

HALIFAX

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Item No. 8.1.2
Halifax Regional Council
April 14, 2020

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: March 13, 2020

SUBJECT: Award – Sole Source Contract, Lower Water Street AT Bikeway

ORIGIN

Discussions with Armour Group Ltd. related to the design and installation of a grade separated bikeway along Lower Water street fronting their development, the Queens Marque, between George Street and Prince Street.

LEGISLATIVE AUTHORITY

The Municipality may spend money for municipal purposes in accordance with section 79A of the HRM Charter. The recommended contract award complies with all of the pre-requisites for awarding contracts as set out in section 34 of Administrative Order 2016-005-ADM, the *Procurement Administrative Order*.

Administrative Order 2016-005-ADM, The Procurement Policy Section 25. (3)(b) states that A Sole Source may occur where there is an absence of competition for technical reasons and the Goods or Services can be supplied only by a particular supplier and no alternative or substitute exists;

Section 36 of the *Procurement Administrative Order*, provides that Halifax Regional Council may approve contract awards of any amount.

RECOMMENDATION

It is recommended that Halifax Regional Council award the design and construction of a protected bike lane along a portion of Lower Water Street fronting the Queens Marque development to the Armour Group Ltd. in the amount of \$225,619.84 (net HST included) with funding from Capital Budget CR200007 – Regional Centre AAA Bikeways as outlined in the Financial Implications section of this report, pending approval of the 2020/21 Capital Budget.

BACKGROUND

Armour Group Ltd. (AGL), is currently completing the construction of a 10-storey mixed-use commercial development known as the Queens Marque located on the harbour side of Lower Water Street between George Street and Prince Street. Construction on the Queens Marque site started in 2017 and it is expected the development will be substantially complete with occupancy this spring (2020).

To facilitate the construction of this development staff permitted removal of a portion of the public right-of-way fronting the development along Lower Water Street. This work was managed through a Construction Encroachment License which requires reinstatement of the impacted areas (i.e. sidewalk, curb, pavement, tree replacement, etc.) to meet current Municipal Design Guidelines. At the time of Building Permit approval, AGL provided an acceptable reinstatement plan for the area which was consistent with pre-construction conditions as illustrated in Attachment A. Once site construction was underway AGL suggested that the Municipality may benefit from the provision of some enhanced streetscaping to improve the pedestrian experience along Lower Water Street if included in their existing works.

DISCUSSION

It is not uncommon for larger developments in the downtown to request enhancements to the streetscape fronting their projects that exceed current engineering standards. In areas without an approved streetscaping or functional plan, some commonly permitted enhancements include installing additional trees, providing for wider tree lawn areas, and adding paver bands at the edge of sidewalk for visual interest. These enhancements are approved by staff when consistent with Municipal engineering guidelines and compatible with design features permitted within the Capital District; However, the cost of design and construction of these upgrades are the responsibility of the developer.

AGL requested an enhanced streetscaping design at the same time as staff were starting to investigate options for transit priority improvements and an All Ages and Abilities (AAA) bicycle facility on Lower Water Street as per the direction in the Integrated Mobility Plan. With input from staff, AGL prepared an enhanced reinstatement design that integrated a protected bicycle lane and other street improvements between George and Prince Streets as illustrated in Attachment B.

AGL's enhanced design includes:

- Reduced street cross section that allows for a wider sidewalk, boulevard and bicycle lane fronting the development
- Minimum 3m wide concrete sidewalk between the bicycle lane and building face
- Additional pedestrian area at the southeast corner of George Street and Lower Water Street
- Tree installation using approved soil cell technology
- Removable benches with planters

Functional Design elements that are required for the bicycle lane and sidewalk widening include:

- 1.8 m wide raised bicycle lane
- Modifications to the George and Prince Street intersections to accommodate the bicycle lane and widened sidewalk, including reduction of the existing 2-lane cross section at Prince Street to a single lane
- New street lighting conduit and bases fronting the development
- Narrowing and regrading of the street pavement
- Widening the sidewalk and removing metal bollards directly south of Prince Street fronting the Maritime Museum of the Atlantic

Integrating all the works (AGL's required reinstatement and HRM's bicycle lane and sidewalk improvements) into one project will minimize disruption to the public and occupants of Queens Marque, and will provide cost savings based on the economies of scale considerations of performing the required

infrastructure works into one project. This requires a contract between HRM and AGL for the design and construction of the municipal components of the reinstatement plan for the street right of way fronting Queens Marque. AGL has provided a detailed cost estimate for this work.

