be awarded 100 points, with other less desirable financial proposals being awarded proportionally less points based on the net present value to the Regional Municipality, and

Evaluation

- **Value for Money.** The best financial proposal will be assessed to determine if it is superior to the Regional Municipality's Shadow Price defined in Appendix D.

Relative Merit of Financial Proposals

The relative merit of the financial proposals will be determined through a comprehensive analysis. It may include, but not be limited to:

- Direct costs to the Regional Municipality including the site acquisition costs. If a proponent elects to use the Hammonds Plains Road site then the Regional Municipality will add its acquisition costs to the Proponents financial proposal for the purposes of comparison with a Proponent that provides its own site.
- Costs to the wider public through user fee levels
- Risks to the Regional Municipality
- Impacts of any loan guarantees, either direct or implied
- Consequential financial impacts to the Regional Municipality such as:
 - ❖ Loss of revenue at other facilities
 - ❖ Costs related to the existing Regional Municipality workforce
 - ❖ Impacts to the tax base of the Regional Municipality
 - ❖ Related off site servicing requirements such as the provision of utilities, traffic improvements and the like.

Value for Money

The value for money analysis will follow the same format as the relative merit analysis in that the Regional Municipality's Shadow Price will be included in the financial analysis as another effective bidder. If the Regional Municipality's Shadow Price is determined to be the best financial proposal, then it would be awarded 100 points with other less desirable financial proposals being awarded proportionally less points based on the net present value to the Regional Municipality.

Evaluation

4.5 Technical Evaluation

The technical evaluation will evaluate the following key features of the Proposals:

Evaluation Criteria	Points Allocated
▪ Proponent Organization and Structure	10 points
▪ Demonstrated Experience	15 points
▪ Proposed Site Evaluation	25 points
▪ Facility Quality	25 points
▪ Operation Considerations	25 points

4.5.1 Proponent Organization and Structure (10 points)

Provide a description of the Proponent, including a description of all Proponent Members and the proposed legal relationship among Proponent Members (e.g. partners, shareholders, consultants) with respect to the project elements.

The focus of this section of the Proposal should be on the completeness and appropriateness of the Proponent Members capable of successfully completing the Project. The Proponent must include Proponent Members who will be collectively responsible for all areas of the Project and Proposals must describe how the Proponent Members plan to co-ordinate their efforts, and meet the Regional Municipality's requirements.

This section should also specify aspects of the specific roles necessary for the Project and the experience and qualifications of Proponent Members to assess the collective strengths and weaknesses of the Proponent.

The Proponent's understanding of the scope and nature of the Project will be evaluated with reference to the organization of the Proponent. Proposals should include, but not be limited to:

- corporate make-up and responsibilities of Proponent Members, clearly showing the entity that will be ultimately responsible to the Regional Municipality;

Evaluation

- management structure showing reporting relationships and control, and demonstrating the changing roles of the key personnel during the various phases of the project.
- key personnel, showing the names of individuals holding key managerial positions, and delineating their responsibilities and authorities.
- commitment of Proponent member availability for the Project

4.5.2 Demonstrated Experience (15 points)

Proposals must demonstrate a Proponent's clear record of success in the areas of expertise required for this Project and a record of success on projects of similar nature, size, scope and complexity.

Key areas that will be evaluated include:

- experience and expertise of the Proponent Members
- experience and expertise of key project personnel
- partnership type
 - relationship with previous clients
- track record of the Proponent
 - working together
 - record of creativity/innovation;
 - budget and schedule compliance;
- references from clients (names and telephone numbers) who can substantiate the experience of companies and individuals.

Proponents will be evaluated under the following categories:

- Successful operation of sporting facilities with particular emphasis on ice arenas;
- Design and construction of sports facilities with particular emphasis on ice arenas;
- Schedule adherence on previous projects;
- Local knowledge of the Halifax Regional Municipality sports market place;
- Public-private partnership experience; and
- Communications and public consultation.

