



## 6. ADMINISTRATION ENQUIRIES

*Senior Administrative Officer, Michael Richardson:*

- Administration has undergone some Budget Preparations, Election Preparations, and has officially hired a new Director of Recreation – Lyle Hannan is starting with the Town on September 10<sup>th</sup>, 2012. The work that Kim Tybring has done on an Interim basis to provide leadership and direction to the Department is greatly appreciated.

*Director of Public Works & Planning, Keith Morrison:*

- A meeting was held with a Golf Course representative to present the Town's plans for realignment drainage work as well as to discuss the Golf Course's application to the Department of Transportation for chipsealing the road.
- The Yard Remediation Program is scoped out, and are currently waiting for confirmation of cost.
- The Trans Canada Trail GAP Project closed Friday, August 24<sup>th</sup>, 2012. One bid was received that is currently being reviewed.
- A meeting has been scheduled for Wednesday, August 29<sup>th</sup>, 2012 to review a new asset management software package.
- The Works Department is getting ready for fall – most materials are in place; salt, sand etc.
- Still awaiting the arrival of the New Dump Truck.
- A lot of rain last week resulted in over 10 inquiries from citizens Re: Road conditions and the issues are being addressed.
- It has yet to be determined whether the Town may be able to run a small patching program this fall.
- The Visitor Information Centre's Fence is complete. The reflective paint on the chains, reflective tape around the posts and appropriate signage are in the process of being completed.

*Fire Chief, Ross Potter:*

- Currently working on the Safety Manual and some safety related policies and procedures for the Town of Hay River.
- Month end reporting for both the NWT Fire Chiefs Association AGM and the Canadian Association of Fire Chiefs, both of which will be attended.

*Interim Director of Recreation & Community Services, Kim Tybring:*

- An initial draft of the Ball Park Survey has been received.
- The Recreation Department is preparing for the ice season.

*Councillor, Mike Maher:*

- 1) Question directed to the Director of Public Works, Keith Morrison; what is the status of the Water Main Replacement Tender?

*Director of Public Works, Keith Morrison:*

- 1) Answer to Councillor, Mike Maher; that work is in queue, I want to get the Lift Station repair work out first. I'm confident we'll get the work out and awarded this fall/winter. It may be that we're far enough into the season now that it doesn't occur until next spring.



**b) Emergency Services Report**

The July activity report for Emergency Services is presented for Council's review and acceptance.

**Summary:**

In an effort to continue building strong relationships with the RCMP we have provided training for the RCMP to aid them in completing their Small Craft Operators Certification. This training included subjects such as Marine Firefighting, GPS Operation, Mechanical and Marine Radio Operations.

The department was also involved in a Technical Rescue/Confined Space Rescue course where our members were trained to properly rescue casualties who may have fallen off steep slopes, cliffs or have fallen into large excavations. The course also provided the training to rescue workers who have become injured while working in confined spaces such as the NTCL Barges, Town lift stations and manholes etc.

We were also involved in some Community functions which included the July 1<sup>st</sup> parade, Dawg Days and provided cleanup for the annual Paintball Tournament organized by the Recreation Department of the town.

During the month of July 609 Volunteer hours were served by the members of the HRFD for a year to date total of hours of 2,817.

Item	Level of Activity
Patient Transfers	12
Medical Emergencies	13
Body Transfers	1
Fires & Rescues	7
False Alarms	0
Ambulance Training	1
Fire Training	3
Special Training	6
Cleanup & Maintenance	4
Fire Permits Granted	0
Fireworks Permits	0
Public Safety Sessions	3
Inspections	3
Recruitment	0
Emergency Plan	
Special Projects	Prepare Standard Operating Guidelines for the apprehension of dogs for protective services and SOG's for Confined Space Entry for Public Works and Services when dealing with lift stations and manholes.
Active Membership at	





e) Hay River RCMP Detachment "G" Division Monthly Mayor's Policing Report  
A copy of the Monthly Mayor's Policing Report for July 2012 from the Hay River RCMP Detachment "G" Division Northwest Territories is attached for the information of Council.

**#12-423      MOVED BY: DEPUTY MAYOR CASSIDY  
                  SECONDED BY: CLLR MAHER**

**That the Council of the Town of Hay River accepts the Monthly Mayor's Policing Report for July 2012 from the Hay River RCMP Detachment "G" Division Northwest Territories as presented.**

**CARRIED**

The Hay River RCMP Detachment "G" division Monthly Mayor's Policing Report for the month of July 2012 is attached at the back of the Minutes.

f) Utilities/Environment Committee Report  
The Report from the Town of Hay River Utilities/Environment Committee Meeting held on August 9, 2012 in Council Chambers is presented for Council's review and approval.

**#12-424      MOVED BY: DEPUTY MAYOR CASSIDY  
                  SECONDED BY: CLLR MAHER**

**That the Council of the Town of Hay River accepts the Report from the Utilities/Environment Committee Meeting on August 9, 2012, as presented.**

**CARRIED**

**#12-425      MOVED BY: DEPUTY MAYOR CASSIDY  
                  SECONDED BY: CLLR MAHER**

**That the Council of the Town of Hay River directs Administration to go forward with the re-zoning of Lot 1878 subject to the following conditions:**

- a) **An amendment to the General Plan and the Zoning By-law are required.**
- b) **That all requirements of the Zoning By-law are met.**
- c) **A site specific amendment to the smaller south west corner lot, with reference to the planner's report will be required.**
- d) **That a copy of the Provisional Plan of Survey be submitted by the surveyors to the Town of Hay River for review prior to registration with Land Titles.**

**CARRIED**

**#12-426      MOVED BY: DEPUTY MAYOR CASSIDY  
                  SECONDED BY: CLLR MAHER**

**That the Council of the Town of Hay River directs Administration to develop the template for Request for Proposal (RFP) Evaluation mirroring that of Appendix B, the GNWT document.**

**CARRIED**

Let it be noted that Councillor Wallington departed the Chambers and did not take part in the discussion or vote Re: Agenda Item 9.f) Motion 2) Utilities/Environment Committee Report.

The Minutes from the Utilities/Environment Committee Meeting are attached at the back of the minutes.

g) Lift Station Replacement Project Report

**SUMMARY**

- A review of Sanitary Lift Stations #1 and #2 was completed by Stantec engineering consultants which stated that these Lift Stations were constructed in 1976, are 36 years old, and in need of replacement.
- Subsequent work by Associated Engineering (AE) estimates the cost to renovate Lift Station #1 at \$1.2M, and Lift Station #2 at \$700k.
- Replacement of these facilities is considered a priority and a design-build Request for Proposals document for the design and construction of Lift Station #2 is currently in development.
- Request for Proposals evaluation criteria and weighting have been developed, where local content is weighted at 10% as per the Town of Hay River Local Purchase Policy. Proposed Design, Past Relevant Experience, and Project Cost are emphasized for this project.

**Background**

- A review of Sanitary Lift Stations #1 and #2 was completed by Stantec engineering consultants in December, 2011.
- The report stated that these Lift Stations were constructed in 1976, are 36 years old, and in need of replacement.
- Specifically, Lift Station #1 requires considerable structural repair, replacement of all mechanical/electrical equipment, and replacement of the sewer main that enters the facility.
- Lift Station #2 has been deemed unsafe and requires complete replacement, including structure, mechanical/electrical, and the wet well.
- Subsequent work by Associated Engineering (AE) estimates the cost to renovate Lift Station #1 at \$1.2M, and Lift Station #2 at \$700k.
- Replacement of these facilities is considered a priority and a design-build Request for Proposals document for the design and construction of Lift Station #2 is currently in development.

- Part of any Request for Proposals process involves evaluation of submitted proposals against specified criteria which carry various weightings to emphasise importance.
- Appendix A contains proposed Request for Proposals evaluation criteria and weighting, where local content is weighted at 10% as per the Town of Hay River Local Purchase Policy. Proposed Design, Past Relevant Experience, and Project Cost are emphasized for this project.

**#12-427            MOVED BY: CLLR MAHER  
                              SECONDED BY: DEPUTY MAYOR CASSIDY**

**That the Council of the Town of Hay River accepts the Report titled “Lift Station Replacement Project Update”, as presented.**

**CARRIED**

h) Proposed Interim Withdrawal of Commissioners Land – Hay River

The Town received the attached Letter dated July 31<sup>st</sup>, 2012 from GNWT Aboriginal Affairs and Intergovernmental Relations Re: Proposed Interim Withdrawal of Commissioners Land – Hay River.

SAO, Michael Richardson has contacted Fred Talen, Director - Lands Administration, Municipal and Community Affairs to arrange a Meeting with Council in September. It will be necessary to hold this meeting In Camera as some of the information they intend to share is confidential.

**#12-428            MOVED BY: DEPUTY MAYOR CASSIDY  
                              SECONDED BY: CLLR O’BRIEN**

**That the Council of the Town of Hay River accepts the Report titled “Proposed Interim Withdrawal of Commissioners Land – Hay River” as presented.**

**CARRIED**

The Letter from the GNWT Aboriginal Affairs and Intergovernmental Relations Re: Proposed Interim Withdrawal of Commissioners land – Hay River is attached at the back of the minutes.

i) Public Hearings on Bill 5: Legal Aid Act

The Town received the attached Letter dated July 27, 2012 from the GNWT Legislative Assembly, Standing Committee on Government Operations Re: Public Hearings on Bill 5: *Legal Aid Act*.

The Standing Committee on Social Programs would like your opinion on Bill 5: *Legal Aid Act*. It was introduced by the government on June 11, 2012 and is now under review by the Standing Committee. This bill is designed to replace the current Legal Services Act.

The deadline for feedback has been extended to 5:00 pm on August 22<sup>nd</sup>, 2012.

A copy of the Bill is attached.







c) Trade & Tourism Advisory Regular Committee Meeting Minutes

The Minutes from the Trade and Tourism Advisory Committee Meeting held at the Committee Hall, on Tuesday, July 23, 2012 at noon are presented for Council's review and approval

**#12-435        MOVED BY: CLLR O'BRIEN  
                  SECONDED BY: CLLR MAHER**

**That the Council of the Town of Hay River accepts the Minutes of the Trade and Tourism Advisory Committee Meeting of July 23, 2012 as presented.**

**CARRIED**

**#12-436        MOVED BY: CLLR O'BRIEN  
                  SECONDED BY: DEPUTY MAYOR CASSIDY**

**That the Council of the Town of Hay River accepts and supports the Tourism Plan 2012.**

**CARRIED**

**#12-437        MOVED BY: CLLR O'BRIEN  
                  SECONDED BY: CLLR WALLINGTON**

**That the Council of the Town of Hay River accepts Ron Auger and Donna Lee Jungkind as new members of the Trade and Tourism Advisory Committee.**

**CARRIED**

The Trade & Tourism Advisory Regular Committee Meeting Minutes of Tuesday, July 23<sup>rd</sup>, 2012 are attached at the back of the Minutes.

d) Recreation Board Regular Committee Meeting Minutes

The Minutes from the Recreation Board Meeting held at the Community Hall, on Wednesday, July 18, 2012 at noon are presented for Council's review and approval.

**#12-438        MOVED BY: CLLR LANGILLE  
                  SECONDED BY: DEPUTY MAYOR CASSIDY**

**That the Council of the Town of Hay River accepts the Minutes of the Recreation Board Meeting of July 18, 2012 as presented.**

**CARRIED**

The Recreation Board Regular Committee Meeting Minutes of July 18<sup>th</sup>, 2012 are attached at the back of the Minutes.

e) Aurora Research Institute Application No.'s 2134 & 2150 for Northwest Territories Scientific Research Licence

The attached research proposals from Aurora Research Institute – Aurora College – Application No.'s 2134 & 2150 for Northwest Territories Scientific Research Licenses were received by the Town of Hay River.

If Mayor and Council have any further questions or concerns, Administration will contact the Aurora Research Institute.

**#12-439            MOVED BY: CLLR DUECK  
                          SECONDED BY: CLLR WALLINGTON**

**That the Council of the Town of Hay River directs Administration to respond with no questions or concerns on the Northwest Territories Scientific Research License Application No.'s 2134 & 2150.**

**CARRIED**

The Aurora Research Institute Application No's 2134 & 2150 are attached at the back of the minutes.

f) Organizational & Operational Review

The Final Report from Western Management Consultants in regard to the Town of Hay River Organizational & Operational Review is attached for review of Council. Michael Richardson, SAO will make a presentation on this report in conjunction with the MACA Recommendations.

**#12-440            MOVED BY: CLLR WALLINGTON  
                          SECONDED BY: CLLR DUECK**

**That the Council of the Town of Hay River accepts the Final Report from Western Management Consultants for the Organizational & Operational Review as presented.**

**CARRIED**

**#12-441            MOVED BY: CLLR MAHER  
                          SECONDED BY: DEPUTY MAYOR CASSIDY**

**That the Council of the Town of Hay River directs Administration to ask two voter questions at the 2012 Municipal Election; should we go from eight – six Councillors? Should we go from a part-time to a full-time Mayor?**

**CARRIED**

The Final Report from Western Management Consultants Re: The Town of Hay River Organizational & Operational Review is attached at the back of the Minutes.



c) By-law No. 1812 "R" – Amendment to the Zoning & Building By-law – Lot 1878, Plan 3985 from I – Institutional to R1B – Single Family Residential (Class B) – First Reading

**#12-445            MOVED BY: DEPUTY MAYOR CASSIDY  
                          SECONDED BY: CLLR LANGILLE**

**That the Council of the Town of Hay River give First Reading to By-law No. 1812 "R" – Amendment to the Zoning & Building By-law – Lot 1878, Plan 3985 from I – Institutional to R1B – Single Family Residential (Class B).**

**CARRIED**

Let it be noted that Councillor Wallington departed the Chambers and did not take part in the discussion or vote Re: Agenda Item 11.c) By-law No. 1812 "R" – Amendment to the Zoning & Building By-law – Lot 1878, Plan 3985 from I – Institutional to R1B – Single Family Residential (Class B) – First Reading.

d) By-law No. 2282/LND/12 – Lease Unsurveyed Land 109-SK-211, Hay River from the Commissioner of the Northwest Territories – First and Second & Third and Final Readings

**#12-446            MOVED BY: CLLR LANGILLE  
                          SECONDED BY: CLLR MAHER**

**That the Council of the Town of Hay River give First Reading to By-law No. 2282/LND/12 – Lease Unsurveyed Land 109-SK-211, Hay River from the Commissioner of the Northwest Territories.**

**CARRIED**

**#12-447            MOVED BY: CLLR LANGILLE  
                          SECONDED BY: CLLR MAHER**

**That the Council of the Town of Hay River give Second Reading to By-law No. 2282/LND/12 – Lease Unsurveyed Land 109-SK-211, Hay River from the Commissioner of the Northwest Territories.**

**CARRIED**

**#12-448            MOVED BY: CLLR MAHER  
                          SECONDED BY: CLLR DUECK**

**That the Council of the Town of Hay River give unanimous consent to give Third and Final Reading to By-law No. 2282/LND/12 – Lease Unsurveyed Land 109-SK-211, Hay River from the Commissioner of the Northwest Territories.**

**CARRIED**

**#12-449            MOVED BY: CLLR MAHER  
                          SECONDED BY: CLLR DUECK**

**That the Council of the Town of Hay River give Third and Final Reading to By-law No. 2282/LND/12 – Lease Unsurveyed Land 109-SK-211, Hay River from the Commissioner of the Northwest Territories.**

**CARRIED**

**e) By-law No. 2283/LND/12 – Sublease Unsurveyed Land 109-SK-211, to Reliable Group of Companies Ltd./2 Seasons Adventures – First and Second & Third and Final Readings**

**#12-450            MOVED BY: CLLR LANGILLE  
                          SECONDED BY: CLLR DUECK**

**That the Council of the Town of Hay River give First Reading to By-law No. 2283/LND/12 – Sublease Unsurveyed Land 109-SK-211, to Reliable Group of Companies Ltd./2 Seasons Adventures.**

**CARRIED**

**#12-451            MOVED BY: CLLR LANGILLE  
                          SECONDED BY: CLLR DUECK**

**That the Council of the Town of Hay River give Second Reading to By-law No. 2283/LND/12 – Sublease Unsurveyed Land 109-SK-211, to Reliable Group of Companies Ltd./2 Seasons Adventures.**

**CARRIED**

**#12-452            MOVED BY: CLLR MAHER  
                          SECONDED BY: DEPUTY MAYOR CASSIDY**

**That the Council of the Town of Hay River give unanimous consent to give Third and Final Reading to By-law No. 2283/LND/12 – Sublease Unsurveyed Land 109-SK-211, to Reliable Group of Companies Ltd./2 Seasons Adventures.**

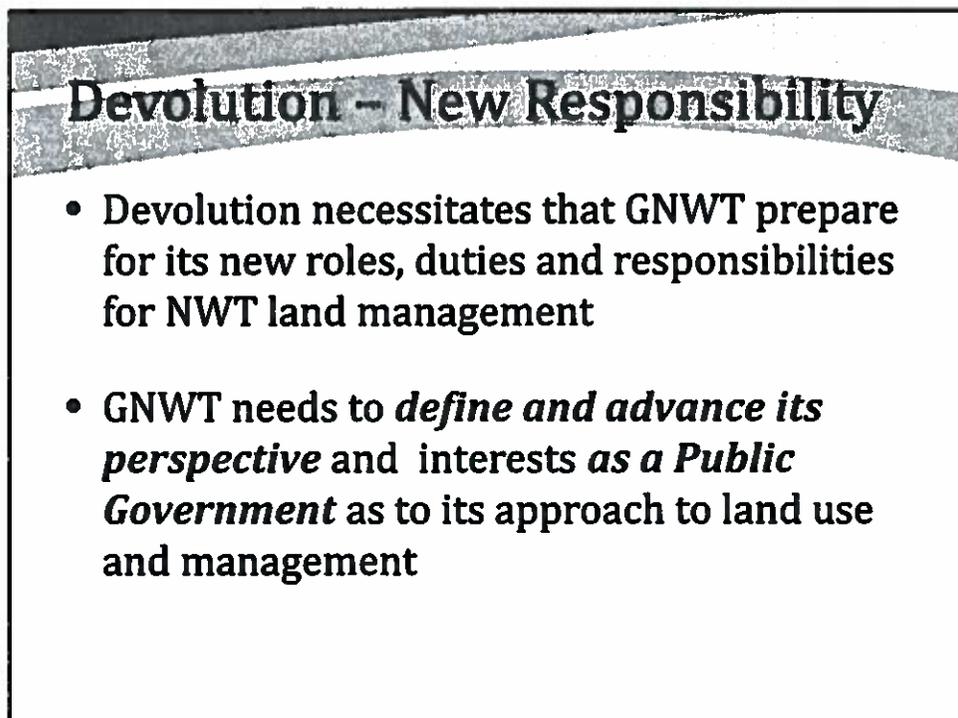
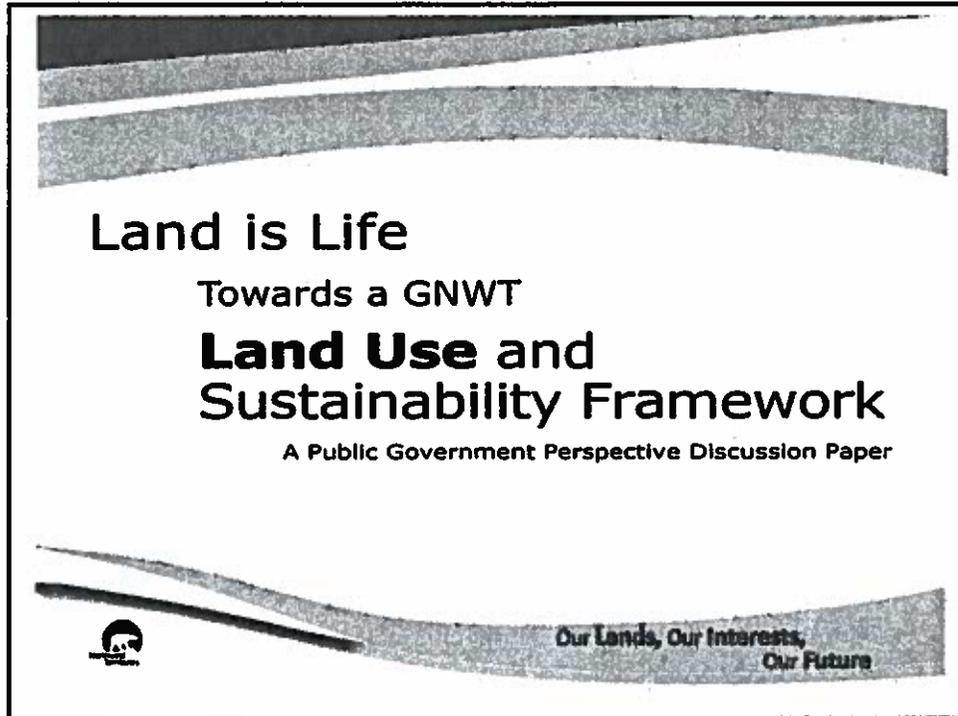
**CARRIED**

**#12-453            MOVED BY: CLLR LANGILLE  
                          SECONDED BY: CLLR DUECK**

**That the Council of the Town of Hay River give Third and Final Reading to By-law No. 2283/LND/12 – Sublease Unsurveyed Land 109-SK-211, to Reliable Group of Companies Ltd./2 Seasons Adventures.**

**CARRIED**





## Land is Life – A Discussion Paper

- Outlines the GNWT *perspectives* as a Public Government and identifies and describes GNWT *Territorial interests* with respect to land, water and resource management post devolution
- Serves as a basis for *engagement*

## Key Elements of Discussion Paper



## **Vision**

***“Land is life – it sustains and feeds us spiritually, culturally, economically and socially. Working together, Northerners will responsibly manage the lands, waters and natural resources of the Northwest Territories for the benefit of current and future generations”.***

- This vision embraces the spirit and intent of *sustainability and stewardship*

## **Draft GNWT LUSF Principles**

- Land management decisions shall take into account all Territorial Land Interests.
- Aboriginal rights and all legal rights are acknowledged and valued during land management decision making.
- Sustainable resource development is essential for the economic, environmental, and cultural well-being of NWT residents in both the short and long term.
- Decisions about lands and resources within the NWT should be made by residents of the NWT.

## Draft GNWT LUSF Principles

Continued...

- Traditional and local knowledge and scientific knowledge are equally important in the decision-making process.
- Land management decisions shall be made within a process that provides clarity and certainty, and that can anticipate and adapt to a changing environment or situation.
- Trans-boundary issues related to resource management and environmental quality require co-operation within the NWT as well as with neighbouring jurisdictions.

## Territorial Land Interests

- A Territorial Land Interest is a statement that defines *what is important* to the GNWT with respect to land
- GNWT Territorial Land Interests that are listed under *four* categories:
  - The Land Sustains Us
  - We Support the Sustainability of the Land
  - Land Creates Benefits and Wealth
  - Managing Land and Activity

## **Strategic Directions**

- **Important considerations for land management and supporting Territorial Land Interests:**
  - **NWT Way of Life;**
  - **NWT Environmental Stewardship; and**
  - **NWT Economic Stewardship.**

## **Supporting the Framework**

- **Mechanisms are required to achieve the Strategic Directions of the GNWT LUSF:**
  - **Working Together;**
  - **Creating Linkages;**
  - **Using the Best Information Available and Knowledge;**
  - **Making Responsible Decisions; and**
  - **Measuring Progress, Reporting and Communicating**

## **What Next?**

**The GNWT is seeking comments and ideas by September 30, 2012.**

**Provide feedback on-line at:  
[www.executive.gov.nt.ca/initiatives/land-use-sustainability/default.htm](http://www.executive.gov.nt.ca/initiatives/land-use-sustainability/default.htm)**

**Feedback will help the GNWT finalize the LUSF and inform devolution negotiations and implementation planning.**

**The GNWT will need to develop policies, guidelines and actions to support the Framework.**

**Thank you!**

**Questions? Comments?**

The Trade & Tourism Advisory Committee Meeting of the Town of Hay River was held on April 24, 2012 at 12:00 p.m. in the Doug Wieterman Hall.

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**Members Present:** *Kathy McBryan, Cllr. Mike Maher, Curtis Rowe, Cllr. Dawna O'Brien, Tara Schofield, JM Fizer*

**Others Present:** *Tammy Buchanan (Director of Recreation), May-Britt Hetesi (Asst. SAO), Emma Harper (Recreation Programmer), Kim Tybring (Lead Facility Maintainer), Gordon Harris and Usha Procinsky (Western Management Consultants)*

**Excused Absence:** *Michael Richardson (SAO), Tom Colosimo, Cllr. Bernard Dueck*

1. **Call to Order** – 12:08 pm Curtis Rowe

2. **Adopt Agenda** –

**Motion by: Mike Maher**  
**Seconded by: Tara Schofield**

**Carried**

3. **Adopt the Minutes of the Regular Meeting, March 13, 2012**

**Motion by: Tara Schofield**  
**Seconded by: Kathy McBryan**

**Carried**

4. **Delegation** –

**A) Western Management Consultants - Review the EDO/Special Events Coordinator position**

Representatives from Western Management Consulting outlined their task to create an Economic Development Officer/Special Events Coordinator position for the Town. They asked the committee to outline the basis for the creation of this position, the roles and responsibilities, and title of this position; thus, allowing them to develop the position. Tammy also mentioned that a Tourism Coordinator position was recommended in the Tourism Development Plan in 1999, as well as 2012 as a requirement to pursuing the plan. The committee discussed the need to have a position that covers tourism, industry, and economics. The possibility of beginning with a term position was also discussed. The committee suggested that the consultants make up a job description that covers the various hats discussed (tourism, industry, and economic development). The consultants will inform council of the committee's decision at a meeting this evening.

**5. Discussion Items -**

**A) Start Your Engine Conference - Proposal**

Tammy presented a proposal for the conference from Bottom Line, a company suggested by Prestige Planning because they did not feel they had time to do the project. Tammy outlined that Bottom Line wanted a three year contract. The committee tasked administration with contacting Bottom Line's references, discussing the possibility of a one year contract to do the conference in Fall 2013, and directing them to the website that is already created rather than having them create a new one.

**B) Tourism Plan - Update**

The committee will review the Tourism Plan and email any recommendations by April 30. Mike also mentioned that ITI would match the town on the application for marina development funds. Additionally, it may be beneficial to work with KFN reserve as they are also looking to develop their marina area and more funds may be available if a partnership is developed.

**C) Trade & Tourism Advisory Committee Chair**

The board has tabled the appointment of a committee chair until an interested party steps forward.

**6. Business Arising –**

**A) 2015 Canadian Fire Fighters Curling Championships**

Curtis told the committee that the 2015 Championships is scheduled for the territories and believes that this would be a great opportunity for Hay River. This tournament would consist of approximately 14 teams for a 4-5 day event at the end of March 2015. Administration will follow up with the fire fighters and the curling club to see if they would be interested in working on this event.

**B) Trade & Tourism Advisory Committee – Applicants' letters**

Tammy introduced the three applicant letters for committee member positions.

**Motion by: JM Fizer**

**Seconded by: Kathy McBryan**

**Recommend that administration find out the maximum amount of committee members, and if all can be accommodated on the committee, to accept all three.**

**C) Street Banners**

Tammy asked the committee to choose which company should do the new street banners. Three companies were discussed: The first using a nylon banner, the second a recycled yarn banner, and the third a local business that would produce the same product as the last banner. The local banner production would also cost around \$2000 more than the \$4-5,000 estimated by the other companies. This is due to the printing needed on both sides and the requirement to sew the sleeves to attach on the metal arms. Tammy also showed

examples of the pictures of local wildlife taken by Hay River photographers that would decorate the banners. The committee decided they wished to go local, but to follow up with the company and see if they could print the banners on a different material similar to the recycled yarn. They also asked that the company commit to having the banners finished for June 1.

7. NEXT MEETING DATE – May 15, 2012

8. ADJOURNMENT – 1:16 pm *Motion by: JM Fizer*

CHAIR



SECRETARY



**RCMP-GRC**



ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA



**MONTHLY  
MAYOR'S  
POLICING REPORT  
Town of Hay River  
July, 2012**

**Hay River RCMP  
"G" Division  
Northwest Territories**

The Hay River Detachment responded to a total of 262 calls for service to the Town of Hay River during the month of July, 2012.

<b>OCCURRENCES</b>	<b>July 2012</b>	<b>Year to Date</b>	<b>July 2011</b>	<b>Year Total 2011</b>
Assaults (all categories)	16	87	23	146
Break and Enters (Residence & Business)	11	28	3	46
Theft of Motor Vehicle	0	6	2	11
Theft Under \$ 5000.00	3	25	13	43
Theft Over \$ 5000.00	0	1	0	0
Drugs ( Possession )	1	13	1	35
Drugs ( Trafficking )	1	12	6	44
Liquor Act	18	156	28	123
Unlawful Sale (Bootlegging)	0	0	0	2
Causing a Disturbance / Mischief (including public intoxication)	85	421	93	653
Impaired Driving	12	60	17	93
Other Complaints	147	776	140	1781
<b>Total Complaints</b>	<b>262</b>	<b>1556</b>	<b>326</b>	<b>2172</b>



Royal Canadian Gendarmerie royale  
Mounted Police du Canada

Canada 

CATEGORY	July 2012	Year to Date	July 2011	Year Total 2011
Prisoners	80	94	9	1016
Intermittent Prisoners	1	0	0	0
Other Detachment's Prisoners	5	0	0	
Total Prisoners (mth)	86	580	105	1016

JUSTICE REPORTS	July 2012	Year to Date	Year Total 2011
Victim Service Unit Referrals	3	21	
Youth Alternative Measures (YCJA Warnings)	0	91	0
Youth Diversion (Community Justice Referrals)	0	12	10
Adult Diversion (Community Justice Referrals)	2	2	1
Emergency Protection Orders (Detachment Initiated)	0	0	2
ODARA Reports	1	10	57

#### Annual Performance Plan (A.P.P.'S) Community Priorities

Community approved APP'S are (1) Organized Crime-Drug Trafficking  
(2) Substance Abuse -Alcohol and Drugs  
(3) Youth and Crime Prevention  
(4) Community Policing/Aboriginal Awareness

(1) This month the detachment addressed the issue of Substance abuse by being highly visible, approachable, and available to enforce laws in respect to substance abuse. Members of the Hay River detachment are committed to intelligence gathering, which contributes to, not only in Hay River, Enterprise and the KFN Dene Reserve but the entire Northwest Territories Drug and Crime strategy.

(2) This month the detachment addressed the issue of Domestic Violence by continuing to respond and investigate complaints of domestic violence. These investigations are carefully scrutinized to ensure as always, a high level of service.

(3) This month the detachment was involved with youth by continuing to make contact with the youth in the Hay River area. As all schools are currently out for the summer, kids and youth are more visible out in the community and in the parks and playgrounds. Hay River members

continue to make efforts to interact with them in positive ways.

(4) This month the detachment was involved with Community Policing/Aboriginal Awareness by continually being present on the Katlodeechee First Nation. Regular patrols are made and members of the Hay River detachment remain available and approachable to the membership of the local reserve. Hay River Detachment has a community constable position which has contributed in a noticeable way in both Community Policing and in Aboriginal awareness, his recent activities are listed below.

**Update on work being performed by ACCP members:** This position is currently staffed by Special Cst. Steve Beck to provide enhanced Community Policing. This past month S/Cst. Beck has been involved in the following.

The month for July S/Cst. Beck was away on holidays for most of the month. S/Cst. Beck did participate in several communities activities, including a community BBQ held at the Hay River Community Library. S/Cst. Beck is planning on organizing a similar event for the KFN Dene Reserve during the month of August.

S/Cst. Beck continues to participate with the Hay River Restorative Justice Program and participates with any ongoing Diversions that are taking place.

### **Notable Occurrences for the Month:**

On July 4, the Hay River RCMP entered into an Impaired driving investigation. RCMP received a report of a motor vehicle collision near the airport. Upon arrival, RCMP observed a vehicle in the ditch. The driver did not sustain any injury as a result. Upon further investigation, an adult male driver was arrested and has been charged with impaired operation of a motor vehicle. He is scheduled to appear in court at a later date.

On July 7, the Hay River RCMP received a report of a break and enter at Matco limited in the Hay River Industrial Park. As a result of this break and enter, a Matco moving van had been stolen. Furthermore, a 42 inch television had been stolen from the moving van that had been packed, loaded and prepared for a delivery. No suspects have been identified to date and no arrests have been made.

On July 12, the Hay River RCMP received a complaint of break and enter at the Youth Center on the Hay River Dene Reserve. RCMP attended along with support from Police Dog Services. Unknown if anything had ben stolen. No suspects have been identified to date and no arrests have been made. The matter is still under investigation.

The Hay River RCMP have investigated 13 impaired driving files and charged 2 individuals for Impaired Operation of a Motor Vehicle during the month of July.

The RCMP would like to remind the public that under the Territorial Liquor Act only 24 cans (355ml) of beer or 1.5L of wine or 1.14L of spirits may be legally imported into the NWT without a permit.

### **New Community Concerns (update on concerns raised in the past not yet resolved)**

Summer is here! Members notice that warmer weather and increased sunlight bring higher rates of foot traffic in the late hours of the night. The public is encouraged to ensure their belongings are locked up and hidden from plain sight. Simple deterrents such as keeping valuables out of sight, seem to work best.

There has been an increased in the number of reported break and enters in the last several weeks, in the town of Hay River. Members of the Hay River detachment continue to be diligent with these investigations and encourage the general public to be diligent as well.

There have also been concerns raised at the Hamlet of Enterprise and the issue of dogs roaming free in the community. Residents are reminded that dogs are supposed to be on a leash and are not permitted to roam freely without their owners, as per Section 10 of the NWT Dog Act:  
No owner shall permit a dog to run at large

(a) contrary to a municipal bylaw;

(b) in an unincorporated community;

© in an area that is not within a b) municipality or an unincorporated community, unless the dog is under the c) control of a person. S.N.W.T. 2008,c.8,s.7(3); S.N.W.T. 2011,c.3,s.5,

### **Community Policing Activities or Events (if not identified in the APP's)**

The Detachment has been involved in a number of community events this past month.

On July 6, Cpl. Young visited the KFN Dene Reserve band office and spoke to several employees. Plans are being made to hold a community BBQ at the band office some time in August. Cpl. Young also conducted proactive patrols in and around the reserve.

Cpl. Young also conducted a patrol out to the Hamlet of Enterprise. Cpl. Young stopped by the town hall and spoke to the administrative assistant about any concerns the community had.

On July 13, several members from the Hay River Detachment helped organize a community BBQ at the Hay River library. The event saw approximately 200 people in attendance. Members served hotdogs and interacted and mingled with the general public. The event was a huge

success. A similar event is being planned for the KFN Dene Reserve in the near future.

On July 14, Cst. Martel and retired member Jack Kruger conducted a patrol of the Hy River channel as there were numerous participants in the annual event of floating down the channel. The event went off without any issues.

On July 24, Sgt. Orr met with the Mayor and SAO of Town of Hay River to discuss any community issues.

On July 25, Sgt. Orr spoke at the Hay River Chamber of Commerce about various issues surrounding fraud and how this affects the town's business's.

Should you have any questions or concerns regarding this report, please feel free to contact either of us to discuss.

Cpl. Scott Young  
(867)874-1111  
email: [scott.young@rcmp-grc.gc.ca](mailto:scott.young@rcmp-grc.gc.ca)

Sgt. C.T. (Chad) ORR  
(867)874-1111  
email: [chadwick.t.orr@rcmp-grc.gc.ca](mailto:chadwick.t.orr@rcmp-grc.gc.ca)

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Sgt. Warren Gauchier - " G " Division Client Services

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## UTILITIES/ENVIRONMENT COMMITTEE REPORT Thursday, August 9, 2012 at 12:05 PM

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Report of a meeting held on Thursday, August 9, 2012 at 12:05 PM in the Council Chambers of the Town of Hay River. The following Committee members were in attendance:

Chair: Deputy Mayor Andrew Cassidy  
Cllr. Bernie Langille  
Cllr. Mike Maher

The following members of Administration staff were in attendance:

Michael Richardson  
May-Britt Hetesi  
Keith Morrison  
Dustin Dewar

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Agenda Item:

1. **Call to Order**  
Acting Chair, Deputy Mayor Andrew Cassidy at 12:05 PM.
2. **Adoption of the Agenda**  
No amendments.
3. **Declaration of Interest**  
None declared.
4. a) **Committee Chair**  
Committee appointed Deputy Mayor Andrew Cassidy as Committee Chair for this, the first formal meeting of the Utilities/Environment Committee.  
  
b) **Public Works Department Monthly Report**  
The Public Works Department July 2012 report for Council's review and information:

Item	Level of Activity
Road Maintenance/Repairs	Line Painting Currently Underway Monthly Street Sweeping Grading Culvert Replacement Road Cut Maintenance Pothole Repairs Currently Underway Signage As Required
Vehicle and Equipment Maintenance	Service Case Loader Service Backhoe Service Recreation Department Equipment



**UTILITIES/ENVIRONMENT COMMITTEE REPORT**  
**Thursday, August 9, 2012 at 12:05 PM**

	Service Pickup Fleet As Required
Sewer Inspection/Repairs	Flushing Currently Underway Lift Pump Maintenance Lift Station Maintenance
Water Inspection/Repairs	Weekly Testing Daily Inspection Tri-services Park Water Service
Facilities Inspections/Repairs	Water Treatment Plant Entry Town Hall Furniture and Handicapped Parking Town Garage Entry

**c) Development and Building Permit Monthly Report**

The Development and Building Permit July 2012 report for Council's review and information:

DATE	DEV #	CIVIC ADDRESS	DESC. OF WORK
July 3/12	D12-070,B12-021	63 Wildrose Drive	16'X16' Gazebo
July 3/12	D12-071,B12-022	9 Cranberry Cres	18'X24' Garage
July 4/12	B12-023	8 Campsell Cres	8'X12' Shed
July 4/12	DH12-072	11-52 Capital Dr.	Photography
July 5/12	DH12-073	44C Patterson Road	Produce, Baking, Trucking, Tree Cutting, Logging & Consulting
July 6/12	DH12-074	47117 Back Road	Photography
July 6/12	D12-075,B12-024	20 Balsam Drive	Replace Landings & Stairs
July 11/12	DH12-076	1-61 Miron Drive	Jade Sales
July 16/12	D12-077,B12-026	7 Studney Drive	New Entrance and Driveway
July 18/12	D12-079,B12-027	12 A Ptarmigan Cres.	Replace front and rear Landings and Steps
July 16/12	D12-080	256 Miron Drive	Demolish Old Buildings and construct New Front Fence
July 19/12	D12-082	47 Fir Cres.	Demolish old and set up new Mobile Home
July 19/12	D12-083,B12-028	45 Fir Cres.	Demolish old and set up new Mobile Home
July 19/12	D12-084,B12-029	31 Balsam Drive	Demolish old and set up new Mobile Home
July 23/12	D12-085,B12-031	53 Miron Drive	Addition to rear Deck
July 24/12	DH12-086	20 McBryan Drive	Childrens Dayhome
July 27/12	D12-087	12/14 Industrial Dr.	Fence Yard
July 30/12	D12-088	2 Fir Crescent	New Garage/Shed
July 31/12	D12/089	2-4 Courtoreille St.	Open Commercial Restaurant/Catering



**UTILITIES/ENVIRONMENT COMMITTEE REPORT**  
**Thursday, August 9, 2012 at 12:05 PM**

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**d) Cameron Crescent**

Committee read the report (attached) and discussed the recommendations of the Development Officer with regard to the re-zoning and subdivision of Lot 1878 Cameron Crescent from one large I Institutional into three R1B Single Family Residential lots. Also, attached is the report and recommendations from the planner, David Klippenstein.

**Committee recommended that the Council of the Town of Hay River directs Administration to go forward with the re-zoning of Lot 1878 subject to the following conditions:**

- a) An amendment to the General Plan and the Zoning By-law are required.**
- b) That all requirements of the Zoning By-law are met.**
- c) A site specific amendment to the smaller south west corner lot, with reference to the planner's report will be required.**
- d) That a copy of the Provisional Plan of Survey be submitted by the surveyors to the Town of Hay River for review prior to registration with Land Titles.**

**MOVE APPROVAL**

**e) Request for Proposal (RFP) Evaluation Criteria**

Committee read and accepted the report (attached) and discussed the criteria to rate Requests for Proposal (RFP) in light of the recent discussions by Council of the need to allow Local businesses equal or fair access to work from the Town. The report and appendices A, B and C are attached for reference.

Director of Public Works and Planning, Keith Morrison, reviewed the report and recommended his preferred Appendix B, sourced from the Government of the Northwest Territories.