AGL's enhanced plan could also be constructed in two phases with the first phase reinstating the sidewalk, trees, planters, unit pavers and the curb only, leaving the Municipality to complete the bicycle lane and related intersection, sidewalk, and pavement modifications at a later date. However, staff do not recommend this option. The work is proposed between the George Street and Prince Street intersections, which comprises one segment of the future Lower Water Bikeway desired by the Municipality. Undertaking construction of all elements at one time in conjunction with the developer's required reinstatement would be more practical, cost effective, and result in less overall disturbance.

Historically, the Municipality has entered into similar contracts with developers, provided that these agreements are justified and approved as a sole source expenditure in accordance with HRM's Procurement Policy.

Further functional planning for the Lower Water Street corridor which will include consideration of transit priority opportunities will be undertaken in the next 1-2 years and construction will be programed after that. As previously mentioned, cost sharing with the developer will require the expenditure to be made sooner than anticipated but will save money and will avoid further disruption to the public on a busy roadway. It will also provide a high-quality segment of the Council-approved Lower Water Street AAA protected bike lane, as well as a safer, more comfortable and accessible sidewalk.

The proposed contract is in respect of the functional elements required by the bicycle lane and does not include the enhancements requested by the developer.

This is not an isolated situation and is expected to reoccur as the AAA bike network, transit priority corridors, and other capital work is carried out in the Regional Centre, where redevelopment of private property on these corridors is taking place. If this proves to be the case, Council may wish to direct staff to propose an administrative order for Council which would consider similar arrangements as cost sharing with developers rather than a procurement activity where there is a clear benefit to the public.

FINANCIAL IMPLICATIONS

AGL's estimated cost to HRM is \$225,620, net HST included. Funds are available in capital account CR200007 - Regional Centre AAA Bikeways pending the 2020/21 capital budget is approved by Regional Council. The budget availability has been confirmed by Finance.

Budget Summary: Capital Account CR200007 – Regional Centre AAA Bikeways

Cumulative Unspent Budget	\$ 3,855,000
Less: Award to AGL	<u>\$ 225,620</u>
Balance	\$ 3,629,380

* HRM will be responsible to pay up to the approved amount and AGL will be responsible for any cost overages.

RISK CONSIDERATION

There are no significant risks associated with the recommendation in this report. The risks considered rate is low. To reach this conclusion, consideration was given to financial, legal and compliance, and service delivery risks.

Active Transportation staff undertook public engagement in March/April 2018 as part of the Downtown Bikeways Network review, previously presented to Regional Council on April 30, 2019¹. This engagement was part of a functional planning process that recommended a protected bicycle lane on the east side of Lower Water Street as part of the Downtown AAA bikeways network

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications identified.

ALTERNATIVES

Regional Council could choose not to approve the recommendation in this report. This is not recommended by staff given that Regional Council approved the Downtown Bikeways Network and there is budget in the approved 2019/20 Capital Budget to accommodate this work.

ATTACHMENTS

Attachment A – 2017 Approved Reinstatement Plan

Attachment B – 2019 Enhanced Reinstatement Plan

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.