Evaluation

4.5.3 Site Evaluation (25 points)

If the Proponent does not wish to use the Regional Municipality site then, Proposals must propose a site that the Proponent either currently owns, has an option to purchase or has established some other mechanism that will assure the Regional Municipality that the Proponent, if selected will be able to follow through with an acceptable site. The site proposed will be evaluated according to the following criteria:

- Accessibility by vehicle, bicycle, transit and walking
- Parking available on site
- Impact on nearby residents
- Impact to other businesses in the Halifax Regional Municipality area
- Probability that the site ownership can be secured in a reasonable time frame
- Site is correctly zoned or there is a reasonable expectation that rezoning can be obtained
- Adequate utilities are available
- Proximity to population centers
- Site is well situated to serve existing populations as well as areas of new and forecasted growth taking into consideration potential user demographics (Appendix A Background Documents may provide one source of assistance)
- Site is adjacent to major arterial roadways
- Site is in close proximity to other ancillary support services i.e. restaurants, hotels, shopping

4.5.4 Facility and Quality (25 points)

Proposals must describe the basic facilities to be provided including the number and size of the ice sheets, spectator seating, and ancillary and complimentary facilities. The facility quality proposed will be evaluated according to the following criteria:

- Number of NHL sized sheets
- Number of spectator seats

Evaluation

- Building quality and appearance
- Proponent's strategy to meet minimum LEED Silver Certification (See Appendix B for submission requirements at the Proposal stage)
- Ancillary facilities to be provided
- Proposed construction schedule meeting an opening date of 1 September 2010 including proposed penalties to be included in the Agreement if the opening date is not achieved

4.5.5 Operation Considerations (25 points)

Proposals must outline the operation of the facility. The operation arrangements proposed will be evaluated according to the following criteria:

- Arrangements related to the initial revenue risk
- Prime time ice available for community use
- Non prime time availability
- Community programs to be offered
- Arrangements to secure acceptable long term maintenance, upkeep, and upgrade
- Arrangements to secure long term certainty around ice availability. (Provisions for dealing with failure of proponent to provide ice)
- Other operational benefits including energy efficiency

Evaluation

4.6 Evaluation Summary

The following summary is provided as a convenient checklist and is in no way contradictory to the previous detailed evaluation sections. Proponents should ensure that their submissions address all of these issues:

Evaluation Criteria	Points Allocation
Proposal Completeness and Financial Capacity	Pass/Fail
<ul style="list-style-type: none"> • Proposal received at Closing Location prior to Closing Time from a Registered Proponent • Proposal received in a sealed package, including: <ul style="list-style-type: none"> - Demonstration of Financial Capacity - Proposed Financial Arrangement(s) - Proof of Proposed Project Site Land Tenure - Financial Arrangements among proponent members - Proposed Management Plan - Technical Reports - Proposed Project Schedule - Commitment of design to LEED Silver as a minimum 	
Financial Evaluation	100 points
<ul style="list-style-type: none"> ▪ All contributions required from the Regional Municipality whether direct payments or by the provision of other valuable services ▪ A preliminary business plan providing revenue and expenditure expectations over at least the first 5 years of operation ▪ Proposed method of financing including any actual or implied loan or other guarantees required from the Regional Municipality ▪ An indication of the level of user fees that will be charged to customers 	
Proponent Organization and Structure	10 points
<ul style="list-style-type: none"> • Proponent Structure <ul style="list-style-type: none"> - Clear reporting relationships and responsibilities - Transition strategy through project phases • Proponent Completeness <ul style="list-style-type: none"> - All required skills • Roles and Responsibilities of Key Managers • Prior working arrangements among key personnel • Commitment of staff for the Project 	