**Committee recommended that the Council of the Town of Hay River directs Administration to develop the template for the Request for Proposal (RFP) Evaluation mirroring that of Appendix B, the GNWT document.**

**MOVE APPROVAL**

**5. The meeting was adjourned at 12:43 PM.**

# TOWN OF HAY RIVER

## REPORT TO COMMITTEE

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**SUBJECT: APPLICATION FOR A ZONING AND BUILDING BY-LAW NO. 1812 AMENDMENT TO RE-ZONE AND SUBDIVIDE LOT 1878, PLAN 3985 FROM I INSTITUTIONAL TO R1B SINGLE FAMILY RESIDENTIAL**

**DATE: August 9, 2012**

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### **Background**

The Town of Hay River has made application to amend the Zoning and Building By-law No. 1812, to re-zone, and to subdivide Lot 1878 Cameron Crescent from one large I Institutional Lot into three R1B Single Family Residential lots.

The lot, for over the last 20 years is a large Institutional lot and is directly surrounded by ten R1B Single Family Lots. The entire north end of the new town is designated for Residential development. Also subdivided in accordance with the plan from Associated Engineering, the two larger lots would be able to meet all of the Requirements of the Zoning and Building Bylaw.

The third smaller lot does however fall short of the required lot width for R1B double fronting corner lots. Minimum Lot width for a corner or double fronting lot is 18.0m (60'). The proposed lot width in the lot sketch is 16.95m making it 1.05 meters short.

We also have obtained a planners report from David Klippenstein which is included in this package with their recommendations.

### **Development Officers Recommendation:**

**That the Council of the Town of Hay River approve the Re-zone of Lot 1784, Cameron Crescent subject to the following conditions.**

- a) An amendment to the General Plan and the Zoning Bylaw are required.**
- b) That all requirements of the Zoning Bylaw are met.**
- c) Will require a site specific amendment to the smaller south west corner lot, please see the five recommendations in the planners report.**
- d) That a copy of the Provisional Plan of Survey be submitted by the surveyors to the Town of Hay River for review prior to registration with Land Titles.**

**Town of Hay River  
Planners Report 12- 02  
Rezoning and Subdivision of Lot 1878, Cameron Crescent  
Rezoning from I - Institutional to R1B - Residential  
Subdivision of 3 Lots for Single Family Housing**

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**1. The Application**

An application has been made by the Town of Hay River to amend the Zoning and Building Bylaw No. 1812 to change the designation of Lot 1878 Cameron Crescent from 'I' Institutional Zone to 'R1B' Residential Zone.

A subdivision layout plan has been submitted by Associated Engineering on behalf of the Town for subdividing the subject property into three lots for single family housing, a permitted use under the Zoning and Building Bylaw No. 1812.

**2. Background**

Planners Report 2004 – 04A addressed an application to rezone the same site from 'I' Institutional to 'R4' Multi-Family Residential. That application met with considerable neighborhood opposition. It was not approved.

Since then the Town of Hay River has acquired the land and has submitted an application for rezoning.

A number of subdivision layout plans have been prepared to show how the lot could be subdivided. The Town's preferred plan is to subdivide the lot into three lots for single family housing that meet the requirements of the Zoning and Building Bylaw.

**3. The Site**

Lot 1878 is located east of Woodland Drive, south of Riverview Drive. The lot is defined by Woodland Drive and Cameron Crescent. The southeaster quarter of the lot has been subdivided out. The subdivision layout plan shows an adjustment to the lot boundaries to improve the layout.

The site is vacant; it was previously occupied by a building which had been used as a church and later as a friendship centre, under the 'I' Institutional zone. That zoning designation may have been in place for more than 20 years. The parcel of land has been titled land for many years.

**4. Surrounding Area**

The site is within a residential area zoned 'R1B'/Single Family Residential. Ten single family residences front the other side of Cameron Crescent. Single family residential use under the 'R1B' zone is the predominant land use to the west across Woodland Drive.

## **5. Evaluation**

### **Rezoning**

- 1. The proposed rezoning conforms to the General Plan, Bylaw 1811, in that this general area within the northern end of New Town is designated for 'Residential' development.**
- 2. Policy 4.1.8 of the General Plan, Bylaw 1811 supports infill and redevelopment within residential areas where it is compatible with existing development. The Policy states:**  
  
*"The Town will support the infilling and redevelopment of residential areas wherever possible in order to maximize use of existing infrastructure where this can be done without disrupting the amenity of the residential neighbourhood."*  
**(General Plan, p. 4-4)**
- 3. A study was done in 2004 to evaluate the impact on water and sewer systems of the previous proposed rezoning. The study concluded that the resulting development would be well within the capacity of both water and sewer systems. The present proposed R1B rezoning will have a substantially lower impact than the previous proposed R4 rezoning, as the number of residential units has been substantially reduced.**
- 4. A study on traffic impact also was done in 2004 in connection with the previous proposed rezoning. It concluded that the development resulting from the R4 rezoning would be well within the capacity of both Cameron Crescent and Woodlands Drive. The present proposed R1B rezoning would have substantially less impact than the previous proposed R4 rezoning as the number of residential units has been substantially reduced.**
- 5. Permitted uses in the R1B zone include 'single family housing units' and accessory units/buildings. Discretionary uses in the R1B zone include semi-detached and duplex housing, and some institutional and recreation uses.**

### **Subdivision Plan**

- 1. It is assumed that the land owner, the Town, will be preparing and submitting a subdivision application to the Director of Planning at MACA according to Part II of the Planning Act.**
- 2. It is important to note that a proposed subdivision shall conform to any existing zoning bylaw (Section 38.b). The proposed subdivision was examined to determine conformity.**
- 3. Within the proposed R1B zone, the minimum lot width for single family housing in the R1B zone is 18.0 metres for corner lots and 15.0 metres for internal lots. The greater width for corner lots is intended to accommodate the greater side yard requirement.**

4. The minimum lot depth in the R1B zone is 30 metres and the minimum lot area is 464 square metres.
5. The NW and NE lot appear to meet and exceed these requirements for corner lots from the information that has been provided.
6. However, the SW lot, a corner lot as it is located at the intersection of Woodland Drive and Cameron Crescent, appears to meet the minimum lot depth and lot size requirements but does not appear to meet the lot width requirement. It appears to be 16.8 metres wide rather than the required 18.0 metres. This would still allow for the location of a house of reasonable size, but would not meet the requirements of the bylaw.
7. There is no provision in the Zoning and Building Bylaw to vary or relax the minimum lot width. The Director of Planning for GNWT is the approving authority for subdivisions.
8. There are five possible ways to remedy this situation, as laid out below.
  - (a) Arrange to purchase an additional 1.2 metres from the land owner to the east. This may be problematic depending on the location of the existing residence and how the additional acquisition would affect the side or rear yard. It should be noted that the adjustment of the lot lines as shown will likely reverse the frontage/flankage situation of the existing lot, and accordingly, the definition of front, side and rear yards. Regardless, it is recommended that a Surveyor's Certificate for the existing lot and house be obtained to make sure that no non-conforming yards are created by the subdivision.

OR

- (b) Leave the SW lot as is and apply to rezone it to R1C rather than R1B, as the minimum lot width in R1C for corner lots is 16.0 metres and the lot would then conform.

This approach may appear to be a workable solution, but the Town should consider that

- (i) mobile homes are a discretionary use in the R1C zone and there is no certainty whether a discretionary use application would be rejected. The Town, as developer, could limit the use of land to single family housing through agreement for sale and/or restrictive covenant;
- ii) a proposed rezoning to R1C could meet with neighbourhood opposition because of the possibility of a mobile home;
- (iii) the R1C rezoning would constitute spot zoning that is, an R1C lot in the middle of an R1B area. This is generally not considered to be good planning practice unless there is a compelling reason;

OR

- (c) Consolidate the SW lot with the NW lot and create one large lot, resulting in only two lots in total, with or without a boundary adjustment with the adjacent lot. This option is less palatable as it would reduce the return on the Town's investment, although development costs would be slightly lower.

OR

- (d) Apply for subdivision for the current plan and request Ministerial approval under Section 42 (4)(a) of the Planning Act due to the particular circumstances and challenges of the block/lot configuration and the existing development. While this approach appears to be enabled by the Planning Act, the author is not aware whether this approach would have any chance of success. Further consultation and/or investigation are recommended before proceeding with this option;

OR

- (e) While rezoning the site to R1B, include a site specific amendment for the SW lot only, creating a lot width requirement of 16.5 metres, instead of 18.0 metres for that specific site only. This may be the most feasible option, although not ideal.

## **6. Conclusion/Recommendation**

### **Rezoning**

The proposed rezoning is **supported** as it:

1. will facilitate residential development with the same zoning designation as the surrounding area;
2. constitutes infill and good use of urban land and infrastructure and appears to be within the capacity of existing water, sewer and transportation systems; and
3. is supported by the policies and designations of the General Plan, Bylaw 1811.

### **Subdivision**

There are some challenges to ensuring that subdivision plan conforms to the Zoning Bylaw as outlined above. Five options, none of them totally satisfactory, are identified. The best approach needs to be resolved, preferably before proceeding with the rezoning application so that the surrounding residents can receive some certainty about what is being proposed. It is also recommended that there be consultation with the Director of Planning of MACA, the subdivision approving authority, prior to submission of the subdivision, to discuss implications to the selected approach.

**Respectfully Submitted**

**David Klippenstein, RPP, Principal Consultant  
David Klippenstein and Associates Ltd. /Planning and Development Consultants  
2224 – 13 Mission Avenue  
St. Albert, AB T8N 1H6**

**780.460.1001 - office  
780.819.3490 – cell**

**August 5, 2012**

Town of Hay River  
Zoning and Building Bylaw No. 1812  
APPLICATION FOR AMENDMENT  
TO THE LAND USE BYLAW

FORM D

I/We hereby make application to amend the Land use Bylaw.

Applicant: Name: The Town of Hay River Telephone: 874-6522  
Address: 73 Woodland Drive, Hay River

Owner of Land: Name: Same. Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_

Land Description:

Lot 1878 Block \_\_\_\_\_ Registered Plan 3985 Certificate of Title \_\_\_\_\_

Amendment Proposed

FROM I Institutional TO R1B (Single Family Residential)

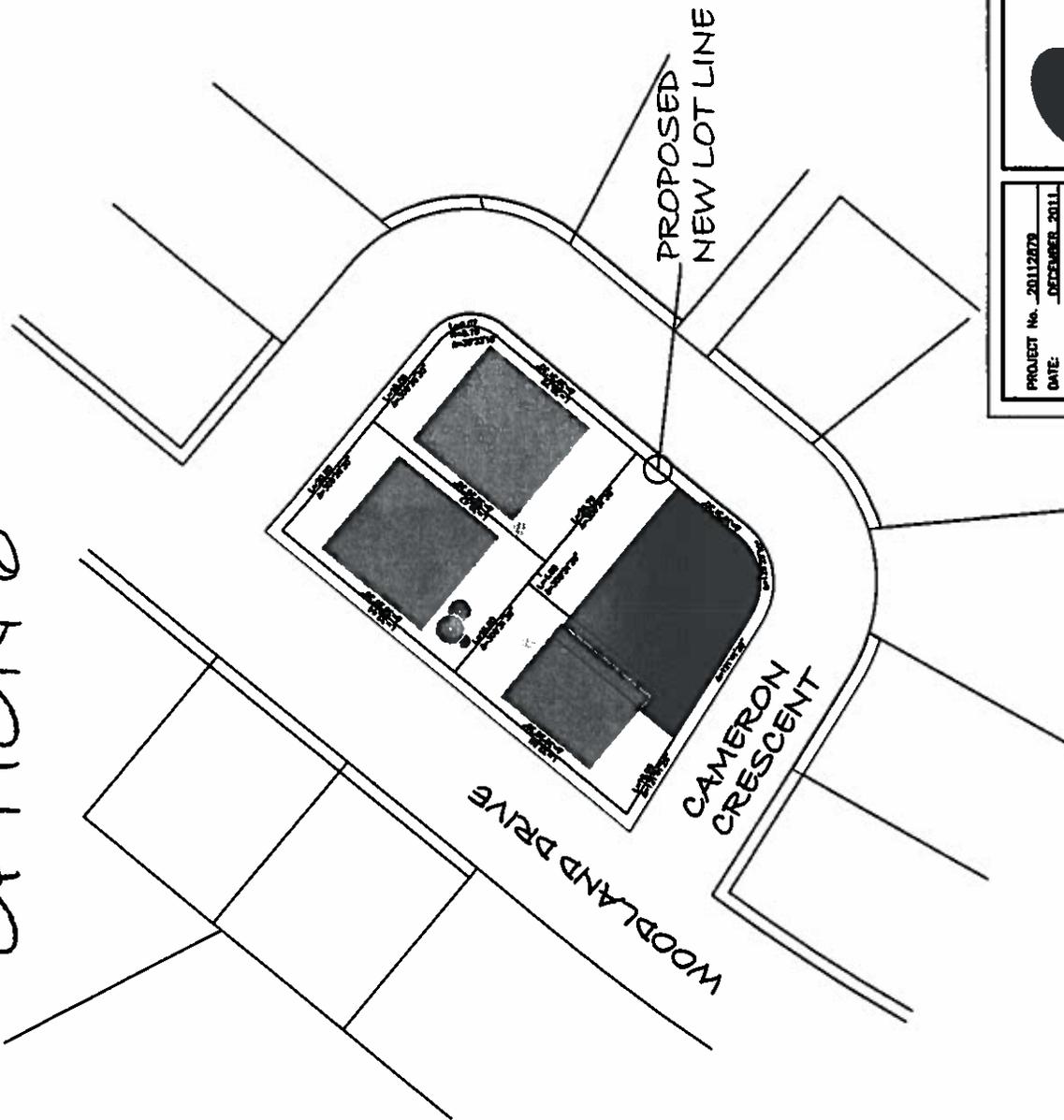
Reasons in support of Application for Amendment (Add additional pages as required)

Town's Request.

I/We enclose \$ N/A being the application fee.

DATE: June 14, 2012 SIGNED: [Signature]

OPTION 6



CAMERON CRESCENT LAYOUT  
HAY RIVER, NT  
LOT 1878 OPTIONS  
OPTION 6



PROJECT No.	20112878
DATE	DECEMBER 2011
APPROVED:	M. GUY
SCALE:	N/A
DWG. No.	

# TOWN OF HAY RIVER

## REPORT TO COMMITTEE

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**SUBJECT: REQUEST FOR PROPOSALS EVALUATION**

**DATE: August 07, 2012**

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### SUMMARY

- Various selection processes are used by governments to procure goods and/or services.
- A Request for Proposals is used when the scope of work is not completely defined; to select consultants, for complex material purchases and for Design Build projects.
- As RFPs are used when the scope is not completely defined, selection of the successful proposer cannot be by price alone. RFPs are typically evaluated based on pre-defined criteria.
- It is the intent of Administration to have Council select one template RFP evaluation method that can be modified as required to suit the specifics of the individual projects to which it is applied.

### Background

- Various selection processes are used by governments to procure goods and/or services.
- In a municipality, the appropriate process to be used is typically defined in a Procurement Bylaw, and variables include value of contract and type of work.
- As per the Town of Hay River Procurement Bylaw, the following requirements must be met for transactions:
  - Under \$2,000: No tender required, however minimum two verbal quotes needed. All transactions to be local
  - \$2,000 to \$10,000: No tender required, however minimum two written quotes needed. Sole source award is allowed in the case of proprietary items.
  - Over \$10,000: Tender or Request for Proposals (RFP) required.

# TOWN OF HAY RIVER

## REPORT TO COMMITTEE

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- Typically, Tenders are used when the scope of work is very well defined and the only variable is cost. For example, the Town needs to purchase a Freightliner T-365A tandem axle dump truck in blue, or the Town has a complete set of construction drawings and specifications that it wishes build for the best price.
- Tenders typically select the successful bidder based on lowest cost tendered, however some jurisdictions use a median bid process where the bid closest to the average is used to avoid the problems sometimes associated with low bids.
- An RFP is used when the scope of work is not completely defined. For example, the Town wishes to design a facility but is uncertain of the exact look, requirements, location, etc. of this proposed facility.
- Typically, RFPs are used to select consultants, for complex material purchases (i.e., an computer network purchase where service and warranty are part of the procurement) and for Design Build (DB) projects.
- A DB project is an infrastructure procurement process where the consultant design costs are carried by the contractor (often called the developer or proponent) in the overall project price.
- DB has benefits, as it allows the contractor to introduce new and innovative construction techniques into the design process, it has one procurement phase instead of two, and it facilitates fast-track construction (a process whereby the contractor can design the foundation, then build the foundation while the rest of the facility is being designed).
- As RFPs are used when the scope is not completely defined, selection of the successful proposer cannot be by price alone. RFPs are typically evaluated based on pre-defined criteria; The Town Procurement Bylaw states that “Every request for proposals shall express the criteria to be used in evaluating the proposal and no criteria shall be used in evaluating the proposal that are not expressed in the request for proposals or this Bylaw”.
- As per the above, RFP evaluation criteria are not pre-defined but rather can change from RFP to RFP, provided that the criteria are defined in the proposal call.
- Council has received criticism from the public in the past regarding RFP

# TOWN OF HAY RIVER

## REPORT TO COMMITTEE

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evaluation processes used by the Town, and has requested additional input into these processes. As a result, Appendices A through C are presented for review. These Appendices represent three different RFP evaluation methods used by similar jurisdictions; Government of Alberta, Government of the Northwest Territories and City of Yellowknife, respectively.

- It is the intent of Administration to have Council select one template RFP evaluation method that can be modified as required to suit the specifics of the individual projects to which it is applied.

### **Considerations**

- A properly written RFP will list the evaluation criteria in the document. Further, the RFP should detail what the proponent is expected to provide in their proposal document. These requirements will be directly related to the evaluation criteria, in order to ensure that proposals (a) provide enough information to be evaluated, and (b) provide information in a similar format to other proposers to facilitate evaluation.
- While price is a concern, other evaluation criteria can include:
  - Local and Northern content;
  - Project Team;
  - Methodology;
  - Past Experience;
  - Proposed Design; and
  - Proposed Schedule.
- Each criteria will form a portion of an overall score, where the successful proponent achieves the highest score.
- Evaluation criteria should have the flexibility to modify the weighting assigned to various criteria based on the specifics of each project. For example, some projects may be mostly defined by cost, while others may have a tight timeline and schedule is more important.
- Cost and schedule can be evaluated in various ways; for example, any project that comes in within schedule can receive maximum score, or a weighting mechanism can be used to reduce the score of projects with higher costs.
- The Government of Alberta process (Appendix A) is complex and designed

# TOWN OF HAY RIVER

## REPORT TO COMMITTEE

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for larger projects. It requires submission of pricing via separate envelope, a detailed breakdown of costs, multiple evaluation criteria, and a complicated pricing evaluation methodology, but no mechanism to evaluate local and northern content. This process could be reduced in scale to meet the needs of Town procurement

- The City of Yellowknife process (Appendix C) is very simple and designed for simple, low-cost procurement. There is no information on how to format a proposal to meet evaluation needs, and no information on how criteria will be applied to proposals when evaluated. While there is a “Benefits to Local Economy” criteria, there is no information on how cost will be evaluated.
- The Government of the Northwest Territories process (Appendix B) is a compromise of the above. The scale of this process is appropriate to Town procurement and there are local and northern evaluation criteria. The Assigned Weighting column is easily modified to suit project specifics. While there is no definition of how cost will be evaluated, this is easily added. It is recommended that the Government of the Northwest Territories RFP evaluation process be adopted by the Town of Hay River.

### RECOMMENDATION

**That the Council of the Town of Hay River Accept the Report titled “Request for Proposals Evaluation”, as presented.**

# Appendix A

## Proposal Format and Content

### 4.1 GENERAL

To facilitate the evaluation of a Proposal relative to the other Proposals, Proponents are required to submit their Proposals in the format outlined in this section. Proposals must be clear, concise and complete covering fully and in detail all requirements specified in this RFP.

The RFP shall be a clear and concise presentation of the required information. Each page shall be single sided, 8.5 x 11, 10 pt Arial font, line spacing of 14 pt

Well documented design calculations shall be submitted in accordance with the Proposal Requirements. Proponents shall include the preliminary design drawings necessary to communicate the design intent for all components of the work.

Design drawings are to be submitted in a reduced-sized format (11 x 17) and left unfolded. Bind drawings separately from the proposal narrative with a title sheet identifying them as " Proposal - Appendix C: Conceptual Design Drawings" to the proposal. Include in the Proposal a complete list of drawings necessary for design, construction, permitting and documentation of the Work. This list is to be provided on the Conceptual Design Drawing package with notations indication which drawings are provided with the Proposal. The drawing list will be reviewed to evaluate the Proponent's understanding of the Owner's Requirements.

Proposals should use terminology consistent with the RFP Document to facilitate the use and incorporation of relevant sections as schedules to the executed Contract Document.

### 4.2 FORMAT

Proposals are to be submitted in two clearly marked separate envelopes. Labels shall be as follows:

1. Athabasca County-Grassland/Wandering River Pipeline and Reservoir Design Build Contract – Proposal and Mandatory Requirements
2. Athabasca County-Grassland/Wandering River Pipeline and Reservoir Design Build Contract - Financial Proposal.

The Proposal and Financial Submissions shall be arranged as follows:

### **4.3 PROPOSAL AND MANDATORY ELEMENTS**

The Proposal and Mandatory Elements must provide the information requested. In order to facilitate the evaluation process, Proponents must adhere to the format presented and, in particular, the section numbering.

Minor deviations from the Performance and Technical Specifications must be explicitly identified in the appropriate section of the proposal. Major deviations or alternative concepts must be presented in a separate section reserved for Alternative Proposals.

No price information shall be included in the Proposal and Mandatory Elements.

#### **4.3.1 Proposal and Mandatory Elements Proposal Outline**

##### **Cover Page Covering**

##### **Letter Mandatory**

##### **Requirements**

- Receipt Confirmation Form
- Proponent Representative and Certificate of Authority
- Key Member Certifications
- Agreement to Bond
- Design Certification Letter
- Confirmation of Insurance Coverage
- Agreement to provide irrevocable Letter of Credit (\$250,000)
- Proposal Declaration Form
- Relationship Disclosure Form – Appendix E
- Participation Agreement – Copy to be returned following receipt of RFP
- Certificate of Recognition or Temporary Letter of Certification

##### **Table of Contents**

##### **Executive Summary**

##### **Section 1 -Proponent Organization**

- 1.1 General Information and Description of Proponent
- 1.2 Key Personnel

Appendix A - Supplementary Corporate Literature (if applicable)

Appendix B - Supplementary Resumes for Key Personnel (if applicable)

## **Section 2 – Pipeline and Reservoir Design Concept (Base Proposal)**

- 2.1 Code Analysis
- 2.2 Site Development
- 2.3 Architectural
- 2.4 Structural
- 2.5 Process
- 2.6 Building Mechanical
- 2.7 Electrical
- 2.8 Instrumentation and Controls
- 2.9 Pipeline
- 2.10 System Reliability and Redundancy
- 2.11 Future Expansion Capability
- 2.12 Project Risk
- 2.13 Permits and Approvals
- 2.14 Land Requirements and Issue Mitigation
- 2.15 Construction Processes

Appendix C - Conceptual Design Drawings (submitted under Separate Cover)

Appendix D - Pipeline and Reservoir Design Calculations

Appendix E - Equipment List

## **Section 3 - Project Organization and Management**

- 3.1 Project Organization
- 3.2 Work Plan and Construction Sequence
- 3.3 Implementation Schedule
- 3.4 Project Management and Controls
- 3.5 Safety Management
- 3.6 Communication Plan
- 3.7 Environmental Management and Planning
- 3.8 Uni-directional Flushing

## **Section 4 - Relative Annual Operating Cost Estimates**

Appendix F - Annual Operating & Maintenance Costs

Appendix G - Electrical Costs Sensitivity Analysis

## **Section 5 - Alternative Proposal**

- 6.1 Alternative Design Concept
- 6.2 Alternative Project Management Approach
- 6.3 Annual Operating and Maintenance Costs

Note: Appendices are to be provided at the end of the proposal

#### **4.3.2 Proposal Content**

The following outlines the minimum content requirements to be addressed in each section. Additional content and materials may be added, as deemed appropriate by the Proponent.

##### **Introductory Material**

###### **Cover Page**

Provide a cover page clearly marked "Athabasca County – Wandering River Pipeline and Reservoir Design/Build Proposal and Mandatory Requirements". The cover page must clearly show the proponent name, and in case of a consortium, the name of each consortium member.

###### **Covering Letter**

Provide a brief covering letter introducing the Proponent with a concise statement that the proponent has read and understood the requirements of the RFP and the proposed fully conforms to the requirements of the RFP.

##### **Mandatory Requirements**

###### **Table of Contents**

###### **Executive Summary**

Summary of the key points of the Proposal.

##### **Mandatory Requirements**

###### **Receipt Confirmation Form**

The signed and authorised receipt confirmation form (see Appendix E) must be returned within two (2) working days of receipt of RFP.

###### **Proponent Representative and Certificate of Authority**

Designate a single contact who will act as the Proponent's Representative during the evaluation period. Provide the Individual's name, title, firm, address, email address, telephone number, and facsimile number. The representative's company shall provide such information under signature of an Officer of the company authorized to sign on behalf of the company.

**Key Member Certification**

Provide a signed letter by an authorised officer of each Key Member Firm that confirms the Member Firm's understanding and assumption of the responsibilities set out in the Proposal. Such letter of authorization shall be made on paper with company letterhead.

**Agreement to Bond**

The Proponent must provide an "Agreement to Bond" by a surety corporation licensed to issue bonds in the Province of Alberta in accordance with the Contract Requirements.

**Design Certificate Letter**

The Proponent shall provide written confirmation that the design will be certified by professional engineers registered to practice in the Province of Alberta with appropriate experience and knowledge of works similar in nature to this project.

**Confirmation of Insurance Coverage**

Submit a "Certificate of Insurance Coverage" by each company expected to underwrite any portion of insurance coverage required by the Contract.

**Irrevocable Letter of Credit**

The Proposal must be accompanied by a certified cheque, bank draft or irrevocable line of credit issued by a Schedule 1 Bank payable to the Owner in the amount of \$ 250,000 as security to ensure that, should the proposal be accepted, the Proponent will execute the Contract and provide the requisite bonds, proof of insurance, and all other documents required by the Owner in connection with the Contract.

**Proposal Declaration Form**

Maximum two (2) pages, introducing the Proponent Team and binding the Proponent to statements made in the RFP. The Declaration Letter must be signed by the person(s) authorized to sign on behalf of the respective participating companies. A letter must be submitted and signed by the contractor and each sub consultant within the contractor's team and include company letterhead.

**Relationship Disclosure Form**

Each Proponent must complete and submit the Relationship Disclosure Form included in Appendix E.

**Participation Agreement**

The signed and authorised receipt confirmation form (see Appendix E) must be returned within five (5) working days of issue.

**Certificate of Recognition or Temporary Letter of Certification**

A valid Certificate of Recognition or Temporary Letter of Certification from the Alberta Construction Safety Association must be submitted by all Proponent Team members.

## **SECTION 1 PROPONENT ORGANIZATION**

Confirm the information provided in the Proponent's Expressions of Interest (EOI) Submissions regarding the Project Team and Organization. Any changes from the original EOI submission must be clearly documented.

Proponents are reminded that in response to the RFP, they understand and agree that consent of the Owner is required for any changes to the Key Member Firms, Project Organization and key personnel assignments.

### **Section 1.1 General Information and Description of Proponent**

Identify all Corporate Team Members for the project. Any changes from the EOI Submissions must be clearly highlighted. If new Corporate Team Members are introduced, Proponents may submit additional Corporate Literature for those NEW firms only in Appendix A.

Briefly describe the roles, responsibilities and authority of each Corporate Team Member as they specifically relate to the work as well as the legal relationship within the team. Highlight any changes to the information provided in the EOI with respect to the assigned roles and responsibilities of the team members.

### **Section 1.2 Key Personnel**

Provide a list of key personnel for the project. Clearly indicate changes from the EOI submission. Submit 1-page resumes for personnel not previously identified in the EOI submission. A detailed project team organization chart must be included in the Proposal clearly identifying the Team member responsible for the work in each phase of the Project design and construction, including but not limited to:

1. Project Team Coordination
  - Principal in Charge
  
2. Design
  - Principal in Charge
  - Design Team Manager
  - Lead Process Design Engineer
  - Process Mechanical Design Engineer
  - Structural Design Engineer
  - Mechanical/Building Services Design Engineer
  - Civil Engineer
  - Electrical Design Engineer
  - Geotechnical Engineer
  - Instrumentation and Controls Design Engineer
  - Specialist Advisors and Design Reviewers

- Quality Controller
3. Construction
- Principal in Charge
  - Project Construction Manager/Engineer
  - Construction Superintendent
  - Construction Surveyor
  - Material Testing Engineers Quality Control and Quality Assurances
  - Construction Inspector
  - Contract Administrator
  - Safety Officer
  - Environmental Management
  - Quality Manager

## **SECTION 2 PIPELINE AND RESERVOIR DESIGN AND CONSTRUCTION CONCEPT**

In this Section, address the technical requirements of the work and outline the Proponent's approach and methodology for carrying out the work. Describe the key features of the proposed design, including the general form and relationship of major elements, facilities and systems.

Demonstrate to the Owner that a design and construction program has been developed that meets the Owner requirements in all respects that can be implemented in within the designated time frame and has suitable long-term operational and maintenance characteristics. Provide sufficient detail such that the evaluation committee can fully understand the design and construction approach for each element and can readily assess compliance to the Owner requirements.

Provide design drawings in a separate cover as noted elsewhere.

### **2.1 Code Analysis**

Provide a preliminary code analysis addressing as a minimum:

- building classifications
- occupancy requirements
- fire separations
- building size and construction relative to occupancy
- safety requirements within floor areas
- requirements for exists
- environmental requirements
- spatial separations

## **2.2 Site Development**

Provide a site plan for each facility showing the location of above ground and below ground structures, buildings, access, parking, site lighting, and electrical service. Clearly indicate the overall site area needed to be developed for the facility.

Provide a description on how the following will be addressed:

- landscaping
- tree protection
- site grading
- roof drainage
- storm drainage
- yard piping
- vehicle and truck access and parking, including proposed
- road structures
- electrical service
- site lighting

## **2.3 Architectural**

- Provide a floor plan for the building. This floor plan shall reflect the following:
  - The layout of the building.
  - Exiting.
  - Fire separation and fire walls.
- Provide a brief description of the exterior wall and roofing systems, including types of construction, insulation levels, exterior cladding, interior finishes, air/vapour barrier and liner panels.

## **2.4 Structural**

- Provide a description of the building foundations with pertinent details and requirements including, reinforced concrete foundation walls, piles or footings, or other devices, if required and reinforced concrete slabs on grade.
- Provide a description of reservoir including foundation, walls and roof structures with pertinent details and requirements including, reinforced concrete foundation walls, or footings, soil anchors, or other devices, if required, reinforced concrete slabs on grade, reinforced or precast concrete columns and beams, reinforced or precast concrete roof slab and roof membrane, concrete joint details for expansion and construction joints, and construction and quality control features to be used to ensure a watertight structure is achieved.
- Provide a description of types of floor framing proposed to be used in the building.

- Provide a description of type of wall framing with pertinent details including lateral load resisting system proposed to be used.
- Indicate design criteria, including:
  - Roof design snow, rain, soil, mechanical and electrical equipment loads including piping.
  - Wind and seismic design loads.
  - Floor design live loads.
  - Deflection limits.
  - Hoist/crane loadings.
- Indicate design parameters, materials and material strength used.
- Provide a plan to show column layout and outlines of roof framing system.

## **2.5 Process Design**

- Provide general layout drawings including preliminary piping arrangements. Include process and instrumentation diagrams and flow schematics clearly illustrating piping and valve sizes
- Provide a description of the proposed operation and control strategy for the fill station and pumphouse. Describe manual and automatic operations and details of proposed instrumentation and monitoring.
- Provide an equipment list including manufacturer's performance data for the pumps in Wandering River.

## **2.6 Building Mechanical**

In this section, describe the mechanical systems to be incorporated into the treatment plant.

- A brief description of proposed heating and cooling system for all facilities, including system types and sizes, and system output and distribution.
- A brief description of proposed ventilation system including ventilation unit type(s) and sizes, and miscellaneous exhausts for individual areas and their sizes.
- A brief description of types of equipment and materials, level of quality and distribution system including basins, WCs, urinals, sinks, fixtures, domestic hot and cold water, and hose stations.
- A brief description of sanitary and storm water drainage system, including building roof drainage.
- A description of fire/smoke protection systems proposed for use in meeting performance specification. This description shall include extinguishing systems, and fire separations and fire stopping.
- Present the design approach to facilitate ease of removal, repair, or replacement of key mechanical components.

## **2.7 Electrical**

Provide a description of the electrical installations for the facility. The description is to include:

- General description of the proposed main electrical service including the proposed routing of the service and the location of the transformer.
- Provide an electrical load list for current and future requirements
- Provide a general description of the power distribution in the reservoir and pumphouse.
- Provide a description of the coordination of suppliers and manufacturers to how ALL the motor control equipment will be included and standardized within the MCC.
- Provide a description of the proposed meter controls and signals available to the control system.
- Provide a general description of the proposed grounding and lightning protection.
- Provide a general description of the lighting systems and controls to be provided at the Wandering River facility, include interior areas, exit lights, emergency lights, and exterior lighting.
- Describe general principles of the design for wiring methods and equipment.
- Provide a general description of the standby power system for the facility. Provide a general layout drawing and associated auxiliary equipment showing spatial requirements and clearances around equipment. Provide a description on how the following will be addressed:
  - ventilation requirements for cooling and combustion air.
  - engine/generator controls
  - generator grounding
  - generator testing
- Provide equipment list including manufacturer's performance data for major electrical components.

## **2.8 Instrumentation and Controls**

Provide a brief description of proposed field instrumentation and control systems, including the following:

- Proposed field instrument types for each application including proposed manufacturers.
- Proposed locations of HMIs.
- Brief description of the functionality proposed for each HMI.
- Control narrative, instrumentation list and list of I/O's (inputs/ outputs).
- Proposed SCADA System including control system architecture, description of alarm handling protocol, data storage, data retrieval, and reporting capabilities.
- Proposed radio tower structure at each facility

## **2.9 Pipeline**

- Provide pipeline alignment plan and cross sections illustrating pipeline location, depth and relative distances to roadways and other utilities. Indicate approximate locations of appurtances and crossings.
- Provide a hydraulic profile illustrating hydraulic gradeline, flows, inside diameter. Indicate assumptions including friction loss co-efficient.
- Provide a list of materials to be provided for each appurtance.
- Provide a description of the testing and commission process for the pipeline.
- Provide a brief description of the soil conditions along the alignment identifying problem soils and how the problem soils will be addressed.
- Provide a brief description of the proposed construction method and staging of the work area along the roadways.

## **2.10 System Reliability and Redundancy**

Provide a description of the reliability of mechanical, electrical and control systems including redundancies in equipment and control systems.

## **2.11 Future Requirements**

### ***Reservoir and Pumphouse Expansion***

Provide a description of how the reservoir and pumphouse can be expanded to meet future growth of the community and fire storage requirements.

### ***Pipeline***

Provide a description of how the pipeline design capacity could be increased to meet future growth in Grassland and Wandering River beyond the current design horizon

## **2.12 Project Risk**

Provide a list of project risks that may affect the project schedule. Detail steps to mitigate or eliminate the risks.

## **2.13 Permits and Approvals**

Provide a description of the steps it will take to obtain all necessary approvals and permits. This section must also include a list of all the required approvals and permits, name of regulatory agency involved, documents required by regulatory agency, and time required to obtain approval or permit.

## **SECTION 3 - PROJECT ORGANIZATION AND MANAGEMENT**

### **3.1 Project Organization**

Clearly describe the proposed project organization and resource commitments, planning and scheduling of all project phases, and its approach to and processes for managing and controlling various aspects of the Work. The purpose of this section is to satisfy the Owner that the Proponent has a clear understanding of the Project Delivery Requirements, and has in place the appropriate resources, organization, tools, and processes to satisfy its contractual obligations, duties, and responsibilities.

Describe the Proponent's organization at the functional level, including reporting relationships and proposed liaison with the Owner's Representative. In the Proposal, Proponents are required to provide organization charts for the design, construction, and commissioning phases of the Work.

### **3.2 Work Plan and Construction Sequence**

Describe the main activities that will be performed in each phase in order to fully implement and complete the Work, and must be coordinated and integrated with the Implementation Schedule. The Work Plan must address the following, in the order shown:

- .1 Design phase
- .2 Procurement phase
- .3 Mobilization phase
- .4 Construction phase activities
- .5 Commissioning phase
- .6 Warranty period

Steps to be undertaken within each of the above-noted phases must be described in sufficient detail to provide confidence that all the key activities and their predecessor/ successor relationships, together with the staffing/ level of effort required to accomplish them, have been properly taken into account.

### **3.3 Implementation Schedule**

The Proponent is required to provide an Implementation Schedule for the above-mentioned phases, in the same order as the Work Plan, which takes into account all of the constraints identified in this RFP.

Submit the schedule in the form of a time-scaled diagram showing the major activities required, their duration, sequence and relationships. All major milestones, from Contract award through commissioning and start-up of operations, must be clearly depicted, including but not limited to the following:

- .1 Tentative Contract award date
- .2 Interim and complete design submissions
- .3 Owner's compliance reviews
- .4 Anticipated receipt of required approvals
- .5 Placement of orders for major materials and equipment
- .6 Commencement and completion of overall construction, as well as individual construction phases and stages
- .7 Proposed delivery dates for major components
- .8 Commissioning and start-up dates.

### **3.4 Project Management and Controls**

Except as specifically provided, it is not the intent of the Owner to prescribe the specific project management tools that must be used to control the Work. The general capabilities to be demonstrated for each major management/ control function as indicated follows:

- Cost management
- Schedule and work progress management
- Change management
- Safety management

### **3.5 Safety Management**

Following award of the Contract, implement comprehensive construction safety and work zone protection programs, based on proven systems and procedures.

Provide the following:

- .1 A statement of the Proponent's policy regarding safety
- .2 A description of the accountable organizational units, with defined relationships, duties, responsibilities and authority
- .3 A summary of the instructions, procedures, and guidelines that will be put in place to ensure the safety of workers and the public, including a system for promptly identifying and resolving safety issues.

### **3.6 Communication Plan**

Outline the approach to communicating with the Owner through the entire project including design, construction and post construction phases.

Outline the approach for communication with property owners affected by the construction, dealing with complaints, and obtaining landowner signoffs at the end of the project.

### 3.7 Environmental Management and Planning

Describe the strategy for meeting the Owner's requirements with regard to environmental matters, including but not limited to consideration of the following:

- .1 Compliance with federal, provincial and other applicable environmental legislation.
- .2 Compliance with the Owner's Club Root management policy.
- .3 Determination of environmental considerations and sensitivities of the site and area outside the site that may be impacted by the Work.
- .4 Acceptability of design and construction impacts, mitigation, and required compensation.
- .5 Obtaining and complying with the requirements of any external environmental approvals, permits, and agreements.
- .6 Integration of environmental elements into the remainder of the design and construction work plan.
- .7 Environmental quality control and risk management during all project phases.
- .8 Environmental reporting requirements.

### 3.8 Uni-Directional Flushing

The proposal should describe how the Proponent will approach the uni-directional flushing in each Community and how the Proponent will address the performance requirements identified in Section 2.

## SECTION 4 RELATIVE ANNUAL OPERATING COST ESTIMATES

Present the relative annual operating costs for the new pipeline and reservoir, based on the average flow conditions, for each of the following design conditions:

**Table 4-1  
Design Conditions for Annual Operating Costs**

Design Year	Grassland Average Day Flow	Wandering River Average Day Flow
1	1.25	0.77
25	2.5	1.5

Present the information as provided in Table 4-2. Appended to the Proposal include detailed calculations and back-up for the calculated operating costs. Key parameters to be used for calculating the relative operating costs are included on Table 4-3:

**Table 4-2**  
**Key Parameters of Calculative Operating Costs**

<b>Parameter</b>	<b>Value</b>
Power Consumption (kwh)	\$0.10
Inline PRV Stations	\$5,000/year
CAVV Chamber	\$2,000/year
Discount Rate	6%
Chemicals and Consumables	Market Rates

The purpose of the relative annual operating costs is not to establish budgets for operating the project but for a basis of comparing the operational components of the project on a comparable basis.

## **SECTION 5 ALTERNATIVE PROPOSAL**

If the Proponent has developed an alternative proposal for the Owner's consideration that varies in one or more respect(s) for the requirements of the RFP, it may prepare an alternative proposal to be considered here. Submit all information related to alternative proposals that clearly identifies how the concept differs from the stated requirements. Submit the information as follows:

### **5.1 ALTERNATIVE DESIGN CONCEPT**

Submit sufficient information that outlines the differences from the base proposal and the proposal requirements such that the alternative can be adequately evaluated. Reiteration of information from the base technical proposal is not required.

### **5.2 ALTERNATIVE PROJECT MANAGEMENT APPROACH**

Submit sufficient information that outlines the differences from the Project Management Approach included in the base proposal and the proposal requirements such that the alternative can be adequately evaluated. Reiteration of information from the base proposal is not required.