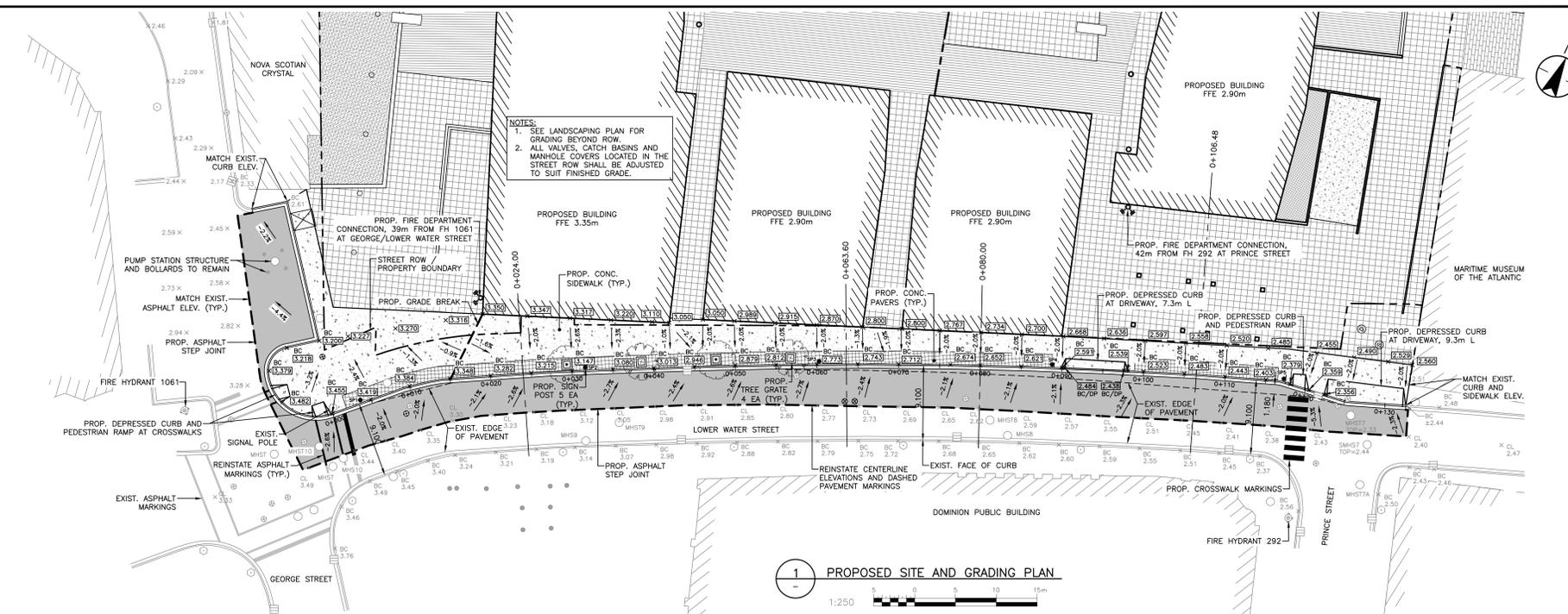
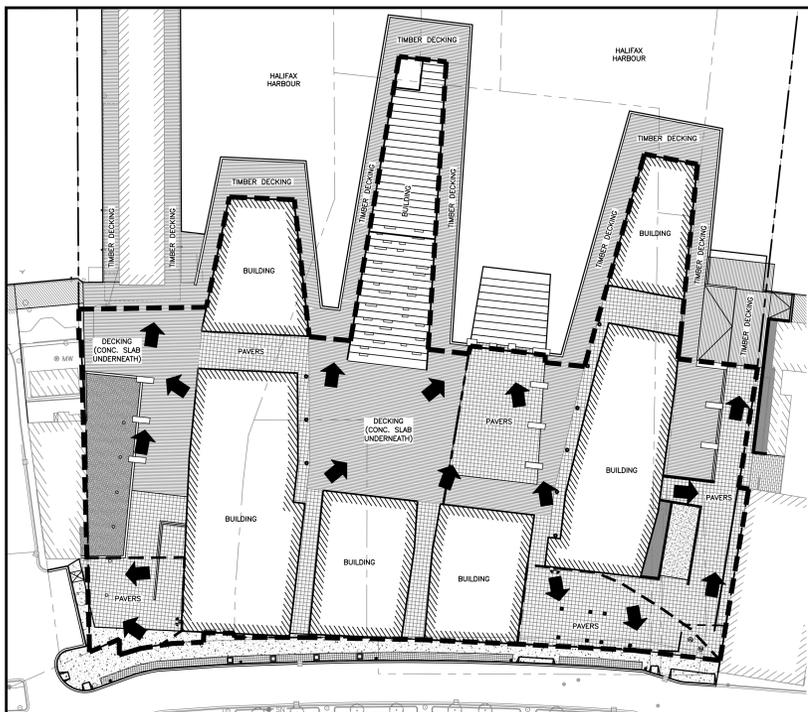
Report Prepared by: Ashley Blissett, P.Eng. Manager, Development Engineering, 902-490-6848