Evaluation

Evaluation Criteria	Points Allocation
Demonstrated Experience Evaluation	15 points
<ul style="list-style-type: none"> • Corporate experience • Experience and expertise of proposed key personnel <p>Specific Areas of evaluation include:</p> <ul style="list-style-type: none"> • Financing of ice arena and sports facilities • Operation and marketing • Design and construction • Schedule adherence • Local knowledge • Public-private partnership experience • Communications and public consultation 	
Site Evaluation	25 points
<ul style="list-style-type: none"> • Accessibility by vehicle, bicycle, transit and walking • Parking available on site • Impact on nearby residents • Impact to other businesses in the Halifax Regional Municipality area • Site is currently available • Probability that the site ownership can be secured in a time frame that will not impact the required opening of September 2010 • Site is correctly zoned or there is a reasonable expectation that rezoning can be obtained • Adequate utilities are available • Proximity to population centers • Site is well situated to serve existing populations as well as areas of new and forecasted growth taking into consideration potential user demographics (Appendix A Background Documents may provide one source of assistance) 	
Facility Quality	25 points
<ul style="list-style-type: none"> • Number of NHL sized sheets • Number of spectator seats • Provision of leisure ice • Building quality and appearance • Proponent's strategy to meet minimum LEED Silver Certification • Ancillary facilities to be provided • Proposed construction schedule 	
Operation Considerations	25 points
<ul style="list-style-type: none"> • Prime time ice available for community use • Non prime time availability • Community programs to be offered • Arrangements to secure acceptable long term maintenance, upkeep, and upgrade 	

Evaluation

Evaluation Criteria	Points Allocation
<ul style="list-style-type: none">• Arrangements to address certainty of ice availability• Other operational benefits	
Total Points Available	200 points

The Proposal with the highest number of points may be recommended by the evaluation team to be declared the Preferred Proponent by the Council, or the Council may determine to terminate the RFP process if no proposal offers superior value for money.

Upon completing evaluation in accordance with the evaluation criteria, the Evaluation Team will present its evaluation rationale and recommendations for approval by the Regional Municipality Council at its November 18, 2008 meeting.

Ž Appendix A – Background Documents

The following reference documents are available for viewing by appointment at the Regional Municipality's offices:

1. Halifax Regional Municipality Community Facility Master Plan – 2008
2. HRM Regional Plan - 2006
3. HRM Economic Strategy (speaks of quality of life initiatives and the value to building community for economic purposes)
4. Recreation Blue Print
5. HRM Cultural Plan
6. Burke Oliver Arena Capacity Study 2001

Ž Appendix B – Technical Requirements

1. General Requirements

1.1. Introduction

This is intended to be a permissive document that stimulates comprehensive and innovative submissions. The ultimate assessment of the submissions will reflect the terms of this RFP.

1.2. Sustainability

The Proponent will be required to develop the Facility consistent with the concept of responsible and sustainable development. This includes improving the facility's economic performance both in life cycle and capital cost terms. It also means the facility will:

- be more resource efficient particularly with respect to the use of water, stormwater reduction/reuse, energy and materials,
- require less energy to operate than comparable state of the art facilities,
- make efficient and better use of materials.

In addition the Facility will:

- improve the comfort of building occupants, and
- generate cost savings.

The Regional Municipality wishes to develop facilities that are environmentally, socially, and economically sustainable. Social sustainability aspects are addressed by programming and operations factors, and economic sustainability involves staying within the available capital budget and minimizing operational costs. Environmental sustainability is the focus of this section and will be measured primarily using the CaGBC's LEED-NC rating system. The LEED rating system provides a robust means of demonstrating progress toward environmental sustainability while still allowing for a flexible design process where Proponents can choose context appropriate strategies in support of individual project goals.

Another important measure of environmental and economic sustainability is the energy consumption, energy costs, and GHG emissions associated with the facility. Decisions made during the design will affect the energy consumption of the facility over its entire lifecycle. While effective operation can optimize energy efficiency, a high performance design can have orders of magnitude greater impact. In order to ensure that energy conservation and GHG reductions are a high priority for the design team, energy targets have been set above and beyond the LEED prerequisite for energy.