### **5.3 RELATIVE ANNUAL OPERATING COSTS**

Submit revised relative annual operating costs for the alternative proposal. Present the information as required in Section 4 of the Proponent's proposal.

#### **4.4 FINANCIAL PROPOSAL**

The project is separated into three segments. They are:

- Segment 1 – Grassland Regional Water Pipeline
- Segment 1 is defined as the water pipeline from the Village of Boyle up to and including the fill station in the Grassland Water Treatment Plant and includes tie-ins, service connections pipeline appurtenances and the Grassland Truckfill.
- Segment 2 – Wandering River Regional Water Pipeline
- Segment 2 is defined as the water pipeline from the Grassland Water Treatment Plant to the Hamlet of Wandering River Reservoir and includes tie-ins, service connections and related appurtenances.
- Segment 3 – Wandering River Reservoir and Pumphouse
- Segment 3 is defined as the Wandering River Reservoir and Pumphouse and includes all components related to the reservoir and pumphouse including: the building, reservoir, pumps, piping, site works, site servicing, and SCADA.

Each Proponent is required to submit one financial proposal. The financial proposal must include one original of all of the forms and documents referred to below. The blank forms provided (Appendix D) by the Owner are to be completed, without alteration, in ink or typewritten and signed in ink in accordance with the signing instructions noted on the form.

##### **4.4.1 Financial Proposal Form**

The Proponent must complete the Financial Proposal Form provided, carefully observing the requirements for signatories indicated on the form.

##### **4.4.2 Schedule of Prices**

Complete Schedule of Prices. The Total Proposal Price that appears on the corresponding Financial Proposal form will be the sum of the Proponent's lump sum prices shown in the Schedule of Prices.

The Goods and Services Tax (GST) must be shown as a separate line item in the Financial Proposal in the appropriate place.

The Proponent must estimate the value of monthly payment requests over the period of the Contract and enter these in the Payment Forecast.

# Evaluation and Selection Process

## 5.1 EVALUATION OF PROPOSALS

The DBTC will evaluate all proposals received by the Proposal Closing. The evaluation will be based on the Proponent's ability to meet the design and performance requirements of the RFP. The objective of the evaluation process is to determine the Proposal that provides the best overall value to the Owner, in terms of both technical and financial aspects. Consequently, the Contract will not necessarily be awarded to the Proponent with the lowest price.

A DBTC will be review and rank Proposals in accordance with pre-determined criteria, such that a Preferred Proponent may be recommended to the Owner Council.

## 5.2 EVALUATION OF PROPOSALS AND MANDATORY ELEMENTS

### 5.2.1 Mandatory Elements

Prior to the opening of the Financial Proposals, the DBTC will evaluate the Proposals. At this time, the Proposals will be screened to ensure the Mandatory Elements have been included with the proposal. Proposals that do not comply with the mandatory submission requirements may be disqualified at the sole discretion of the Owner.

### 5.2.2 Proposal Submissions

Proposals will be evaluated based on the criteria provided in Table 5-1. The base proposal must conform in all respects with the Owner's Requirements outlined in the RFP Document.

A minimum score of 60% must be achieved in the Proposal Submission Evaluation, in order for the Financial Proposals to be considered. In addition, a minimum of 60% must be achieved in each of Sections 2 and 3 of the Evaluation Summary. Proponents that do not meet the minimum score on the Technical Evaluation will have their Financial Proposals returned unopened.

### 5.2.3 Alternative Proposals by Shortlisted Proponents

Alternative proposals, if submitted, will be evaluated as per the Proposals. It is recognized that Alternative I proposals need not conform entirely to the RFP requirements. However, variations from those requirements should be clearly stated and result in clear and demonstrable benefits for the Owner.

#### 5.2.4 Relative Annual Operating Cost Estimates

Relative Operating Costs will be evaluated based on the information provided in the proposal. The Owner reserves the right to adjust the submitted costs based on an independent assessment of the costs provided. These adjusted costs will then be used in the final ranking process. The basis of the scoring for the relative costs is as follows:

$$\frac{10 - (5 \times (\text{NPV}_{\text{proponent}} - \text{NPV}_{\text{lowest}})) \times 10}{\text{NPV}_{\text{lowest}}}$$

#### 5.2.5 Communications and Interviews

The Owner reserves the right (without obligation to do so) to request clarification or additional information from any or all Proponents in order to clarify, confirm, or correct inconsistencies in the submitted material. All requests will be made in writing, and replies must be delivered to the Owner within three (3) business days of receipt, unless a shorter or longer time frame is specified by the Owner.

Clarifications, confirmations or corrections submitted will become part of the Proposal.

During the evaluation period, one or all Proponent(s) may be interviewed to review their Proposals with the Owner and respond to questions. Financial details will not be discussed.

Technical scores will be finalized after all additional requested information has been received and interviews completed.

Proponents will not be permitted to revise their Financial Proposals, if applicable, based on the clarifications provided to the Owner during the evaluation period. Proponents must be certain at the time of submitting their Proposals that the Proposals fully meet the requirements of the Contract Documents and are clear, concise and complete.

### 5.3 FINANCIAL PROPOSALS

Upon completion of the evaluation of Proposals (and alternatives, if applicable), for Proposals with proposal scores that exceed the minimum requirements, the Financial Proposals will be opened. Financial Proposals that are not opened will be returned to the Proponent.

Upon confirmation that the Financial Proposals meet the requirements of the RFP, the Owner will assign price points to each Proposal according to the following pre-determined formula:

$$\text{Financial score} = 100 - \frac{(2.5 \times (P_{\text{proponent}} - P_{\text{lowest}})) \times 100}{P_{\text{lowest}}}$$

$P_{\text{lowest}}$

The Contingency Allowance will be excluded in the calculation of the Financial Score. Financial Proposals that do not meet the requirements of the RFP may be disqualified at the sole discretion of the Owner.

#### 5.4 SELECTION OF THE PREFERRED PROPONENT

The final ranking of the proponents will be based on the sum of the Proposal and Financial scores. The proposal will be scored in accordance with the Proposal Submission Evaluation Criteria identified in Appendix F. Calculation of the final scores is provided on Table 5-1. The Proponent with the highest overall score will be identified as the Proponent offering the best value accordingly and will be recommended as the preferred Proponent.

**Table 5-1  
Proposal Scoring**

<b>Mandatory Elements Proposal Scoring</b>		<b>Pass or Fail Available Points</b>
Proposal	105	(minimum score = 60)
Relative Operating Costs		5
Financial Proposal		100
<b>Total Available Points</b>		<b>210</b>

If the two highest scoring proponent teams have total point scores not more than 5 points apart each team will be required to make a presentation and or undergo an interview process to aid in selection of the preferred proponent. In the event of a "tie", the selection of the preferred proponent will be at the sole discretion of the Owner.

#### 5.5 NEGOTIATION AND AWARD

Upon selection of a preferred proponent, the Owner may, at its own discretion, commence negotiations with the Preferred Proponent to address any major issues or concerns identified by the DBTC.

If negotiations are successfully completed with the Preferred Proponent a Contract will be submitted to the Owner for approval. Following the Owner's Council approval, the Owner and the Preferred Proponent will execute the Contract.

If negotiations with the preferred proponent are not successful, the Owner at its own discretion may terminate the negotiations and select the next highest rated proponent as the Preferred Proponent.

# Financial Proposal Form

We certify that the following is an accurate and balanced breakdown of our proposal. Work required, but not specifically mentioned, is included in the item with which it is most closely associated.

Item	Description	Lump Sum Price
<b>Professional Services</b>		
	Design Services	
	Land services	
	Professional Services during construction	
	Professional Services During Start Up and Commissioning	
	Professional Services During Acceptance Testing	
	Professional Services During Uni-Directional Flushing	
<b>Construction Program</b>		
<b>General</b>		
	Mobilization and demobilization	
	Acceptance Testing	
	Uni-Directional Flushing	
	O&M Manuals and Record Drawings	
<b>Construction Segment 1</b>		
	Pipeline Construction	
	Start-Up & Commissioning	
<b>Construction Segment 2</b>		
	Pipeline Construction	
	Start-Up & Commissioning	
<b>Construction Segment 3</b>		
	Siteworks	
	Reservoir Structure	
	Building	
	Mechanical	
	Electrical, Instrumentation and Controls	

# Proposal Technical Evaluation Criteria

## REQUEST FOR PROPOSAL RATING

### PROPOSAL EVALUATION CRITERIA

#### Compliance with Mandatory Criteria

1	Receipt Confirmation Form	(Yes/No)	
2	Proponent Representative and Certificate of Authority	(Yes/No)	
3	Key Member Certifications	(Yes/No)	
4	Agreement to Bond	(Yes/No)	
5	Design Certification Letter	(Yes/No)	
6	Confirmation of Insurance Coverage	(Yes/No)	
7	Agreement to provide Irrevocable letter of credit (\$250,000)	(Yes/No)	
8	Proposal Declaration Form	(Yes/No)	
9	Relationship Disclosure Form	(Yes/No)	
10	Participation Agreement	(Yes/No)	
11	Certificate of Recognition/Temporary Letter of Certification	(Yes/No)	

#### Compliance Status

#### Proposal Submission

1. Proponent Organization (5)		Score	Points
1 - Member firms <sup>2,5</sup>	Score 0-5 Scale	0.0	0.0
2 - Key Personnel <sup>2,5</sup>	Score 0-5 Scale	0.0	0.0
2. Pipeline and Reservoir Design (50)		Score	Points
1 - Reservoir Design <sup>5</sup>	Score 0-5 Scale	0.0	0.0
2 - Pipeline Design <sup>10</sup>	Score 0-5 Scale	0.0	0.0
3 - Reliability and redundancy <sup>5</sup>	Score 0-5 Scale	0.0	0.0
5 - Future Expansion Capability <sup>5</sup>	Score 0-5 Scale	0.0	0.0
6 - Project Risk <sup>10</sup>	Score 0-5 Scale	0.0	0.0
7 - Permits and Approvals <sup>5</sup>	Score 0-5 Scale	0.0	0.0
8 - Land Requirements and Issue Mitigation <sup>5</sup>	Score 0-5 Scale	0.0	0.0
9 - Construction Processes <sup>5</sup>	Score 0-5 Scale	0.0	0.0
3. Project Organization and Management (50)		Score	Points
1 - Project Organization <sup>5</sup>	Score 0-5 Scale	0.0	0.0
2 - Work Plan and Construction Sequence <sup>10</sup>	Score 0-5 Scale	0.0	0.0
3 - Implementation Schedule <sup>5</sup>	Score 0-5 Scale	0.0	0.0
4 - Project Management and Controls <sup>10</sup>	Score 0-5 Scale	0.0	0.0
5 - Safety Management <sup>5</sup>	Score 0-5 Scale	0.0	0.0
6 - Communications Plan <sup>5</sup>	Score 0-5 Scale	0.0	0.0
7 - Environmental Management <sup>5</sup>	Score 0-5 Scale	0.0	0.0
8 - Uni-directional Flushing Program <sup>5</sup>	Score 0-5 Scale	0.0	0.0

#### SECTION SCORING SUMMARIES

Proponent Organization	Max. 5 Points	0.0
Pipeline and Reservoir Design	Max. 50 Points	0.0
Project Organization and Management	Max. 50 Points	0.0
<b>TOTAL SCORE</b>		<b>0.0</b>

#### Evaluation Notes

Each element will be evaluated with respect to the requirements and specifications outlined in the RFP. Elements that are judged to meet the Owner's requirements and specification will be graded at 600% of the points available. Proposal Elements and Solutions that exceed the County's requirements will be granted additional points to a maximum of 100% of the points available. Similarly proposal Elements that may fall short of the requirements and specifications will be granted fewer points than 60% available. Any proposal that has one or more evaluation criteria scoring less than 40% will be deemed to be non-compliant and will not be assessed further.

General scoring guidelines are:

<b>Score 5</b>	<b>Excellent</b>	Exceeds the requirements and adds value to the project
<b>Score 4</b>	<b>Above Average</b>	Exceeds minimum requirements
<b>Score 3</b>	<b>Acceptable</b>	Meets minimum requirements
<b>Score 2</b>	<b>Poor / Fair</b>	Falls short of expectations, Meets some but not all of the requirements. Lacking in critical areas.
<b>Score 1</b>	<b>Inadequate</b>	Fails to meet requirements. Inadequate. Poor probability of success.
<b>Score 0</b>	<b>Non-Responsive</b>	Not addressed in Bid / Proposal

# **Appendix B**

## **PROPOSAL EVALUATION CRITERIA**

### **1. Mandatory Requirements**

The following are mandatory requirements for all proposals. Proposals that do not clearly demonstrate compliance with these requirements will result in disqualification of the Proponent's proposal and removal of the proposal from further considerations during the evaluation process.

- Must be received by the closing date and time.
- Bid security applies to this RFP and must be submitted.
- Proponents must clearly state proposed fees and expenses.
- Engineers who are not members of NAPEGG must clearly indicate they will apply to be members of NAPEGG upon contract award.
- Architects who are not members NWTAA must clearly indicate they will become members of the NWTAA upon contract award.
- Must include a letter from a Surety indicating that the contractor can obtain the required contract security for this project in accordance with GC 10 of the Design-Build Contract (Appendix C).

Failure of the Proponent to completely address a requirement outlined in the RFP may result in a rating score for that criteria lower than a Proponent who chooses to completely address it.

### **2. Evaluation Process**

Proposals will be evaluated and rated by an evaluation committee, using pre-determined criteria to determine which proposal potentially provides the best value to the GNWT.

Detailed ratings will be confidential; however, once the contract has been executed, a proponent can ask for their own detailed rating, and the names and total score of other proponents.

In terms of relative importance, each criterion is given a pre-assigned weight, as outlined on the accompanying proposal evaluation sheet, to which each proposal will be evaluated.

Each criterion is rated on a scale of 0 to 10. Each criterion's rating is then multiplied by the assigned weight to yield a total for that element. Summation of the individual totals yields a total score, which represents the overall degree of satisfaction for the respective submission.

This procedure is repeated for each of the responsive proposals.

The highest total score will determine the proposal that potentially provides the best value to the GNWT.

## DESIGN-BUILD PROPOSAL RATING SCHEDULE

**PROPONENT:**

Item	Rating Criteria	Assigned Weight (A)	Unit Points Awarded (B)	Total Points (A) x (B) = (C)
1	Project Team	10		
2	Facility Design and Construction	20		
3	Methodology	10		
4	Past Relevant Experience	10		
5	Project Schedule	10		
6	Project Costs	20		

**Sub-Total** **80**

7	Goods & Services provided by Northern Businesses (Note 2)	15		
8	Goods & Services provided by Local Businesses (Note 3)	5		

**Sub-Total** **20**

<b>TOTAL</b>	<b>100</b>		
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<p>Note 1: Fees and expenses will be rated as proposed, without the BIP adjustment. Items 8&amp;9 will be used for the BIP rating.</p> <p>Note 2: NWT resident labour, plus other costs provided by NWT businesses entered in the BIP Registry. See Appendix B.</p> <p>Note 3: Local resident labour, plus other costs provided by local businesses entered in the BIP Registry. See Appendix B.</p> <p>Note 4: See Appendix B.</p>	<p><b>LEGEND</b></p> <p>Unless stated otherwise herein, Unit Points will be assigned as follows:</p> <p>Deficient 0 points</p> <p>Poor 1 – 3 points</p> <p>Fair 4 – 6 points</p> <p>Good 7 – 8 points</p> <p>Excellent 9 – 10 points</p>
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Committee Member \_\_\_\_\_

Date \_\_\_\_\_

Comments:

**END OF PROPOSAL EVALUATION CRITERIA**

## SECTION IV PROPOSAL SUBMISSION REQUIREMENTS

The following information should be provided in each proposal. As this information will be used to evaluate each responsive proposal that is submitted, contractors are encouraged to use the same headings in their proposals.

### 1. Project Team

Describe the project team in terms of responsibilities, decision making, and the role each member of the team will play. In particular:

- A. Who will be responsible for managing the project as a whole? What experience does this person have in managing the design-build process and with office buildings of this size and type (or larger)? What experience does this person have with the logistics of projects in the sub-arctic, and working with 'Good Building Practice for Northern Facilities'? Describe the project manager's experience on at least 3 recent relevant projects.
- B. Who will have the overall design responsibility for this project? What experience does this person have in the design-build process and with the design of office buildings of this size and type (or larger)? What experience does this person have with sub-arctic projects, and working with 'Good Building Practice for Northern Facilities'? In particular, describe the lead designer's experience on at least 3 recent relevant projects.
- C. Who will provide architectural support and back-up? What will their responsibilities be, and what is their previous experience with office building design, and with projects in the sub-arctic?
- D. Who will be responsible for design of major structural, electrical and mechanical systems, and civil engineering? What experience do they have with projects in the north, preferably working with 'Good Building Practices for Northern Facilities'? What is their experience working as part of a design-build team?
- E. Will the general contractor and sub-contractors be involved in the design process? If so, indicate who will be involved; what their roles will be; and list their past relevant experience including office building facilities and sub-arctic projects.
- F. Identify any specialist consultants, if required, who will be part of the project team.
- G. Identify the amount of time (hours) that key members are expected to put into this project during the design stage. At a minimum, this should include the project manager, the project architect, and the lead mechanical and electrical designers. This will not be evaluated as a separate criterion, but will be considered as part of the evaluation of the relevant team members.
- H. For each major discipline (architectural, structural, civil, mechanical, electrical) who will be responsible for field services during construction, and what experience do they have with construction inspection?
- I. Who will be the site superintendent? What experience does this person have in the construction of buildings, and northern projects? In particular, describe the site superintendent's experience on at least 2 recent relevant projects.

- J. Who will have the main responsibility during construction for each of the following; and what is their past experience on office building projects and northern projects?
- i) building envelope
  - ii) mechanical systems (heating, ventilation, air conditioning and plumbing)
  - iii) electrical systems
- K. Please provide resumes and references for the principal members of the project team, including; names, telephone numbers, and e-mail addresses. The GNWT reserves the right to obtain and check references of the contractor other than those given in the proposal. A contract will not be awarded to any company whose references, in the opinion of the GNWT, are found to be unsatisfactory. Reference checks are evaluated on a pass/fail basis, and will not be scored.

## **2. Methodology**

The contractors should demonstrate their understanding of the work involved, identifying significant factors, objectives, site trips, meetings, reviews, travel, schedule, budget, and other important events or activities. Important factors to consider:

- A. How will the proposed method address the unique challenges of design and construction in the sub-arctic?
- B. How will the contractors work with the client team to resolve any issues relating to the schematic design, and ensure that any potential changes can be accommodated within the budget?
- C. How will the team manage the completion of the design including reviews with PWS?
- D. How will the team ensure quality control during the construction phase? How many site inspections are proposed during the construction phase?
- E. How will the team ensure that their schedule is met?
- F. How will building commissioning be coordinated with PWS?
- G. How will the design and construction of tenant improvements be managed if so requested by PWS?

## **3. Schedule**

Contractors are required to provide a project schedule indicating important milestones and critical tasks in the design and construction process.

Indicate how the schedule addresses the challenges and logistics of construction in a northern environment.

## **4. Past Relevant Corporate Experience**

Note that this part of the evaluation deals with the corporate experience of the design and construction firms. The experience of individual team members will be evaluated under 'Project Team'.

What is the past experience of the firms in the proposal, particularly for design-build projects of this type and size (or larger)? Do the firms have a demonstrated track record in successfully completing design-build building projects? Do the firms have a demonstrated track record of northern construction, particularly in sub-arctic conditions and working with 'Good Building Practice for Northern Facilities'? Identify other relevant projects that the design and construction firms have worked on in the recent past, particularly design-build office building projects and northern projects.

## 5. Cost

Contractors are advised that the GNWT will be unable to award a contract if the total proposed cost exceeds the amount identified in Part 5 of the Terms of Reference.

Provide a stipulated sum cost as identified below.

### A. Total Contract Cost

Contractors must provide a stipulated sum cost for the entire scope of work. Costs for design and construction must also be identified as described below.

### B. Base Building Design Services

Provide costs for the following stages of base building design services:

- confirmation of the schematic design phase
- design development phase
- construction documents phase
- construction administration services phase
- post construction services phase

These costs must include the total amounts (fees and expenses) payable for basic architectural and engineering services; any specialist consultants; the amount payable to contractors or subcontractors for their involvement in the design stages; and any other design costs.

Allow for 7 sets of printed documents for client review at each stage of the design, plus one electronic copy, plus documents required by regulatory agencies and authorities having jurisdiction. All design reviews will take place in Inuvik.

Contractors should provide charge out rates for key members of the project team on a per diem or hourly basis, including all overhead and profit charges. It is intended to use charge-out rates only for the preparation of change orders, which are not anticipated to represent more than 3% of the contract value in total.

### C. Construction Costs

Provide a stipulated sum construction costs including cash allowances as identified in Section II, item 5.

### E. Cash Flow

Provide a proposed yearly cash flow. The cash flow must not exceed the amounts identified in Part 5 of the Terms of Reference.

**END OF PROPOSAL SUBMISSION REQUIREMENTS**

## Appendix C

1. Submissions will be evaluated according to the City's purchasing practices and individual line prices will be treated in strict confidence.
2. An evaluation committee shall review each submission. The committee shall rate each submission based on the following criteria:
  1. Fees (30%): Detail all fees and expenses required to complete the scope of work. This will be based on an upset limit, please detail as such.
  2. Experience (25%): This section should detail all past experience with buildings of this nature and how that experience is relevant to this project.
  3. Suitability of building (30%): Demonstrate your fulfillment of the performance requirements in your proposed solution.
  4. Schedule (10%): The Proponent is to provide a detailed project schedule. The City would like this building operational prior to October 15, 2012. Should the Proponent find this schedule unattainable, they should provide reasoning and an alternative schedule.
  5. Benefit to Local Economy (5%): The City always attempts to ensure the local economy benefits from our projects. Provide detail on how your submission will benefit Yellowknife and local business.

# Appendix A

## Proposal Format and Content

### 4.1 GENERAL

To facilitate the evaluation of a Proposal relative to the other Proposals, Proponents are required to submit their Proposals in the format outlined in this section. Proposals must be clear, concise and complete covering fully and in detail all requirements specified in this RFP.

The RFP shall be a clear and concise presentation of the required information. Each page shall be single sided, 8.5 x 11, 10 pt Arial font, line spacing of 14 pt

Well documented design calculations shall be submitted in accordance with the Proposal Requirements. Proponents shall include the preliminary design drawings necessary to communicate the design intent for all components of the work.

Design drawings are to be submitted in a reduced-sized format (11 x 17) and left unfolded. Bind drawings separately from the proposal narrative with a title sheet identifying them as " Proposal - Appendix C: Conceptual Design Drawings" to the proposal. Include in the Proposal a complete list of drawings necessary for design, construction, permitting and documentation of the Work. This list is to be provided on the Conceptual Design Drawing package with notations indication which drawings are provided with the Proposal. The drawing list will be reviewed to evaluate the Proponent's understanding of the Owner's Requirements.

Proposals should use terminology consistent with the RFP Document to facilitate the use and incorporation of relevant sections as schedules to the executed Contract Document.

### 4.2 FORMAT

Proposals are to be submitted in two clearly marked separate envelopes. Labels shall be as follows:

1. Athabasca County-Grassland/Wandering River Pipeline and Reservoir Design Build Contract – Proposal and Mandatory Requirements
2. Athabasca County-Grassland/Wandering River Pipeline and Reservoir Design Build Contract - Financial Proposal.

The Proposal and Financial Submissions shall be arranged as follows:

### **4.3 PROPOSAL AND MANDATORY ELEMENTS**

The Proposal and Mandatory Elements must provide the information requested. In order to facilitate the evaluation process, Proponents must adhere to the format presented and, in particular, the section numbering.

Minor deviations from the Performance and Technical Specifications must be explicitly identified in the appropriate section of the proposal. Major deviations or alternative concepts must be presented in a separate section reserved for Alternative Proposals.

No price information shall be included in the Proposal and Mandatory Elements.

#### **4.3.1 Proposal and Mandatory Elements Proposal Outline**

##### **Cover Page Covering**

##### **Letter Mandatory**

##### **Requirements**

- Receipt Confirmation Form
- Proponent Representative and Certificate of Authority
- Key Member Certifications
- Agreement to Bond
- Design Certification Letter
- Confirmation of Insurance Coverage
- Agreement to provide irrevocable Letter of Credit (\$250,000)
- Proposal Declaration Form
- Relationship Disclosure Form – Appendix E
- Participation Agreement – Copy to be returned following receipt of RFP
- Certificate of Recognition or Temporary Letter of Certification

##### **Table of Contents**

##### **Executive Summary**

##### **Section 1 -Proponent Organization**

- 1.1 General Information and Description of Proponent
- 1.2 Key Personnel

Appendix A - Supplementary Corporate Literature (if applicable)

Appendix B - Supplementary Resumes for Key Personnel (if applicable)

## **Section 2 – Pipeline and Reservoir Design Concept (Base Proposal)**

- 2.1 Code Analysis
- 2.2 Site Development
- 2.3 Architectural
- 2.4 Structural
- 2.5 Process
- 2.6 Building Mechanical
- 2.7 Electrical
- 2.8 Instrumentation and Controls
- 2.9 Pipeline
- 2.10 System Reliability and Redundancy
- 2.11 Future Expansion Capability
- 2.12 Project Risk
- 2.13 Permits and Approvals
- 2.14 Land Requirements and Issue Mitigation
- 2.15 Construction Processes

Appendix C - Conceptual Design Drawings (submitted under Separate Cover)

Appendix D - Pipeline and Reservoir Design Calculations

Appendix E - Equipment List

## **Section 3 - Project Organization and Management**

- 3.1 Project Organization
- 3.2 Work Plan and Construction Sequence
- 3.3 Implementation Schedule
- 3.4 Project Management and Controls
- 3.5 Safety Management
- 3.6 Communication Plan
- 3.7 Environmental Management and Planning
- 3.8 Uni-directional Flushing

## **Section 4 - Relative Annual Operating Cost Estimates**

Appendix F - Annual Operating & Maintenance Costs

Appendix G - Electrical Costs Sensitivity Analysis

## **Section 5 - Alternative Proposal**

- 6.1 Alternative Design Concept
- 6.2 Alternative Project Management Approach
- 6.3 Annual Operating and Maintenance Costs

Note: Appendices are to be provided at the end of the proposal

#### **4.3.2 Proposal Content**

The following outlines the minimum content requirements to be addressed in each section. Additional content and materials may be added, as deemed appropriate by the Proponent.

##### **Introductory Material**

###### **Cover Page**

Provide a cover page clearly marked "Athabasca County – Wandering River Pipeline and Reservoir Design/Build Proposal and Mandatory Requirements". The cover page must clearly show the proponent name, and in case of a consortium, the name of each consortium member.

###### **Covering Letter**

Provide a brief covering letter introducing the Proponent with a concise statement that the proponent has read and understood the requirements of the RFP and the proposed fully conforms to the requirements of the RFP.

##### **Mandatory Requirements**

###### **Table of Contents**

###### **Executive Summary**

Summary of the key points of the Proposal.

##### **Mandatory Requirements**

###### **Receipt Confirmation Form**

The signed and authorised receipt confirmation form (see Appendix E) must be returned within two (2) working days of receipt of RFP.

###### **Proponent Representative and Certificate of Authority**

Designate a single contact who will act as the Proponent's Representative during the evaluation period. Provide the Individual's name, title, firm, address, email address, telephone number, and facsimile number. The representative's company shall provide such information under signature of an Officer of the company authorized to sign on behalf of the company.

**Key Member Certification**

Provide a signed letter by an authorised officer of each Key Member Firm that confirms the Member Firm's understanding and assumption of the responsibilities set out in the Proposal. Such letter of authorization shall be made on paper with company letterhead.

**Agreement to Bond**

The Proponent must provide an "Agreement to Bond" by a surety corporation licensed to issue bonds in the Province of Alberta in accordance with the Contract Requirements.

**Design Certificate Letter**

The Proponent shall provide written confirmation that the design will be certified by professional engineers registered to practice in the Province of Alberta with appropriate experience and knowledge of works similar in nature to this project.

**Confirmation of Insurance Coverage**

Submit a "Certificate of Insurance Coverage" by each company expected to underwrite any portion of insurance coverage required by the Contract.

**Irrevocable Letter of Credit**

The Proposal must be accompanied by a certified cheque, bank draft or irrevocable line of credit issued by a Schedule 1 Bank payable to the Owner in the amount of \$ 250,000 as security to ensure that, should the proposal be accepted, the Proponent will execute the Contract and provide the requisite bonds, proof of insurance, and all other documents required by the Owner in connection with the Contract.

**Proposal Declaration Form**

Maximum two (2) pages, introducing the Proponent Team and binding the Proponent to statements made in the RFP. The Declaration Letter must be signed by the person(s) authorized to sign on behalf of the respective participating companies. A letter must be submitted and signed by the contractor and each sub consultant within the contractor's team and include company letterhead.

**Relationship Disclosure Form**

Each Proponent must complete and submit the Relationship Disclosure Form included in Appendix E.

**Participation Agreement**

The signed and authorised receipt confirmation form (see Appendix E) must be returned within five (5) working days of issue.

**Certificate of Recognition or Temporary Letter of Certification**

A valid Certificate of Recognition or Temporary Letter of Certification from the Alberta Construction Safety Association must be submitted by all Proponent Team members.

## **SECTION 1 PROPONENT ORGANIZATION**

Confirm the information provided in the Proponent's Expressions of Interest (EOI) Submissions regarding the Project Team and Organization. Any changes from the original EOI submission must be clearly documented.

Proponents are reminded that in response to the RFP, they understand and agree that consent of the Owner is required for any changes to the Key Member Firms, Project Organization and key personnel assignments.

### **Section 1.1 General Information and Description of Proponent**

Identify all Corporate Team Members for the project. Any changes from the EOI Submissions must be clearly highlighted. If new Corporate Team Members are introduced, Proponents may submit additional Corporate Literature for those NEW firms only in Appendix A.

Briefly describe the roles, responsibilities and authority of each Corporate Team Member as they specifically relate to the work as well as the legal relationship within the team. Highlight any changes to the information provided in the EOI with respect to the assigned roles and responsibilities of the team members.

### **Section 1.2 Key Personnel**

Provide a list of key personnel for the project. Clearly indicate changes from the EOI submission. Submit 1-page resumes for personnel not previously identified in the EOI submission. A detailed project team organization chart must be included in the Proposal clearly identifying the Team member responsible for the work in each phase of the Project design and construction, including but not limited to:

1. Project Team Coordination
  - Principal in Charge
  
2. Design
  - Principal in Charge
  - Design Team Manager
  - Lead Process Design Engineer
  - Process Mechanical Design Engineer
  - Structural Design Engineer
  - Mechanical/Building Services Design Engineer
  - Civil Engineer
  - Electrical Design Engineer
  - Geotechnical Engineer
  - Instrumentation and Controls Design Engineer
  - Specialist Advisors and Design Reviewers

- Quality Controller
3. Construction
- Principal in Charge
  - Project Construction Manager/Engineer
  - Construction Superintendent
  - Construction Surveyor
  - Material Testing Engineers Quality Control and Quality Assurances
  - Construction Inspector
  - Contract Administrator
  - Safety Officer
  - Environmental Management
  - Quality Manager

## **SECTION 2 PIPELINE AND RESERVOIR DESIGN AND CONSTRUCTION CONCEPT**

In this Section, address the technical requirements of the work and outline the Proponent's approach and methodology for carrying out the work. Describe the key features of the proposed design, including the general form and relationship of major elements, facilities and systems.

Demonstrate to the Owner that a design and construction program has been developed that meets the Owner requirements in all respects that can be implemented in within the designated time frame and has suitable long-term operational and maintenance characteristics. Provide sufficient detail such that the evaluation committee can fully understand the design and construction approach for each element and can readily assess compliance to the Owner requirements.

Provide design drawings in a separate cover as noted elsewhere.

### **2.1 Code Analysis**

Provide a preliminary code analysis addressing as a minimum:

- building classifications
- occupancy requirements
- fire separations
- building size and construction relative to occupancy
- safety requirements within floor areas
- requirements for exists
- environmental requirements
- spatial separations

## **2.2 Site Development**

Provide a site plan for each facility showing the location of above ground and below ground structures, buildings, access, parking, site lighting, and electrical service. Clearly indicate the overall site area needed to be developed for the facility.

Provide a description on how the following will be addressed:

- landscaping
- tree protection
- site grading
- roof drainage
- storm drainage
- yard piping
- vehicle and truck access and parking, including proposed
- road structures
- electrical service
- site lighting

## **2.3 Architectural**

- Provide a floor plan for the building. This floor plan shall reflect the following:
  - The layout of the building.
  - Exiting.
  - Fire separation and fire walls.
- Provide a brief description of the exterior wall and roofing systems, including types of construction, insulation levels, exterior cladding, interior finishes, air/vapour barrier and liner panels.

## **2.4 Structural**

- Provide a description of the building foundations with pertinent details and requirements including, reinforced concrete foundation walls, piles or footings, or other devices, if required and reinforced concrete slabs on grade.
- Provide a description of reservoir including foundation, walls and roof structures with pertinent details and requirements including, reinforced concrete foundation walls, or footings, soil anchors, or other devices, if required, reinforced concrete slabs on grade, reinforced or precast concrete columns and beams, reinforced or precast concrete roof slab and roof membrane, concrete joint details for expansion and construction joints, and construction and quality control features to be used to ensure a watertight structure is achieved.
- Provide a description of types of floor framing proposed to be used in the building.

- Provide a description of type of wall framing with pertinent details including lateral load resisting system proposed to be used.
- Indicate design criteria, including:
  - Roof design snow, rain, soil, mechanical and electrical equipment loads including piping.
  - Wind and seismic design loads.
  - Floor design live loads.
  - Deflection limits.
  - Hoist/crane loadings.
- Indicate design parameters, materials and material strength used.
- Provide a plan to show column layout and outlines of roof framing system.

## **2.5 Process Design**

- Provide general layout drawings including preliminary piping arrangements. Include process and instrumentation diagrams and flow schematics clearly illustrating piping and valve sizes
- Provide a description of the proposed operation and control strategy for the fill station and pumphouse. Describe manual and automatic operations and details of proposed instrumentation and monitoring.
- Provide an equipment list including manufacturer's performance data for the pumps in Wandering River.

## **2.6 Building Mechanical**

In this section, describe the mechanical systems to be incorporated into the treatment plant.

- A brief description of proposed heating and cooling system for all facilities, including system types and sizes, and system output and distribution.
- A brief description of proposed ventilation system including ventilation unit type(s) and sizes, and miscellaneous exhausts for individual areas and their sizes.
- A brief description of types of equipment and materials, level of quality and distribution system including basins, WCs, urinals, sinks, fixtures, domestic hot and cold water, and hose stations.
- A brief description of sanitary and storm water drainage system, including building roof drainage.
- A description of fire/smoke protection systems proposed for use in meeting performance specification. This description shall include extinguishing systems, and fire separations and fire stopping.
- Present the design approach to facilitate ease of removal, repair, or replacement of key mechanical components.

## **2.7 Electrical**

Provide a description of the electrical installations for the facility. The description is to include:

- General description of the proposed main electrical service including the proposed routing of the service and the location of the transformer.
- Provide an electrical load list for current and future requirements
- Provide a general description of the power distribution in the reservoir and pumphouse.
- Provide a description of the coordination of suppliers and manufacturers to how ALL the motor control equipment will be included and standardized within the MCC.
- Provide a description of the proposed meter controls and signals available to the control system.
- Provide a general description of the proposed grounding and lightning protection.
- Provide a general description of the lighting systems and controls to be provided at the Wandering River facility, include interior areas, exit lights, emergency lights, and exterior lighting.
- Describe general principles of the design for wiring methods and equipment.
- Provide a general description of the standby power system for the facility. Provide a general layout drawing and associated auxiliary equipment showing spatial requirements and clearances around equipment. Provide a description on how the following will be addressed:
  - ventilation requirements for cooling and combustion air.
  - engine/generator controls
  - generator grounding
  - generator testing
- Provide equipment list including manufacturer's performance data for major electrical components.

## **2.8 Instrumentation and Controls**

Provide a brief description of proposed field instrumentation and control systems, including the following:

- Proposed field instrument types for each application including proposed manufacturers.
- Proposed locations of HMIs.
- Brief description of the functionality proposed for each HMI.
- Control narrative, instrumentation list and list of I/O's (inputs/ outputs).
- Proposed SCADA System including control system architecture, description of alarm handling protocol, data storage, data retrieval, and reporting capabilities.
- Proposed radio tower structure at each facility

## **2.9 Pipeline**

- Provide pipeline alignment plan and cross sections illustrating pipeline location, depth and relative distances to roadways and other utilities. Indicate approximate locations of appurtances and crossings.
- Provide a hydraulic profile illustrating hydraulic gradeline, flows, inside diameter. Indicate assumptions including friction loss co-efficient.
- Provide a list of materials to be provided for each appurtance.
- Provide a description of the testing and commission process for the pipeline.
- Provide a brief description of the soil conditions along the alignment identifying problem soils and how the problem soils will be addressed.
- Provide a brief description of the proposed construction method and staging of the work area along the roadways.

## **2.10 System Reliability and Redundancy**

Provide a description of the reliability of mechanical, electrical and control systems including redundancies in equipment and control systems.

## **2.11 Future Requirements**

### ***Reservoir and Pumphouse Expansion***

Provide a description of how the reservoir and pumphouse can be expanded to meet future growth of the community and fire storage requirements.

### ***Pipeline***

Provide a description of how the pipeline design capacity could be increased to meet future growth in Grassland and Wandering River beyond the current design horizon

## **2.12 Project Risk**

Provide a list of project risks that may affect the project schedule. Detail steps to mitigate or eliminate the risks.

## **2.13 Permits and Approvals**

Provide a description of the steps it will take to obtain all necessary approvals and permits. This section must also include a list of all the required approvals and permits, name of regulatory agency involved, documents required by regulatory agency, and time required to obtain approval or permit.

## **SECTION 3 - PROJECT ORGANIZATION AND MANAGEMENT**

### **3.1 Project Organization**

Clearly describe the proposed project organization and resource commitments, planning and scheduling of all project phases, and its approach to and processes for managing and controlling various aspects of the Work. The purpose of this section is to satisfy the Owner that the Proponent has a clear understanding of the Project Delivery Requirements, and has in place the appropriate resources, organization, tools, and processes to satisfy its contractual obligations, duties, and responsibilities.

Describe the Proponent's organization at the functional level, including reporting relationships and proposed liaison with the Owner's Representative. In the Proposal, Proponents are required to provide organization charts for the design, construction, and commissioning phases of the Work.

### **3.2 Work Plan and Construction Sequence**

Describe the main activities that will be performed in each phase in order to fully implement and complete the Work, and must be coordinated and integrated with the Implementation Schedule. The Work Plan must address the following, in the order shown:

- .1 Design phase
- .2 Procurement phase
- .3 Mobilization phase
- .4 Construction phase activities
- .5 Commissioning phase
- .6 Warranty period

Steps to be undertaken within each of the above-noted phases must be described in sufficient detail to provide confidence that all the key activities and their predecessor/ successor relationships, together with the staffing/ level of effort required to accomplish them, have been properly taken into account.

### **3.3 Implementation Schedule**

The Proponent is required to provide an Implementation Schedule for the above-mentioned phases, in the same order as the Work Plan, which takes into account all of the constraints identified in this RFP.

Submit the schedule in the form of a time-scaled diagram showing the major activities required, their duration, sequence and relationships. All major milestones, from Contract award through commissioning and start-up of operations, must be clearly depicted, including but not limited to the following:

- .1 Tentative Contract award date
- .2 Interim and complete design submissions
- .3 Owner's compliance reviews
- .4 Anticipated receipt of required approvals
- .5 Placement of orders for major materials and equipment
- .6 Commencement and completion of overall construction, as well as individual construction phases and stages
- .7 Proposed delivery dates for major components
- .8 Commissioning and start-up dates.

### **3.4 Project Management and Controls**

Except as specifically provided, it is not the intent of the Owner to prescribe the specific project management tools that must be used to control the Work. The general capabilities to be demonstrated for each major management/ control function as indicated follows:

- Cost management
- Schedule and work progress management
- Change management
- Safety management

### **3.5 Safety Management**

Following award of the Contract, implement comprehensive construction safety and work zone protection programs, based on proven systems and procedures.

Provide the following:

- .1 A statement of the Proponent's policy regarding safety
- .2 A description of the accountable organizational units, with defined relationships, duties, responsibilities and authority
- .3 A summary of the instructions, procedures, and guidelines that will be put in place to ensure the safety of workers and the public, including a system for promptly identifying and resolving safety issues.

### **3.6 Communication Plan**

Outline the approach to communicating with the Owner through the entire project including design, construction and post construction phases.

Outline the approach for communication with property owners affected by the construction, dealing with complaints, and obtaining landowner signoffs at the end of the project.