Report Approved by: Original Signed
Peter Duncan, P.Eng. Manager, Planning & Infrastructure, 902-489-4634

Procurement Review: Original Signed
Jane Pryor, Manager, Procurement, 902.490-4200

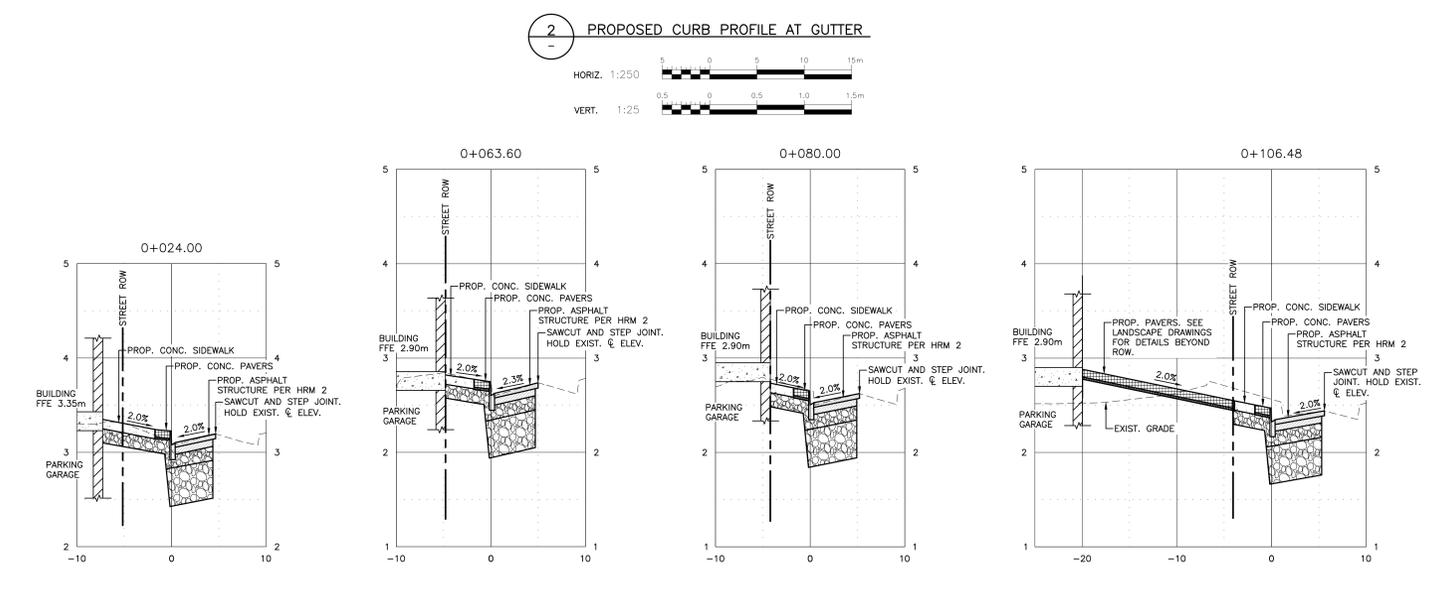
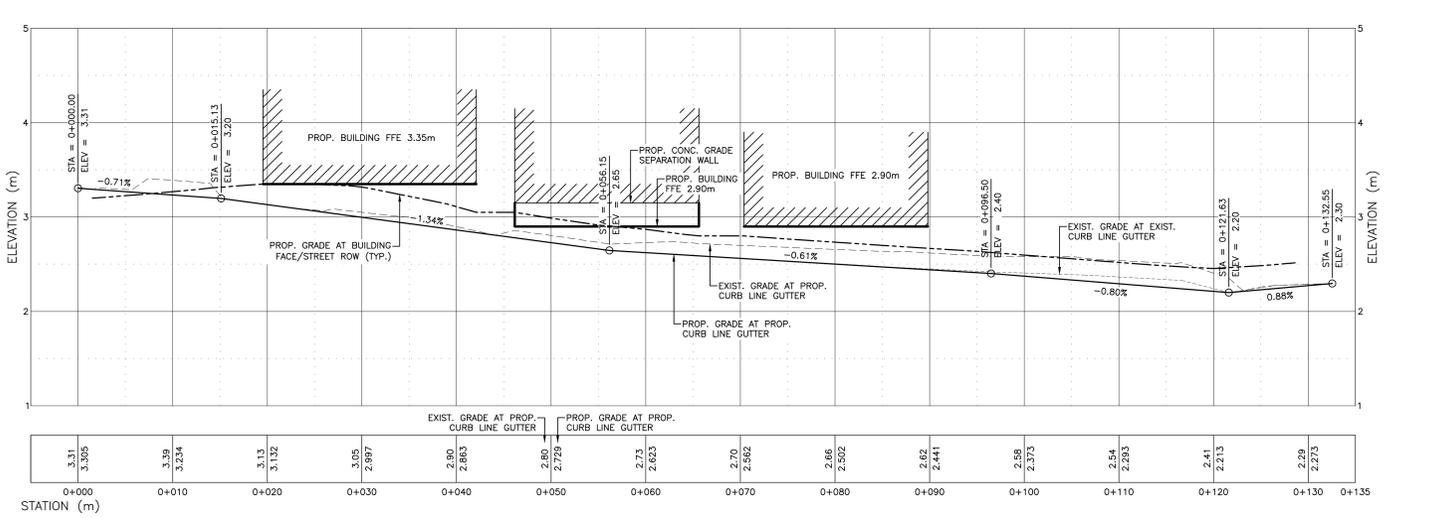
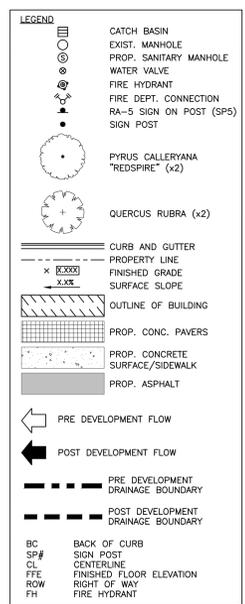
Report Approved by: Original Signed
Kelly Denty, Director of Planning and Development, 902.490.4800