Ž Appendix B – Technical Requirements

1.3.LEED

1.3.1. LEED Silver

Objectives:

Develop a facility that minimizes environmental impact, optimizes indoor environmental quality for occupants, and minimizes operating costs by achieving LEED Silver Certification

Performance requirements:

Achieve LEED Silver Certification for the new facility/addition through the CaGBC LEED-New Construction (LEED-NC) rating system, current version.

Table 1: Submission Requirements

Stage of Project	Deadline	Submission	Submission/Process Requirements
Proposal stage	With proposal package	Regional Municipality	Complete the template LEED Scorecard. For each credit, complete the three columns “yes”, “no”, and “maybe” highlighting which credits the Proponent is very confident they will achieve (yes), which credits will not be pursued (no), and which credits have uncertainty, risks, or challenges associated with them (maybe). Also complete the comments column indicating how the credit will be achieved (yes), why the credit will not be pursued (no), or what challenges exist and how they will be overcome (maybe).
			Given the large number of credits that are the responsibility of the contractor to achieve, provide a narrative summarizing the methodology and tools (such as material tracking spreadsheets) that will be employed by the contractor to keep up to date records in order to achieve and document the credits for which they are responsible. Also provide a description of the contractor’s previous experience on LEED projects.
Detailed Design (successful proponent chosen)	Within 2 weeks of award of contract	CaGBC and Regional Municipality	Register with CaGBC and submit proof of registration to Regional Municipality
	Within 4 weeks of award of contract	Regional Municipality	Submit an updated version of the template LEED Scorecard and also indicate the design team member with primary responsibility for achieving each credit.

Ž Appendix B – Technical Requirements

Stage of Project	Deadline	Submission	Submission/Process Requirements
Construction	Within 4 weeks of “Issued for Tender” or “Issued for Construction” drawings being issued, whichever occurs first	Regional Municipality	The Project Design Team will submit for review, a complete documentation package for all credits being pursued.
	6 months into the construction process	Regional Municipality	The Project Design Team will submit for review, documentation to date for all credits being pursued, including audit requirement
Occupancy	within 6 weeks after substantial completion or within 2 weeks after occupancy, whichever occurs first	CaGBC	The Project Design Team will submit a complete package, documenting sufficient points, to ensure that the project has some buffer to achieve LEED Silver after the review process.
	within 6 months of occupancy	Regional Municipality	The Project Design Team must have completed the CaGBC review process, have been successfully awarded LEED-Silver Certification, and submitted proof of this to the Regional Municipality.

1.4. Integrated Design Management Program and Partnering

The Regional Municipality holds the increasingly accepted view that an integrated design process (IDP) is essential to the development of high performance sustainable buildings without exceeding budgetary constraints. As such, a number of requirements are included with the aim of ensuring that an IDP is employed.

The Proponent will be required to utilize an Integrated Design Management Program with respect to the design development of the Facility. An integrated team approach to design recognizes that crucial decisions made at the start of the design have substantial impacts in the final construction and operation of a facility. It is therefore required that the Regional Municipality Team and the Proponent team including all the design disciplines and trades (e.g. architectural, mechanical, electrical, etc.) work in conjunction with each other from the start, rather than being brought in sequentially on the Project to design their respective systems in isolation.

Ž Appendix B – Technical Requirements

1.5. General Planning Requirements

- The design shall attempt to facilitate the most efficient use of materials and the minimization of waste, e.g. standardized dimensioning;
- The design shall maximize the use of environmentally responsible production processes;
- The design shall increase the lifespan of the building by the use of durable materials;

1.6. Design Requirements

Proposals should demonstrate the Team's clear and coherent understanding of the challenges to be faced in implementing the Project. Topics that Teams may wish to address in the Proposal may include, but are not to be limited to:

- allocating risk in an appropriate manner;
- partnering with other Team members to ensure the Project is delivered as planned;
- ensuring a well designed and cost effective Facility that meets the Regional Municipality's functional requirements;
- proposing phasing options and opportunities for future expansion to meet budgetary constraints;
- ensuring the visual appearance and aesthetics of the whole development present a logical, orderly and aesthetically consistent relationship of its parts;
- dealing with public concerns in an appropriate manner; and
- quality of asset created for the Regional Municipality.