### 3.7 Environmental Management and Planning

Describe the strategy for meeting the Owner's requirements with regard to environmental matters, including but not limited to consideration of the following:

- .1 Compliance with federal, provincial and other applicable environmental legislation.
- .2 Compliance with the Owner's Club Root management policy.
- .3 Determination of environmental considerations and sensitivities of the site and area outside the site that may be impacted by the Work.
- .4 Acceptability of design and construction impacts, mitigation, and required compensation.
- .5 Obtaining and complying with the requirements of any external environmental approvals, permits, and agreements.
- .6 Integration of environmental elements into the remainder of the design and construction work plan.
- .7 Environmental quality control and risk management during all project phases.
- .8 Environmental reporting requirements.

### 3.8 Uni-Directional Flushing

The proposal should describe how the Proponent will approach the uni-directional flushing in each Community and how the Proponent will address the performance requirements identified in Section 2.

## SECTION 4 RELATIVE ANNUAL OPERATING COST ESTIMATES

Present the relative annual operating costs for the new pipeline and reservoir, based on the average flow conditions, for each of the following design conditions:

**Table 4-1  
Design Conditions for Annual Operating Costs**

Design Year	Grassland Average Day Flow	Wandering River Average Day Flow
1	1.25	0.77
25	2.5	1.5

Present the information as provided in Table 4-2. Appended to the Proposal include detailed calculations and back-up for the calculated operating costs. Key parameters to be used for calculating the relative operating costs are included on Table 4-3:

**Table 4-2**  
**Key Parameters of Calculative Operating Costs**

<b>Parameter</b>	<b>Value</b>
Power Consumption (kwh)	\$0.10
Inline PRV Stations	\$5,000/year
CAVV Chamber	\$2,000/year
Discount Rate	6%
Chemicals and Consumables	Market Rates

The purpose of the relative annual operating costs is not to establish budgets for operating the project but for a basis of comparing the operational components of the project on a comparable basis.

## **SECTION 5 ALTERNATIVE PROPOSAL**

If the Proponent has developed an alternative proposal for the Owner's consideration that varies in one or more respect(s) for the requirements of the RFP, it may prepare an alternative proposal to be considered here. Submit all information related to alternative proposals that clearly identifies how the concept differs from the stated requirements. Submit the information as follows:

### **5.1 ALTERNATIVE DESIGN CONCEPT**

Submit sufficient information that outlines the differences from the base proposal and the proposal requirements such that the alternative can be adequately evaluated. Reiteration of information from the base technical proposal is not required.

### **5.2 ALTERNATIVE PROJECT MANAGEMENT APPROACH**

Submit sufficient information that outlines the differences from the Project Management Approach included in the base proposal and the proposal requirements such that the alternative can be adequately evaluated. Reiteration of information from the base proposal is not required.

### **5.3 RELATIVE ANNUAL OPERATING COSTS**

Submit revised relative annual operating costs for the alternative proposal. Present the information as required in Section 4 of the Proponent's proposal.

#### **4.4 FINANCIAL PROPOSAL**

The project is separated into three segments. They are:

- Segment 1 – Grassland Regional Water Pipeline
- Segment 1 is defined as the water pipeline from the Village of Boyle up to and including the fill station in the Grassland Water Treatment Plant and includes tie-ins, service connections pipeline appurtenances and the Grassland Truckfill.
- Segment 2 – Wandering River Regional Water Pipeline
- Segment 2 is defined as the water pipeline from the Grassland Water Treatment Plant to the Hamlet of Wandering River Reservoir and includes tie-ins, service connections and related appurtenances.
- Segment 3 – Wandering River Reservoir and Pumphouse
- Segment 3 is defined as the Wandering River Reservoir and Pumphouse and includes all components related to the reservoir and pumphouse including: the building, reservoir, pumps, piping, site works, site servicing, and SCADA.

Each Proponent is required to submit one financial proposal. The financial proposal must include one original of all of the forms and documents referred to below. The blank forms provided (Appendix D) by the Owner are to be completed, without alteration, in ink or typewritten and signed in ink in accordance with the signing instructions noted on the form.

##### **4.4.1 Financial Proposal Form**

The Proponent must complete the Financial Proposal Form provided, carefully observing the requirements for signatories indicated on the form.

##### **4.4.2 Schedule of Prices**

Complete Schedule of Prices. The Total Proposal Price that appears on the corresponding Financial Proposal form will be the sum of the Proponent's lump sum prices shown in the Schedule of Prices.

The Goods and Services Tax (GST) must be shown as a separate line item in the Financial Proposal in the appropriate place.

The Proponent must estimate the value of monthly payment requests over the period of the Contract and enter these in the Payment Forecast.

# Evaluation and Selection Process

## 5.1 EVALUATION OF PROPOSALS

The DBTC will evaluate all proposals received by the Proposal Closing. The evaluation will be based on the Proponent's ability to meet the design and performance requirements of the RFP. The objective of the evaluation process is to determine the Proposal that provides the best overall value to the Owner, in terms of both technical and financial aspects. Consequently, the Contract will not necessarily be awarded to the Proponent with the lowest price.

A DBTC will be review and rank Proposals in accordance with pre-determined criteria, such that a Preferred Proponent may be recommended to the Owner Council.

## 5.2 EVALUATION OF PROPOSALS AND MANDATORY ELEMENTS

### 5.2.1 Mandatory Elements

Prior to the opening of the Financial Proposals, the DBTC will evaluate the Proposals. At this time, the Proposals will be screened to ensure the Mandatory Elements have been included with the proposal. Proposals that do not comply with the mandatory submission requirements may be disqualified at the sole discretion of the Owner.

### 5.2.2 Proposal Submissions

Proposals will be evaluated based on the criteria provided in Table 5-1. The base proposal must conform in all respects with the Owner's Requirements outlined in the RFP Document.

A minimum score of 60% must be achieved in the Proposal Submission Evaluation, in order for the Financial Proposals to be considered. In addition, a minimum of 60% must be achieved in each of Sections 2 and 3 of the Evaluation Summary. Proponents that do not meet the minimum score on the Technical Evaluation will have their Financial Proposals returned unopened.

### 5.2.3 Alternative Proposals by Shortlisted Proponents

Alternative proposals, if submitted, will be evaluated as per the Proposals. It is recognized that Alternative I proposals need not conform entirely to the RFP requirements. However, variations from those requirements should be clearly stated and result in clear and demonstrable benefits for the Owner.

#### 5.2.4 Relative Annual Operating Cost Estimates

Relative Operating Costs will be evaluated based on the information provided in the proposal. The Owner reserves the right to adjust the submitted costs based on an independent assessment of the costs provided. These adjusted costs will then be used in the final ranking process. The basis of the scoring for the relative costs is as follows:

$$\frac{10 - (5 \times (\text{NPV}_{\text{proponent}} - \text{NPV}_{\text{lowest}})) \times 10}{\text{NPV}_{\text{lowest}}}$$

#### 5.2.5 Communications and Interviews

The Owner reserves the right (without obligation to do so) to request clarification or additional information from any or all Proponents in order to clarify, confirm, or correct inconsistencies in the submitted material. All requests will be made in writing, and replies must be delivered to the Owner within three (3) business days of receipt, unless a shorter or longer time frame is specified by the Owner.

Clarifications, confirmations or corrections submitted will become part of the Proposal. During the evaluation period, one or all Proponent(s) may be interviewed to review their Proposals with the Owner and respond to questions. Financial details will not be discussed.

Technical scores will be finalized after all additional requested information has been received and interviews completed.

Proponents will not be permitted to revise their Financial Proposals, if applicable, based on the clarifications provided to the Owner during the evaluation period. Proponents must be certain at the time of submitting their Proposals that the Proposals fully meet the requirements of the Contract Documents and are clear, concise and complete.

### 5.3 FINANCIAL PROPOSALS

Upon completion of the evaluation of Proposals (and alternatives, if applicable), for Proposals with proposal scores that exceed the minimum requirements, the Financial Proposals will be opened. Financial Proposals that are not opened will be returned to the Proponent.

Upon confirmation that the Financial Proposals meet the requirements of the RFP, the Owner will assign price points to each Proposal according to the following pre-determined formula:

$$\text{Financial score} = 100 - \frac{(2.5 \times (P_{\text{proponent}} - P_{\text{lowest}})) \times 100}{P_{\text{lowest}}}$$

$P_{\text{lowest}}$

The Contingency Allowance will be excluded in the calculation of the Financial Score. Financial Proposals that do not meet the requirements of the RFP may be disqualified at the sole discretion of the Owner.

#### 5.4 SELECTION OF THE PREFERRED PROPONENT

The final ranking of the proponents will be based on the sum of the Proposal and Financial scores. The proposal will be scored in accordance with the Proposal Submission Evaluation Criteria identified in Appendix F. Calculation of the final scores is provided on Table 5-1. The Proponent with the highest overall score will be identified as the Proponent offering the best value accordingly and will be recommended as the preferred Proponent.

**Table 5-1  
Proposal Scoring**

<b>Mandatory Elements Proposal Scoring</b>		<b>Pass or Fail Available Points</b>
Proposal	105	(minimum score = 60)
Relative Operating Costs		5
Financial Proposal		100
<b>Total Available Points</b>		<b>210</b>

If the two highest scoring proponent teams have total point scores not more than 5 points apart each team will be required to make a presentation and or undergo an interview process to aid in selection of the preferred proponent. In the event of a "tie", the selection of the preferred proponent will be at the sole discretion of the Owner.

#### 5.5 NEGOTIATION AND AWARD

Upon selection of a preferred proponent, the Owner may, at its own discretion, commence negotiations with the Preferred Proponent to address any major issues or concerns identified by the DBTC.

If negotiations are successfully completed with the Preferred Proponent a Contract will be submitted to the Owner for approval. Following the Owner's Council approval, the Owner and the Preferred Proponent will execute the Contract.

If negotiations with the preferred proponent are not successful, the Owner at its own discretion may terminate the negotiations and select the next highest rated proponent as the Preferred Proponent.

# Financial Proposal Form

We certify that the following is an accurate and balanced breakdown of our proposal. Work required, but not specifically mentioned, is included in the item with which it is most closely associated.

Item	Description	Lump Sum Price
<b>Professional Services</b>		
	Design Services	
	Land services	
	Professional Services during construction	
	Professional Services During Start Up and Commissioning	
	Professional Services During Acceptance Testing	
	Professional Services During Uni-Directional Flushing	
<b>Construction Program</b>		
	<b>General</b>	
	Mobilization and demobilization	
	Acceptance Testing	
	Uni-Directional Flushing	
	O&M Manuals and Record Drawings	
	<b>Construction Segment 1</b>	
	Pipeline Construction	
	Start-Up & Commissioning	
	<b>Construction Segment 2</b>	
	Pipeline Construction	
	Start-Up & Commissioning	
	<b>Construction Segment 3</b>	
	Siteworks	
	Reservoir Structure	
	Building	
	Mechanical	
	Electrical, Instrumentation and Controls	

# Proposal Technical Evaluation Criteria

## REQUEST FOR PROPOSAL RATING

### PROPOSAL EVALUATION CRITERIA

#### Compliance with Mandatory Criteria

1	Receipt Confirmation Form	(Yes/No)	
2	Proponent Representative and Certificate of Authority	(Yes/No)	
3	Key Member Certifications	(Yes/No)	
4	Agreement to Bond	(Yes/No)	
5	Design Certification Letter	(Yes/No)	
6	Confirmation of Insurance Coverage	(Yes/No)	
7	Agreement to provide Irrevocable letter of credit (\$250,000)	(Yes/No)	
8	Proposal Declaration Form	(Yes/No)	
9	Relationship Disclosure Form	(Yes/No)	
10	Participation Agreement	(Yes/No)	
11	Certificate of Recognition/Temporary Letter of Certification	(Yes/No)	

#### Compliance Status

#### Proposal Submission

1. Proponent Organization (5)		Score	Points
1 - Member firms <sup>2,5</sup>	Score 0-5 Scale	0.0	0.0
2 - Key Personnel <sup>2,5</sup>	Score 0-5 Scale	0.0	0.0
2. Pipeline and Reservoir Design (50)		Score	Points
1 - Reservoir Design <sup>5</sup>	Score 0-5 Scale	0.0	0.0
2 - Pipeline Design <sup>10</sup>	Score 0-5 Scale	0.0	0.0
3 - Reliability and redundancy <sup>5</sup>	Score 0-5 Scale	0.0	0.0
5 - Future Expansion Capability <sup>5</sup>	Score 0-5 Scale	0.0	0.0
6 - Project Risk <sup>10</sup>	Score 0-5 Scale	0.0	0.0
7 - Permits and Approvals <sup>5</sup>	Score 0-5 Scale	0.0	0.0
8 - Land Requirements and Issue Mitigation <sup>5</sup>	Score 0-5 Scale	0.0	0.0
9 - Construction Processes <sup>5</sup>	Score 0-5 Scale	0.0	0.0
3. Project Organization and Management (50)		Score	Points
1 - Project Organization <sup>5</sup>	Score 0-5 Scale	0.0	0.0
2 - Work Plan and Construction Sequence <sup>10</sup>	Score 0-5 Scale	0.0	0.0
3 - Implementation Schedule <sup>5</sup>	Score 0-5 Scale	0.0	0.0
4 - Project Management and Controls <sup>10</sup>	Score 0-5 Scale	0.0	0.0
5 - Safety Management <sup>5</sup>	Score 0-5 Scale	0.0	0.0
6 - Communications Plan <sup>5</sup>	Score 0-5 Scale	0.0	0.0
7 - Environmental Management <sup>5</sup>	Score 0-5 Scale	0.0	0.0
8 - Uni-directional Flushing Program <sup>5</sup>	Score 0-5 Scale	0.0	0.0

#### SECTION SCORING SUMMARIES

Proponent Organization	Max. 5 Points	0.0
Pipeline and Reservoir Design	Max. 50 Points	0.0
Project Organization and Management	Max. 50 Points	0.0
<b>TOTAL SCORE</b>		<b>0.0</b>

#### Evaluation Notes

Each element will be evaluated with respect to the requirements and specifications outlined in the RFP. Elements that are judged to meet the Owner's requirements and specification will be graded at 600% of the points available. Proposal Elements and Solutions that exceed the County's requirements will be granted additional points to a maximum of 100% of the points available. Similarly proposal Elements that may fall short of the requirements and specifications will be granted fewer points than 60% available. Any proposal that has one or more evaluation criteria scoring less than 40% will be deemed to be non-compliant and will not be assessed further.

General scoring guidelines are:

<b>Score 5</b>	<b>Excellent</b>	Exceeds the requirements and adds value to the project
<b>Score 4</b>	<b>Above Average</b>	Exceeds minimum requirements
<b>Score 3</b>	<b>Acceptable</b>	Meets minimum requirements
<b>Score 2</b>	<b>Poor / Fair</b>	Falls short of expectations, Meets some but not all of the requirements. Lacking in critical areas.
<b>Score 1</b>	<b>Inadequate</b>	Fails to meet requirements. Inadequate. Poor probability of success.
<b>Score 0</b>	<b>Non-Responsive</b>	Not addressed in Bid / Proposal

# **Appendix B**

## **PROPOSAL EVALUATION CRITERIA**

### **1. Mandatory Requirements**

The following are mandatory requirements for all proposals. Proposals that do not clearly demonstrate compliance with these requirements will result in disqualification of the Proponent's proposal and removal of the proposal from further considerations during the evaluation process.

- Must be received by the closing date and time.
- Bid security applies to this RFP and must be submitted.
- Proponents must clearly state proposed fees and expenses.
- Engineers who are not members of NAPEGG must clearly indicate they will apply to be members of NAPEGG upon contract award.
- Architects who are not members NWTAA must clearly indicate they will become members of the NWTAA upon contract award.
- Must include a letter from a Surety indicating that the contractor can obtain the required contract security for this project in accordance with GC 10 of the Design-Build Contract (Appendix C).

Failure of the Proponent to completely address a requirement outlined in the RFP may result in a rating score for that criteria lower than a Proponent who chooses to completely address it.

### **2. Evaluation Process**

Proposals will be evaluated and rated by an evaluation committee, using pre-determined criteria to determine which proposal potentially provides the best value to the GNWT.

Detailed ratings will be confidential; however, once the contract has been executed, a proponent can ask for their own detailed rating, and the names and total score of other proponents.

In terms of relative importance, each criterion is given a pre-assigned weight, as outlined on the accompanying proposal evaluation sheet, to which each proposal will be evaluated.

Each criterion is rated on a scale of 0 to 10. Each criterion's rating is then multiplied by the assigned weight to yield a total for that element. Summation of the individual totals yields a total score, which represents the overall degree of satisfaction for the respective submission.

This procedure is repeated for each of the responsive proposals.

The highest total score will determine the proposal that potentially provides the best value to the GNWT.

## DESIGN-BUILD PROPOSAL RATING SCHEDULE

**PROPONENT:**

Item	Rating Criteria	Assigned Weight (A)	Unit Points Awarded (B)	Total Points (A) x (B) = (C)
1	Project Team	10		
2	Facility Design and Construction	20		
3	Methodology	10		
4	Past Relevant Experience	10		
5	Project Schedule	10		
6	Project Costs	20		

**Sub-Total** **80**

7	Goods & Services provided by Northern Businesses (Note 2)	15		
8	Goods & Services provided by Local Businesses (Note 3)	5		

**Sub-Total** **20**

<b>TOTAL</b>	<b>100</b>		
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<p>Note 1: Fees and expenses will be rated as proposed, without the BIP adjustment. Items 8&amp;9 will be used for the BIP rating.</p> <p>Note 2: NWT resident labour, plus other costs provided by NWT businesses entered in the BIP Registry. See Appendix B.</p> <p>Note 3: Local resident labour, plus other costs provided by local businesses entered in the BIP Registry. See Appendix B.</p> <p>Note 4: See Appendix B.</p>	<p><b>LEGEND</b></p> <p>Unless stated otherwise herein, Unit Points will be assigned as follows:</p> <p>Deficient 0 points</p> <p>Poor 1 – 3 points</p> <p>Fair 4 – 6 points</p> <p>Good 7 – 8 points</p> <p>Excellent 9 – 10 points</p>
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Committee Member \_\_\_\_\_

Date \_\_\_\_\_

Comments:

**END OF PROPOSAL EVALUATION CRITERIA**

## SECTION IV PROPOSAL SUBMISSION REQUIREMENTS

The following information should be provided in each proposal. As this information will be used to evaluate each responsive proposal that is submitted, contractors are encouraged to use the same headings in their proposals.

### 1. Project Team

Describe the project team in terms of responsibilities, decision making, and the role each member of the team will play. In particular:

- A. Who will be responsible for managing the project as a whole? What experience does this person have in managing the design-build process and with office buildings of this size and type (or larger)? What experience does this person have with the logistics of projects in the sub-arctic, and working with 'Good Building Practice for Northern Facilities'? Describe the project manager's experience on at least 3 recent relevant projects.
- B. Who will have the overall design responsibility for this project? What experience does this person have in the design-build process and with the design of office buildings of this size and type (or larger)? What experience does this person have with sub-arctic projects, and working with 'Good Building Practice for Northern Facilities'? In particular, describe the lead designer's experience on at least 3 recent relevant projects.
- C. Who will provide architectural support and back-up? What will their responsibilities be, and what is their previous experience with office building design, and with projects in the sub-arctic?
- D. Who will be responsible for design of major structural, electrical and mechanical systems, and civil engineering? What experience do they have with projects in the north, preferably working with 'Good Building Practices for Northern Facilities'? What is their experience working as part of a design-build team?
- E. Will the general contractor and sub-contractors be involved in the design process? If so, indicate who will be involved; what their roles will be; and list their past relevant experience including office building facilities and sub-arctic projects.
- F. Identify any specialist consultants, if required, who will be part of the project team.
- G. Identify the amount of time (hours) that key members are expected to put into this project during the design stage. At a minimum, this should include the project manager, the project architect, and the lead mechanical and electrical designers. This will not be evaluated as a separate criterion, but will be considered as part of the evaluation of the relevant team members.
- H. For each major discipline (architectural, structural, civil, mechanical, electrical) who will be responsible for field services during construction, and what experience do they have with construction inspection?
- I. Who will be the site superintendent? What experience does this person have in the construction of buildings, and northern projects? In particular, describe the site superintendent's experience on at least 2 recent relevant projects.

- J. Who will have the main responsibility during construction for each of the following; and what is their past experience on office building projects and northern projects?
- i) building envelope
  - ii) mechanical systems (heating, ventilation, air conditioning and plumbing)
  - iii) electrical systems
- K. Please provide resumes and references for the principal members of the project team, including; names, telephone numbers, and e-mail addresses. The GNWT reserves the right to obtain and check references of the contractor other than those given in the proposal. A contract will not be awarded to any company whose references, in the opinion of the GNWT, are found to be unsatisfactory. Reference checks are evaluated on a pass/fail basis, and will not be scored.

## **2. Methodology**

The contractors should demonstrate their understanding of the work involved, identifying significant factors, objectives, site trips, meetings, reviews, travel, schedule, budget, and other important events or activities. Important factors to consider:

- A. How will the proposed method address the unique challenges of design and construction in the sub-arctic?
- B. How will the contractors work with the client team to resolve any issues relating to the schematic design, and ensure that any potential changes can be accommodated within the budget?
- C. How will the team manage the completion of the design including reviews with PWS?
- D. How will the team ensure quality control during the construction phase? How many site inspections are proposed during the construction phase?
- E. How will the team ensure that their schedule is met?
- F. How will building commissioning be coordinated with PWS?
- G. How will the design and construction of tenant improvements be managed if so requested by PWS?

## **3. Schedule**

Contractors are required to provide a project schedule indicating important milestones and critical tasks in the design and construction process.

Indicate how the schedule addresses the challenges and logistics of construction in a northern environment.

## **4. Past Relevant Corporate Experience**

Note that this part of the evaluation deals with the corporate experience of the design and construction firms. The experience of individual team members will be evaluated under 'Project Team'.

What is the past experience of the firms in the proposal, particularly for design-build projects of this type and size (or larger)? Do the firms have a demonstrated track record in successfully completing design-build building projects? Do the firms have a demonstrated track record of northern construction, particularly in sub-arctic conditions and working with 'Good Building Practice for Northern Facilities'? Identify other relevant projects that the design and construction firms have worked on in the recent past, particularly design-build office building projects and northern projects.

## 5. Cost

Contractors are advised that the GNWT will be unable to award a contract if the total proposed cost exceeds the amount identified in Part 5 of the Terms of Reference.

Provide a stipulated sum cost as identified below.

### A. Total Contract Cost

Contractors must provide a stipulated sum cost for the entire scope of work. Costs for design and construction must also be identified as described below.

### B. Base Building Design Services

Provide costs for the following stages of base building design services:

- confirmation of the schematic design phase
- design development phase
- construction documents phase
- construction administration services phase
- post construction services phase

These costs must include the total amounts (fees and expenses) payable for basic architectural and engineering services; any specialist consultants; the amount payable to contractors or subcontractors for their involvement in the design stages; and any other design costs.

Allow for 7 sets of printed documents for client review at each stage of the design, plus one electronic copy, plus documents required by regulatory agencies and authorities having jurisdiction. All design reviews will take place in Inuvik.

Contractors should provide charge out rates for key members of the project team on a per diem or hourly basis, including all overhead and profit charges. It is intended to use charge-out rates only for the preparation of change orders, which are not anticipated to represent more than 3% of the contract value in total.

### C. Construction Costs

Provide a stipulated sum construction costs including cash allowances as identified in Section II, item 5.

### E. Cash Flow

Provide a proposed yearly cash flow. The cash flow must not exceed the amounts identified in Part 5 of the Terms of Reference.

**END OF PROPOSAL SUBMISSION REQUIREMENTS**

## Appendix C

1. Submissions will be evaluated according to the City's purchasing practices and individual line prices will be treated in strict confidence.
2. An evaluation committee shall review each submission. The committee shall rate each submission based on the following criteria:
  1. Fees (30%): Detail all fees and expenses required to complete the scope of work. This will be based on an upset limit, please detail as such.
  2. Experience (25%): This section should detail all past experience with buildings of this nature and how that experience is relevant to this project.
  3. Suitability of building (30%): Demonstrate your fulfillment of the performance requirements in your proposed solution.
  4. Schedule (10%): The Proponent is to provide a detailed project schedule. The City would like this building operational prior to October 15, 2012. Should the Proponent find this schedule unattainable, they should provide reasoning and an alternative schedule.
  5. Benefit to Local Economy (5%): The City always attempts to ensure the local economy benefits from our projects. Provide detail on how your submission will benefit Yellowknife and local business.



## **SECTION III PROPOSAL EVALUATION CRITERIA**

### **1. Mandatory Requirements**

The following are mandatory requirements for all proposals. Proposals that do not clearly demonstrate compliance with these requirements will result in disqualification of the Proponent's proposal and removal of the proposal from further considerations during the evaluation process.

- Must be received by the closing date and time.
- Bid security applies to this RFP and must be submitted.
- Proponents must clearly state proposed fees and expenses.
- Engineers who are not members of NAPEGG must clearly indicate they will apply to be members of NAPEGG upon contract award.
- Architects who are not members NWTAA must clearly indicate they will become members of the NWTAA upon contract award.
- Must include a letter from a Surety indicating that the contractor can obtain the required contract security for this project in accordance with GC 10 of the Design-Build Contract (Appendix C).

Failure of the Proponent to completely address a requirement outlined in the RFP may result in a rating score for that criteria lower than a Proponent who chooses to completely address it.

### **2. Evaluation Process**

Proposals will be evaluated and rated by an evaluation committee, using pre-determined criteria to determine which proposal potentially provides the best value to the TOWN OF HAY RIVER.

Detailed ratings will be confidential.

In terms of relative importance, each criterion is given a pre-assigned weight as outlined on the accompanying Design-Build Proposal Evaluation Schedule, to which each proposal will be evaluated.

Each criterion is rated on a scale of 0 to 10. Each criterion's rating is then multiplied by the assigned weight to yield a total for that element. Summation of the individual totals yields a total score, which represents the overall degree of satisfaction for the respective submission.

This procedure is repeated for each of the responsive proposals.

The highest total score will determine the proposal that potentially provides the best value to the TOWN OF HAY RIVER.



## DESIGN-BUILD PROPOSAL RATING SCHEDULE

PROPONENT: \_\_\_\_\_

Item	Rating Criteria	Assigned Weight (A)	Unit Points Awarded (B)	Total Points (A) x (B) = (C)
1	Project Team	10		
2	Facility Design and Construction	20		
3	Methodology	10		
4	Past Relevant Experience	20		
5	Project Schedule	10		
6	Project Costs	20		
7	Local Purchase Policy	10		

<b>TOTAL</b>	<b>100</b>		
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Unless stated otherwise herein, Unit Points will be assigned as follows:

Deficient 0  
 Poor 1 - 3  
 Fair 4 - 6  
 Good 7 - 8  
 Excellent 9 - 10

Committee Member \_\_\_\_\_

Date \_\_\_\_\_

Comments:

**END OF PROPOSAL EVALUATION CRITERIA**



## SECTION IV PROPOSAL SUBMISSION REQUIREMENTS

The following information should be provided in each proposal. As this information will be used to evaluate each responsive proposal that is submitted, Proponents are encouraged to use the same headings in their proposals.

### 1. Project Team

Describe the project team in terms of responsibilities, decision making, and the role each member of the team will play. In particular:

- A. Who will be responsible for managing the project as a whole? What experience does this person have in managing the design-build process and with municipal works of this scale and type (or larger)? What experience does this person have with the logistics of projects in the sub-arctic, and working with 'Good Building Practice for Northern Facilities'? Describe the project manager's experience on at least 3 recent relevant projects.
- B. Who will have the overall design responsibility for this project? What experience does this person have in the design-build process and with the design of municipal works of this scale and type (or larger)? What experience does this person have with sub-arctic projects, and working with 'Good Building Practice for Northern Facilities'? In particular, describe the lead designer's experience on at least 3 recent relevant projects.
- C. Who will provide architectural support and back-up? What will their responsibilities be, and what is their previous experience with office building design, and with projects in the sub-arctic?
- D. Who will be responsible for design of major structural, electrical and mechanical systems, and civil engineering? What experience do they have with projects in the north, preferably working with 'Good Building Practices for Northern Facilities'? What is their experience working as part of a design-build team?
- E. Will the general contractor and sub-contractors be involved in the design process? If so, indicate who will be involved; what their roles will be; and list their past relevant experience including office building facilities and sub-arctic projects.
- F. Identify any specialist consultants, if required, who will be part of the project team.
- G. Identify the amount of time (hours) that key members are expected to put into this project during the design stage. At a minimum, this should include the project manager, the project architect, and the lead mechanical and electrical designers. This will not be evaluated as a separate criterion, but will be considered as part of the evaluation of the relevant team members.
- H. For each major discipline (architectural, structural, civil, mechanical, electrical) who will be responsible for field services during construction, and what experience do they have with construction inspection?
- I. Who will be the site superintendent? What experience does this person have in the construction of buildings, and northern projects? In particular, describe the site superintendent's experience on at least 2 recent relevant projects.
- J. Who will have the main responsibility during construction for each of the following; and what is their past experience on office building projects and northern projects?



- building envelope
- mechanical systems (heating, ventilation, air conditioning and plumbing)
- electrical systems

K. Please provide resumes and references for the principal members of the project team, including; names, telephone numbers, and e-mail addresses. The TOWN OF HAY RIVER reserves the right to obtain and check references of the contractor other than those given in the proposal. A contract will not be awarded to any company whose references, in the opinion of the TOWN OF HAY RIVER, are found to be unsatisfactory. Reference checks are evaluated on a pass/fail basis, and will not be scored.

## **2. Methodology**

The contractors should demonstrate their understanding of the work involved, identifying significant factors, objectives, site trips, meetings, reviews, travel, schedule, budget, and other important events or activities. Important factors to consider:

- A. How will the proposed method address the unique challenges of design and construction in the sub-arctic?
- B. How will the contractors work with the client team to resolve any issues relating to the schematic design, and ensure that any potential changes can be accommodated within the budget?
- C. How will the team manage the completion of the design including reviews by the TOWN OF HAY RIVER?
- D. How will the team ensure quality control during the construction phase? How many site inspections are proposed during the construction phase?
- E. How will the team ensure that their schedule is met?
- F. How will building commissioning be coordinated with THE TOWN OF HAY RIVER?
- G. How will the design and construction of tenant improvements be managed if so requested by the TOWN OF HAY RIVER?

## **3. Schedule**

Contractors are required to provide a project schedule indicating important milestones and critical tasks in the design and construction process.

Indicate how the schedule addresses the challenges and logistics of construction in a northern environment.

## **4. Past Relevant Experience**

Note that this part of the evaluation deals with the corporate experience of the design and construction firms. The experience of individual team members will be evaluated under 'Project Team'.

What is the past experience of the firms in the proposal, particularly for design-build projects of this type and size (or larger)? Do the firms have a demonstrated track record in successfully completing design-build building projects? Do the firms have a demonstrated track record of northern construction,



particularly in sub-arctic conditions and working with 'Good Building Practice for Northern Facilities'? Identify other relevant projects that the design and construction firms have worked on in the recent past, particularly design-build office building projects and northern projects.

## 5. Cost

Contractors are advised that the TOWN OF HAY RIVER will be unable to award a contract if the total proposed cost exceeds the amount identified in Part 5 of the Terms of Reference.

Provide a stipulated sum cost as identified below:

### A. Total Contract Cost

Contractors must provide a stipulated sum cost for the entire scope of work. Costs for design and construction must also be identified as described below.

### B. Base Building Design Services

Provide costs for the following stages of base building design services:

- confirmation of the schematic design phase
- design development phase
- construction documents phase
- construction administration services phase
- post construction services phase

These costs must include the total amounts (fees and expenses) payable for basic architectural and engineering services; any specialist consultants; the amount payable to contractors or subcontractors for their involvement in the design stages; and any other design costs.

Allow for 7 sets of printed documents for client review at each stage of the design, plus one electronic copy, plus documents required by regulatory agencies and authorities having jurisdiction. All design reviews will take place in Hay River.

Contractors should provide charge out rates for key members of the project team on a per diem or hourly basis, including all overhead and profit charges. It is intended to use charge-out rates only for the preparation of change orders, which are not anticipated to represent more than 3% of the contract value in total.

### C. Construction Costs

Provide a stipulated sum construction costs including cash allowances as identified in Section II, item 5.

### D. Cash Flow

Provide a proposed yearly cash flow. The cash flow must not exceed the amounts identified in Part 5 of the Terms of Reference.

## END OF PROPOSAL SUBMISSION REQUIREMENTS



Northwest  
Territories Aboriginal Affairs and Intergovernmental Relations

Mr. Michael Richardson  
Senior Administrative Officer  
Town of Hay River  
73 WOODLAND DRIVE  
HAY RIVER NT X0E 1G1

JUL 31 2012



Dear Mr. Richardson:

### **Proposed Interim Withdrawal of Commissioner's Land – Hay River**

This letter is to provide you with information on activities being contemplated in your community regarding the Northwest Territory Métis Nation (NWTMN) land claim negotiations.

The Government of the Northwest Territories (GNWT), the Government of Canada and the NWTMN are nearing the completion of a NWTMN Agreement-in-Principle (AIP). At this time, the parties are reviewing the proposed NWTMN AIP and are considering an interim withdrawal of certain Crown and Commissioner's land.

GNWT mandates allow for certain parcels of Commissioner's land in communities to be identified as Aboriginal community land, held in fee simple, in a Final Agreement. The first step in this process is to identify Commissioner's land that will be temporarily withdrawn from disposition. An interim withdrawal of Commissioner's land will temporarily protect these parcels of land from disposal and the creation of third-party interests, pending land selection negotiations. An interim withdrawal of Commissioner's land does not necessarily mean that all the land withdrawn will be selected by the Aboriginal party to the negotiations. Also, it does not confine land selection to the areas that have been withdrawn.

An interim withdrawal of Commissioner's land in these three communities is being planned for a term of 5 years, or until an agreement with the NWTMN is concluded, whichever happens first. It will be put in place after consultation with potentially affected Aboriginal groups and following Cabinet's consideration and approval.

The GNWT would like to arrange a meeting to provide an update on the status of NWTMN negotiations and to ensure that a withdrawal of certain parcels of untenured Commissioner's land in your community would not affect your current or future ability to deliver programs and services to your residents. Representatives from the Department of Aboriginal Affairs and Intergovernmental Relations and the Department of Municipal

.../2



and Community Affairs will be contacting your office to arrange this meeting. We would prefer to have this meeting in-camera, as some of the information we intend to share with you is confidential.

In the meantime, if you want to discuss this letter or the proposed meeting, please do not hesitate to contact Fred Talen by email at [fred\\_talen@gov.nt.ca](mailto:fred_talen@gov.nt.ca) or by telephone at (867) 873-7388.

Sincerely,



Fred Talen  
Director – Negotiations  
Aboriginal Affairs and  
Intergovernmental Relations



Emerald Murphy  
Director – Lands Administration  
Municipal and Community Affairs



Realizing that not everyone is able to attend the Yellowknife hearing, the Committee is requesting written submissions from all interested parties.

Please mail your submissions to Gail Bennett, Committee Clerk, P.O. Box 1320, Yellowknife, NT X1A 2L9 or email them to [gail\\_bennett@gov.nt.ca](mailto:gail_bennett@gov.nt.ca). Submissions should be received no later than 5 p.m. on August 16, 2012. The Committee does have a small travel budget and after reviewing the submissions, may wish to invite some stakeholders to the public hearing in Yellowknife for further discussion.

We look forward to your participation in the review of Bill 5. If you need additional information or have any questions, please contact Gail Bennett at (967) 669-2343 or at the e-mail address above.

Thank you and we look forward to hearing your views on this important piece of legislation.



Alfred Moses  
Committee Chair

Enclosure      Distribution List

cc:              Committee Members  
                    Committee Staff

# Public Hearings On Bill 5 – *Legal Aid Act*

## Distribution List

<b>AKAITCHO</b>		
<p><b>Chief Louis Balsillie</b> <i>Deninu K-ue First Nation</i> PO BOX 1899 FT. RESOLUTION, NT X0E 0M0</p>	<p><b>Chief David Poitras</b> <i>Salt River First Nation</i> PO BOX 960 FT. SMITH, NT X0E 0P0</p>	<p><b>Chief Edward Sangris</b> <i>Yellowknives Dene First Nation (Dettah)</i> PO BOX 2514 YELLOWKNIFE, NT X1A 2P8</p>
<p><b>Chief Teddy T'Setta</b> <i>Yellowknives Dene First Nation (Ndilo)</i> PO BOX 2514 YELLOWKNIFE, NT X1A 2P8</p>	<p><b>Chief Cheyenne Paulette</b> <i>Smith Landing First Nation</i> PO BOX 1470 FORT SMITH, NT X0E 0P0</p>	<p><b>Chief Dora Enzo</b> <i>Lutsel K'e Dene Band</i> PO BOX 28 LUTSEL K'E, NT X0E 1A0</p>
<b>DEHCHO</b>		
<p><b>Chief Wayne Sabourin</b> <i>Deh Gah Got'ie First Nation</i> PO BOX 200 FT. PROVIDENCE, NT X0E 0L0</p>	<p><b>Chief Stanley Sanguz</b> <i>Jean Marie River First Nation</i> GENERAL DELIVERY FT. SIMPSON, NT X0E 0N0</p>	<p><b>Chief Jim Antoine</b> <i>Liidlii Kue First Nation</i> PO BOX 469 FT. SIMPSON, NT X0E 0N0</p>
<p><b>Chief Fred Tesou</b> <i>Nahanni Butte Dene Band</i> GENERAL DELIVERY FT. SIMPSON, NT X0E 0N0</p>	<p><b>Chief Roy Fabian</b> <i>Hay River Dene Reserve</i> PO BOX 3060 HAY RIVER, NT X0E 1G4</p>	<p><b>Chief Lloyd Chicot</b> <i>Ka'a'gee Tu First Nation</i> PO BOX 4428 HAY RIVER, NT X0E 1G3</p>
<p><b>Chief Gwen Cayen</b> <i>West Point First Nation</i> #1, 4703 MACKENZIE HIGHWAY HAY RIVER, NT X0E 0R9</p>	<p><b>Chief Dolphus Jumbo</b> <i>Sambaa K'e Dene Band</i> PO BOX 10 TROUT LAKE, NT X0E 1Z0</p>	<p><b>Chief Tim Lennie</b> <i>Pehdzeh Ki Dene Band</i> GENERAL DELIVERY WRIGLEY, NT X0E 1E0</p>
<p><b>Chief Harry Deneron</b> <i>Acho Dene Koe First Nation</i> GENERAL DELIVERY FT. LIARD, NT X0E 0A0</p>		
<b>GWICH'IN</b>		
<p><b>Chief Danny Greenland</b> <i>Aklavik Indian Band</i> PO BOX 118 AKLAVIK, NT X0E 0A0</p>	<p><b>Chief William Koe</b> <i>Tetlit Gwich'in Council</i> PO BOX 30 FT. MCPHERSON, NT X0E 0J0</p>	<p><b>Chief Herbert Blake Jr.</b> <i>Inuvik Native Band</i> PO BOX 2570 INUVIK, NT X0E 0T0</p>
<p><b>Chief Phillip Blake</b> <i>Gwichya Gwich'in Council</i> GENERAL DELIVERY TSIIGEHTCHIC, NT X0E 0B0</p>		

**SAHTU**

Chief Richard Kochon  
*Behdzi Ahda First Nation*  
BOX 53  
COLVILLE LAKE, NT  
X0E 1L0 Chief Raymond

Chief Raymond Tutcho  
*Deline First Nation*  
PO BOX 158  
DELINE, NT X0E 0G0

Chief Wilfred McNeely Jr.  
*K'asho Gotine Dene Band*  
GENERAL DELIVERY  
FT. GOOD HOPE, NT X0E 0H0

Chief Frank Andrew  
*Tulita Band Council*  
PO BOX 118  
TULITA, NT X0E 0K0

**TLICHO**

Chief Clifford Daniels (Fort Rae)  
*Behchoko Community Government*  
PO BOX 412  
BEHCHOKO, NT X0E 0Y0

Chief Edward Chocolate (RL)  
*Gameti Community Gov't*  
PO BOX 104  
GAMETI, NT X0E 1R0

Chief Alfonz Nitsiza (LacLaMarte)  
*Whati Community Government*  
PO BOX 92  
WHA TI, NT X0E 1P0

Chief Charlie Football (Snare)  
*Wekwe'ti Community Gov't*  
PO BOX 34  
WEK WETI, NT X0E 1W0

THIRD SESSION,  
SEVENTEENTH LEGISLATIVE ASSEMBLY  
OF THE NORTHWEST TERRITORIES

TROISIÈME SESSION,  
DIX-SEPTIÈME ASSEMBLÉE LÉGISLATIVE  
DES TERRITOIRES DU NORD-OUEST

BILL 5

PROJET DE LOI 5

LEGAL AID ACT

LOI SUR L'AIDE JURIDIQUE

Summary

Résumé

This Bill repeals and replaces the *Legal Services Act* and continues the Legal Services Board of the Northwest Territories as the Northwest Territories Legal Aid Commission. Transitional matters are provided for, and Schedule A of the *Financial Administration Act* is consequentially amended to refer to the Commission.