¹ <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/190430rc1541.pdf>



LIST OF STANDARD DETAILS REFERRED TO ON THESE PLANS:
 HALIFAX REGIONAL MUNICIPALITY DESIGN GUIDE (LATEST EDITION)

- HRM 2 - 16.0m URBAN MINOR COLLECTOR
- HRM 38 - URBAN TRAFFIC SIGN POST
- HRM 44 - URBAN SIDEWALK
- HRM 48 - CONCRETE SIDEWALK REINFORCING
- HRM 49 - PEDESTRIAN RAMP ALIGNMENT
- HRM 50 - DRIVEWAY RAMP
- HRM 53 - CONCRETE CURB AND GUTTER
- HRM 90 - LONGITUDINAL AND TRANSVERSE MARKINGS
- HRM 93 - PEDESTRIAN PAVEMENT MARKINGS



HYDROLOGY TABLE:

CONDITION	AREA (ha)	RETURN PERIOD (years)	WEIGHTED C	TOC (mins)	i (mm/hr)	PEAK FLOW (cms)
PRE	0.93	5	0.93	<5	91.8	0.22
POST	1.09	5	0.83	6-8	79.5	0.20
PRE	0.93	100	0.93	<5	153.5	0.37
POST	1.09	100	0.88	6-8	130.6	0.35

RUNOFF COEFFICIENTS - PRE DEVELOPMENT:

TYPE	AREA (ha)	C _s	C ₁₀₀
ASPHALT/CONC.	0.898	0.95	0.95
SOFT LANDSCAPING	0.032	0.30	0.38
TOTAL	0.930	-	-
WEIGHTED C	-	0.93	0.93

RUNOFF COEFFICIENTS - POST DEVELOPMENT:

TYPE	AREA (ha)	C _s	C ₁₀₀
ROOF	0.277	0.95	0.95
GREEN ROOF	0.277	0.60	0.75
PAVERS	0.158	0.90	0.95
SOFT LANDSCAPING	0.039	0.30	0.38
CONC./DECKING SLAB	0.339	0.95	0.95
TOTAL	1.090	-	-
WEIGHTED C	-	0.83	0.88

- NOTES:
- GREEN ROOF ASSUMES 2-4 cm OF MOSS-SEDUM GREENING WITH AN ANNUAL AVERAGE WATER RETENTION OF 40%.
 - RUNOFF COEFFICIENTS FOR 100-YR CALCULATED BASED ON A 25% INCREASE FROM 5-YR VALUES TO A MAX. OF 0.95.

CALCULATION NOTES:

- RATIONAL FORMULA USED TO CALCULATE PEAK RUNOFF.
- SHEARWATER IDF CURVE USED TO CALCULATE RAINFALL INTENSITY.

GENERAL STORMWATER COMMENTS:

- THE PREDOMINANT PREDEVELOPMENT CONDITION IS HARDSCAPING (ASPHALT PARKING LOT). LESS THAN 5% OF THE AREA IS SOFTSCAPED. THE PARKING LOT IS SERVICED WITH CATCH BASINS THAT DISCHARGE TO THE HARBOUR.
- UNDER POST DEVELOPMENT, GROUND SURFACES WILL PREDOMINANTLY BE HARDSCAPED WITH PAVERS, CONCRETE, ETC. THE HARDSCAPED AREAS WILL PREDOMINANTLY BE GRADED TOWARDS THE HARBOUR. APPROX. 8% OF POST DEVELOPMENT RUNOFF WILL BE DIRECTED TO THE HRM R.O.W.
- APPROX. 50% OF ROOFTOPS WILL BE "GREEN ROOFS". STORMWATER FROM ROOFTOPS WILL BE COLLECTED THROUGH THE MECHANICAL RAIN WATER SYSTEM WHICH WILL DISCHARGE TO A NEW MANHOLE LOCATED IN THE SOUTH CORNER OF THE SITE. WATER WILL BE DISCHARGED TO THE HARBOUR VIA THE ALLEY ALONGSIDE THE MARITIME MUSEUM BUILDING THROUGH A STORM SEWER.
- TIMBER WHARF DECKS HAVE BEEN EXCLUDED FROM THE DRAINAGE AREA DELINEATION FOR PRE AND POST CONDITIONS AS THEY DIRECT DRAIN TO THE HARBOUR.

FOWLER BAULD & MITCHELL
 architecture

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Stantec

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 DARTMOUTH, NOVA SCOTIA B5A 0A3
 TEL: 902 468 7777
 www.stantec.com