1.7. Design Review Requirements and Documentation

The Regional Municipality will carry out compliance reviews during the Project design development. These reviews will include all design disciplines and will confirm the Contractor's design complies with the standards, specifications and criteria comprising schedules to the Design/Build Contract. The Contractor will present drawings at the 50% and again when the design is 90% complete. The design development will be based on the design review and consultation process. Each submission will include four copies of the design drawings and specifications.

Ž Appendix B – Technical Requirements

1.7.1. Architectural

Before proceeding with the final design, the Contractor will present 50% complete design drawings to the Regional Municipality for review. The Contractor will provide a detailed architectural design report in full compliance with this RFP.

The architectural design report will provide the following information:

- Key plan
- Site plans showing all building locations and site services
- Access for people with disabilities
- Building Code Analysis
- Building envelope
- Floor plans
- Typical sections
- Materials and material colours and specifications
- List of basic mechanical equipment and its capacities
- List of basic electrical equipment and its capacities
- Zoning Bylaw analysis and evaluate requirements for any variances
- Building Code analysis and any anticipated equivalency report requirements

The drawings will clearly show and describe the materials to be used and the surface finish details. The Regional Municipality will review these plans and obtain sign off from the appropriate departments within ten (10) business days before the Contractor may proceed with the final design. The Contractor will be responsible for obtaining all other approvals from utilities and other government agencies.

The next review by the Regional Municipality will be at the 90% design stage. The Regional Municipality will review the completed drawings before the Proponent proceeds with construction. This review will assure that the design drawings have been completed in accordance with the approved preliminary design and scope of works. The Regional Municipality will review these plans within ten (10) business days and

Ž Appendix B – Technical Requirements

obtain sign off before the Proponent may finalize the design and proceed to construction.

1.7.2. Design Folders

Design folders will be prepared for the 90% design submission and will have indexes and sectional dividers. They will contain pertinent correspondence and will be arranged in chronological order by subject matter. The folders will include design calculations, material specifications, and should reference and confirm any pre-design study information utilizing the construction design for the work.

1.7.3. Design Modification

In the event that the Contractor wishes to modify the Project drawings during construction, it will prepare and submit revised drawings to the Regional Municipality for approval according to the above procedure for compliance review. The Regional Municipality is under no obligation to approve and if approval is not given the contractor will continue in accordance with the original design.

1.7.4. Project Record Submission

The following records will be supplied by the Contractor and the Regional Municipality may inspect these upon providing reasonable notice:

- As constructed plans and cross section plans
- Design Folders
- Minutes of all meetings, including Pre-construction
- Construction Inspectors Daily Reports
- Supplemental drawings
- Underground utility plans
- Copies of all approvals and permits required for the completion of the Project

Ž Appendix B – Technical Requirements

- All works including but not limited to storm drainage, sanitary sewer, street lighting and road works
- Quality control test data and all inspection reports
- Signed Quality Control from Engineer

1.8. TESTING AND COMMISSIONING REQUIREMENTS

The Contractor will be required to demonstrate full compliance with the performance specifications through a thorough shakedown and testing and commissioning process.

1.8.1. Shakedown

The Contractor shall conduct a thorough shakedown of the facility. The shakedown period is the Contractor's opportunity to test the various systems and correct any deficiencies found, prior to performance of the acceptance testing. The Contractor shall be responsible for operation of the facility during this period. The Contractor shall permit monitoring of its efforts during this period by the Regional Municipality, in order to gain a greater working knowledge of the systems.

The Contractor shall pay for any extraordinary costs incurred by the Regional Municipality due to shakedown, including, but not limited to, equipment or facility damage. The Contractor shall be responsible for all maintenance and repairs of the new facility during this period, including spill cleanups. The Contractor shall be responsible for damage to the vehicles or equipment of the Regional Municipality customers or contractors.