La présente loi abroge et remplace la *Loi sur les services juridiques* et maintient la Commission des services juridiques des Territoires du Nord-Ouest sous le nom de la Commission d'aide juridique des Territoires du Nord-Ouest. Des dispositions transitoires sont incluses et l'annexe A de la *Loi sur la gestion des finances publiques* est modifiée de façon corrélative en ce qui concerne le renvoi à la Commission.

DISPOSITION

Date of Notice Date de l'avis	1st Reading 1 <sup>re</sup> lecture	2nd Reading 2 <sup>e</sup> lecture	To Committee Au Comité	Chairperson Président	Reported Rapport	3rd Reading 3 <sup>e</sup> lecture	Date of Assent Date de sanction

**LEGAL AID ACT**

**LOI SUR L'AIDE JURIDIQUE**

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BILL 5

LEGAL AID ACT

INTERPRETATION

Definitions

1. In this Act,

"applicant" means an individual who makes an application under subsection 9(1); (*auteur d'une demande*)

"assessment" means an assessment issued under subsection 11(3); (*évaluation*)

"claim" means a claim under section 20 for remuneration and reimbursement; (*demande*)

"client" means an individual who  
(a) is authorized to receive legal aid services from a lawyer under section 10, or  
(b) is receiving or has received legal aid services from a lawyer; (*client*)

"Commission" means the Northwest Territories Legal Aid Commission continued under section 4; (*Commission*)

"eligible person" means an individual who is determined to be an eligible person under section 9; (*personne admissible*)

"Executive Director" means the Executive Director of the Commission appointed under section 6; (*directeur général*)

"Law Society" means the Law Society of the Northwest Territories, established under subsection 2(1) of the *Legal Profession Act*; (*Barreau*)

"lawyer" means a person who is entitled to practice law in the Northwest Territories under the *Legal Profession Act*; (*avocat*)

"legal aid services" means legal and other services provided under this Act; (*services d'aide juridique*)

"member of the public service" means an employee as defined in subsection 1(1) of the *Public Service Act*; (*membre de la fonction publique*)

"panel" means a panel of lawyers established under subsection 14(1); (*liste*)

PROJET DE LOI 5

LOI SUR L'AIDE JURIDIQUE

DÉFINITIONS

Définitions

1. Les définitions qui suivent s'appliquent à la présente loi.

«auteur d'une demande» Particulier qui fait une demande en application du paragraphe 9(1). (*applicant*)

«avocat» Avocat autorisé à exercer sa profession dans les Territoires du Nord-Ouest. (*lawyer*)

«avocat inscrit sur la liste» Avocat en pratique privé qui, après en avoir fait la demande, est inscrit sur la liste en application du paragraphe 14(4). (*panel lawyer*)

«avocat membre du personnel» Avocat qui est, à la fois :

- a) membre de la fonction publique;
- b) fonctionnaire membre du personnel de la Commission. (*staff lawyer*)

«Barreau» Le Barreau des Territoires du Nord-Ouest établi en application du paragraphe 2(1) de la *Loi sur la profession d'avocat*. (*Law Society*)

«client» Particulier qui, selon le cas :  
a) est autorisé à recevoir des services d'aide juridique d'un avocat en vertu de l'article 10;  
b) reçoit ou a reçu des services d'aide juridique d'un avocat. (*client*)

«Commission» La Commission d'aide juridique des Territoires du Nord-Ouest maintenue en vertu de l'article 4. (*Commission*)

«demande» Demande de rémunération et de remboursement en application de l'article 20. (*claim*)

«directeur général» Le directeur général de la Commission nommé en vertu de l'article 6. (*Executive Director*)

«évaluation» Évaluation effectuée en vertu du paragraphe 11(3). (*assessment*)

«fonctionnaire membre du personnel» Membre de la fonction publique à l'emploi de la Commission. (*staff*)

"panel lawyer" means a lawyer in private practice who is designated to a panel under subsection 14(4); (*avocat inscrit sur la liste*)

"remuneration" means remuneration received by a lawyer in accordance with the tariff of fees for the provision of legal aid services; (*rémunération*)

"reimbursement" means the reimbursement of reasonable disbursements incurred by a lawyer for the provision of legal aid services; (*remboursement*)

"staff lawyer" means a lawyer who is  
(a) a member of the public service, and  
(b) a staff member of the Commission;  
(*avocat membre du personnel*)

"staff member" means a member of the public service who is employed by the Commission; (*fonctionnaire membre du personnel*)

"student-at-law" means a student-at-law as defined in section 1 of the *Legal Profession Act*. (*stagiaire en droit*)

"tariff of fees" means the tariff of fees prescribed under subparagraph 21(1)(a)(i). (*tarif des honoraires*)

*member*)

«liste» Liste d'avocats établie sous le régime du paragraphe 14(1). (*panel*)

«membre de la fonction publique» Fonctionnaire au sens du paragraphe 1(1) de la *Loi sur la fonction publique*. (*member of the public service*)

«personne admissible» Personne jugée admissible en application de l'article 9. (*eligible person*)

«remboursement» Remboursement des débours raisonnables engagés par un avocat dans le cadre de la prestation de services d'aide juridique. (*reimbursement*)

«rémunération» Rémunération reçue par un avocat en conformité avec le tarif des honoraires pour la prestation de services d'aide juridique. (*remuneration*)

«services d'aide juridique» Services, notamment juridiques, fournis sous le régime de la présente loi. (*legal aid services*)

«stagiaire en droit» Stagiaire en droit au sens de l'article 1 de la *Loi sur la profession d'avocat*. (*student-at-law*)

«tarif des honoraires» Tarif des honoraires prévu au sous-alinéa 21(1)a)(i). (*tariff of fees*)

Purpose of Act

**2.** The purpose of this Act is to promote access to justice throughout the Northwest Territories by

- (a) making available and providing legal aid services to eligible persons in a cost effective and efficient manner;
- (b) encouraging and facilitating flexibility and innovation in the provision of legal aid services and programs, including the use of alternative dispute resolution;
- (c) identifying, assessing and recognizing the diverse legal needs of eligible persons; and
- (d) providing legal aid services to eligible persons through a public agency that will operate independently from the Government of the Northwest Territories but within a framework of accountability to that government in respect of the expenditure of public money.

**2.** La présente loi a pour objet de faciliter l'accès à la justice, partout aux Territoires du Nord-Ouest, à la fois :

- a) en rendant accessible et en fournissant des services d'aide juridique aux personnes admissibles d'une manière rentable et efficace;
- b) en encourageant et en favorisant la souplesse et l'innovation dans la prestation de programmes et de services d'aide juridique, notamment l'usage du mode alternatif de règlement des conflits;
- c) en définissant, en évaluant et en reconnaissant les divers besoins sur le plan juridique des personnes admissibles;
- d) en fournissant des services d'aide juridique aux personnes admissibles par l'entremise d'un organisme public qui exerce ses activités indépendamment du gouvernement des Territoires du Nord-Ouest, mais qui doit rendre compte à ce gouvernement de son utilisation des

Objet de la Loi

fonds publics.

## ADMINISTRATION

## APPLICATION

### Minister

### Ministre

Duties	<b>3.</b> (1) The Minister shall consider recommendations made by the Commission under this Act.	<b>3.</b> (1) Le ministre tient compte des recommandations faites par la Commission en application de la présente loi.	Fonctions
Powers	(2) The Minister may, on the recommendation of the Commission, (a) determine the number of staff employed by the Commission; and (b) establish, modify or discontinue any service or program of the Commission.	(2) Sur la recommandation de la Commission, le ministre peut : a) fixer le nombre de personnes à l'emploi de la Commission; b) créer, modifier ou abandonner tout service ou programme de la Commission.	Pouvoirs
Agreements	(3) The Minister may, on behalf of the Government of the Northwest Territories, enter into agreements with (a) the Government of Canada respecting the sharing by both governments of the costs of (i) providing legal aid services and programs, and (ii) administering this Act and related matters; or (b) a province or territory respecting the application of (i) this Act and the regulations to residents of that province or territory, and (ii) corresponding legislation of that province or territory to residents of the Northwest Territories.	(3) Au nom du gouvernement des Territoires du Nord-Ouest, le ministre peut conclure des ententes avec, selon le cas : a) le gouvernement du Canada concernant le partage par ces gouvernements des frais entraînés par, à la fois : (i) la prestation des programmes et des services d'aide juridique, (ii) l'application de la présente loi et de questions connexes; b) une province ou un territoire concernant l'application, à la fois : (i) de la présente loi et des règlements aux résidents de cette province ou de ce territoire, (ii) des lois et règlements correspondants de cette province ou de ce territoire aux résidents des Territoires du Nord-Ouest.	Ententes
	Northwest Territories Legal Aid Commission	Commission d'aide juridique des Territoires du Nord-Ouest	
Commission	<b>4.</b> (1) The Legal Services Board of the Northwest Territories, a body corporate, is continued as the Northwest Territories Legal Aid Commission.	<b>4.</b> (1) La Commission des services juridiques des Territoires du Nord-Ouest, dotée de la personnalité morale, est prorogée à titre de Commission d'aide juridique des Territoires du Nord-Ouest.	Commission
Head office	(2) The head office of the Commission is in Yellowknife.	(2) Le siège social de la Commission est situé à Yellowknife.	Siège social
Independent but accountable	(3) The Commission is independent from the Government of the Northwest Territories, but functions within a framework of accountability to that government with respect to the expenditure of public money.	(3) La Commission est indépendante du gouvernement des Territoires du Nord-Ouest, mais elle exerce ses fonctions dans le cadre de responsabilisation envers celui-ci quant à l'utilisation des fonds publics.	Indépendant, mais responsable

Appointments	<p>(4) The Minister shall appoint at least three and not more than five members of the Commission, including</p> <ul style="list-style-type: none"> <li>(a) at least one member who is a lawyer in private practice nominated by the Law Society; and</li> <li>(b) at least one member who is a member of the public service.</li> </ul>	<p>(4) Le ministre nomme au moins trois et au plus cinq membres de la Commission, dont :</p> <ul style="list-style-type: none"> <li>a) au moins un est avocat d'un cabinet privé désigné par le Barreau;</li> <li>b) au moins un est membre de la fonction publique.</li> </ul>	Nominations
Criteria	<p>(5) The Minister shall, in appointing Commission members, consider the diversity of the population and the gender balance of the Northwest Territories, but any failure to achieve balance in the composition of the Commission does not affect the validity of any of its proceedings or decisions.</p>	<p>(5) Lors de la nomination des membres de la Commission, le ministre tient compte de la diversité de la population et de l'équilibre de genre aux Territoires du Nord-Ouest. Toutefois, le défaut d'atteindre une composition équilibrée n'affecte pas la validité des activités ou des décisions de la Commission.</p>	Critères
Term	<p>(6) A member of the Commission shall be appointed for a term not exceeding three years as specified in the instrument of appointment.</p>	<p>(6) Les membres de la Commission sont nommés pour un mandat maximal de trois ans; la durée de leur mandat est précisée dans le document de nomination.</p>	Mandat
Honorariums and expenses	<p>(7) Subject to the regulations, members of the Commission shall be</p> <ul style="list-style-type: none"> <li>(a) paid honorariums; and</li> <li>(b) reimbursed for reasonable expenses incurred in the performance of the duties and in the exercise of the powers of the Commission.</li> </ul>	<p>(7) Sous réserve des règlements, les membres de la Commission reçoivent, à la fois :</p> <ul style="list-style-type: none"> <li>a) des honoraires;</li> <li>b) le remboursement de leurs dépenses raisonnables engagées dans l'exercice des attributions de la Commission.</li> </ul>	Honoraires et dépenses
Duties	<p>(8) The Commission shall</p> <ul style="list-style-type: none"> <li>(a) prepare an annual report and submit it to the Minister in accordance with Part IX of the <i>Financial Administration Act</i>;</li> <li>(b) receive payment from clients who make contributions under section 11 to the cost of legal aid services;</li> <li>(c) make payments, in accordance with the regulations, to lawyers for remuneration and reimbursements;</li> <li>(d) hear and decide on appeals of decisions made under section 13;</li> <li>(e) hear and decide on reviews of claim adjustments made under subsection 20(7);</li> <li>(f) supervise the Executive Director; and</li> <li>(g) do anything else required of it under any enactment.</li> </ul>	<p>(8) La Commission exerce les fonctions suivantes :</p> <ul style="list-style-type: none"> <li>a) elle dresse un rapport annuel et le remet au ministre en conformité avec la partie IX de la <i>Loi sur la gestion des finances publiques</i>;</li> <li>b) elle reçoit les paiements des clients qui contribuent au coût des services d'aide juridique en application de l'article 11;</li> <li>c) elle effectue des paiements aux avocats, en conformité avec les règlements, à titre de rémunération et de remboursement;</li> <li>d) elle connaît des appels des décisions prises en application de l'article 13;</li> <li>e) elle connaît des révisions de rajustements de demandes faites en application du paragraphe 20(7);</li> <li>f) elle supervise le directeur général;</li> <li>g) elle exerce toute autre fonction qui lui est imposée en vertu d'un texte législatif.</li> </ul>	Fonctions
Powers	<p>(9) The Commission may</p> <ul style="list-style-type: none"> <li>(a) make guidelines in respect of the provision of legal aid services and programs, including the determination of <ul style="list-style-type: none"> <li>(i) whether or not a person is an eligible person under section 9,</li> </ul> </li> </ul>	<p>(9) La Commission peut :</p> <ul style="list-style-type: none"> <li>a) émettre des directives concernant la prestation de programmes et de services d'aide juridique, notamment décider des questions suivantes : <ul style="list-style-type: none"> <li>(i) l'admissibilité d'une personne en</li> </ul> </li> </ul>	Pouvoirs

- (ii) whether or not an eligible person is authorized to receive legal aid services under section 10, and
- (iii) the amount, if any, that a client is to contribute to the cost of legal aid services under section 11;
- (b) develop and coordinate programs
  - (i) to promote alternative dispute resolution, and
  - (ii) to increase knowledge of the law and the administration of justice;
- (c) establish and maintain panels under subsection 14(1);
- (d) make recommendations to the Minister respecting the number of Commission staff, the opening or closing of offices and the establishment of new services;
- (e) enter into agreements with the Minister relating to the administration of this Act;
- (f) establish programs for the provision of legal aid services and provide training and employment for individuals, other than lawyers and students-at-law, who provide those legal aid services;
- (g) evaluate legal aid services and programs;
- (h) exchange information about legal aid services and programs with persons administering corresponding legislation in a province or territory;
- (i) advise the Minister of any recommendations for amendments to this Act or the regulations;
- (j) establish subcommittees; and
- (k) delegate any of its powers to the Executive Director.

#### Commission Meetings

Chairperson **5.** (1) The Commission shall, at its first meeting in each fiscal year, elect a chairperson and vice-chairperson from among its members.

Absence (2) If the chairperson is unable to attend a meeting, the vice-chairperson shall act as the chairperson for that meeting.

- application de l'article 9,
- (ii) l'admissibilité d'une personne à recevoir des services d'aide juridique en application de l'article 10,
- (iii) le montant de la contribution éventuelle du client au coût des services d'aide juridique en application de l'article 11;
- b) élaborer et coordonner des programmes qui :
  - (i) d'une part, encouragent le mode alternatif de règlement des conflits,
  - (ii) d'autre part, augmentent la connaissance de la loi et de l'administration de la justice;
- c) créer et maintenir des listes en application du paragraphe 14(1);
- d) faire des recommandations au ministre relativement au nombre d'employés de la Commission, à l'ouverture et la fermeture de bureaux et à la création de nouveaux services;
- e) conclure des ententes avec le ministre relativement à l'application de la présente loi;
- f) créer des programmes en vue de la prestation de services d'aide juridique et offrir de la formation et de l'emploi aux individus, autres que les avocats et les stagiaires en droit, qui offrent ces services d'aide juridique;
- g) évaluer les programmes et les services d'aide juridique;
- h) partager des renseignements relatifs aux programmes et aux services d'aide juridique avec les responsables de l'application des lois correspondantes dans une province ou un territoire;
- i) conseiller le ministre au sujet de recommandations de modifications à la présente loi ou aux règlements;
- j) constituer des sous-comités;
- k) déléguer n'importe quel de ses pouvoirs au directeur général.

#### Réunions de la Commission

**5.** (1) Lors de la première réunion de chaque exercice, la Commission élit son président et son vice-président parmi ses membres. Président

(2) En cas d'empêchement du président lors d'une réunion, le vice-président agit à titre de président pour cette réunion. Empêchement

Vacancy	(3) If the position of chairperson becomes vacant, the vice-chairperson shall act as the chairperson until a new chairperson is elected.	(3) En cas de vacance du poste de président, le vice-président agit à titre de président jusqu'à l'élection d'un nouveau président.	Vacance
Secretary	(4) The Executive Director is the secretary to the Commission.	(4) Le directeur général est le secrétaire de la Commission.	Secrétaire
Meetings	(5) The Executive Director shall call a meeting of the Commission when requested to do so by at least three of its members.	(5) Le directeur général convoque une réunion de la Commission à la demande d'au moins trois membres de celle-ci.	Convocation
Quorum	(6) Three members constitute a quorum at a Commission meeting.	(6) Lors des réunions de la Commission, trois membres constituent le quorum.	Quorum
Proceedings	(7) The Commission may regulate its own proceedings and the manner of calling its meetings.	(7) La Commission peut régir sa procédure et le mode de convocation de ses réunions.	Règlement interne
	Executive Director	Directeur général	
Appointment	<b>6.</b> (1) The Commissioner, on the joint recommendation of the Minister and the Commission, shall appoint an Executive Director, who must be a lawyer, to serve as chief executive officer of the Commission.	<b>6.</b> (1) Le commissaire, sur la recommandation du ministre et de la Commission, nomme le directeur général, qui doit être avocat, à titre de premier dirigeant de la Commission.	Nomination
Duties	(2) The Executive Director shall (a) supervise the staff of the Commission; (b) assist the Commission in meeting its reporting requirements under paragraph 4(8)(a); (c) perform the duties imposed by this Act and the regulations; and (d) perform any other tasks assigned by the Commission.	(2) Le directeur général exerce les fonctions suivantes : a) il supervise le personnel de la Commission; b) il aide la Commission à respecter les exigences en matière de rapports en application de l'alinéa 4(8)a); c) il exerce les fonctions que lui confèrent la présente loi et ses règlements; d) il exerce les autres fonctions que lui attribue la Commission.	Fonctions
Powers	(3) The Executive Director may (a) enter into agreements or contracts, on behalf of the Commission, relating to the administration of this Act; (b) enter into contracts with lawyers for legal aid services; (c) designate persons as legal aid representatives with authority, to the extent authorized by the Executive Director, to receive and process applications for legal aid services; (d) delegate any of his or her duties to a staff member; (e) take any other measures necessary, incidental or conducive to carrying out the purposes of this Act.	(3) Le directeur général peut : a) conclure des ententes ou des contrats, au nom de la Commission, relativement à l'application de la présente loi; b) conclure des contrats avec des avocats relativement aux services d'aide juridique; c) désigner des personnes à titre de représentants de l'aide juridique autorisés à recevoir et à étudier des demandes d'aide juridique, dans la mesure qu'il autorise; d) déléguer n'importe quel de ses pouvoirs à un fonctionnaire membre du personnel; e) prendre toute autre mesure nécessaire, accessoire ou favorable à la réalisation de l'objet de la présente loi.	Pouvoirs

Commission staff	(4) The staff of the Commission, including the Executive Director, are members of the public service.	(4) Le personnel de la Commission, y compris le directeur général, sont des membres de la fonction publique.	Personnel de la Commission
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Liability

Responsabilité

Commission not liable	7. (1) The Commission and its members are not liable for the act or omission of any person who provides legal aid services to a client.	7. (1) Ni la Commission ni ses membres ne sont responsables des actes ou des omissions de toute personne qui offre des services d'aide juridique à un client.	Non responsabilité de la Commission
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Professional responsibility continues	(2) Notwithstanding subsection (1), a lawyer or student-at-law who provides legal aid services under this Act continues to be subject to the <i>Legal Profession Act</i> and the rules made under that Act.	(2) Malgré le paragraphe (1), un avocat ou un stagiaire en droit qui fournit des services d'aide juridique en application de la présente loi continue d'être assujéti à la <i>Loi sur la profession d'avocat</i> et aux règles prises en vertu de cette loi.	Maintien de la responsabilité professionnelle
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LEGAL AID SERVICES

SERVICES D'AIDE JURIDIQUE

Legal Aid Services Covered

Services d'aide juridique couverts

Services covered	<p><b>8. (1)</b> Subject to subsection (2), legal aid services may be provided</p> <ul style="list-style-type: none"> <li>(a) in respect of a summary conviction or indictable offence under an Act of Canada;</li> <li>(b) under the <i>Youth Justice Act</i> or the <i>Youth Criminal Justice Act</i> (Canada);</li> <li>(c) in respect of family and civil matters;</li> <li>(d) in respect of an appeal;</li> <li>(e) under the <i>Extradition Act</i> (Canada);</li> <li>(f) in respect of an offence under an enactment of the Northwest Territories; or</li> <li>(g) in respect of any other prescribed offence or matter.</li> </ul>	<p><b>8. (1)</b> Sous réserve du paragraphe (2), des services d'aide juridique peuvent être offerts, selon le cas :</p> <ul style="list-style-type: none"> <li>a) à l'égard d'une déclaration de culpabilité par procédure sommaire ou d'une infraction punissable par mise en accusation en vertu d'une loi fédérale;</li> <li>b) au titre de la <i>Loi sur le système de justice pour les adolescents</i> ou de la <i>Loi sur le système de justice pénale pour les adolescents</i> (Canada);</li> <li>c) en matière civile et en matière familiale;</li> <li>d) à l'égard d'appels;</li> <li>e) au titre de la <i>Loi sur l'extradition</i> (Canada);</li> <li>f) à l'égard d'infractions en vertu d'un texte législatif des Territoires du Nord-Ouest;</li> <li>g) à l'égard de toute autre infraction ou affaire visée par règlement.</li> </ul>	Services couverts
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Services not covered	<p>(2) Legal aid services may not be provided in respect of any of the following matters:</p> <ul style="list-style-type: none"> <li>(a) defamation;</li> <li>(b) incorporation, formation or dissolution of corporations, societies or partnerships;</li> <li>(c) real property transactions;</li> <li>(d) labour arbitrations or conciliations;</li> <li>(e) proceedings relating to elections;</li> <li>(f) if the Executive Director considers that the matter is of a kind that a lawyer would ordinarily provide services on the understanding that he or she would be remunerated out of proceeds realized through pursuit of the matter;</li> <li>(g) any other prescribed matter.</li> </ul>	<p>(2) Des services d'aide juridique ne peuvent pas être offerts à l'égard des affaires suivantes :</p> <ul style="list-style-type: none"> <li>a) la diffamation;</li> <li>b) la constitution en personne morale, la formation ou à la dissolution de personnes morales, de sociétés ou de sociétés en nom collectif;</li> <li>c) les opérations immobilières;</li> <li>d) l'arbitrage ou la conciliation en droit du travail;</li> <li>e) les procédures en matière électorale;</li> <li>f) les affaires pour lesquelles, selon le directeur général, un avocat accepterait ordinairement de fournir des services, étant entendu que ses honoraires seraient</li> </ul>	Services non couverts
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prélevés à même les sommes recouvrées;  
g) toute autre affaire visée par règlement.

### Eligible Persons

### Personne admissible

Applying	<b>9.</b> (1) An individual may apply to the Executive Director to be recognized as an eligible person.	<b>9.</b> (1) Un particulier peut présenter une demande au directeur général afin d'être reconnu comme personne admissible.	Demande
Determination	(2) The Executive Director shall determine whether or not an applicant is an eligible person.	(2) Le directeur général détermine si l'auteur d'une demande est une personne admissible.	Détermination
Obligation to disclose	(3) An applicant shall provide any financial or other information that the Executive Director requires to determine whether or not the applicant is an eligible person.	(3) L'auteur d'une demande fournit tous les renseignements, notamment les renseignements financiers, essentiels au directeur général afin de déterminer s'il est une personne admissible.	Obligation de divulguer
Change in circumstances	(4) Where there is a material change to information provided under subsection (3) in respect of an eligible person, he or she shall inform the Executive Director of the change without delay and provide any information that may be requested.	(4) Lorsqu'il y a un changement important dans les renseignements la concernant qu'elle fournit en vertu du paragraphe (3), la personne admissible en avise le directeur général, sans délai, et fournit tout renseignement qui peut lui être demandé.	Changement dans sa situation
Redetermination	(5) On becoming aware of a material change to information provided under subsection (3), the Executive Director shall determine if the individual is still an eligible person.	(5) Lorsqu'il prend connaissance du fait qu'il y a un changement important dans les renseignements fournis en vertu paragraphe (3), le directeur général détermine si le particulier est toujours une personne admissible.	Nouvelle détermination
If no longer eligible person	(6) On determining that an individual is no longer an eligible person, the Executive Director shall (a) inform the individual and his or her lawyer; and (b) revoke, in accordance with subsections 10(8) and (9), any authorization made in respect of that individual.	(6) Lorsqu'il détermine qu'un particulier n'est plus une personne admissible, le directeur général, à la fois : a) en avise le particulier et son avocat; b) révoque, en conformité avec les paragraphes 10(8) et (9), toute autorisation accordée à cette personne.	Si le particulier n'est plus une personne admissible
<b>Authorizing the Provision of Legal Aid Services</b>		<b>Autorisation de prestation de services d'aide juridique</b>	
Executive Director	<b>10.</b> (1) On determining that an applicant is an eligible person under section 9, the Executive Director shall determine whether or not the eligible person should be provided with legal aid services.	<b>10.</b> (1) Lorsqu'il conclut que l'auteur d'une demande est une personne admissible en application de l'article 9, le directeur général détermine aussi si la personne admissible peut recevoir des services d'aide juridique.	Directeur général
Legal advice of lawyer required in criminal appeals	(2) The Executive Director shall not authorize the provision of legal aid services in respect of an appeal by the defence in a criminal matter, unless (a) a lawyer advises the Executive Director in writing that the appeal has merit; and (b) the Executive Director concurs with the lawyer's advice.	(2) Le directeur général n'autorise pas la prestation de services d'aide juridique relativement à un appel interjeté par la partie défenderesse dans une affaire criminelle, sauf : a) d'une part, s'il reçoit les conseils écrits d'un avocat portant que l'appel est bien fondé; b) d'autre part, s'il accepte les conseils de l'avocat.	Conseils juridiques d'un avocat obligatoires quant aux appels en matière criminelle

Legal opinion of lawyer required in civil matters	<p>(3) The Executive Director shall not authorize the provision of legal aid services in respect of a commencement, defence, continuation or appeal of a family or civil matter unless</p> <p>(a) a lawyer supplies to the Executive Director a written opinion stating that it is reasonable in the circumstances for the proceedings to be commenced, defended, continued or appealed; and</p> <p>(b) the Executive Director concurs with the lawyer's opinion.</p>	<p>(3) Le directeur général, dans le cas d'une instance en matière civile ou familiale, n'autorise pas la prestation de services d'aide juridique pour introduire ou continuer l'instance, agir en défense ou interjeter appel, sauf :</p> <p>a) d'une part, s'il reçoit un avis juridique écrit d'un avocat portant qu'il est raisonnable dans les circonstances d'introduire ou de continuer l'instance, d'agir en défense ou d'interjeter appel;</p> <p>b) d'autre part, s'il accepte l'avis juridique de l'avocat.</p>	Avis juridique d'un avocat obligatoire en matière civile
<i>Pro bono</i> and other legal aid services	<p>(4) A panel lawyer may provide legal aid services without authorization from the Executive Director, but that lawyer shall not receive remuneration or reimbursement from the Commission for the provision of those services unless, subject to subsection (5), the Executive Director authorizes the provision of those services.</p>	<p>(4) L'avocat inscrit sur la liste peut fournir des services d'aide juridique sans l'autorisation du directeur général; il ne reçoit alors aucune rémunération ou aucun remboursement de la Commission pour la prestation de ces services sauf, sous réserve du paragraphe (5), si le directeur général autorise la prestation de ces services.</p>	Services d'aide juridique bénévoles et autres
Retroactive authorization	<p>(5) The Executive Director may not authorize the provision of legal aid services by a panel lawyer more than 30 days after the provision of those services.</p>	<p>(5) Le directeur général ne peut pas autoriser la prestation de services d'aide juridique par un avocat inscrit sur la liste plus de 30 jours après la prestation de ces services.</p>	Autorisation rétroactive
Terms and conditions	<p>(6) On authorizing the provision of legal aid services under this section, the Executive Director may impose any terms or conditions he or she considers necessary.</p>	<p>(6) Lorsqu'il autorise la prestation de services d'aide juridique en application du présent article, le directeur général peut imposer les conditions qu'il estime nécessaires.</p>	Conditions
Obligation to disclose	<p>(7) A panel lawyer or staff member who has a reasonable belief of any of the following, shall notify the Executive Director of that belief without delay:</p> <p>(a) that a client has misrepresented or failed to fully disclose his or her circumstances in applying for legal aid services;</p> <p>(b) that there has been a change of circumstances since the application was made such that the client may no longer be an eligible person;</p> <p>(c) that it is no longer reasonable in the circumstances that the client continue to receive legal aid services.</p>	<p>(7) L'avocat inscrit sur la liste ou le fonctionnaire membre du personnel doit sans délai aviser le directeur général s'il a un motif raisonnable de croire :</p> <p>a) qu'un client dans sa demande de services d'aide juridique a présenté sa situation de manière inexacte ou a omis de la divulguer entièrement;</p> <p>b) qu'en raison d'un changement de situation depuis le moment de la demande, il est possible que le client ne soit plus une personne admissible;</p> <p>c) qu'il n'est plus raisonnable dans les circonstances que le client continue de recevoir des services d'aide juridique.</p>	Obligation de divulguer
Reconsideration or revocation	<p>(8) The Executive Director may reconsider or revoke an authorization made under this section, if he or she concludes that</p> <p>(a) the client is not an eligible person;</p> <p>(b) it is no longer reasonable in the circumstances that the client continue to receive legal aid services; or</p> <p>(c) the client has failed to comply with any terms and conditions imposed under</p>	<p>(8) Le directeur général peut réviser ou retirer l'autorisation accordée en application du présent article s'il conclut, selon le cas :</p> <p>a) que le client n'est pas une personne admissible;</p> <p>b) qu'il n'est plus raisonnable dans les circonstances que le client continue de recevoir des services d'aide juridique;</p> <p>c) que le client n'a pas respecté les</p>	Révision ou retrait

	subsection (6).	conditions imposées en application du paragraphe (6).	
When revocation occurs	(9) On revoking an authorization, the Executive Director shall (a) inform the client and his or her lawyer of the revocation; and (b) prepare an assessment under subsection 11(3).	(9) Lorsqu'il retire l'autorisation, le directeur général : a) d'une part, avise le client et son avocat du retrait; b) d'autre part, prépare l'évaluation prévue au paragraphe 11(3).	Retrait
	Recovery of Costs for Legal Aid Services	Recouvrement du coût des services d'aide juridique	
Contribution	<b>11.</b> (1) The Executive Director may, as a condition of the provision of legal aid services, require a client to contribute towards the cost of those services in an amount determined in accordance with the guidelines made by the Commission under paragraph 4(9)(a).	<b>11.</b> (1) Le directeur général peut exiger, à titre de condition de la prestation de services d'aide juridique, que le client contribue au coût de ces services selon le montant fixé en conformité avec les directives de la Commission en application de l'alinéa 4(9)a.	Contribution
Obligation to disclose	(2) A client shall provide any information that the Executive Director requires for determining (a) the ability of the client to contribute to the cost of legal aid services; and (b) the amount of any contribution to be paid by the client.	(2) Le client fournit tous les renseignements essentiels au directeur général pour déterminer, à la fois : a) sa capacité de contribuer au coût des services d'aide juridique; b) le montant de sa contribution, le cas échéant.	Obligation de communiquer
Assessment	(3) On determining a contribution amount under subsection (2), the Executive Director shall issue the client with an assessment that states that amount.	(3) Lorsqu'il détermine le montant de la contribution en application du paragraphe (2), le directeur général remet au client l'évaluation qui énonce ce montant.	Évaluation
Debt recoverable	(4) The amount stated in the assessment is recoverable as a debt due and owing to the Commission.	(4) Le montant évalué constitue une créance de la Commission et peut être recouvré à ce titre par celle-ci.	Créance
	Money and Property	Somme d'argent et propriété	
Money paid to Commission	<b>12.</b> (1) Where an assessment is issued under subsection 11(3) and the amount stated is not paid, any money payable to a client under a judgment, order, settlement or other arrangement made or obtained in respect of a matter for which legal aid services were provided to the client, must be paid to the Commission.	<b>12.</b> (1) Lorsqu'une évaluation est remise en application du paragraphe 11(3) et que le montant qui y est fixé n'est pas payé, toute somme d'argent due au client en exécution d'un jugement, d'une ordonnance, d'un règlement ou d'une autre forme d'entente concernant l'affaire pour laquelle les services d'aide juridique ont été fournis au client doit être versée à la Commission.	Paiement à la Commission
Deductions	(2) On receiving a payment under subsection (1), the Commission shall apply it to the amount stated in the assessment and refund any remaining balance to the client.	(2) La Commission impute le paiement qu'elle reçoit en application du paragraphe (1), au montant fixé dans l'évaluation et elle verse tout solde au client.	Déductions

Charging order	(3) Where money is paid into a court under a judgment, order, settlement or other arrangement made or obtained in respect of a matter for which a client received legal aid services, the Commission may make an application to court for a charging order to attach that money in favour of the Commission.	(3) Dans le cas d'un paiement fait au tribunal en exécution d'un jugement, d'une ordonnance, d'un règlement ou d'une autre forme d'entente concernant l'affaire pour laquelle le client a reçu des services d'aide juridique, la Commission peut présenter au tribunal une demande d'ordonnance constitutive de charge en sa faveur.	Ordonnance constitutive de charge
Monetary gifts and remuneration	(4) A staff member or lawyer who receives money for legal aid services from a client as payment, shall remit the money to the Commission.	(4) Le fonctionnaire membre du personnel ou l'avocat qui reçoit d'un client une somme d'argent en contrepartie des services d'aide juridique qu'il a fournis est tenu de la remettre à la Commission.	Dons monétaires
Appeal		Appel	
Appeal to Commission	<b>13.</b> An applicant, eligible person or client may, within 30 days after being notified of any decision made by the Executive Director under section 9, 10 or 11, submit an appeal to the Commission.	<b>13.</b> L'auteur d'une demande, la personne admissible ou le client peut interjeter appel auprès de la Commission dans un délai de 30 jours après avoir pris connaissance de la décision du directeur général en application de l'article 9, 10 ou 11.	Appel à la Commission
LEGAL AID LAWYERS		AVOCATS DE L'AIDE JURIDIQUE	
Panels		Listes	
Panels	<b>14.</b> (1) The Commission may establish and maintain such panels as it considers necessary.	<b>14.</b> (1) La Commission peut constituer et tenir à jour les listes d'avocats qu'elle estime nécessaires.	Listes
Eligibility	(2) A person is eligible for designation to a panel if he or she <ul style="list-style-type: none"> <li>(a) is a lawyer;</li> <li>(b) is not a member of the public service;</li> <li>(c) is capable of providing legal aid services; and</li> <li>(d) meets any other requirements of the Commission.</li> </ul>	(2) Est admissible à être inscrit sur une liste le candidat qui remplit les conditions suivantes : <ul style="list-style-type: none"> <li>a) être avocat;</li> <li>b) ne pas être membre de la fonction publique;</li> <li>c) être apte à fournir des services d'aide juridique;</li> <li>d) remplir toute autre condition imposée par la Commission.</li> </ul>	Admissibilité
Application	(3) A person who is eligible under subsection (2) may apply to the Executive Director to be designated to a panel as a panel lawyer.	(3) Le candidat admissible en application du paragraphe (2) peut présenter au directeur général une demande d'inscription à titre d'avocat inscrit sur la liste.	Demande d'inscription
Designation	(4) The Executive Director may designate a person who applies under subsection (3) to a panel as a panel lawyer.	(4) Le directeur général peut inscrire l'auteur d'une demande prévue au paragraphe (3) à titre d'avocat inscrit sur la liste.	Inscription
Removal	(5) The Commission may, on the recommendation of the Executive Director, <ul style="list-style-type: none"> <li>(a) suspend or cancel the designation of a panel lawyer for cause; or</li> <li>(b) cancel the designation of a panel lawyer if he or she is no longer eligible for designation under subsection (2).</li> </ul>	(5) La Commission peut, sur la recommandation du directeur général, selon le cas : <ul style="list-style-type: none"> <li>a) suspendre ou annuler l'inscription d'un avocat inscrit sur la liste pour motif valable;</li> <li>b) annuler l'inscription d'un avocat inscrit sur la liste s'il n'est plus admissible à l'inscription en application du paragraphe (2).</li> </ul>	Retrait

Suspension or disbarment	(6) The designation of a panel lawyer is cancelled if he or she is suspended or disbarred.	(6) L'inscription d'un avocat inscrit sur la liste est annulée si l'avocat est suspendu ou rayé du Barreau.	Suspension ou radiation du tableau de l'ordre
Judicial review	(7) A person whose designation is suspended or cancelled may, within 30 days after being so notified, apply to the Supreme Court for judicial review.	(7) La personne dont l'inscription est suspendue ou annulée peut, dans les 30 jours de l'avis de la suspension ou de l'annulation, présenter une demande de révision judiciaire auprès de la Cour suprême.	Révision judiciaire
<b>Assignment of Cases</b>		<b>Attribution des causes</b>	
Assigning cases	<b>15.</b> (1) The Executive Director may assign a case to either a panel lawyer or a staff lawyer.	<b>15.</b> (1) Le directeur général peut attribuer les causes soit aux avocats inscrits sur la liste, soit aux avocats membres du personnel.	Attribution des causes
Factors to consider	(2) In determining an assignment, the Executive Director shall consider <ul style="list-style-type: none"> <li>(a) whether the client's rights and other interests are prejudiced by the assignment;</li> <li>(b) whether the assignment is fiscally responsible;</li> <li>(c) whether the lawyer <ul style="list-style-type: none"> <li>(i) would be placed in a conflict of interest should he or she accept the assignment, and</li> <li>(ii) has the necessary experience and expertise for the assignment; and</li> </ul> </li> <li>(d) any additional factors the Executive Director considers relevant.</li> </ul>	(2) Lorsqu'il attribue les causes, le directeur général prend en considération les facteurs suivants : <ul style="list-style-type: none"> <li>a) le cas échéant, le fait que l'attribution nuit aux droits et autres intérêts du client;</li> <li>b) le cas échéant, le fait que l'attribution est responsable sur le plan financier;</li> <li>c) le cas échéant, le fait que l'avocat : <ul style="list-style-type: none"> <li>(i) d'une part, sera en conflit d'intérêts s'il accepte le mandat,</li> <li>(ii) d'autre part, a l'expérience et la compétence requises;</li> </ul> </li> <li>d) tout autre facteur qu'il estime pertinent.</li> </ul>	Facteurs
Restriction	(3) A lawyer who is assigned a case shall not procure another lawyer to provide any legal aid service relating to that case, unless <ul style="list-style-type: none"> <li>(a) the Executive Director concurs with the procurement;</li> <li>(b) the legal aid service is limited to obtaining or attempting to obtain an adjournment of a proceeding or an interlocutory or other preliminary step in a proceeding; or</li> <li>(c) the lawyer and the client agree in writing to transfer the case to the other lawyer and the Executive Director concurs with the transfer.</li> </ul>	(3) L'avocat à qui une cause est attribuée ne peut autoriser un autre avocat à fournir des services d'aide juridique relativement à cette cause, sauf dans les cas suivants : <ul style="list-style-type: none"> <li>a) le directeur général a donné son approbation;</li> <li>b) les services d'aide juridique en question se limitent à obtenir ou à tenter d'obtenir un ajournement d'instance ou une mesure interlocutoire ou préliminaire dans une instance;</li> <li>c) l'avocat désigné et le client acceptent, par écrit, le transfert de la cause à l'autre avocat et le directeur général y souscrit.</li> </ul>	Restrictions
Student-at-law	(4) A lawyer may procure a student-at-law to provide a legal aid service relating to a case, if the lawyer and student-at-law comply with any additional requirements of the Commission.	(4) Un avocat peut autoriser un stagiaire en droit à fournir des services d'aide juridique relativement à une cause si tous deux se conforment à toute exigence supplémentaire de la Commission.	Stagiaire en droit