Attachment A



No.	REVISION	BY	DATE
1	ISSUED FOR BUILDING PERMIT	ATM	01 JUN 17

QUEEN'S MARQUE
 HALIFAX NOVA SCOTIA

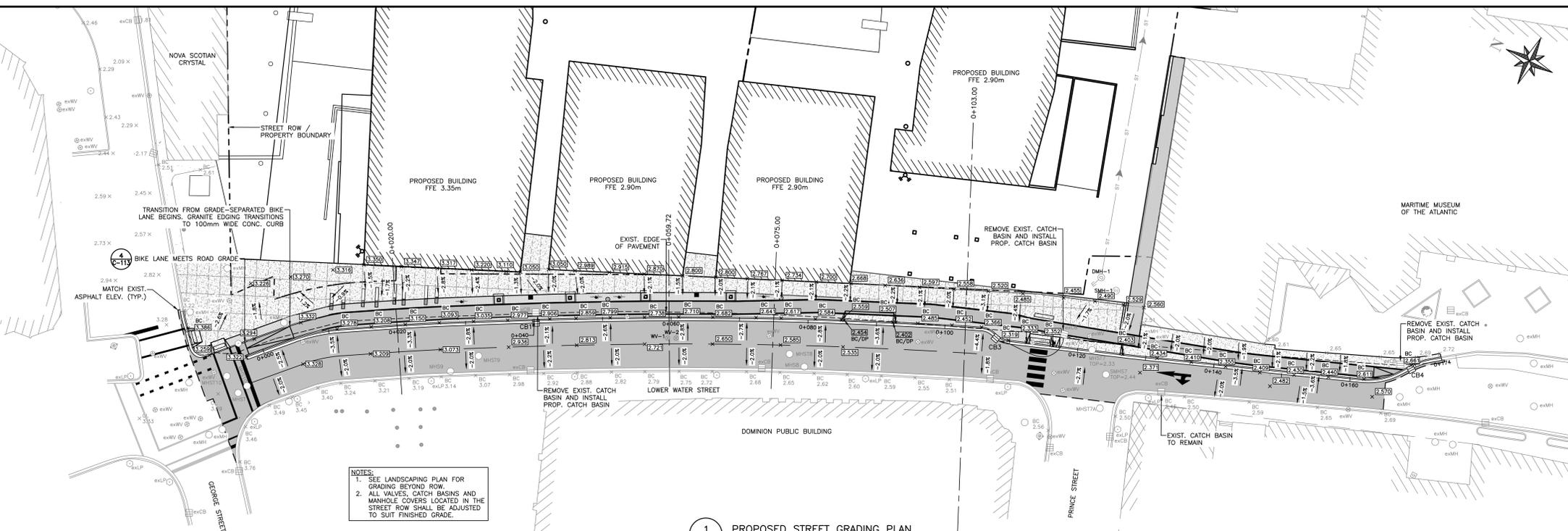
202-101 DATE 31 MAR 17
 CLIENT GROUP CONSTRUCTION LIMITED

STREET PLAN AND PROFILE / SECTIONS

C-102

DWR RSC CLK ATN SCALE AS NOTED

PRELIMINARY
 NOT TO BE USED FOR CONSTRUCTION

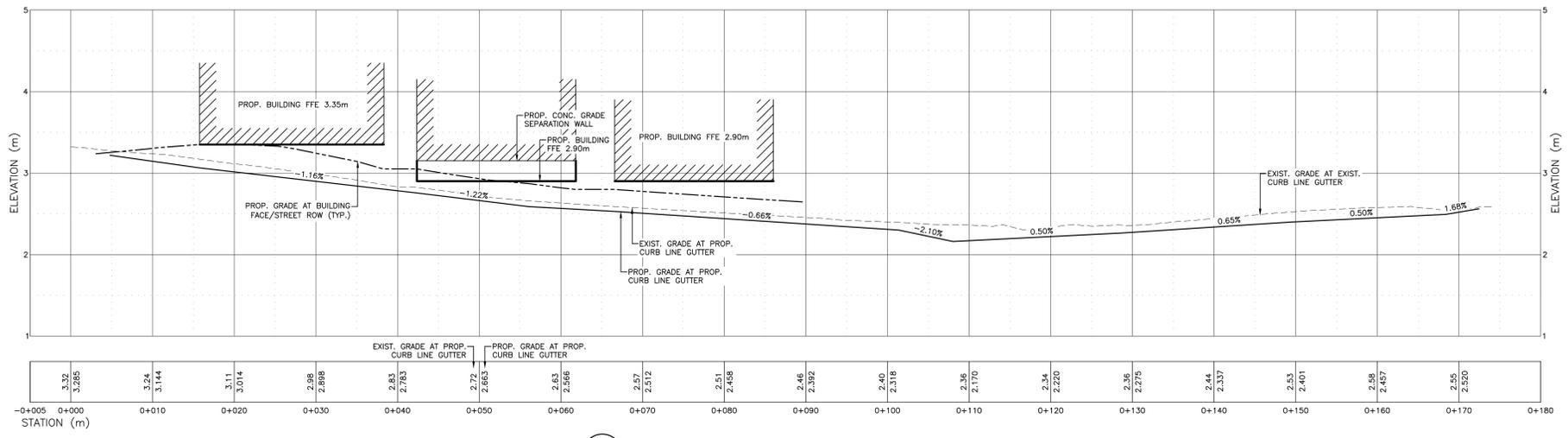


LEGEND

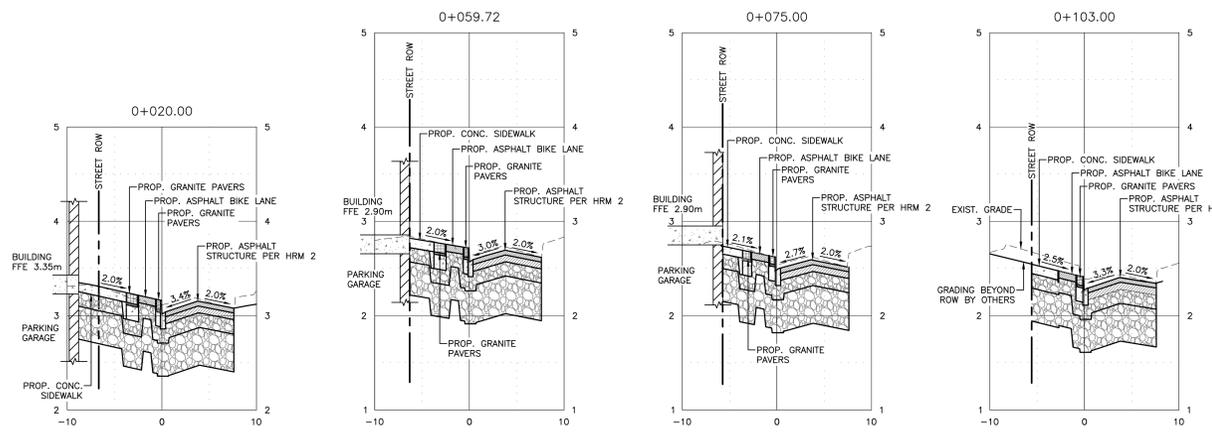
	CATCH BASIN
	EXIST. MANHOLE
	PROP. SANITARY MANHOLE
	WATER VALVE
	FIRE HYDRANT
	FIRE DEPT. CONNECTION
	RA-5 SIGN ON POST (SPS)
	SIGN POST
	CURB AND GUTTER
	PROPERTY LINE
	FINISHED GRADE
	SURFACE SLOPE
	OUTLINE OF BUILDING
	PROP. 100x100 GRANITE PAVERS
	PROP. CONCRETE SURFACE/SIDEWALK
	PROP. ASPHALT
	BC BACK OF CURB
	SP# SIGN POST
	CL CENTERLINE
	FFE FINISHED FLOOR ELEVATION
	ROW RIGHT OF WAY
	FH FIRE HYDRANT

NOTES:
 1. SEE LANDSCAPING PLAN FOR GRADING BEYOND ROW.
 2. ALL VALVES, CATCH BASINS AND MANHOLE COVERS LOCATED IN THE STREET ROW SHALL BE ADJUSTED TO SUIT FINISHED GRADE.

1 PROPOSED STREET GRADING PLAN
 1:250



2 PROPOSED CURB PROFILE AT GUTTER
 HORIZ. 1:250
 VERT. 1:25



3 PROPOSED LOWER WATER STREET SECTIONS
 HORIZ. 1:250
 VERT. 1:25

FOWLER BAULD & MITCHELL
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Attachment B



No.	REVISION	BY	DATE
0	ISSUED FOR TENDER	AN	31 JULY 19

CLIENT: QUEEN'S MARQUE HALIFAX NOVA SCOTIA
 DATE: 19 FEB 19
 DRAWING NO: 103003
 SCALE: AS NOTED

STREET PLAN GRADING
C-111
 AM CHK AN SCALE AS NOTED