1.8.2. Operational Acceptance Testing

The Contractor shall indicate in writing to the Regional Municipality that the shakedown is complete and that the facility is ready for acceptance testing. All permanent system components must be in place before requesting the acceptance testing.

The Regional Municipality shall conduct the acceptance testing of the facility to determine whether it meets the specifications contained herein. The Regional Municipality reserves the right to determine the specific dates and time of the test in order to ensure sufficient equipment and personnel are available. If such a determination results in a delay of the acceptance test, an extension of the time limits included under the payment section of the Design/Build Contract shall be granted, provided that the Contractor gave adequate notice of at least 10 days.

Ž Appendix B – Technical Requirements

Generally, the test parameters for acceptance are compliance with the technical specifications.

The Regional Municipality shall conduct a visual inspection of the various systems prior to, and at the conclusion of the testing with the Contractor, noting any obvious leaks, equipment failures/damage or abnormal wear and tear, as determined at the sole discretion of the Regional Municipality. The Contractor shall repair such leaks, damage or wear. If the Regional Municipality concludes that such leaks, equipment failure/damage or wear are of a reoccurring nature, the Regional Municipality, in its sole discretion, may declare that the facility has failed the acceptance test

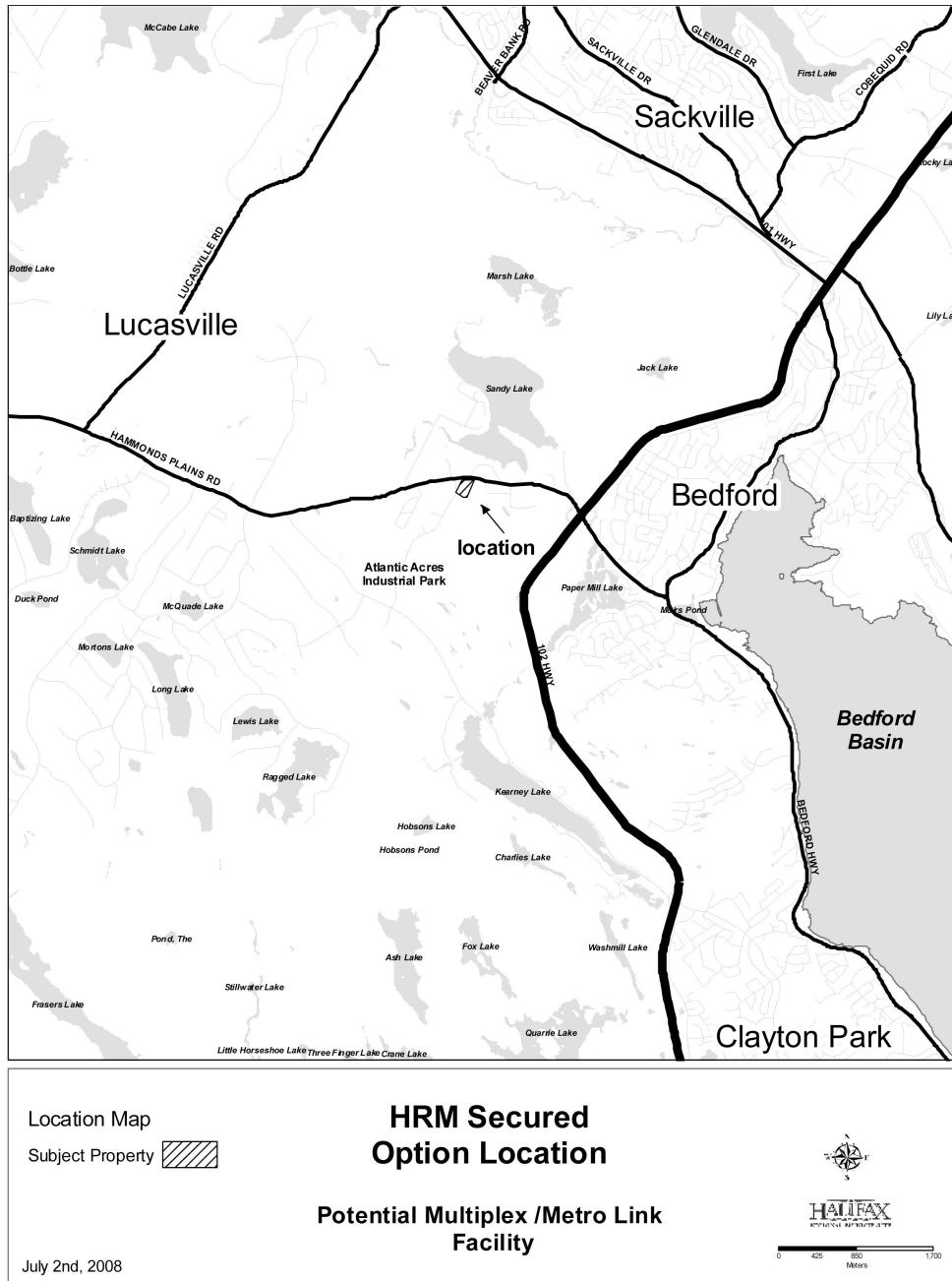
If, in the Regional Municipality's sole opinion, the Contractor does not pass the acceptance testing, the Regional Municipality reserves the right to allow the Contractor to retake the acceptance testing at a later date, or to waive any minor irregularity that occurs during the testing. The Regional Municipality will not unreasonably deny the Contractor's request for a second acceptance test.