## Territorial Court Circuit

## Circuit de la Cour territoriale

Assignment to circuit	<b>16.</b> Where the Executive Director is of the opinion that a lawyer will be required to provide legal aid services on a Territorial Court circuit, the Executive Director shall arrange for at least one lawyer to accompany the circuit to provide those services to clients.	<b>16.</b> S'il estime qu'il sera nécessaire qu'un avocat fournisse des services d'aide juridique dans un circuit de la Cour territoriale, le directeur général fait en sorte qu'au moins un avocat accompagne la Cour territoriale en circuit afin de fournir ces services aux clients.	Circuits
	Breakdown	Rupture	
Breakdown	<b>17.</b> Where there is a breakdown in a relationship between a client and lawyer, the Executive Director may <ul style="list-style-type: none"> <li>(a) attempt to mediate a resolution between the client and lawyer;</li> <li>(b) revoke the assignment; or</li> <li>(c) assign the case to another lawyer.</li> </ul>	<b>17.</b> Advenant une rupture de la relation entre un client et son avocat, le directeur général peut, selon le cas : <ul style="list-style-type: none"> <li>a) tenter d'obtenir par médiation un règlement entre le client et l'avocat;</li> <li>b) révoquer le mandat;</li> <li>c) donner le mandat à un autre avocat.</li> </ul>	Rupture
	Privilege	Protection	
Privilege	<b>18.</b> Communications between an applicant, eligible person or client and the Commission, Commission member or a staff member, made in respect of an application for or in the course of the provision of legal aid services, are privileged to the same extent and in the same manner as if had they been made between a client and a lawyer.	<b>18.</b> Toute communication entre l'auteur d'une demande, une personne admissible ou un client, d'une part, et la Commission, un membre de la Commission ou un fonctionnaire membre du personnel, d'autre part, faite dans le cadre d'une demande de services d'aide juridique ou de la prestation de tels services, est protégée de la même manière que s'il s'agissait d'une communication entre un client et son avocat.	Protection des communications
	Conflict of Interest	Conflit d'intérêts	
Where no conflict exists	<b>19.</b> A staff lawyer does not commit a breach of the rules of the Law Society or the provisions of its code of professional conduct relating to conflicts of interest, by reason only of advising or representing a person in a dispute or case involving another person who is or has been advised or represented by another staff lawyer.	<b>19.</b> Un avocat membre du personnel ne contrevient pas aux règles ni aux dispositions du code déontologique du Barreau relatives aux conflits d'intérêts du seul fait qu'il conseille ou représente une personne dans un litige ou dans une affaire mettant en cause une autre personne qui est ou a été conseillée ou représentée par un autre avocat membre du personnel.	Conflit d'intérêts
	Claim by Panel Lawyers	Demande par les avocats inscrits sur la liste	
Claim	<b>20.</b> (1) A panel lawyer may, in respect of legal aid services provided by him or her to a client and expenses incurred in the provision of those services, submit a claim to the Executive Director for remuneration and reimbursement.	<b>20.</b> (1) L'avocat inscrit sur la liste peut présenter une demande de rémunération et de remboursement au directeur général relativement aux services d'aide juridique fournis à un client et aux dépenses afférentes à la prestation de ces services.	Demande
Form and content	(2) A claim must <ul style="list-style-type: none"> <li>(a) be in the prescribed form;</li> <li>(b) include an accounting for those legal aid services and expenses claimed; and</li> <li>(c) comply with any prescribed requirements.</li> </ul>	(2) La demande doit, à la fois : <ul style="list-style-type: none"> <li>a) être selon la forme réglementaire;</li> <li>b) comprendre une reddition de comptes pour les services d'aide juridique et les dépenses réclamés;</li> <li>c) être conforme aux exigences réglementaires.</li> </ul>	Forme et contenu

Certification	<p>(3) The Executive Director may, in respect of a claim,</p> <p>(a) certify the claim if it is reasonable and made in accordance with the tariff of fees or schedule of allowable reimbursements; or</p> <p>(b) adjust the claim and certify the adjusted claim so that it is reasonable and made in accordance with the tariff of fees or schedule of allowable reimbursements.</p>	<p>(3) Le directeur général peut, relativement à une demande :</p> <p>a) soit la certifier, si elle est raisonnable et faite en conformité avec le tarif des honoraires ou avec le tableau des remboursements admissibles;</p> <p>b) soit la rajuster et certifier la demande rajustée pour qu'elle soit raisonnable et faite en conformité avec le tarif des honoraires ou le tableau des remboursements admissibles.</p>	Certification
Disallowed claims	<p>(4) The Executive Director shall disallow any part of a claim in respect of legal services that</p> <p>(a) is not for legal aid services; or</p> <p>(b) had not been authorized under section 10.</p>	<p>(4) Le directeur général rejette toute partie d'une demande relative à des services juridiques qui :</p> <p>a) soit ne vise pas des services d'aide juridique;</p> <p>b) soit n'avait pas été autorisée en application de l'article 10.</p>	Demandes désavouées
Written reasons for adjustment	<p>(5) On adjusting a claim under subsection (3), the Executive Director shall give the panel lawyer written reasons for the adjustment.</p>	<p>(5) Lorsqu'il rajuste une demande en application du paragraphe (3), le directeur général fournit à l'avocat inscrit sur la liste des motifs écrits à l'appui du rajustement.</p>	Motifs écrits
Payment	<p>(6) Where the Executive Director certifies a claim under subsection (3), the Commission shall pay the amount of the approved claim to the panel lawyer.</p>	<p>(6) Lorsque le directeur général certifie la demande en application du paragraphe (3), la Commission paie à l'avocat inscrit sur la liste le montant de la demande approuvée.</p>	Paiement
Review of adjustment	<p>(7) A panel lawyer who does not agree with an adjustment of a claim made under paragraph (3)(b) may, within 30 days after being given written reasons under subsection (5), apply to the Commission for a review of the adjustment.</p>	<p>(7) L'avocat inscrit sur la liste qui n'est pas d'accord avec la demande rajustée en application de l'alinéa (3)b) peut, dans les 30 jours de la réception des motifs écrits visés au paragraphe (5), faire une demande de révision du rajustement auprès de la Commission.</p>	Révision de rajustement
Overpayment	<p>(8) On determining that a panel lawyer has been overpaid for the provision of legal aid services under this Act, the Executive Director may deduct the amount of the overpayment from any money payable to that lawyer.</p>	<p>(8) S'il conclut qu'un avocat inscrit sur la liste a reçu un trop-payé en contrepartie des services d'aide juridique fournis en vertu de la présente loi, le directeur général peut déduire le montant du trop-payé de tout montant dû à l'avocat.</p>	Trop-payé

#### REVIEW OF ACT

#### RÉVISION DE LA LOI

Review after 10 years	<p><b>21.</b> (1) The Legislative Assembly or a committee of the Legislative Assembly designated or established by it shall review the provisions and operation of this Act at the next session following the tenth anniversary of the coming into force of this section, and subsequently at the next session following each successive tenth anniversary of that date.</p>	<p><b>21.</b> (1) L'Assemblée législative ou le comité qu'elle désigne ou crée à cette fin examine les dispositions et l'application de la présente Loi à la session qui suit le dixième anniversaire de l'entrée en vigueur du présent article et par la suite, à la session qui suit chaque dixième anniversaire de cette date.</p>	Examen après 10 ans
Scope of review	<p>(2) The review shall include an examination of the administration and implementation of the Act and the effectiveness of its provisions, and may include any recommendations for changes to the Act.</p>	<p>(2) L'examen porte sur l'application et la mise en oeuvre de la Loi et l'efficacité de ses dispositions et peut comprendre des recommandations de modifications à la Loi.</p>	Portée de l'examen

## REGULATIONS

## RÈGLEMENTS

Regulations

**22. (1)** The Commissioner may, on the recommendation of the Minister, make regulations

- (a) respecting remuneration and reimbursement, including
  - (i) fixing a tariff of fees in respect of the remuneration of lawyers for legal aid services provided to a client, and
  - (ii) fixing a schedule of allowable reimbursements;
- (b) respecting the payment of honorariums and the reimbursement of expenses of the chairperson and other members of the Commission under subsection 4(7);
- (c) respecting the manner in which the Commission makes payments for remuneration and reimbursements under paragraph 4(8)(c);
- (d) prescribing legal aid services that may be provided under subsection 8(1);
- (e) prescribing civil matters for which legal aid services may not be provided under subsection 8(2);
- (f) prescribing forms and requirements under paragraphs 20(2)(a) and (c);
- (g) respecting procedures for appeals or reviews under this Act;
- (h) respecting the disclosure of information under this Act;
- (i) prescribing any matter that by this Act may or is to be prescribed; and
- (j) respecting any other matter the Commissioner considers necessary or advisable for carrying out the purposes and provisions of this Act.

**22. (1)** Le commissaire, sur la recommandation du ministre, peut, par règlement :

- a) régir la rémunération et le remboursement, notamment :
  - (i) fixer le tarif des honoraires des avocats pour la prestation de services d'aide juridique à un client,
  - (ii) fixer le tableau des dépenses admissibles à un remboursement;
- b) régir le versement d'honoraires au président et aux autres membres de la Commission, ainsi que le remboursement de leurs dépenses, en application du paragraphe 4(7);
- c) régir la façon dont la Commission effectue des paiements à titre de rémunération et de remboursement en application de l'alinéa 4(8)c);
- d) prévoir les services d'aide juridique qui peuvent être fournis en application du paragraphe 8(1);
- e) prévoir les affaires en matière civile pour lesquelles des services d'aide juridique ne peuvent pas être fournis en application du paragraphe 8(2);
- f) prévoir la forme des demandes et les exigences en application des alinéas 20(2)a) et c);
- g) régir les procédures d'appel et de révision en application de la présente loi;
- h) régir la communication de renseignements sous le régime de la présente loi;
- i) prendre toute autre mesure d'ordre réglementaire prévue par la présente loi;
- j) régir tout ce qu'il estime nécessaire ou souhaitable à l'exécution de la présente loi.

Commencement of regulation

(2) A regulation fixing a tariff of fees under paragraph (1)(a) may come into force on a day earlier than the day on which the regulation is registered by the Registrar of Regulations under the *Statutory Instruments Act*.

(2) Le règlement portant fixation d'un tarif d'honoraires pris en vertu de l'alinéa (1)a) peut entrer en vigueur à une date antérieure à celle de son enregistrement par le registraire des règlements en vertu de la *Loi sur les textes réglementaires*.

Entrée en vigueur du règlement

## TRANSITIONAL

## DISPOSITIONS TRANSITOIRES

Continuation of matter

**23. On the coming into force of this Act, any matter to which the *Legal Services Act, R.S.N.W.T. 1988, c.L-4*, applies, shall proceed under and in conformity with this Act, to the extent that it can be adapted to this Act.**

**23. Dès l'entrée en vigueur de la présente loi, toute affaire à laquelle s'applique la *Loi sur les services juridiques, L.R.T.N.-O. 1988, ch. L-4*, se poursuit en conformité avec la présente loi dans la mesure où elle n'est pas incompatible avec la présente loi.**

Maintien des affaires

CONSEQUENTIAL AMENDMENTS

MODIFICATIONS CORRÉLATIVES

*Financial  
Administration  
Act*

**24. Item 6 of Schedule A of the *Financial Administration Act* is repealed and the following is substituted:**

6. The Northwest Territories Legal Aid Commission continued by the *Legal Aid Act*.

**24. Le numéro 6 de l'annexe A de la *Loi sur la gestion des finances publiques* est abrogé et remplacé par ce qui suit :**

*Loi sur la  
gestion des  
finances  
publiques*

6. La Commission d'aide juridique des Territoires du Nord-Ouest prorogée par la *Loi sur l'aide juridique*.

REPEAL

ABROGATION

*Legal Services  
Act*

**25. The *Legal Services Act*, R.S.N.W.T. 1988, c.L-4, is repealed.**

**25. La *Loi sur les services juridiques*, L.R.T.N.-O. 1988, ch. L-4, est abrogée.**

*Loi sur les  
services  
juridiques*

COMMENCEMENT

ENTRÉE EN VIGUEUR

*Coming into  
force*

**26. The Act comes into force on a day to be fixed by order of the Commissioner.**

**26. La présente loi entre en vigueur à la date fixée par décret du commissaire.**

*Entrée en  
vigueur*

**THE PUBLIC UTILITIES BOARD  
OF THE  
NORTHWEST TERRITORIES**

**DECISION 17-2012**

**JULY 20, 2012**

**IN THE MATTER OF** the Public Utilities Act, being Chapter 110 of the Revised Statutes of the Northwest Territories, 1988(Supp.), as amended.

**AND IN THE MATTER OF** an application pursuant to Section 26 of the *Public Utilities Act* for intervener costs for the Town of Hay River arising from the review of Northland Utilities (NWT) Limited's Phase 2 General Rate Application for the 2011/12/13 Test Years.

## **THE PUBLIC UTILITIES BOARD**

### **BOARD MEMBERS**

Joe Acorn	Chairman
Sandra Jaque	Vice-Chairman
William Koe	Member

### **BOARD STAFF**

Louise Larocque	Board Secretary
Raj Retnanandan	Board Consultant
Evan W. Dixon	Board Counsel

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## **1. BACKGROUND**

By letter dated June 29, 2011, Northland Utilities (NWT) Limited ("**Northland**", "**NUL**") submitted to the Northwest Territories Public Utilities Board ("**the Board**") a Phase 2 General Rate Application ("**GRA**", "**Application**") for the 2011, 2012 and 2013 test years.

Pursuant to the provisions of section 13.(1) of the Rules of Practice and Procedure, the Board, by letter dated July 6, 2011 directed Northland to publish notice of the public hearing of the GRA in newspapers that circulate in the Northwest Territories. The notice provided details of the GRA and invited interested persons to file a request with the Board for intervener status. The notice also stated that any party already listed on the Phase 1 list would automatically be placed on the Phase 2 list.

The Town of Hay River ("**Hay River**") and Hamlet of Fort Providence were automatically placed on the Phase 2 list as interested parties.

The hearing was held in the City of Yellowknife on November 28 and 29, 2011.

The Board issued Decision 5-2012, dated March 12, 2012, directing NUL to file its Phase 2 compliance filing in accordance with the findings and directions in the Decision within 60 days of the date of the Decision.

Hay River participated as an intervener in the proceedings.

## **2. APPLICATION**

By letter dated June 7, 2012, the Counsel for Hay River, Mr. Thomas D. Marriott, made an Application to the Board for intervener costs with respect to the Northland's Phase 2 GRA. The costs consisted of Legal Fees, Consultant Fees and Disbursements in the amount of \$36,958.87.

The Board, by letter dated June 7, 2012, advised Northland of the Application for Intervener Costs made on behalf of Hay River and requested that they provide comment, if any, by June 21, 2012.

By letter dated June 21, 2012, Northland stated that they had reviewed Hay River's submission and found the costs submitted reasonable.

### **3. DECISION**

Subsection 32(2) of the Board's Rules of Practice and Procedure provides that:

“(2) The Board may award costs to an intervener who

- (a) made a significant contribution which was relevant to the proceeding and which lead to a better understanding by all parties of the issues before the board;
- (b) participated in the hearing in a responsible manner and cooperated with other interveners having common objectives in the outcome of the proceeding in order to avoid a duplication of intervention;
- (c) made a reasonable effort to secure alternative funding where such funding was available to the intervener;
- (d) had a substantial interest in the outcome of the proceeding and represented the interests of a substantial number of ratepayers; and
- (e) has made an application for costs under rule 33.”

Pursuant to the Board's rules, Hay River applied to the Board for an award of costs as specified in Section 2 of this Decision.

In determining whether costs should be awarded in a particular application, the Board considers a number of factors including the nature of the application, the extent of participation by the interveners and the actual costs.

Predicated upon these and any other factors particular to a cost application, the Board determines whether the intervention by a party was meaningful and of assistance, whether the costs were prudently incurred, reasonable and necessary and by whom, to whom and in what amount the costs are to be paid.

The intervention by Hay River was, in the Board's view, of benefit to the Board and ratepayers within the Town of Hay River.

The Board considers that the costs claimed by Mr. Marriott on behalf of Hay River were reasonably and prudently incurred.

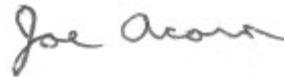
Based upon the foregoing, the Board finds that costs of \$36,958.87 are reasonable and necessary and that Northland should forward such amounts to Mr. Thomas D. Marriott, in trust for distribution to the claimants. Northland shall be entitled to recover this sum from its customers and the method of recovery shall be addressed by Northland at the time of its next General Rate Application.

**4. BOARD ORDER**

**NOW, THEREFORE IT IS ORDERED THAT:**

Northland Utilities (NWT) Limited shall forward payment of \$36,958.87 to the solicitor of the Town of Hay River within 30 days of this Decision with a copy to the Board for its information. These are the total costs approved by the Board with respect to the Application for Intervener Costs submitted by the Town of Hay River.

**ON BEHALF OF THE  
PUBLIC UTILITIES BOARD  
OF THE NORTHWEST TERRITORIES**



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**Joe Acorn  
Chairman**

**Dated July 20, 2012**



## Town of Hay River Business Survey Results Summary

### Survey Details:

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- Survey was delivered via email and in person throughout Hay River in December 2011.
- Surveys were collected in July 2012.
- Number of Completed Surveys Received – 7  
Note: One of the Surveys was a Consensus Survey which included input from 20 Residents

### Summary:

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1. **What would you suggest the Town of Hay River do, to better support local business and/or help them grow?**
  - Buy local
    - Revisit Purchasing By-law and look at Local Preference Policy to see if sufficient
    - Further communication required with local companies Re: Tender/RFP submissions to the Town
  - Brand specific contracts should not exist
    - IT Contract - Choosing one brand of computers locks the Town into one supplier and disadvantages competitors
    - Generally, the Town should avoid situations that locks them into one supplier
  - Upkeep of the downtown core
    - Garbage
    - Sidewalks
  - Promote the community
    - We're waiting for the Mackenzie Gas Project, Avalon and Tamerlane Approval and potentially a Pellet Mill to proceed, in the interim attend more conventions and conferences to assist in providing further information to potential investors, businesses, and potential new residents of the community
  - Land access
    - Existing business's would like to invest but have not been able to access land to do so i.e.; Local Tire Shop wanted to access land across from ENR



## Town of Hay River Business Survey Results Summary

- Demand for a new Economic Development Officer Position
  - Many municipalities employ Economic Development Officers to liaison with local Chamber of Commerce and engage with Local mineral resource companies to invest in the community – “What can we do to help you locate people and/or invest in Hay River?”
- 2. Are there issues with our permitting, licensing, zoning or by-laws that restrict businesses? If so, how should we change or improve them?**
  - An Info/Start Up Package to guide residents through all the applications, permits etc. with supporting information should be made available
    - i.e.: Biz Pal – It could be linked on the Town Site
  - The process for applying for permits could be more accessible and user-friendly
    - I.e.: The application forms reference by-laws, but the by-laws are not included with the forms
    - A checklist with reference material would be beneficial
  - Business license requirements should be revised
    - Currently businesses setting up on an undeveloped or semi-developed lot don't qualify for a business license, therefore they are unable to qualify for financing due to the fact they don't have a business license, and further they can't develop because they don't have financing – Catch 22 situation
    - Why do businesses with multiple locations that offer the same service in each have to have a license for each location?
  - Title requirements should be revised
    - Currently a Title is unattainable without financing, but you can't get financing without title – Another catch 22 situation  
The Town should look into issuing titles with a caveat, pending full payment so businesses can further pursue financing
  - Application forms should be revised
    - Currently, application forms require two addresses; however, there is only one line for them
    - The applicant who is applying is not clear – It should identify the proprietor vs. the applicant
    - Business addresses on form vs. proprietor's address
    - Inconsistent application of development permit regulations



## Town of Hay River Business Survey Results Summary

- Duplication with current application process
  - I.e.: For the single removal of a building, both a demolition permit and a development permit are required
- Discretionary powers of Council are not being utilized
  - When Council is given discretionary powers over a certain situation, permits are being rejected with the expectation that they will go to the DAB rather than being moved straight to Council for its input
- Do businesses need to get a development/business permit for adding services?
  - I.e.: Adding tapas bar to Ptarmigan
- Follow up
  - Does the Town follow up on business applications to see if businesses have changed their services? Does this get checked when businesses renew their licenses?
- Rates
  - Is it fair that home businesses get residential rates on utilities and other services?
  - Why do apartment buildings pay commercial rates on utilities when they are providing services to residential customers?
- Review/amend by-laws
  - By-laws should be amended to allow Town administration more flexibility in granting relief from certain restrictions, i.e.: set back distances for buildings from property lines
  - The building by-laws restrict smaller one bedroom apartments or townhome units for new construction making it difficult to build low cost units equivalent to other provincial jurisdictions
- Administration needs to improve on responding in a timely matter to any and all incoming documents that require a response
- The town should request businesses to brainstorm ideas for review and consideration
- Include a local preference or bonus in RFP's /Tender's not just a Northern Allowance
- Ensure there are warranties or assurances on work that is ongoing i.e.: if there is a failure in work performed, the contractor has to repair/replace at their expense



## Town of Hay River Business Survey Results Summary

- Council and MLA's need to work together to better improve the business climate in Hay River
- 3. What actions do you think the Town of Hay River should be taking in order to attract new businesses to Hay River?**
- Offer a tax incentive for new businesses and existing businesses
    - New businesses i.e.: 4 year sliding scale 25%, 50%, 75% then full taxes
    - Existing businesses i.e.: every year in business offer 1% off taxes. After 100 years of business, there is probably lots of investment in the community so give them a break of some kind
  - Open up more industrial land
    - Hay River has great potential as a manufacturing center, need to exploit/promote this
  - Have a 'go to' person within the town for people looking so start a new business
  - How do we promote entrepreneurship in this community? Government can assist, but we still need entrepreneurs to build the businesses
  - Hire an Economic Development Officer (much support from the Chamber of Commerce consensus survey)
    - Should the job description of an Economic Development Officer include event planning?
  - Look at Trade & Tourism Committee: does it reflect business interests of the community, or is it too narrow?
  - Lobby the GNWT to cost share EDO Positions
  - Lobby the GNWT for industrial rates of power for large scale businesses setting up in the Pine Point area and other major developments in our region
  - Aurora Pellets needs to be built within Town limits
  - Pursue Tamerlane and Avalon
  - The town should request businesses to brainstorm ideas for review and consideration
  - Stagger Town Hall front desk staff member's lunch hours so the Town Hall can remain open through lunch



## Town of Hay River Business Survey Results Summary

### ***Closing:***

A portion of the businesses that received the surveys requested to meet with a Councillor in person. Not all these requests were met.

Some businesses noted that the surveys were distributed at a bad time of the year (December). It was further noted that surveys should be made very simple. It was suggested that we should have multiple choice questions or check boxes to yes or no questions followed by a comments section and a suggestions section and at least one link to the Town's website, and to mail the survey with a stamped return addressed envelope, or utilize "Adobe Pro" and create a 'fillable form'.

One business felt that they were not qualified to comment effectively due to their involvement with a project of short duration in the community.

Another business noted that they were moving their business out of Town, and felt their response wouldn't make a difference. Lastly, the majority of the participants were glad to see this survey distributed; however, it was suggested that Council should be initiating ideas instead of just responding to the issues that arise within the Community.

**TOWN OF HAY RIVER  
JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE**

**July 18, 2012  
3:00 PM**

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The Joint Occupational Health and Safety Committee meeting was held Wednesday, July 18, 2012, at 3:00 PM in the Fire Hall Training Room

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Present: Ross Potter, May-Britt Hetesi, Harald Kauhausen, Emma Harper, Kelly Allinott, Jaimi Carter, Dave Ryan

Absent:

**1. Call to Order**

Meeting was called to order at 3:06 pm by Ross Potter, Co-Chair.

**2. Adoption of Agenda**

**Moved: Harald Kauhausen**

**Seconded: Jaimi Carter**

**CARRIED**

**3. Adoption of Minutes June 15, 2012.**

**Moved: Emma Harper**

**Seconded: Kelly Allinott**

**That the JOH&S Committee accepts the minutes from the June 15, 2012, meeting as presented.**

**CARRIED**

**3. Business Arising from the Minutes**

- Smoke and CO detectors have been installed throughout Town Hall
- Dog chaser devices have been ordered and have arrived and are working well – personnel reading meters are looking into the use of them
- Lift Station #2 no entry is presently in effect, any emergency work must be preplanned and all documentation filed prior to entry. Work on replacing the Lift Station has begun with RFP being put together by consultants.

**5. New Business**

**a) Incident(s) Review**

There were no incidents last month

**b) CSTS Course Update**

CSTS course completion is ongoing well. The efforts of the Recreation Department to have all the summer students complete this import course is appreciated.

**6. ISSUES**

- a) Recreation  
None
- b) Administration  
Standard Operating Guidelines (SOG) are being drafted for the By-law Enforcement Department with Ross Potter.
- c) Public Works  
A Draft Standard Operating Guidelines (SOG) for Lift Stations has been forwarded to the Garage for their review and comment.

**Adjournment**

**Moved: Jaimi Carter**

**That the regular meeting of the Occupational Health & Safety Committee be adjourned at 3:22 p.m.**

**BUILDING INSPECTIONS – All Town of Hay River Lift Stations and West Channel Fire Hall Storage (Ross Potter & Harald Kauhausen to complete these inspections within the next week)**

Ski Chalet needs an extension on their schedule to fix premises inspected last month. Documents for the Golf Club to be forwarded for them to address the deficiencies found in the inspection.

Hay River Animal Shelter was inspected by Ross Potter at the request of the SPCA. All but one of the deficiencies have been addressed; a window needs to be *installed*.

**Certified correct as recorded on July 18, 2012, and accepted by Motion August 15, 2012:**

  
\_\_\_\_\_  
Ross Potter, Chair

  
\_\_\_\_\_  
May-Britt Hetesi, Recording Secretary

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

<b>DATE OF INSPECTION: 2012/08/17</b>				
<b>BUILDING: Carpenter Shop</b>				
<b>INSPECTORS INITIALS: RP, HK, KO</b>				
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
<b>BUILDING EXTERIOR</b>				
Is there clear egress through all exits?	X			
Are steps and ramps clear of ice and snow?			X	
Are handrails in place and secure?			X	
Are combustible materials stored away from building?	X			
Are all electrical plates in place?	X			
Are garbage containers at least 3 meters from building?	X			
<b>BUILDING INTERIOR</b>				
Are fire emergency procedures current and posted in each floor area?			X	
Are fire exits posted and clear?	X			
Are exit signs illuminated?			X	
Are hallways clear of obstructions?	X			
Are doors clear of obstructions?	X			
Are stairwells clear of obstructions?			X	
Are doors clear (not blocked or wedged open)?	X			
Is the fire panel ON and ARMED?			X	
Is the fire panel free of any trouble indicators?			X	
Are smoke detectors operational?			X	
Are fire extinguishers in place, serviceable and clear of obstructions?	X			
Are fire extinguisher tags current?		X		August 31/2012
Is there at least 0.5 meter clearance below all sprinkler heads?			X	
Is the electrical room secured?			X	
Is the electrical room clear of combustible material?	X			
Is there at least 1 mere clear space around all electrical panels?	X			
Is the mechanical room secured?			X	
Is the mechanical room clear of any fuel spills/leaks?	X			
Is the crawl space clear of combustible material?			X	
Is the crawl space access secured?			X	
Are storage areas secured?			X	
Are emergency lights operational?	X			
Is flammable material properly stored?		X		August 31/2012
Are non-smoking rules enforced?	X			
Are ceiling tiles in place?	X			
Are all electrical plates in place?		X		August 31/2012

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

HEALTH AND SAFETY	Yes	No	N/A	Action Completion Date
Health and safety policy posted?			X	
Occupational health and safety act posted?			X	
Material data safety sheets up to date?		X		August 31/2012
Incident reporting poster displayed?			X	
Emergency services numbers posted?	X			
Workplace inspections posted?			X	
OH&S minutes posted?			X	
First Aid Kit available?	X			
Required components in First Aid Kit?	X			
First Aid Kit inspection record available?		X		August 31/2012
List of certified first aiders posted?		X		August 31/2012
COMMENTS				
Eyewash station required				August 31/2012
Fireproof locker for combustables required				January 31/2013
MSDS Binder required				August 31/2012
Electrical Plates missing at front door and in cold storage				August 31/2012
Emergency Light required in office area				August 31/2012

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

<b>DATE OF INSPECTION:</b>				
<b>BUILDING: Lift Station #1 Dry Side</b>				
<b>INSPECTORS INITIALS: RP HK</b>				
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
<b>BUILDING EXTERIOR</b>				
Is there clear egress through all exits?	X			
Are steps and ramps clear of ice and snow?	X			
Are handrails in place and secure?	X			
Are combustible materials stored away from building?	X			
Are all electrical plates in place?	X			
Are garbage containers at least 3 meters from building?	X			
<b>BUILDING INTERIOR</b>				
Are fire emergency procedures current and posted in each floor area?			X	
Are fire exits posted and clear?			X	
Are exit signs illuminated?			X	
Are hallways clear of obstructions?			X	
Are doors clear of obstructions?	X			
Are stairwells clear of obstructions?			X	
Are doors clear (not blocked or wedged open)?	X			
Is the fire panel ON and ARMED?			X	
Is the fire panel free of any trouble indicators?			X	
Are smoke detectors operational?			X	
Are fire extinguishers in place, serviceable and clear of obstructions?	X			
Are fire extinguisher tags current?	X			
Is there at least 0.5 meter clearance below all sprinkler heads?			X	
Is the electrical room secured?			X	
Is the electrical room clear of combustible material?	X			
Is there at least 1 mere clear space around all electrical panels?	X			
Is the mechanical room secured?	X			
Is the mechanical room clear of any fuel spills/leaks?	X			
Is the crawl space clear of combustible material?			X	
Is the crawl space access secured?			X	
Are storage areas secured?			X	
Are emergency lights operational?	X			
Is flammable material properly stored?	X			
Are non-smoking rules enforced?	X			
Are ceiling tiles in place?	X			
Are all electrical plates in place?	X			

**TOWN OF HAY RIVER  
 OCCUPATIONAL HEALTH AND SAFETY  
 FIRE AND SAFETY CHECKSHEET**

HEALTH AND SAFETY	Yes	No	N/A	Action Completion Date
Health and safety policy posted?			X	
Occupational health and safety act posted?			X	
Material data safety sheets up to date?		X		Require MSDS for IOL Gear Oil 80W90 September 15th, 2012
Incident reporting poster displayed?			X	
Emergency services numbers posted?	X			
Workplace inspections posted?			X	
OH&S minutes posted?			X	
First Aid Kit available?	X			
Required components in First Aid Kit?	X			
First Aid Kit inspection record available?	X			
List of certified first aiders posted?			X	
COMMENTS				

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

<b>DATE OF INSPECTION:</b>				
<b>BUILDING: Lift Station #1 Wet Side</b>				
<b>INSPECTORS INITIALS: RP HK</b>				
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
<b>BUILDING EXTERIOR</b>				
Is there clear egress through all exits?	X			
Are steps and ramps clear of ice and snow?	X			
Are handrails in place and secure?	X			
Are combustible materials stored away from building?	X			
Are all electrical plates in place?	X			
Are garbage containers at least 3 meters from building?	X			
<b>BUILDING INTERIOR</b>				
Are fire emergency procedures current and posted in each floor area?			X	
Are fire exits posted and clear?			X	
Are exit signs illuminated?			X	
Are hallways clear of obstructions?			X	
Are doors clear of obstructions?	X			
Are stairwells clear of obstructions?		X		Pipes sticking out in staircase investigate purpose and remove if possible
Are doors clear (not blocked or wedged open)?	X			
Is the fire panel ON and ARMED?			X	
Is the fire panel free of any trouble indicators?			X	
Are smoke detectors operational?			X	
Are fire extinguishers in place, serviceable and clear of obstructions?	X			
Are fire extinguisher tags current?	X			
Is there at least 0.5 meter clearance below all sprinkler heads?			X	
Is the electrical room secured?			X	
Is the electrical room clear of combustible material?	X			
Is there at least 1 mere clear space around all electrical panels?	X			
Is the mechanical room secured?	X			
Is the mechanical room clear of any fuel spills/leaks?	X			
Is the crawl space clear of combustible material?			X	
Is the crawl space access secured?			X	
Are storage areas secured?			X	
Are emergency lights operational?	X			
Is flammable material properly stored?	X			
Are non-smoking rules enforced?	X			
Are ceiling tiles in place?	X			

TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET

Are all electrical plates in place?	X			
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**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

HEALTH AND SAFETY	Yes	No	N/A	Action Completion Date
Health and safety policy posted?			X	
Occupational health and safety act posted?			X	
Material data safety sheets up to date?			X	
Incident reporting poster displayed?			X	
Emergency services numbers posted?	X			
Workplace inspections posted?			X	
OH&S minutes posted?			X	
First Aid Kit available?	X			
Required components in First Aid Kit?	X			
First Aid Kit inspection record available?	X			
List of certified first aiders posted?			X	
COMMENTS				

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

<b>DATE OF INSPECTION:</b>				
<b>BUILDING: Lift Station #2</b>				
<b>INSPECTORS INITIALS: RP HK</b>				
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
<b>BUILDING EXTERIOR</b>				
Is there clear egress through all exits?	X			
Are steps and ramps clear of ice and snow?	X			
Are handrails in place and secure?	X			
Are combustible materials stored away from building?	X			
Are all electrical plates in place?	X			
Are garbage containers at least 3 meters from building?	X			
<b>BUILDING INTERIOR</b>				
Are fire emergency procedures current and posted in each floor area?			X	
Are fire exits posted and clear?			X	
Are exit signs illuminated?			X	
Are hallways clear of obstructions?			X	
Are doors clear of obstructions?	X			
Are stairwells clear of obstructions?			X	
Are doors clear (not blocked or wedged open)?	X			
Is the fire panel ON and ARMED?			X	
Is the fire panel free of any trouble indicators?			X	
Are smoke detectors operational?			X	
Are fire extinguishers in place, serviceable and clear of obstructions?	X			
Are fire extinguisher tags current?	X			
Is there at least 0.5 meter clearance below all sprinkler heads?			X	
Is the electrical room secured?			X	
Is the electrical room clear of combustible material?	X			
Is there at least 1 mere clear space around all electrical panels?	X			
Is the mechanical room secured?	X			
Is the mechanical room clear of any fuel spills/leaks?	X			
Is the crawl space clear of combustible material?			X	
Is the crawl space access secured?			X	
Are storage areas secured?			X	
Are emergency lights operational?	X			
Is flammable material properly stored?	X			
Are non-smoking rules enforced?	X			
Are ceiling tiles in place?	X			
Are all electrical plates in place?	X			

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

HEALTH AND SAFETY	Yes	No	N/A	Action Completion Date
Health and safety policy posted?			X	
Occupational health and safety act posted?			X	
Material data safety sheets up to date?			X	
Incident reporting poster displayed?			X	
Emergency services numbers posted?	X			
Workplace inspections posted?			X	
OH&S minutes posted?			X	
First Aid Kit available?	X			
Required components in First Aid Kit?	X			
First Aid Kit inspection record available?	X			
List of certified first aiders posted?			X	
COMMENTS				
<p>General housekeeping could be a little better</p>				

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

<b>DATE OF INSPECTION:</b>				
<b>BUILDING: Lift Station #4</b>				
<b>INSPECTORS INITIALS: RP HK</b>				
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
<b>BUILDING EXTERIOR</b>				
Is there clear egress through all exits?			X	
Are steps and ramps clear of ice and snow?			X	
Are handrails in place and secure?			X	
Are combustible materials stored away from building?			X	
Are all electrical plates in place?			X	
Are garbage containers at least 3 meters from building?			X	
<b>BUILDING INTERIOR</b>				
Are fire emergency procedures current and posted in each floor area?			X	
Are fire exits posted and clear?			X	
Are exit signs illuminated?			X	
Are hallways clear of obstructions?			X	
Are doors clear of obstructions?			X	
Are stairwells clear of obstructions?			X	
Are doors clear (not blocked or wedged open)?			X	
Is the fire panel ON and ARMED?			X	
Is the fire panel free of any trouble indicators?			X	
Are smoke detectors operational?			X	
Are fire extinguishers in place, serviceable and clear of obstructions?			X	
Are fire extinguisher tags current?			X	
Is there at least 0.5 meter clearance below all sprinkler heads?			X	
Is the electrical room secured?			X	
Is the electrical room clear of combustible material?			X	
Is there at least 1 mere clear space around all electrical panels?			X	
Is the mechanical room secured?			X	
Is the mechanical room clear of any fuel spills/leaks?			X	
Is the crawl space clear of combustible material?			X	
Is the crawl space access secured?			X	
Are storage areas secured?			X	
Are emergency lights operational?			X	
Is flammable material properly stored?			X	
Are non-smoking rules enforced?			X	
Are ceiling tiles in place?			X	
Are all electrical plates in place?			X	

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

HEALTH AND SAFETY	Yes	No	N/A	Action Completion Date
Health and safety policy posted?			X	
Occupational health and safety act posted?			X	
Material data safety sheets up to date?			X	
Incident reporting poster displayed?			X	
Emergency services numbers posted?			X	
Workplace inspections posted?			X	
OH&S minutes posted?			X	
First Aid Kit available?			X	
Required components in First Aid Kit?			X	
First Aid Kit inspection record available?			X	
List of certified first aiders posted?			X	
COMMENTS				
Grate not in place at bottom of well Confined space SOG to be followed when entering				

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

<b>DATE OF INSPECTION:</b>				
<b>BUILDING: Lift Station #5</b>				
<b>INSPECTORS INITIALS: RP HK</b>				
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
<b>BUILDING EXTERIOR</b>				
Is there clear egress through all exits?	X			
Are steps and ramps clear of ice and snow?			X	
Are handrails in place and secure?			X	
Are combustible materials stored away from building?	X			
Are all electrical plates in place?	X			
Are garbage containers at least 3 meters from building?			X	
<b>BUILDING INTERIOR</b>				
Are fire emergency procedures current and posted in each floor area?			X	
Are fire exits posted and clear?			X	
Are exit signs illuminated?			X	
Are hallways clear of obstructions?			X	
Are doors clear of obstructions?	X			
Are stairwells clear of obstructions?			X	
Are doors clear (not blocked or wedged open)?	X			
Is the fire panel ON and ARMED?			X	
Is the fire panel free of any trouble indicators?			X	
Are smoke detectors operational?			X	
Are fire extinguishers in place, serviceable and clear of obstructions?	X			
Are fire extinguisher tags current?	X			
Is there at least 0.5 meter clearance below all sprinkler heads?			X	
Is the electrical room secured?			X	
Is the electrical room clear of combustible material?	X			
Is there at least 1 mere clear space around all electrical panels?	X			
Is the mechanical room secured?			X	
Is the mechanical room clear of any fuel spills/leaks?			X	
Is the crawl space clear of combustible material?			X	
Is the crawl space access secured?			X	
Are storage areas secured?			X	
Are emergency lights operational?	X			
Is flammable material properly stored?	X			
Are non-smoking rules enforced?		X		
Are ceiling tiles in place?	X			
Are all electrical plates in place?	X			

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

HEALTH AND SAFETY	Yes	No	N/A	
Health and safety policy posted?			X	
Occupational health and safety act posted?			X	
Material data safety sheets up to date?			X	
Incident reporting poster displayed?			X	
Emergency services numbers posted?	X			
Workplace inspections posted?			X	
OH&S minutes posted?			X	
First Aid Kit available?	X			
Required components in First Aid Kit?	X			
First Aid Kit inspection record available?	X			
List of certified first aiders posted?			X	

**COMMENTS**

1. Ladder required to fill gap between ground level and present aluminum ladder with 12" spacing on the rungs

2

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

<b>DATE OF INSPECTION:</b>				
<b>BUILDING: Lift Station #6</b>				
<b>INSPECTORS INITIALS: RP HK</b>				
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
<b>BUILDING EXTERIOR</b>				
Is there clear egress through all exits?	X			
Are steps and ramps clear of ice and snow?			X	
Are handrails in place and secure?			X	
Are combustible materials stored away from building?		X		15-Sep-12
Are all electrical plates in place?	X			
Are garbage containers at least 3 meters from building?			X	
<b>BUILDING INTERIOR</b>				
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
Are fire emergency procedures current and posted in each floor area?			X	
Are fire exits posted and clear?			X	
Are exit signs illuminated?			X	
Are hallways clear of obstructions?			X	
Are doors clear of obstructions?	X			
Are stairwells clear of obstructions?			X	
Are doors clear (not blocked or wedged open)?	X			
Is the fire panel ON and ARMED?			X	
Is the fire panel free of any trouble indicators?			X	
Are smoke detectors operational?			X	
Are fire extinguishers in place, serviceable and clear of obstructions?	X			
Are fire extinguisher tags current?	X			
Is there at least 0.5 meter clearance below all sprinkler heads?			X	
Is the electrical room secured?			X	
Is the electrical room clear of combustible material?	X			
Is there at least 1 mere clear space around all electrical panels?	X			
Is the mechanical room secured?			X	
Is the mechanical room clear of any fuel spills/leaks?			X	
Is the crawl space clear of combustible material?			X	
Is the crawl space access secured?			X	
Are storage areas secured?			X	
Are emergency lights operational?		X		15-Sep-12
Is flammable material properly stored?	X			
Are non-smoking rules enforced?	X			
Are ceiling tiles in place?			X	
Are all electrical plates in place?	X			

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

HEALTH AND SAFETY	Yes	No	N/A	Action Completion Date
Health and safety policy posted?			X	
Occupational health and safety act posted?			X	
Material data safety sheets up to date?			X	
Incident reporting poster displayed?			X	
Emergency services numbers posted?	X			
Workplace inspections posted?			X	
OH&S minutes posted?			X	
First Aid Kit available?	X			
Required components in First Aid Kit?	X			
First Aid Kit inspection record available?	X			
List of certified first aiders posted?			X	
COMMENTS				
<p>Ladder required to fill gap between ground level and present aluminum ladder with 12" spacing on the rungs Gravel fill required around building to eliminate tripping hazards</p>				

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

<b>DATE OF INSPECTION:</b>				
<b>BUILDING: Reservoir</b>				
<b>INSPECTORS INITIALS: RP HK</b>				
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
<b>BUILDING EXTERIOR</b>				
Is there clear egress through all exits?	X			
Are steps and ramps clear of ice and snow?			X	
Are handrails in place and secure?			X	
Are combustible materials stored away from building?	X			
Are all electrical plates in place?	X			
Are garbage containers at least 3 meters from building?			X	
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Action Completion Date</b>
<b>BUILDING INTERIOR</b>				
Are fire emergency procedures current and posted in each floor area?			X	
Are fire exits posted and clear?			X	
Are exit signs illuminated?			X	
Are hallways clear of obstructions?			X	
Are doors clear of obstructions?			X	
Are stairwells clear of obstructions?			X	
Are doors clear (not blocked or wedged open)?	X			
Is the fire panel ON and ARMED?			X	
Is the fire panel free of any trouble indicators?			X	
Are smoke detectors operational?			X	
Are fire extinguishers in place, serviceable and clear of obstructions?	X			
Are fire extinguisher tags current?	X			
Is there at least 0.5 meter clearance below all sprinkler heads?			X	
Is the electrical room secured?			X	
Is the electrical room clear of combustible material?	X			
Is there at least 1 mere clear space around all electrical panels?	X			
Is the mechanical room secured?			X	
Is the mechanical room clear of any fuel spills/leaks?			X	
Is the crawl space clear of combustible material?			X	
Is the crawl space access secured?			X	
Are storage areas secured?			X	
Are emergency lights operational?		X		15-Sep-12
Is flammable material properly stored?			X	
Are non-smoking rules enforced?	X			
Are ceiling tiles in place?			X	
Are all electrical plates in place?	X			

**TOWN OF HAY RIVER  
OCCUPATIONAL HEALTH AND SAFETY  
FIRE AND SAFETY CHECKSHEET**

HEALTH AND SAFETY	Yes	No	N/A	Action Completion Date
Health and safety policy posted?			X	
Occupational health and safety act posted?			X	
Material data safety sheets up to date?			X	
Incident reporting poster displayed?			X	
Emergency services numbers posted?	X			
Workplace inspections posted?			X	
OH&S minutes posted?			X	
First Aid Kit available?	X			
Required components in First Aid Kit?	X			
First Aid Kit inspection record available?	X			
List of certified first aiders posted?			X	
COMMENTS				
No alarms for chlorine room Need confined space entry SOG for chlorine room Fan in chlorine room hitting guard Chlorine room needs cleaning Battery connectors on Fire Pump need cleaning Emergency light on north wall not functioning				
<div style="float: right; text-align: right;">             September 15/2012              September 15/2012              September 15/2012              September 15/2012              September 15/2012           </div>				

The Trade & Tourism Advisory Committee Meeting of the Town of Hay River was held on July 24, 2012 at 12:00 p.m. in the Community Hall.