In addition to the specific actions contained above, the Regional Municipality may require the Contractor to demonstrate the facility's ability to comply with any of the parameters contained in this RFP.

Appendix C – HRM Site Location

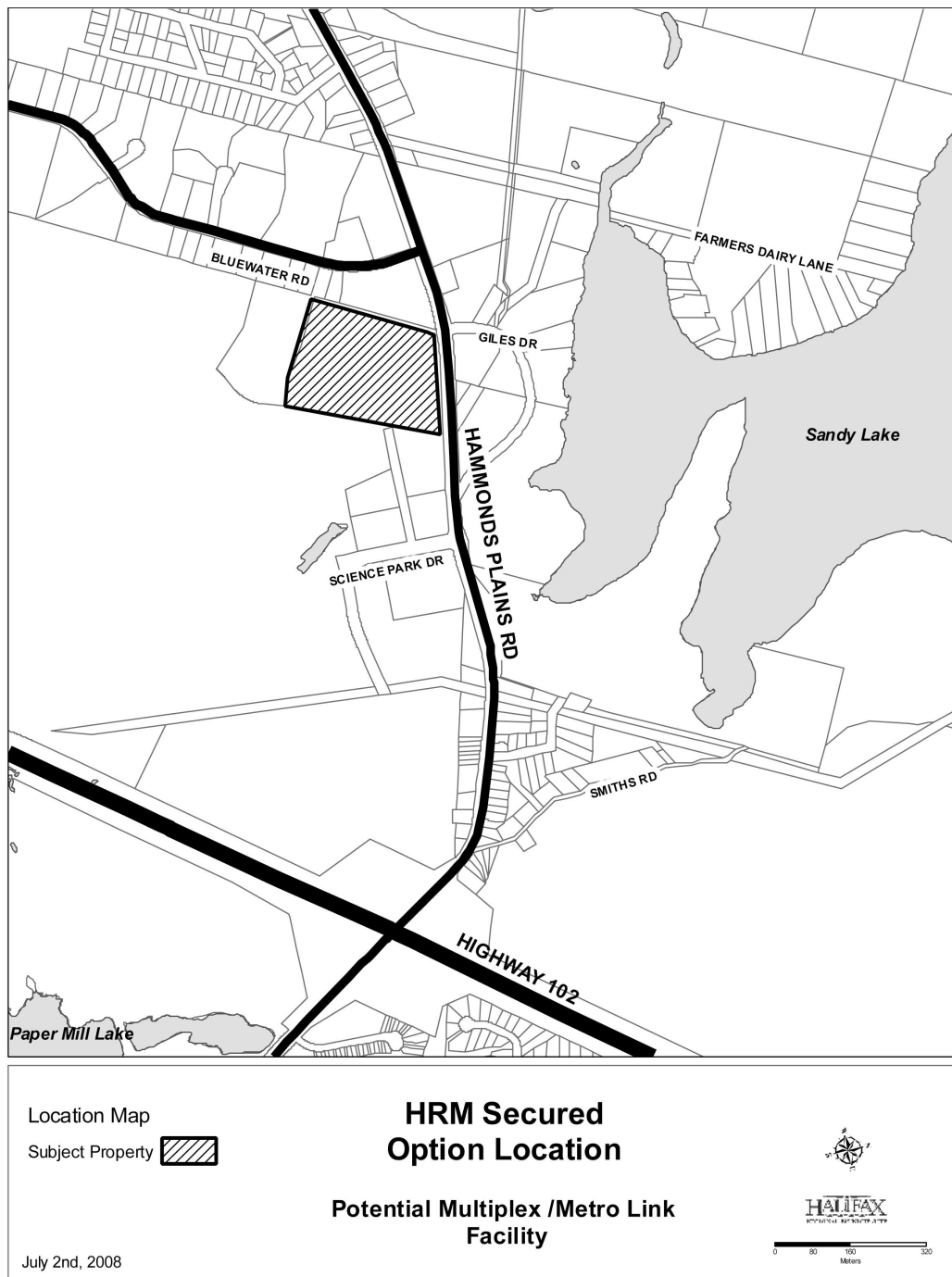
The HRM site is located at Hammonds Plains Road in Bedford West as shown below:

Figure 1 - HRM Site Location



Appendix C – HRM Site Location

Figure 4 - Detailed Plan of HRM Site



Ž Appendix D – Halifax Regional Municipality Shadow Price

Halifax Regional Municipality Shadow Price

Introduction

The following reference price data has been assembled by the Regional Municipality as its best estimate of the costs and risks it will incur if it proceeds to though the following arrangements:

- Borrow the required funds through a 20 to 30 year loan the Nova Scotia Municipal Financing Corporation.
- Retain the services of a qualified Architect registered in the Province of Nova Scotia to design and supervise the construction of the Halifax Regional Municipality project. four Ice Sheet Arena.
- Construct the project through a low bid tender.
- Operate the facilities using existing Halifax Regional Municipality operating models for similar sized complexes.

Basis of Construction Cost Estimate

The scope of the four sheet concept includes:

- 3 NHL ice surfaces, each with 200 – 400 seating
- 1 NHL ice surface with 900 +/- seating
- 6 multi gendered integrated change rooms, per sheet, and associated showers and toilets
- Officials, referees rooms and showers and toilets
- coaches rooms
- a multi purpose room,(s)
- commercial space for leased services ie physio / sport specific training..
- bar / services / kitchen
- meeting and office space for minor sports
- public washrooms
- medical room

Ž Appendix D – Halifax Regional Municipality Shadow Price

- entrance hall, ticketing
- mechanical, electrical rooms
- storage space

Cost Estimates

The construction cost for the municipal shadow bid is still under development and will be provided later as an addendum. It will be provided in the format below

COST ITEM	ESTIMATED COST
Construction Cost	\$ _____
Consulting Fees	\$ _____
Development Cost Charges	\$ _____
Legal Fees	\$ _____
Off Site Services	\$ _____
Contingency	\$ _____
Total Non-Construction Cost	\$ -----
Payable HST	N/A
Total Project cost	\$ _____

The annual operating cost for the municipal shadow bid is also still under development and will be provided later as an addendum.

Ž Appendix E – HRM Signage Policy