---

**Members Present:** *Kathy McBryan, Cllr. Mike Maher, Curtis Rowe, Cllr. Dawna O'Brien, Tara Schofield, JM Fizer*

**Others Present:** *Kim Tybring (Interim Director of Recreation), May-Britt Hetesi (Asst. SAO)*

**Excused Absence:** *Michael Richardson (SAO), Tom Colosimo, Cllr. Bernard Dueck*

Call to Order – 12:04 pm Mike Maher

**1. Additions to Agenda-**

Presentation from Homecoming Committee at council July 23/12

**2. Adopt Agenda –**

**Motion by: Dawna O' Brien**  
**Seconded by: Curtis Rowe**

**Carried**

**3. Adopt the Minutes of the Regular Meeting, April 24, 2012**

**Motion by: Tara Schofield**  
**Seconded by: Kathy McBryan**

**Carried**

**4. Discussion Items -**

**A) Tourism Plan – Update**

The board had considerable discussions regarding defining the proposed position; specifically, whether it should be an Economic Development Officer or a Tourism Officer. A suggestion was made that perhaps the Board could take on a single project from the recommendation in the Tourism plan until an Officer was hired. It was also suggested the Board should define the position and present that to council for approval. The possibility of hiring the position short-term or on a contract basis was discussed. It was suggested that Western Management Consultants may already have a job description for the posting recommended. May-Britt said she would see if she could find it.

**Motion by: Kathy McBryan**  
**Seconded: Curtis Rowe**

**Recommend that the Trade and Tourism Advisory Committee accept and support the Tourism plan 2012.**

**Carried**

**B) Start Your Engines Conference 2013-Revised**

Curtis advised the committee that the contractor's proposal had opportunities in it for savings such as a new web site did not need to be created as the existing web site could be utilized. Also the contractor would accept a one year deal as opposed to the original request of a three year contract. This item was tabled; Mike is to meet with May-Britt to gain more information.

**C) 2015 Canadian Fire Fighters Curling Championships**

Curtis Rowe advised that we would need to check for competing bids before we proceed.

**D) Trade and Tourism Advisory Committee- applicants letters**

Four letters were presented for review by the committee. There was discussion regarding the term ending December 31, 2012.

**Motion by: Kathy McBryan**  
**Seconded: Dawna O'Brien**

**Recommendation that Ron Auger and Donna Lee Jungkind be accepted as new members of the Trade and Tourism Advisory Committee.**

**Carried**

**E) Homecoming Presentation at Council 23,07,2012**

Mike Maher brought forward a letter that was presented at council the previous night. It outlines a plan to have a Homecoming event in Hay River in 2013. There was a request for support from council. The committee was very supportive of this idea. Kim Tybring was to forward a copy of the letter to all the board members.

**5. Business Arising –**

**A) Expression of interest to Host the Tourism AGM and Conference in 2013**

Curtis told the committee he felt it would be a good idea to apply to host this event. The board was in support of applying to host. We will review previous applications and submit a proposal.

**B) Concerns with Visitors Information Center**

Concerns were raised regarding the operation and behaviors of the personnel at the VIC. Comments have been made to tourists that have been passed on to operators that were critical of the Town as a destination.

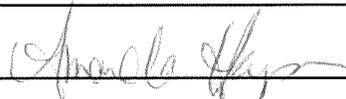
4. **NEXT MEETING DATE** – August 14, 2012

5. **ADJOURNMENT** – 12:45 pm *Motion by: Dawna O'Brien*

CHAIR \_\_\_\_\_



SECRETARY \_\_\_\_\_



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**A Meeting of the Recreation Board of the Municipal Corporation of the Town of Hay River was held Wednesday, July 18, 2012 at 12:00 pm in the Community Hall**

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**MEMBERS PRESENT:** Jason Coakwell, Nikki Ashton, Colleen Ahenakew

**EXCUSED ABSENCE:** Chair-Greg Rowe, Wayne Korotash, Mayor – Ken Latour

**OTHERS PRESENT:** Recreation Programmer – Emma Harper, Director of Recreation – Kim Tybring, Assistant SAO – May-Britt Hetesi

**CALL TO ORDER**      The meeting was called to order at 12:13 pm by Jason Coakwell

**ADOPT AMENDED AGENDA**

**MOVED BY: COLLEEN AHENAKEW  
SECONDED BY: NIKKI ASHTON**

**CARRIED**

**ADOPT THE MINUTES OF MEETING, JUNE 20, 2012**

**MOVED BY: NIKKI ASHTON  
SECONDED BY: COLLEEN AHENAKEW**

**CARRIED**

**DELEGATIONS**

**BUSINESS ARISING**

**A) Update on Ball Diamond Survey and Concerns**

Kim informed the board that Maskwa has completed the in-field work, but needs to complete the paperwork for the survey. They would not give a date for completion, but Kim said he was expecting something early August. Kim also summarized the ball diamond concerns. Specifically, the environment will be addressed in the survey, the gate has been blocked, and calcium has been laid on the roads to prevent dust. The board discussed security issues and felt that this would probably need to be dealt with as issues arise. Kim mentioned that he still needed to get the netting up and would try to have it up by the Coors Tournament if possible. The bleachers were also discussed as they are in need of repair or replacement. Kim mentioned that the board should probably suggest funding for new aluminum bleachers. Jason also added that Don Wright may not be used as frequently after twinning, therefore, a set of bleachers could be relocated to Pine Point.

Jason also brought up a maintenance issue at the diamonds stating that the ground was very soft between second and third base. Kim explained that staff dig up, water, and pack the area, and that he would have it done for the Coors Tournament.

**B) Skate Park Update**

Kim updated the board saying that Ken had brought their recommendations to council and that council was in agreement with moving forward. Kim is currently working with the skate park committee to release an RFP for modular skate park equipment. He will update the board as the situation progresses.

Kim also updated the board on the current modular skate park. The park is being assembled in the carpenter's yard to ensure that it is possible to move it into the Kiwanis Park. He mentioned that he

had received some complaints from local residents arguing that they did not want the park in their 'backyard'. The board agreed that this argument was easily countered since the park was only temporary for one season.

## NEW BUSINESS

### A) Recreation Activity Report

Kim proposed to the board that he would like a report that usually goes to council meetings to instead come through the recreation board and then be presented as board minutes to council. This report covers the monthly facility and activity usage of the recreation centre. Kim felt that the information in this report would be more suited to the mandate of the recreation board. This would also give the board an ongoing idea of the level of usage and rental of the facility, leading to more informed decisions later on. The board agreed that this was a good idea and administration will present the July Activity Report at the board meeting in August.

### B) Cigarette Butts

Nikki mentioned that when she was doing town clean-up she found a huge amount of cigarette butts downtown, especially outside the library and by the bench on the recreation centre lawn. The board felt that two possible solutions would be to increase awareness through campaigns. May-Britt mentioned that NWTAC was going to be starting an awareness campaign targeting litter and that perhaps cigarette butts could be included. Additionally, Nikki asked if administration could put a container of sand beside the bench outside the recreation centre. Lastly, the RCMP is currently focusing on moving loiterers out of the downtown core which may help the situation.

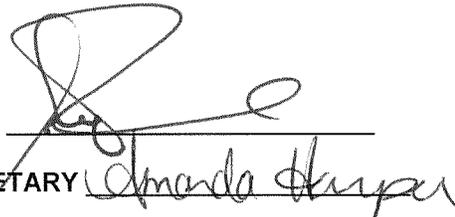
**NEXT MEETING** – August 15, 2012

**ADJOURNMENT** – 12:48pm

**MOVED:** Colleen Ahenakew

CHAIR

SECRETARY



The image shows two handwritten signatures. The first signature is for the Chair, which is a stylized, cursive signature. The second signature is for the Secretary, which is a cursive signature that appears to read "Amanda Harper". Both signatures are written over horizontal lines.



**Aurora Research Institute - Aurora College**

PO Box 1450 Inuvik NT X0E 0T0

Phone: 867-777-3298 Fax: 867-777-4264 E-mail: [licence@nwtresearch.com](mailto:licence@nwtresearch.com)

Application No. 2134  
July 25, 2012

## Proposal for Single Year Research

I would like to inform the Town of Hay River that an application for a Northwest Territories Scientific Research Licence has been received by the Aurora Research Institute. Application No. 2134 was submitted by:

Ms. Dorie A Hanson  
University of Alberta  
8 Miron Drive  
Hay River, NT  
X0E 0R2 Canada  
Phone: (867) 874-4866  
Fax: (867) 874-4866  
Email: [dhanson@ssdec.nt.ca](mailto:dhanson@ssdec.nt.ca)



to conduct the following proposed study:  
**Incentive-based Home Reading Challenges**

Please read the enclosed application and send comments back to the Aurora Research Institute. A comment form has been included after the application to facilitate this process. Responses can be either faxed to ARI at 867-777-4264 or entered online at <http://polar.nwtresearch.com>

Sincerely,

Jonathon Michel  
Manager, Scientific Services



**Aurora Research Institute - Aurora College**

PO Box 1450 Inuvik NT X0E 0T0

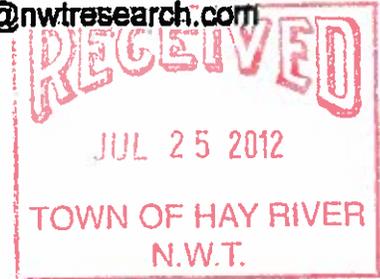
Phone: 867-777-3298 Fax: 867-777-4264 E-mail: [licence@nwtresearch.com](mailto:licence@nwtresearch.com)

## Research Licence Application (2012)

Application 2134

**Incentive-based Home Reading Challenges**

South Slave Region



### Researcher Information

**Principal Investigator**

Ms. Dorie A Hanson  
University of Alberta  
8 Miron Drive  
Hay River, NT  
X0E 0R2 Canada  
Phone: (867) 874-4866  
Fax: (867) 874-4866  
Email: [dhanson@ssdec.nt.ca](mailto:dhanson@ssdec.nt.ca)

**Primary Contact information**

Same as Principal Investigator

**Research Supervisor Information**

Dr. Lenora Macy  
University of Alberta  
Faculty of Education  
832 Education South  
Edmonton, AB  
T6G 2G5 Canada  
Phone: (780) 492-0998  
Fax: (780) 492-1027  
Email: [lmacy@ualberta.ca](mailto:lmacy@ualberta.ca)

**Members of Research Team**

Dorie Hanson (Researcher)  
Leonora Macy (Instructor)

**Project Website**

N/A

### Dates of Research

**Dates of Research activity in the Northwest Territories**

From September 05, 2012 to December 05, 2012

### Location

**Specific location(s) of data collection in the NWT**

Princess Alexandra Middle School

**Base camp location(s)**

Hay River, NT

### Funding Information

**Primary Funding Category**

Other

**Funding Sources**

N/A

## Project Description

### Objectives

The purpose of this qualitative research assignment is to explore how school-wide, incentive-based home reading challenges benefit three students at Princess Alexandra School in Hay River, NWT.

This assignment will focus on the following central question:

How do three students in the middle school experience incentive-based home reading challenges?

### Rationale

This is a class-based research assignment required for the completion of the Master of Education with the University of Alberta. My research is examining the benefits of having students engage in home reading challenges with an incentive component. The problem identified for this assignment is stated as:

In the middle grades, students' interest in reading independently at home begins to decline as a variety of activities including television, computer games and organized sports consume more of their time and energy. Teachers recognize independent reading is necessary for supporting students' reading growth and many encourage their students to participate in school-wide, incentive-based home reading challenges. The problem faced by teachers and administration is that the effectiveness of participating in incentive-based home reading challenges needs further exploration.

### Methods

Participants will be asked to complete a pre-interview activity that consists of four question based on images from previous reading challenges. This qualitative research will use semi-structured questions and responses will be audio-recorded for data collection, coding, analysis and interpretation. Basic qualitative methods will be used for this assignment.

### Travel Arrangements

N/A

## Community

### How will you communicate the results of this study to individuals and communities in the NWT?

The participants will receive a copy of the transcript from their interview and a final copy of the report will be provide to any interested participant. The report will be used for in-services in Hay River schools and shared with the SSDEC board office and literacy coaches. Literacy Coaches will disseminate the information to their own school if appropriate for their context. The report is available for educational application.

### What are the possible opportunities for local involvement?

As this is a small research assignment applicable to a school application, local involvement will most likely consist of presentation to school and SSDEC district staff.

## Ethics

### Will you be interviewing or surveying NWT residents?

YES

### What organization conducted (or will be conducting) the Ethics review for this research?

University of Alberta

### How will you maintain participant confidentiality in your research?

Participant will be chosen from a large group of students who have participated in the reading challenges over the past five years. This will make identify specific research participants unlikely. Interviews will be conducted at a mutually acceptable location that provides confidentiality and privacy. I will not discuss the research participants and pseudonyms will be used for all written documentation. Participants will be provided the opportunity to review the interview transcript and any statements that the participants feel will make them more likely to be recognized will be removed from the documentation. It is unlikely that anyone other than myself will be in direct contact with the data, confidentiality forms will be required and signed by any person who may have contact with the data (e.g. transcriber).

### How will the data be stored over the short and long terms?

Data will be stored on a password protected computer and/or secured at my private residence. In accordance with the University class ethics, data will be destroyed as outlined by the University - immediately after the program ends.

## Potential Impacts of the Research

### Anticipated Impacts

N/A

**Mitigation of Impacts**  
N/A

**Emergency Information**

**Emergency Response Capabilities**  
N/A

**Distribution**

Deh Cho First Nations  
Northwest Territory Métis Nation  
Town of Hay River  
West Point First Nation



**Aurora Research Institute - Aurora College**

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Application No. 2134

July 25, 2012

## **Community Comment Form**

Town of Hay River

### **Project Details**

Incentive-based Home Reading Challenges

Submitted by: Ms. Dorie A Hanson

Length of project: 1 year

### **Project Details**

Please outline any concerns, suggestions or requests regarding Application No: 2134

**No concerns, suggestions or requests to express at this time (check here) [ ]**

**Signature of Town of Hay River official**

PRINT NAME

SIGNATURE

DATE



**Aurora Research Institute - Aurora College**

PO Box 1450 Inuvik NT X0E 0T0

Phone: 867-777-3298 Fax: 867-777-4264 E-mail: [licence@nwtresearch.com](mailto:licence@nwtresearch.com)

Application No. 2150  
August 01, 2012



## **Proposal for Multiyear Research**

I would like to inform the Town of Hay River that an application for a Northwest Territories Scientific Research Licence has been received by the Aurora Research Institute. Application No. 2150 was submitted by:

Ms. Megan Anakin  
University of Otago  
University of Otago College of Education  
145 Union Street East  
PO Box 56  
Dunedin, Otago  
9016 New Zealand  
Phone: (643) 479-3785  
Fax: (643) 479-4295  
Email: [megan.anakin@otago.ac.nz](mailto:megan.anakin@otago.ac.nz)

to conduct the following proposed study:  
**Assessing the SmartLearning Project**

This is a multi-year application that includes the years 2012, 2013 of the project.

Please read the enclosed application and send comments back to the Aurora Research Institute. A comment form has been included after the application to facilitate this process. Responses can be either faxed to ARI at 867-777-4264 or entered online at <http://poiar.nwtresearch.com/>

Sincerely,

Jonathon Miohei  
Manager, Scientific Services



**Aurora Research Institute - Aurora College**

PO Box 1450 Inuvik NT X0E 0T0

Phone: 867-777-3298 Fax: 867-777-4264 E-mail: [licence@nwtresearch.com](mailto:licence@nwtresearch.com)

## Research Licence Application (2012)

Application 2150

### Assessing the SmartLearning Project

South Slave Region

#### Researcher Information

**Principal Investigator**

Ms. Megan Anakin

University of Otago

University of Otago College of Education

145 Union Street East

PO Box 56

Dunedin, Otago

9016 New Zealand

Phone: (643) 479-3785

Fax: (643) 479-4295

Email: [megan.anakin@otago.ac.nz](mailto:megan.anakin@otago.ac.nz)

**Primary Contact Information**

Same as Principal investigator

**Research Supervisor Information**

Same as Principal investigator

**Members of Research Team**

Professor Jeffrey K Smith (advisor)

Susan Close (director of the SmartLearning Project)

#### Dates of Research

**Dates of Research activity in the Northwest Territories (Current Year)**

From September 04, 2012 to December 31, 2012

**Dates of Research activity in the Northwest Territories (Future Years)**

From January 01, 2013 to June 30, 2013

#### Location

**Specific location(s) of data collection in the NWT**

Schools in the South Slave Divisional Education District will be invited to participate, specifically, elementary and high schools and teachers who have been involved with the SmartLearning approach prior to the commencement of the 2012-2013 school year.

**Anticipated Changes to Location in Future Years**

2013 - No anticipated changes to report.

**Base camp location(s)**

Not applicable to this research study.

#### Funding Information

**Primary Funding Category**

Other

**Funding Sources**

There is no external funding associated with this research project other than the time commitment that participants are

making to share their current practices and student assessment data.

## Project Description

### Objectives

The purpose of the study is to identify the impact of the SmartLearning Project on student outcomes. The SmartLearning Project involves action research conducted by classroom teachers and inquiry leaders in schools in British Columbia, Alberta, and the Northwest Territories of Canada. The SmartLearning Project gathers quantitative and qualitative data at classroom, school, and school district levels annually as a part of regular instructional and assessment practice. This study seeks to analyse those data. There is a lack of scholarly literature documenting these teachers' collective efforts to improve student learning and achievement in classrooms by using research-informed practice, therefore, this study will document the SmartLearning Project and its impact on student outcomes.

### Rationale

This project is designed to examine the impact of the SmartLearning Project on student outcomes where teachers have been involved in using research-informed practice with the goal to improve student learning and achievement. The aims of the study are to identify the key elements of the research-informed practice used by the teachers and assess the impact of that practice on student outcomes. It will make use of diagnostic assessments developed by the SmartLearning Project using the British Columbia Performance Standards (Ministry of Education, 2012a) and results about student achievement will be compared to the provincial assessment data collected by the annual Foundation Skills Assessment (Ministry of Education, 2012b). The questions of this study are:

What are the key elements of the research-informed practice used by teachers in the SmartLearning Project?

What is the impact of this practice used by teachers in the SmartLearning Project on student outcomes (i.e., the quantitative and qualitative indicators of student achievement used in schools)?

The SmartLearning Project was established by a group of action research teachers working for over two decades in British Columbia, Canada to develop a research-informed approach to their teaching practice (Ciose, 2005).

The research-informed approach developed in the SmartLearning Project, is called SmartLearning and it is made up of three innovative elements; a teaching approach, the use of assessment, and professional development model to support the implementation and further development of the teaching approach (Ciose, 2010). The first element, the teaching approach, is made up of three components: a framework, thinking tools, and a focus on developing a mindful disposition towards learning. The first component, the framework, involves a number of steps: learners set personal goals in relation to criteria co-developed in the context of the learning, activate and build background knowledge, process information and monitor information-gathering, transform their learning into a product that shows what they know, and reflect on their learning. The second component, the thinking tools, scaffold learners' thinking in ways that direct their attention to higher levels of understanding. The third component, a mindful disposition towards learning, is developed with explicit emphasis and modelling of metacognitive and self-regulatory processes for learners by their teachers. Learners are taught to monitor and regulate their thinking and learning throughout the process, and to set new goals based on new understandings at the end of each cycle of learning. The second element of the intervention, the assessment tools, is specifically designed to align learning intentions with the teaching approach. These tools were designed and continue to be refined by the action research team to allow teachers to assess their students' reading and writing using a structure that is parallel to their teaching framework. In this way, teachers can assess their students' progress in relation to fundamental skills and knowledge set out as learning outcomes by the Ministry of Education using the BC Performance Standards. Teachers can also use this information to align their instructional methods with how their students are performing in relation to those the learning outcomes. The third element of the intervention, the professional development model, is designed on establishing kernel routines (Resnick, Spillaine, Goidman, & Rangel, 2010) and professional learning communities (PLC) (DuFour, 2004) to initiate and maintain changes in teachers' practice. This particular PLC model includes cycles of in-depth learning and application over time. It combines workshop sessions, classroom-based learning experiences called learning rounds (Ciose, 2010), and opportunities for side-by-side data analysis, planning, and co-teaching.

Because SmartLearning Project emerged from teachers working collaboratively within and across school districts, SmartLearning has been successfully implemented and sustained in a range of subject areas in Kindergarten to grade 12 classrooms across British Columbia (Ministry of Education, 2007a, 2007b, 2007c; Noei, 2006; Trudeau, 2011) and more recently, adopted by teachers in other Canadian provinces (see <http://www.smartlearning.ca>). Teachers and inquiry leaders, coordinated and lead by SmartLearning Project leadership team, have used a range of data sources to show that enhanced student learning and achievement are associated with the implementation of their intervention (Ciose, 2005). Teachers collect and analyse data from multiple instruments, including standards-based assessments, samples of student work, and video clips of lessons, however, findings from these cycles of action research have yet to be documented in scholarly literature. Additionally, action research teachers and inquiry leaders in British Columbia, Alberta and the Northwest Territories are about to embark on another cycle of action research during the 2012-2013 school year that can be studied as it takes place. Findings from this study will be useful to teachers and researchers within and beyond Canada's educational community who are interested in implementing similar initiatives.

### References

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- DuFour, R. (2004). What is a "professional learning community"? Educational Leadership, 61(8), 6-11.
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## **Methodology**

### **Methods and Procedures**

A mixed methods study design will be used to identify the impact of the SmartLearning Project on student outcomes. Once ethical approval is granted from the University of Otago, Megan Anakin will make contact with the action research leadership team to begin the recruitment process. Data collection and analysis will occur as a multi-step process and will be overseen by Megan Anakin.

During the 2012-2013 school year, data will be collected by the SmartLearning Project leaders team and inquiry leaders as part of the regular instructional process for teachers and students participating in the SmartLearning Project. As in previous years, this process occurs entirely within Canada and begins at the classroom level where inquiry leaders work closely with participating teachers. Teachers conduct diagnostic assessments at the beginning of the school year and summative assessments at the end of the year to inform their instruction and report on student progress. The scores of these assessments are collated at the classroom level because they are used by teachers to report on student learning and achievement and inform their planning. Inquiry leaders collate the classroom assessment data to be used for planning, evaluation and reporting purposes at the school and district level. Teachers also collect samples of their lesson plans and samples of student work and use them as prompts to engage in reflective conversations with inquiry leaders as an established part of the SmartLearning Project. Inquiry leaders collate student work samples, records of planning, and reflections of conversations with participating teachers at the school or district level.

Data generated by school districts participating in the SmartLearning Project as part of the regular instructional process during the 2012-2013 school year will be collated by the research team at the University of Otago. This will be achieved through electronic file sharing via the Internet. This data will include student demographics, results of student assessments, reports of student achievement, and district policy documents relating to teaching and learning. The student demographic and assessment data will be analysed with descriptive and inferential statistics using SPSS, whereas reports of student achievement and district policy documents relating to teaching and learning will be analysed using a general inductive approach (Thomas, 2006). Reports of student achievement may contain teachers' reflective narratives about their lesson plans, samples of student work, and classroom assessment data that were used to engage in reflective conversations with inquiry leaders or members of the SmartLearning Project leadership team.

Final synthesis of the data collected in this study will be achieved by combining quantitative and qualitative findings to create a rich and informative representation that used to identify the impact of the SmartLearning Project on student outcomes.

### **Commencement of recruitment and data collection**

This is an international research study where data collected during the Canadian 2012-2013 school year will be used by the researchers. No researcher from the University of Otago will be travelling to Canada to collect data from participants. Action research teachers working on the SmartLearning Project, located in Canada have engaged in previous annual cycles of research for which each school district's ethical policies and procedures have been followed and consent to conduct research has granted. Recruitment for this study began in June 2012 because school districts were finalising their planning and budgeting process for the 2012-2013 school year. The data collection cycle will commence in September, 2012 and will be subject to the unique ethical and consent procedures of each participating school district as well as the requirements of the University of Otago's ethics committee.

### **Method of Recruitment**

The participants will be recruited in a networked approach. This approach has been the method of recruitment used by the SmartLearning Project leadership team in the past; however, one more layer and another element will be added to the established approach. The added layer will be that members of the SmartLearning Project's leadership team will be recruited by the researcher (i.e. Megan Anakin). The added element will be all participants will be clearly informed that a study of this year's SmartLearning Project is being conducted by the University of Otago. An information letter and consent form will be provided to the SmartLearning Project's leadership team and senior administrative personnel in participating school districts. This information will be added to existing information and consent forms used by the SmartLearning Project in each school district. Where required by the school district, the same or similar documents will be provided to the Board of Trustees, school principals, classroom teachers, parents/guardians and students. Continuing with the practice established by the SmartLearning Project, all students in a participating teacher's class will be invited to participate so that no child feels excluded from the study. There will be clearly described opportunities for any participant to opt out at any time.

The remainder of the recruitment process follows the networked approach established by the SmartLearning Project to make the large scale inquiry manageable and meet the ethics and consent required by each particular school district. Members of the SmartLearning Project's leadership team will recruit school districts because of their established professional communication with the current senior administrative personnel in the school districts in British Columbia, Alberta, and the Northwest Territories. Members of the SmartLearning Project's leadership team will also recruit inquiry leaders within consenting school districts because of the SmartLearning Project's ongoing action research support processes with inquiry leaders in schools and district support offices. Inquiry leaders will recruit classroom teachers because this follows the professional support processes established within schools. Finally, classroom teachers will recruit students in their classrooms because teachers are familiar with their students and are best able to articulate their action research plans to them in age appropriate language.

#### **Participants**

Participants will be drawn from the SmartLearning Project leadership team, as well as teachers and students in school districts previously involved or joining the SmartLearning Project in 2012-2013 within the provincially or territorially funded and managed public and private school systems in the provinces of British Columbia, Alberta, and the Northwest Territories of Canada.

#### **Inclusion criteria:**

Any member of the action research leadership team and any school district staff member previously involved with or joining the SmartLearning Project in 2012-2013 and any students allocated to a particular participating teacher's classroom are invited to participate

#### **Exclusion criteria:**

Staff and students within the provincially funded and managed public and private school systems in British Columbia, Alberta, or the Northwest Territories, Canada that have not been previously involved with or are in the process of joining the SmartLearning Project in 2012.

#### **Reference**

Thomas, D. R. (2006). A general inductive approach for analyzing qualitative evaluation data. *American Journal of Evaluation*, 27, 237-246.

#### **Anticipated Changes Methodology In Future Years**

2013 - No anticipated changes to report.

#### **Travel Arrangements**

No additional travel arrangements for this research study are necessary. Members of the SmartLearning leadership team may travel to participating schools to work with teachers or teachers may travel to conference sites to participate in training sessions with the SmartLearning leadership team as part of their ongoing professional development plans.

## **Community**

#### **How will you communicate the results of this study to individuals and communities in the NWT?**

The results of the study will be communicated to the people in the areas where the research was conducted in a similar manner as to how the research was conducted; through a networked approach. The principal researcher, Megan Anakin will be responsible for writing academic papers, disseminating the findings at international research conferences and designing web-based resource summarising the findings for a general audience. The SmartLearning leadership team will be responsible for disseminating findings in Canada at professional conferences and through regular meetings and communication channels with school district personnel, inquiry leaders, and local news media. Inquiry leaders and participating teachers in schools will be responsible for disseminating findings with colleagues, parents, and students through conversations and presentations.

#### **What are the possible opportunities for local involvement?**

This research will take place in consenting schools in the South Slave Region and provide participating teachers an opportunity to document and share the instructional strategies they have developed with their students while implementing the SmartLearning approach. Student achievement data will also be analysed at local and regional levels so the findings

of this study can be shared with the participating schools' communities as well as other schools, school districts, and communities in the Northwest Territories.

## **Ethics**

**Will you be interviewing or surveying NWT residents?**

NO

**How will the data be stored over the short and long terms?**

All data will be stored in a lockable filing cabinet in the researcher's office at the University of College of Education. Any sharing of digital data during the analysis phase of the study will be conducted using secure digital media sharing technology, provided by the university and participating school districts. All raw data will be archived and remain in secure storage for five years. The researchers will be responsible for the disposal of the raw data post that period.

Only the people named as researchers on this ethics application will have access to the personal information of the participants in this study. Pseudonyms for participants and any other proper names expressed by the participants will be used to protect the anonymity of the participating students, teachers, inquiry leaders, and action research leadership team members in the transcribed and published data sets. It is anticipated that some excerpts from data will be used for conference presentations and journal publications.

Teachers, inquiry leaders, and action research leadership team members, parents/caregivers, and their children will have access to their personal information. The participants involved will have access to all outcomes, published and unpublished on request.

## **Potential Impacts of the Research**

**Anticipated impacts**

It is anticipated that this study will have a minimal impact on school districts, teachers, and students as it is being conducted because the main requirements for data collection involve no other practices than those that teachers and students are currently engaged in as they work with the SmartLearning approach. Participating teachers, school and school districts will be asked to provide student assessment/achievement data, but these can be in the form that they are currently generating for evaluation and reporting purposes.

**Mitigation of impacts**

Social impacts will be mitigated with open and ongoing communication with all participants involved with the project in the network approach described under the headings XX and YY that describe the recruitment and dissemination processes for this project.

## **Emergency Information**

**Emergency Response Capabilities**

This research project is not anticipated to cause any emergency situations, however, if one does arise, the SSDEC Superintendent, Curtis Brown will be informed immediately and any required policies and procedures will be followed to help resolve the situation.

## **Distribution**

Akaiicho Territory Government  
Dehcho First Nations  
Deninu Kue First Nation  
Fort Resolution Settlement Corporation/Deninoo Community Council  
Hay River Dene Band/Katlodzeeche First Nation  
Lutsel K'e Dene First Nation  
Northwest Territory Métis Nation  
Salt River First Nation 195  
Smith Landing First Nation  
Town of Fort Smith  
Town of Hay River  
West Point First Nation



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Application No. 2150

August 01, 2012

## Community Comment Form

Town of Hay River

### Project Details

Assessing the SmartLearning Project

Submitted by: Ms. Megan Anakin

Length of project: 2 years

### Project Details

Please outline any concerns, suggestions or requests regarding Application No: 2150

No concerns, suggestions or requests to express at this time (check here)

Signature of Town of Hay River official

PRINT NAME

SIGNATURE

DATE



## **TOWN OF HAY RIVER**

### **Organizational and Operational Review**

### **Final Report**

June 14, 2012



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**APPENDIX A: Communications and Information Sharing Tools**

**APPENDIX B: Job Description - Special Events and Tourism Coordinator**



## 1.0 Introduction and Background

Over the past five years, the administration of The Town of Hay River has been engaged in examining the organization in order to find ways to create flexibility to optimize resources and to address any current and potential future deficiencies. In 2005, the town administration carried out an Organization Optimization Review through which several organizational deficiencies were identified. The deficiencies included:

- The safety program;
- The human resources function;
- The maintenance program;
- Records management;
- Economic development;
- Landfill;
- Land disposal strategy;
- Procurement/Contracting efficiencies;
- Communication; and
- Capital project management.

Several key organizational structure changes were implemented following the review which included the appointment of a full-time Fire Chief, and a full-time Assistant Town Manager.

In late 2011, The Town of Hay River identified the need to continue to review and evaluate its organization and operational structure following appointment of a new Senior Administrative Officer (SAO). A major goal of the project was to identify opportunities to improve the efficiency and effectiveness of key administrative systems and processes in order to maintain flexibility in the organization and enable the town to address current and potential future deficiencies effectively and efficiently.

The following key functions were the focus of the review:

- SAO/Council relations;
- Operational planning;



- Internal and external communication practices;
- Timeliness, completeness and accuracy of council reports;
- Presentation, review and processing of council reports;
- Audit of all town job positions and job groupings;
- Council's strategic agenda; and
- Council's committee structure.

In conjunction with the review of town positions, the consultants were asked to review positions at the NWT Centennial Library and place those positions into the proper job groupings used by the town. This will allow Council to determine the staffing costs of assuming operational responsibility for library services in Hay River. The consultants were also asked to develop a job description for an Economic Development Officer position and to place the position description into the proper job grouping used by the town.

The consultants commenced the project in late January, 2012 and made three site visits to the town and completed the activities as outlined in the work plan submitted and approved by the SAO and Council.

## **2.0 Project Activities and Work Plan**

### **Task 1: Confirm Project Objectives, Deliverables and Work Plan**

An initial meeting was held with the SAO and the Assistant SAO to confirm the project objectives, key elements of the review process, individuals to be involved, timelines and project deliverables. Required refinements and modifications were made and the project methodology was finalized.

### **Task 2: Project Communications**

The consultants worked with the SAO to develop a communications plan designed to introduce the project to staff and other key stakeholders in the organization.

### **Task 3: Documentation Review**

The consultants reviewed the following documents to develop an information base to support the review process:



- Town of Hay River Profile;
- Current employee position descriptions;
- Collective agreement between the Public Service Alliance of Canada and the Town of Hay River, December 31, 2013;
- Management Personnel Bylaw No. 2240/GEN/11;
- Town of Hay River Organization Optimization Review, 2005;
- Town of Hay River Personnel Procedures Manual, March 1990 – Western Management Consultants;
- Town of Hay River Organization and Job Evaluation and Salary Administration System Review, February 1990 – Western Management Consultants; and
- Other documents provided by the Project Manager.

#### **Task 4: Interviews with Mayor and Members of Council**

The effective functioning of a Town Council is dependent on strong legislative planning and execution, appropriate role definition, and timely and effective communication processes with administration and community stakeholders. The consultants conducted confidential, face-to-face interviews with the Mayor and each member of Council to gather information on current governance practices, council's strategic agenda and council activities. This provided the consultants with an understanding of the challenges associated with the current Council/SAO working relationship. The consultants also attended two meetings of Council – the regular council meeting held on January 30, 2012 and the committee of the whole meeting held on February 13, 2012 to observe the conduct of those sessions.

The following areas of the Council/SAO relationship were examined and the following questions guided the conversations with Town Council members:

#### **Council's Involvement in the Integrated Community Sustainability Plan and the Capital Plan**

- Does The Town have a vision and if so does that vision relate to current activities to achieve the vision either strategically or operationally?
- What are Council's strategic objectives for the next three years and beyond?
- What is Council's involvement and satisfaction with the Integrated Community Sustainability Plan and the Capital Plan?



### *Council Orientation and Planning processes*

- Following a municipal election what was the nature of Council's orientation to its roles and responsibilities and to the organization as a whole?
- How satisfied are Council members with the quality of the council orientation?
- How can Council orientation be improved and what content is necessary and fundamental?

### *Timeliness, completeness and accuracy of reports received by Council and Committees of Council*

- What are the issues related to the timeliness, completeness and accuracy of reports received by Council or the committee(s)?
- What are the requirements for any report that comes before Council?

### *Presentation, review and processing of reports at the Council/Committee level*

- How can the presentation of reports to Council be improved?
- In what ways can the review of reports by Council be enhanced?
- In what ways can the review of reports in committee be enhanced?
- What new technologies or tools should The Town use to improve reporting processes?

### *Legislative Committee Structure*

- How can the legislative committee structure be improved to achieve the vision for The Town (type, number, membership, etc.)?
- What steps could be taken to optimize Council representation on committees?
- Which committees are not serving their intended purpose and should be changed or abandoned?

## **Task 5: Interview with the Senior Administrative Officer**

A face to face interview was held with the SAO to:

- Delineate the roles and responsibilities of the position and to evaluate these in the context of the NWT municipal legislation and regulations;



- Understand, a) the relationship between the council and the SAO; and, b) the expectations of Council for the SAO position; and
- Identify areas in the Council – SAO relationship that can be strengthened.

### **Task 6: Review of Town Communication Processes**

The consultants conducted a review of processes and tools used by The Town to communicate with its internal and external stakeholders. Communication processes included written and electronic tools such as the council report format, The Town's web site and an internal electronic network. Communication processes currently in use are fairly standard and could be greatly enhanced such as improving the format and content of reports submitted to council for consideration. The consultants noted that Town communication practices are not guided by a defined communication or stakeholder engagement strategy.

### **Task 7: Update and Confirm Position Descriptions**

Using a Job Information Questionnaire (JIQ) the consultants conducted interviews with all staff to identify the roles and responsibilities for their individual positions. Each staff member was asked to complete a JIQ for their position in advance of the interview with the consultants. The completed JIQ's grouped by job category, were reviewed and approved as accurate statements of each job by the respective supervisor and given final approval by the SAO.

### **Task 8: Evaluate Positions and Confirm Placement in Job Groupings**

Using the information gathered in Task 7, the consultants evaluated the positions using the Job Evaluation Support Software (JESS) developed by Western Management Consultants. Following the evaluation phase, each position will be placed in the proper job grouping relative to the eight previously identified compensable factors for jobs in The Town of Hay River.

### **Task 9: Review of NWT Centennial Library Positions**

The consultants reviewed the NWT Centennial Library job descriptions to place the jobs in the appropriate Town of Hay River job groupings. It was the consultants understanding that the goal of this task was to assist The Town to make a decision concerning the future delivery of library services, possibly as a municipal service.



### **Task 10: Evaluate Positions and Confirm Placement in Job Groupings**

In light of the information gathered in the operational review, the consultants examined The Town's current organizational structure to identify opportunities to maximize efficiencies and effectiveness of the organization. It is understood that an organization optimization review was last conducted in 2005 by the SAO of the day. Several recommendations were identified in that review but only a few recommendations were acted upon either in whole or in part.

### **Task 11: Develop Economic Development Officer Position Description**

The consultants met twice with the Trade and Tourism Advisory Committee to review the roles and responsibilities for a proposed Economic Development Officer position as envisioned by the Committee. The Committee indicated that it supported the development of a job description for a position that would deal primarily with special events coordination and tourism with support to the Council and SAO for economic development activities.

## **3.0 Observations and Key Findings**

### **3.1 Legislative Services**

From the information gathered in the interviews and from observations during the two meetings of Council, the consultants have developed a good understanding of the legislative systems and processes in The Town. The information and observations are organized under the following themes:

#### **Council as a Governing Body**

- In accordance with Section 12(1) of the *Cities, Towns and Villages Act* of the NWT (2010) the council of a municipal corporation in the Northwest Territories is comprised of a mayor and eight councillors. Given our experience with municipalities in other provinces in Canada that are larger or of similar size to Hay River, the consultants believe the number of council members could be reduced from eight to six without compromising the ability to effectively govern the municipal corporation. In accordance with Section 13 of the Act, Town Council can request that the Minister vary the number of council members who comprise a council.



- The Mayor chairs all council meetings and is presently a non-voting member of council unless required to break a tie vote. In accordance with the Act, Council by bylaw can determine whether the Mayor is a voting or non-voting member. Under section 29(b.1), councils may by bylaw, make rules respecting the circumstances in which the Mayor may vote at meetings of Council or committees of Council. The consultants reviewed The Town's Procedures Bylaw and were unable to locate a reference to council having approved that the Mayor only votes to break a tie vote. This is a requirement of the legislation and should be clarified in the procedures bylaw. The consultants believe there may be value in changing the Mayor's status to that of a full voting member of Council as is common in municipal government in other Canadian municipalities. This also underscores the need to periodically review Council policies and bylaws to ensure they reflect current standards and applicable legislative or regulatory authority.

### **Council Orientation**

- In the past, Council orientation has been provided by the Department of Municipal and Community Affairs (MACA). The consultants understand that this covered topics such as code of ethics, roles and responsibilities of elected officials and conflict of interest provisions.
- The majority of councillors expressed the view that although the topics presented at the sessions were relevant, more depth and more content would have added to the value off the orientation process. Content that would be helpful includes:
  - A more detailed and comprehensive description of Council versus administrative roles and responsibilities;
  - More information about The Town and its operations;
  - Communicating effectively; and
  - Financial information about operations and budget.

### **Strategic/Sustainability Planning**

In 2009, Town Council adopted an Integrated Community Sustainability Plan (ICSP) which included: 1) the strategic plan; 2) the community energy plan; 3) the capital investment plan; and 4) the human resources plan. During the interview process, all members of Council and senior administration indicated that the plan was



developed to obtain funding from the Federal Gas Tax program. The document contained several strategic goals and priorities for the Town of Hay River. All of the internal stakeholders interviewed by the consultants indicated that the document is not used by Council or administration and does not set the strategic agenda for The Town or Council's relationship with the SAO. In essence, The Town does not appear to be following a strategic agenda and corporate and business planning is inherently operational or tactical at best. This reflects reactive as opposed to proactive planning.

From the consultant's perspective, Council's most significant responsibility is to establish a vision and strategic agenda for the community and the town as an organization. All other business and operational plans and budgets should logically flow from and support a well-defined strategic plan and agenda that identifies and resources a limited number of strategic priorities. Operational priorities should logically flow out of the identification and attainment of strategic priorities.

### **Council/SAO Relations**

The SAO is Council's key employee as prescribed by Territorial legislation. In this capacity, the SAO is responsible for all administrative duties and operations of the municipal corporation. This is an extremely important position and should be guided by a clear set of performance objectives with identifiable and achievable outcomes. These objectives should be primarily focused on achieving Council's strategic agenda and vision for the community. The consultants observed that Council has not provided the SAO with a clear set of performance objectives on which his performance can and will be evaluated. The absence of this strategic direction could contribute to the SAO's potential failure which will reflect negatively on the entire organization and Council.

Performance evaluation should be a normal course of action and should emanate from Council to the SAO and from the SAO to his direct reports and hence to the rest of the organization. "What gets measured gets done."

The consultants observed that all stakeholders acknowledged that the SAO may not possess all required competencies for the position at the present time. There was however, broad support by Council for the SAO and his ongoing professional development. This would suggest that the SAO should work with Council in developing a set of performance objectives supported by a defined professional development plan aligned with organizational priorities and outcomes. The consultants understand that the SAO has developed and Council has approved a program of professional development which will assist the SAO in developing key



management/leadership competencies. The next step will be to link the SAO's professional development plan to the attainment of overall corporate strategic priorities.

### **Administrative Support for Council**

The consultants observed that the Mayor has a dedicated full time Executive Assistant (EA) which is not common in communities of comparable size. In many municipalities of Hay River's size, this type of administrative support is typically a shared resource for the, Mayor, SAO and all members of council. In the current situation, the Executive Assistant serves as the Council Recording Secretary and is involved in preparing agenda packages, attends Council meetings, and records and transcribes meeting minutes. The consultants were advised the EA provides administrative support to the SAO although this appears to be in transition. The role and responsibilities of the EA require further clarification to ensure that position provides the best support value to the organizations leaders.

### **Council Meetings**

- Council meets twice a month on Monday evenings at 7:00 p.m.;
- One meeting is a regular Council meeting and the other is a Committee of the Whole meeting;
- At the Committee of the Whole meeting, Council discusses administrative reports and recommendations, and receives delegations from the community. No decisions are made at this meeting except to present committee reports to the next regular meeting of Council;
- At the regular meetings of Council, items that were discussed at the Committee of the Whole meeting are presented for consideration and voting. From the consultants observations, the optics of approving reports previously discussed at the Committee of the Whole meeting without any major discussion at the regular Council meeting are not positive. Had an observer not been in attendance at the Committee of the Whole meeting where the report was discussed, the observer might believe the reports were being "rubber stamped" by Council;
- If a report is not approved during a regular Council meeting it must be brought to the next Council meeting which can be a minimum of four weeks in the future. This results in a significant delay in the approval process; and
- The layout of the council chamber is designed such that councilors sit at the front of the chamber with the Mayor and SAO seated to the left of Council on a raised



dais. The recording secretary and Assistant SAO sit to the left of the Mayor and SAO. Administration is seated to the right of Council across from the Mayor and SAO. The public gallery is located along the rear of the chamber. It is the consultant's opinion that this seating arrangement is not ideal for effective patterns of communication between the Mayor and Council and administration or for effective public presentations.

### **Reports to Council**

- Meeting agendas and supporting administrative reports are available to Council electronically on the Thursday prior to the meeting. This arrangement gives councillors time over the weekend to review the reports and prepare their comments and questions for the meetings. Some members of Council felt they needed more time to review and consider the reports before the Monday Council meeting.
- The Town provides each Council member with a laptop computer to electronically access Council meeting materials. It was noted by the consultants that all but one Council member used the laptop computer at the council meeting to access the Council agenda and administrative reports.
- Most reports to Council contain recommendations and general information and background data to support the primary recommendation(s). There is no justification or other supporting information such as financial implications or alternatives, which might be considered in the event the main recommendation is not acceptable to Council. The reports are also silent on author or approval authority. The consultants believe that a new report format should be adopted such that the recommendations are clearly identified at the beginning of the report, followed by history and background to the report, followed by justification for the recommendations. The consultants have provided a template for a new report format that may be acceptable for Council reports.
- The consultants believe that Council reports where possible, should be limited to two to three pages in length. This means that the reports will need to be very crisp and specific in intent. The volume of attachments to many reports that the consultants reviewed were very extensive and did not necessarily add value to the report. This information could conceivably be made available to Council in a circulation or reading file for Council members to review at their leisure. For example, in the consultants' opinion, contract details for a recent engineering services agreement that was submitted to Council on February 13, 2012 was



relevant but not totally required to facilitate the decision making process on the issue at hand.

### **Council Committees**

There are twelve standing committees of Council. Current committees include:

- Beautification Committee;
- Economic Development Committee;
- Accounts Committee;
- Landfill Committee;
- Personnel Committee;
- Interagency Committee ;
- Pine Point Development Committee;
- Mackenzie Gas Project Committee;
- Protective Services Committee;
- Utilities/Environment Committee;
- Code of Conduct/Ethics Committee;
- Trade and Tourism Advisory Committee;
- Recreation Board;
- Drug Free Zone Committee; and
- Flood Mitigation Committee.

Each standing committee is comprised of representatives of Council, the administration and residents of the town. In addition to the standing committees, there is one ad hoc committee – the Community Energy Plan Committee.

Several councillors expressed that there are too many committees. The number of committees should be reviewed in order to make the committee structure more effective. The consultants will provide information on the establishment and maintenance of an effective Council committee structure.

### **3.2 Communications**

Information currently available on The Town's website is fairly extensive and includes access to important studies and other documents such as Council minutes,



agenda packages and bylaws. The website also provides information on community groups, services, town events and job openings. Users of the website can create an account to receive immediate updates on jobs and other information from the Town. The Town's website is not currently set up for social media feeds through channels such as Facebook, Twitter or LinkedIn. These channels are becoming very popular for the sharing of important organizational information to interested parties. The Town's information technology services appear to be well supported by a local contractor.

The consultants understand The Town is using standard office productivity software including e-mail, word processing, spreadsheets, presentation software, etc. Opportunities exist to use other tools for corporate information sharing such as MS One Note, Yammer, etc. These tools allow internal users to collaborate on the development of reports, communication products and general information sharing.

Opportunities also exist to incorporate social media/communication tools such as Skype, Twitter, Facebook and LinkedIn into to The Town's information technology infrastructure. The consultants understand that The Town's contract IT administrator has the capacity and experience to work with The Town on these matters. The review of these productivity tools should be discussed with the IT contractor.

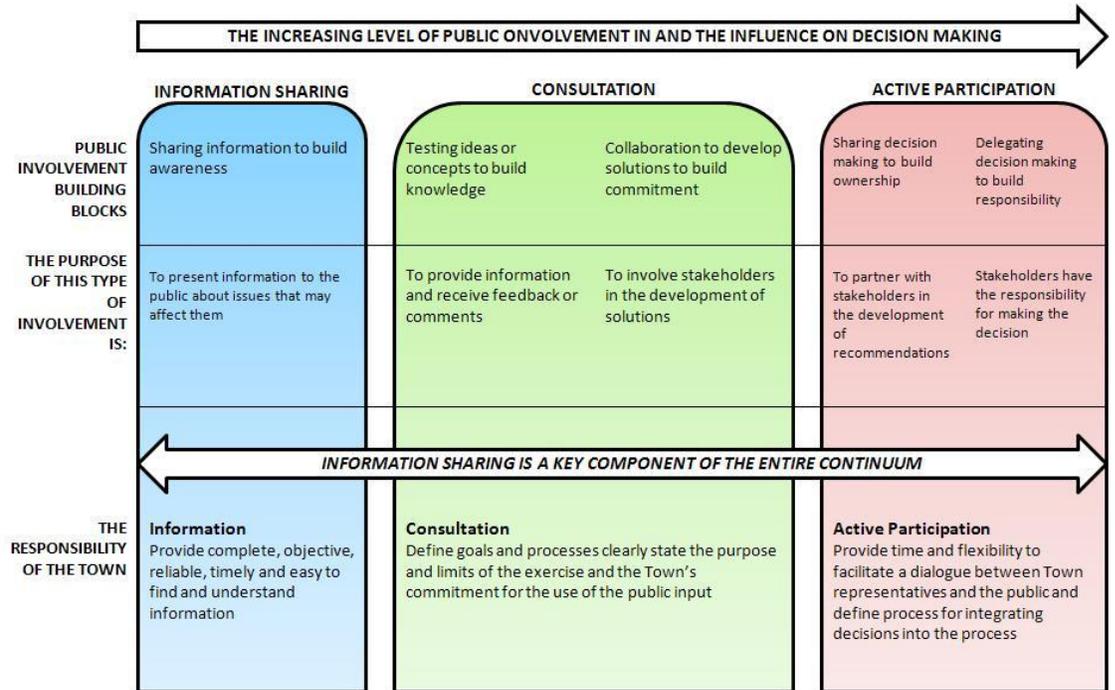
While many of The Town's communication tools appear to be functioning quite well and information is readily available on The Town's website, the consultants observed that The Town could benefit from having a defined Communication and Citizen Engagement strategy. This would guide both formal and informal communication and the manner in which stakeholders are involved in the following situations:

- Informing them when a decision has been made.
- Involving them in developing overall town strategy.
- Seeking public involvement when a strategy has been determined and The Town is asking for public involvement on a particular aspect of the design or implementation phase of a decision.

Knowing up front why The Town is asking the public to be involved will help facilitate better communication with citizens. This will allow them to know why they are being involved, what the decision is they are being involved in, and who ultimately will make the decision.



The following single frame graphic illustrates the Continuum of Public Involvement:



A formal communication and citizen engagement strategy would provide the necessary guidance to ensure that The Town properly engages its citizens and stakeholders in both information sharing and decision making processes. The strategy will complement the formal aspects of communication and consultation that are identified in legislation affecting municipalities, but more importantly, it will go much further. A listing of Communication and Information Sharing Tools that can be incorporated in the plan is attached to this report as Appendix A.

## 4.0 Job Evaluation

### 4.1 Town of Hay River Job Evaluation

The consultants provided the Job Information Questionnaire (JIQ) and the Resource Manual electronically to the Assistant SAO for distribution to all Town employees. The consultants have completed interviews with all staff in either face-to-face or telephone interviews to confirm the information provided by each employee on the Job Information Questionnaire. The consultants suggested changes where the information was found to be lacking or inaccurate. In the final analysis the position descriptions must be approved by an employee's supervisor and the SAO, as an



accurate statement and description of actual job duties, responsibilities, competencies and required education and experience. At the time of writing, the consultants understood that the SAO was completing review of the JIQ's and they were waiting for all completed JIQ's to be delivered so the evaluation could be completed.

#### **4.2 Economic Development Officer Position**

The Town has a Trade and Tourism Advisory Committee composed of two councillors, administrative staff and five representatives of the business community. The mandate of the committee is to promote, expand and enhance tourism and trade development of the Town of Hay River. The consultants were advised the committee was initially considering recommending to Council the hiring of an Economic Development Officer to promote the town. It was noted that The Town does not have an Economic Development plan at the present time. Members of the committee advised that a graduate student had been engaged to develop a tourism master plan for The Town of Hay River which was to be completed by March 2012. A tourism plan or strategy is typically a part of a comprehensive economic development plan.

It became apparent from the discussion with the committee, that some members saw greater value in the creation of a Special Events Coordinator position as opposed an Economic Development Officer position. Consequently, the consultants held a second meeting with the committee to clarify responsibilities of the position that committee members felt was best aligned with The Town's long-term needs.

It was the consultants understanding that the committee ultimately favored a Special Events/Tourism Coordinator position. A sample job description is therefore attached to this report as Appendix B. The consultants believe that economic development is an important municipal function which can contribute to the economic prosperity of the community if it is well planned and is driven by achievable outcomes and appropriate resources. In the absence of a specific economic development strategy, it is advisable that Council and the SAO promote the community to prospective investors. Economic development priorities should be clearly identified in The Town's Integrated Community Sustainability Plan (ICSP) to support one or all of the five major pillars of sustainability.



### 4.3 Evaluation of NWT Centennial Library Positions

The consultants received position descriptions for the Library positions. These position descriptions were evaluated using the same process for all Town employee positions. Placement of these positions in The Town's compensation model will be identified.

## 5.0 Organizational Structure

### 5.1 Preliminary observations

Based on initial observations and discussions during the interview process and a review of current organizational charts, the consultants observe that The Town of Hay River has a traditional organizational structure with the SAO as head of the administrative team supported by Directors responsible for Public Works, Recreation and Finance. The organizational chart also shows an Administration Officer with direct responsibility for most front office functions such as land, assessment and taxation, accounts receivable (AR), accounts payable (AP), payroll and front counter. This position is displayed on the organizational chart at the same level as the Directors but does not function at the same level. An Assistant Senior Administrative Officer position exists but it is not shown on the organizational charts supplied to the consultants.

In accordance with the **Organization Optimization Review Report**, an Assistant Town Manager position was recommended and the consultants understand that the former SAO assumed that position for a period of time. When the Assistant Town Manager became the SAO, the consultants understand that the Assistant Town Manager position was deleted and a new position of Assistant SAO was created.

The consultants observed that the Director of Finance and the Assistant SAO had no direct reports or line supervisory functions. In fact the consultants were advised that the Director of Finance is only responsible for budget and audit functions. A typical Director of Finance position would be responsible for all financial functions including cash receipting and management, financial control, AR, AP, payroll, budgets, and supervision of staff involved in these functions. The Director of Finance resigned his position during the review process and the position was advertised and recruitment is in progress. The SAO advised the consultants that the job advertisement included supervisory responsibilities for Town financial functions and the position would be a key member of the management group.



## 6.0 Recommendations

### 6.1 Legislative Services

**6.1.1 Recommendation:** That The Town undertake a comprehensive review of all of its policies and bylaws to ensure they are up-to-date, accurate and in compliance with Territorial legislation.

**Rationale:** Polices, bylaws and administrative procedures should be reviewed periodically to ensure compliance with legislation and current community needs. The consultants noted for instance, that the Procedures Bylaw requires revision and updating because it is not consistent with the *Cities, Towns and Villages Act*. The updated bylaw should respect that where possible, polices should have a review date as part of the policy statement. The review should be coordinated by the Director responsible for legislative services.

### 6.2 Council as a Governing Body

**6.2.1 Recommendation:** That the size of Town Council be reduced from eight members plus a mayor to six members plus a mayor.

**Rationale:** The current Council consists of a Mayor and eight councillors as provided under Territorial legislation. The legislation allows for a lesser number of councillors if council requests that the Minister issue an order to vary the number of Council members. Based on the population of the town, the consultants believe that fewer councillors are justifiable. From the consultant's experience, smaller municipalities often have councils with fewer than nine members. During the time of the review, the consultants noted that there was one vacant council position and the Mayor resigned his seat in March, 2012 which reduced the council to seven members. The consultants attended and observed two regular Council and two Council Committee of the Whole meetings. During these meetings, a council of seven members appeared to be sufficient to effectively deal with Town business. A reduction in the number of elected officials could result in a reduced cost of legislative services to the Town of Hay River or the resources could be allocated for other purposes.

**Implementation:** In accordance with Section 13 of the *Cities, Towns and Villages Act*, Town Council may apply to the Minister to issue an order varying the size of council members by requesting a change to the establishment order. If council supports this recommendation and decides to take action, it should move expeditiously such that the ministerial order varying the number of councillors could take place for the next



general election scheduled for October 2012. The request should be submitted to the Minister in writing in June, 2012 such that the change can take place prior to nomination day in August, 2012.

Alternatively, in accordance with Section 7(1.) of the *Local Authorities Election Act*, Council could decide to hold a plebiscite and develop a question that voters could respond to concerning a reduction in the number of councillors during the Municipal Election scheduled for October 2012.

The question could be worded in the following manner:

*“That the size of the Council of the Town of Hay River be reduced from eight councillors and a mayor (9) to six councillors and a mayor (7)?”*

Yes \_\_\_\_\_

No \_\_\_\_\_

If Council decides to proceed with a plebiscite, the official wording of the question should be confirmed with Municipal and Community Affairs. If a plebiscite is held and if the majority of voters support a reduction in the size of council the change would take place at the next municipal election in 2015.

**6.2.2 Recommendation:** That the Mayor be designated as a full voting member of Council as provided in the *Cities, Towns and Villages Act*.

**Rationale:** From the consultant’s experience, Mayors in most communities across Canada are typically full voting members of council, unlike the situation in the Town of Hay River where the Mayor only votes to break a tie vote. In accordance with Section 39 of the *Cities, Towns and Villages Act*, a Mayor performs the duties of a council member in addition to presiding at council meetings, providing leadership and direction to the council, and performing any other duty imposed by the legislation and bylaw. In a situation where a council decides to limit the voting responsibilities of the Mayor, it must approve this limitation by bylaw in accordance with Section 29(b.1) of the Act. A review of The Town of Hay River Procedures Bylaw did not reveal any wording to this effect.

This recommendation is predicated on a higher level of accountability for decision making that should involve all elected officials including the Mayor. The consultants respect that there is a long history in the Northwest Territories wherein council decisions are consensus based but believe that no elected member of council should be excluded from the decision making process. It should be noted that the Act was



amended to clarify that where the Mayor has the same right to vote as other council members and a tie occurs, the vote is defeated in that situation.

**Implementation:** If Council accepts this recommendation it should move expeditiously to update the Procedures Bylaw to make this change prior to the next municipal election and ensure that the bylaw complies with current territorial legislation.

## 6.3 Council Orientation

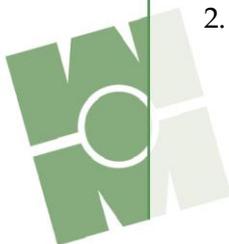
**6.3.1 Recommendation:** That a new and comprehensive Council orientation process be developed prior to the next municipal election.

**Rationale:** A comprehensive and well planned orientation program ensures that new and returning town councillors have an opportunity to establish a foundation for teamwork and strategic planning. It also promotes the receipt of accurate and timely information concerning Council versus management roles and responsibilities, and other critical information such as policies and bylaws to better understand Town strategic and operational priorities. It also provides Council an opportunity to lay the groundwork for the establishment of Council's strategic agenda and priorities that should be developed in the period immediately following the election.

The consultants are also aware that some municipalities have started orientation processes by sponsored candidate information sessions prior to a municipal election to provide prospective candidates with information concerning the role and responsibilities of the mayor, councillors and town administration. This type of information sharing could conceivably be coordinated with any programs that MACA sponsors for new council orientation recognizing that the MACA program is general in nature and would not address orientation to specific Town of Hay River matters.

**Implementation:** An agenda for a new Council orientation program is typically developed by administration at the direction of Council. Topics should at a minimum include the following:

1. Roles and responsibilities of Mayor and Council – legal, financial and fiduciary(acting in good faith);
2. Roles and responsibilities of the SAO and administration;



3. Council/SAO relations and reporting processes;
4. Conflict of interest;
5. Review of the Council's current priorities as identified in The Town's Integrated Community Sustainability Plan (ICSP) or other related planning documents;
6. Communication processes such as dealing with the media and internal communication;
7. Key bylaws and policies including meeting procedures/parliamentary procedures and expense policy and remuneration guidelines;
8. Introduction to Town departments and tour of Town facilities as required; and
9. Other important topics as identified by Council in collaboration with the SAO.

The agenda for this session could also provide members of Council with an opportunity to discuss issues and matters as identified during the municipal election campaign. These issues and matters are frequently communicated by community stakeholders to candidates when they are campaigning and knocking on doors. Facilitation of this type of discussion at the Orientation Session presents a good opportunity to ensure these ideas are captured for consideration at future planning sessions.

#### **6.4 Strategic/Sustainability Planning**

**6.4.1 Recommendation:** That Council commit to updating and following a strategic sustainability plan to guide operations of The Town.

**Rationale:** A strategic sustainability plan is a critically important planning document premised on Council's vision for the community. The planning document should identify (4 - 6) key strategic priorities and defined outcomes that Council wishes to address during its term of office. The plan should be holistic and where possible should be developed using the following pillars of sustainability:

1. Governance;
2. Economic;
3. Social;
4. Cultural; and
5. Environmental.



There is strong evidence to suggest that communities are viable and sustainable when the five pillars are in balance and Council and Town administration are committed to achieving this balance through effective planning and public involvement. All other Town planning documents should support achievement of the key priorities and the key results/outcomes identified in the strategic sustainability plan.



**Implementation:** One of the first orders of business following the election of a new Council and following an effective council orientation process should be the development of Council’s strategic plan. Recognizing that the time immediately following the municipal election is very hectic and busy; a strategic plan should be developed in the first quarter of the year following the municipal election. This period should be viewed as a “Foundation Period” in which Council and administration come together to plan for the ensuing term.

The strategic sustainability plan should also reflect the results of an appropriate stakeholder engagement process aimed at identifying community based strategic priorities and goals. This process is best coordinated by an external facilitator which will allow Council and administration to fully participate in the planning activity.

**6.5 Council/SAO Relations**

**6.5.1 Recommendation:** That Council adopt a performance management system predicated on the Human Resource Plan contained in the existing ICSP whereby the SAO’s performance is linked to Council’s strategic agenda, and that performance management be implemented for the organization as a whole.



**Rationale:** The existing ICSP contains a section related to human resource planning including performance management. This should be followed to ensure the SAO's success. The SAO's overarching responsibility should be the attainment of Council's strategic agenda. Performance should be based on achieving these priorities with the resources allocated through the normal business planning and budgeting process. Leadership is a key function and responsibility for a SAO and developing and promoting strong leadership skills will be critical to the SAO's success.

**Implementation:** Council and the SAO should develop a performance management plan for the SAO based on Council's strategic agenda supported by identified and measurable outcomes. The SAO should work with his direct reports to ensure that performance management also becomes a normal course of business for the Town of Hay River as an organization. The performance management program exists as part of the ICSP but to the consultants knowledge is not being followed. Effective performance management should become part of the cultural fabric of the organization. Council and the SAO should acknowledge good performance when it takes place and address poor performance to achieve better outcomes.

## 6.6 Administrative Support for Council

**6.6.1 Recommendation:** That the Executive Assistant position be tasked to serve all members of Council and the SAO, and that this position continue to serve as Council recording secretary.

**Rationale:** From the consultant's experience, it is highly unusual that the Mayor in a town the size of Hay River would have a dedicated Executive Assistant. A recent MACA report also made a similar observation. This resource should be available to provide support to all members of Council and the SAO.

**Implementation:** This change should take effect immediately and the position description should be updated to reflect the change.

## 6.7 Council Meetings

**6.7.1 Recommendation:** That Council should hold two regular Council meetings per month instead of one Committee of the Whole meeting and one regular Council meeting per month, and that a Committee of the Whole session be incorporated into the regular Council meeting agendas if and as required.



**Rationale:** The consultants believe that the Council decision making process could be more efficient and decisions could be expedited if two regular Council meetings were held each month. The existing meeting process where one meeting is dedicated to the receipt and discussion of committee and informational items appeared to be inefficient and represented significant duplication of effort. If citizens attended a regular Council meeting but had not attended the previous Committee of the Whole meeting, they may not have appreciation that there had been previous discussion on the agenda items at an earlier meeting. This could be seen as “rubber stamping” to some observers.

**Implementation:** This change could be implemented to coincide with the first meeting following the municipal election scheduled for October, 2012.

**6.7.2 Recommendation:** That The Town investigate reconfiguring Council chambers such that the Mayor and SAO are seated at Council table with the other members of Council to improve inter-council communication during meetings.

**Rationale:** The consultants observed that the positioning of the Mayor and SAO at a table separate from the rest of Council did not contribute to effective inter-council communication. In fact it created an obvious separation between the Mayor and the rest of Council. Council table configurations in most communities typically have all members of Council including the Mayor and or SAO situated at one table. This contributes to a better interface between elected officials and the public. The current Council table is large enough to accommodate this recommendation. This change would also make it easier to televise Council meetings because all elected officials would be contained in one screen shot.

The current Mayor/SAO table could be designated for members of the media so they don't have to take notes on their laps while seated in the public gallery.

The administration table should also be relocated to the center of the lower level of the chambers directly in front of the Council table. This will facilitate better communication between Council and the senior management team. Delegations could also use this table as required but in most instances public delegations could be presented from a podium that could be located where the administration table is currently located.

The Town should also investigate the permanent placement of projection equipment including a screen immediately adjacent to the presentation podium. This would



permit the visual presentation of reports and other information onto a screen that would be visible to Council members and the public including any delegations.

**Implementation:** The majority of this recommendation can be accomplished with little or no expense. New technology for permanent placement of a projector and screen would necessitate a capital expenditure however. The Town should retain the services of a company that has expertise in meeting room design and configuration to achieve this recommendation.

## 6.8 Reports to Council

**6.8.1 Recommendation:** That The Town should adopt a new standard report format for reports to Council. The report should contain recommendations followed by discussion of relevant considerations, justification for the recommended action, alternatives, financial considerations and link to Town strategic initiatives or priorities.

**Rationale:** The consultants observed that there was little consistency in administrative reports contained in Council agenda packages. Standardization of reports to Council would ensure that there is a consistent approach to the preparation, review and approval of all administrative reports. Existing Council agenda packages contain information that could be deleted from the administrative reports but could be made available for Council review through a circulation or project reference file. Detailed engineering reports are an example of the type of information that could be referenced in a different manner.

Where possible, administration should attempt to reduce the volume of extraneous information that does not support the primary recommendation(s) of any report being presented to Council for consideration and decision. All reports should contain a clear recommendation for action even if it is to receive the report for information. In most instances the report should be limited to a maximum of two to three pages plus attachments or other essential appendices (e.g., copy of the bylaw).

Administrative reports should generally contain the following sections and structure:

<b>Report Title</b>	A clear title listing the subject of the report.
<b>Recommendation(s)</b>	The recommendation(s) should be written in a format that can be used by a member of council to place the matter on the council table for debate and discussion. For example:



	<ul style="list-style-type: none"> <li>➤ That Bylaw 215-12 be given first reading.</li> <li>➤ That a public hearing relative to Bylaw 215-12 be scheduled for Monday, June 4, 2012 commencing at 7:00 p.m. or as soon thereafter as practical.</li> </ul>
<b>Background/History</b>	This section provides the history and background of the matter and identifies whether the matter is new or if it has it been considered by council at a previous meeting or meetings.
<b>Discussion</b>	This section provides information relative to the subject of the report and frames the issue.
<b>Communication and Public Engagement</b>	This section identifies any communication or public engagement matters.
<b>Justification</b>	This section provides information to support the main recommendation(s).
<b>Financial Implications if any</b>	This section indicates the financial or budget implications of the recommendations.
<b>Implications to Council Strategic priorities</b>	This section relates how the report and recommendations support any of council's strategic priorities.
<b>Alternatives</b>	This section identifies any relevant alternatives that might be considered as opposed the main recommendation of the report. This information will give council assurance that administration has considered all relevant alternatives in the preparation of the report.
<b>Attachments</b>	Critical attachments such as bylaws, policy statements that underpin the recommendation(s).
<b>Prepared by:</b> Name of staff member and date <b>Reviewed by:</b> Name of Director and date <b>Approved by:</b> Name of SAO and date <b>Submitted to:</b> Council meeting and date	<ul style="list-style-type: none"> <li>➤ This section is contained in the last portion of the report and indicates who prepared the report and the date prepared;</li> <li>➤ Who reviewed the report and the date reviewed;</li> <li>➤ Who approved the final report and the date; and</li> <li>➤ The date the report was submitted to council for consideration.</li> </ul>

**Implementation:** Administration should move immediately to adopt the proposed report format listed above for all reports to Council.

**6.8.2 Recommendation:** That the SAO with support of the senior management team implement a defined agenda review process to review all reports being submitted for consideration by Council to ensure the completeness, accuracy and timeliness of information.

**Rationale:** The SAO and the senior management team should adopt a rigorous process to review all Council reports to ensure they are accurate and complete. This would mean that reports should be prepared by members of administration with



sufficient time for the reports to be considered at an agenda review meeting coordinated by the SAO and attended by department Directors.

**Implementation:** This process should be implemented immediately.

## 6.9 Council Committees

**6.9.1 Recommendation:** That The Town undertake a comprehensive review of the current committee structure.

**Rationale:** Town Council currently has a total of twelve standing committees and one ad hoc committee, some of which are active while others are not. Council has a minimum of one representative on each committee and several councilors serve on more than one committee.

**Implementation:** This review is not a critical need but could be undertaken in the first half of 2013 following the next municipal election.

## 6.10 Communications

**6.10.1 Recommendation:** That The Town develop a comprehensive communication and citizen engagement strategy for stakeholders – for both internal and external stakeholders.

**Rationale:** Communication and engagement are two distinct but related concepts. Communication involves two or more parties in an exchange of ideas where the Town chooses and controls channels and determines the rules of engagement. Engagement involves The Town reaching out to groups and the community at large where the rules are set by someone else.

The consultants observed that current communication channels such as e-mail for internal communications and The Town website for communication with the public are used across the organization. There was little evidence of organized engagement with internal or external stakeholders on a regular basis where the Town is reaching out to its citizens for their input. Engagement activities appear to be adhoc and driven by the specific topic under consideration.

**Implementation:** A well designed communication and stakeholder engagement plan can serve as the guiding document to Council's major decision making process and should be developed without delay.



**6.10.2 Recommendation:** That The Town conduct a biennial citizen satisfaction survey to gather specific feedback from Town residents on satisfaction with Town programs, services and facilities.

**Rationale:** A citizen satisfaction survey should be conducted every two years to gather important information on how citizens view the services, programs and facilities provided by The Town. This type of survey is most often conducted by way of a random telephone survey process to provide a high degree of statistical reliability and validity. Once the baseline data is obtained, the survey instrument can be used for future surveys to identify trends related to citizen impressions of The Town and its services. A number of open-ended questions can also be included in the survey to identify citizen perspective on new or emerging issues or to gauge citizen acceptance of new or planned initiatives. This information can also be used to support and augment the annual strategic planning process.

**Implementation:** The cost for this type of survey is driven by the number of questions included in the survey instrument and the amount of analysis that is required to understand and validate the data. A sample budget may be in the order of \$12,000 - \$18,000. This is typically completed by an external survey firm that is set up to conduct telephone surveys.

## 6.11 Job Evaluation

### Town Positions

**6.11.1 Recommendation:** That The Town accept job groupings based on the job evaluation process carried out for this project by Western Management Consultants.

**Rationale:** A major focus of the current project was to update current job descriptions and place the positions in the proper job groupings. This will allow The Town to compensate the positions at the right levels. Updating the job descriptions will ensure that Town staff are effectively engaged in their job functions and are appropriately compensated. This will contribute to employee commitment and understanding of major job functions, responsibilities and activities.

### Hay River Library Positions

**6.11.2 Recommendation:** That The Town develop a business case to determine the feasibility of assuming operational control of the NWT Centennial Library.



**Rationale:** The consultants were advised that The Town is interested in identifying the cost of running the NWT Centennial Library. Assuming responsibility for operation of the library should be guided by a business case which should examine all relative costs and benefits. Staff costs are only one cost to determining whether the town should assume operation of the Library. A business case analysis would provide a holistic response to the question of feasibility, cost and overall benefit to The Town from operating the library.

## 6.12 Special Events/Tourism Coordinator Position

**6.12.1 Recommendation:** That Council consider the observations and position of the Trade and Tourism Advisory Committee relative to the need for a Special Events/Tourism Coordinator position for The Town.

**Rationale:** The need for this position was identified by the Committee to assist in the coordination of special events, to work with tourism operators in the town, and to back stop the Council and SAO in their economic development activities on behalf of the Town. The consultants understand that the Committee has is recommending creation of this type of position to facilitate special events and tourism opportunities in Hay River.

**Implementation:** A draft Special Events/Tourism coordinator position description has been prepared by the consultants and is attached to this report as Appendix B.

## 6.13 Organizational Structure

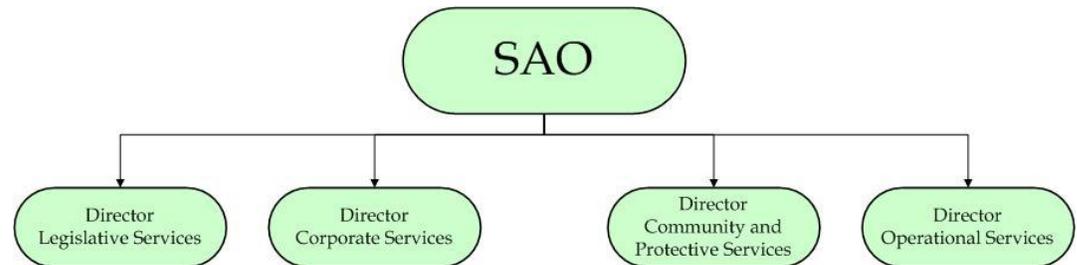
**6.13.1 Recommendation:** That The Town's organization structure be realigned under a services model with four service areas/departments and that each service area be led by a Director.

**Rationale:** The creation of a new organization structure under a services model is recommended to create management capacity and responsibility to support the SAO in the planning for and delivery of town services. This will facilitate a team approach to management to bring a broader perspective into administrative matters and service delivery. This arrangement will also support succession planning where the Directors of the four service areas are part of the management team and are positioned to support the SAO and serve in an acting capacity if and when required.

Considering the SAO is council's primary employee and is responsible under legislation for the organizational structure and functions delegated by Council, the



consultants discussed options for a new organizational structure with the SAO. One option which is common in municipal government would be to realign operational responsibilities under a proposed management team consisting of the SAO supported by four Directors. Under this option, the functional areas would include Legislative Services, Corporate Services, Operational Services and Community/Protective Services as depicted in the following diagram.



The four operational areas would have the following major responsibilities:

- Legislative Services would include all matters associated with support for council functions including agendas and minutes, bylaws, legal functions (contracts and agreements), insurance and risk management and elections. Communications could fall to this area or Corporate Services. Human resources could be aligned under this portfolio or under Corporate Services which is a typical arrangement.
- Corporate Services would be responsible for all financial functions, land administration, human resources, and information technology. This is essentially a support function for the operational areas.
- Community/Protective Services would include emergency services, safety programs, bylaw enforcement, recreation facilities operation and programming, cultural services and programming, and parks.
- Operational Services would include engineering, planning, development control, transportation, roads, utilities, and facility and equipment maintenance.

Under this proposed structure, the Assistant SAO position would assume responsibility for the Legislative Services function. Acting SAO functions could be assumed by any one of the four management positions as required from time to



time. This would contribute to the development of leadership competencies of the team and could address succession planning in the future.

**Implementation:** The final configuration of the senior management team should remain at the discretion of the SAO with consideration given to the leadership capacity within the organization. The SAO should work with Council to ensure that any changes are supported by Council.

**6.13.2 Recommendation:** That human resources (HR) be centralized in one Town department.

**Rationale:** The consultants observed that The Town's human resources functions are handled by personnel in individual departments. Human resource departments in municipalities are usually responsible for the attraction, orientation, training, and assessment and recognition of employees, and compliance with employment and labor laws. A centralized HR model will ensure consistent recruitment and retention of Town human resources.

**Implementation:** This process should be implemented at the same time as organizational changes at the senior management team level.

## 6.14 Core Services Review

**6.14.1 Recommendation:** That The Town undertake a *core services review* to determine if The Town is providing the right services at the right levels with the right resources.

**Rationale:** During the April 24, 2012 session with Council where the consultants shared their findings and observations arising from the project, Council asked the consultants if The Town was providing the right services at the right levels to local businesses and residents. The consultants noted that this was beyond the scope of this project and that if Council wanted a definite answer to the question it should conduct a detailed analysis of the services provided by Town departments and assess the services against resident needs and overall level of satisfaction.

**Implementation:** This recommendation should be considered in conjunction with the recommendation to conduct biennial citizen satisfaction surveys. The Town should develop and issue a Request for Proposals (RFP) if Council wishes to proceed with a *core services review* to assess the range and level of services provided by the town to local businesses and residents. The cost to complete a *core services review*



would depend on the number of programs and services that would be subject to review and would be driven by the level of service analysis to be completed. The cost for this type of study could be in the order of \$65,000 - \$90,000.



**Appendix A**

**Communications and Information Sharing Tools**



INFORMATION SHARING PROCESS TOOLS		
TOOL	DISCUSSION	CONSIDERATIONS
<b>MEDIA ARTICLES OR COVERAGE</b>	<ul style="list-style-type: none"> <li>➤ Media articles can raise awareness of municipal projects</li> <li>➤ Generate awareness through public service announcements, press releases or news conferences</li> <li>➤ Develop a media relations/involvement plan</li> </ul>	<ul style="list-style-type: none"> <li>➤ Pro-activity is key to effective and accurate media coverage.</li> <li>➤ Develop a relationship with the media so they come to the Town for the facts.</li> <li>➤ Ask stakeholders about which media sources they rely on to get information.</li> </ul>
<b>ADVERTISING</b>	<ul style="list-style-type: none"> <li>➤ Some projects require advertising; regulations or legislation may define what needs to be advertised.</li> <li>➤ Advertising is appropriate for major public events that have a broad geographic scope.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Consider the development of a Public Involvement Calendar on the Town's website.</li> <li>➤ The calendar will provide a consistent place to find information to advise citizens when, how and where they can be involved.</li> <li>➤ Timing is critical; ensure people have advance notice.</li> </ul>
<b>NEWSLETTERS</b>	<ul style="list-style-type: none"> <li>➤ Using the communication tools of the stakeholder organizations is advantageous as they have dedicated readership.</li> <li>➤ On larger projects, a project newsletter can be very helpful to stakeholders.</li> <li>➤ The newsletter can be circulated in hard copy or electronically depending on audience needs.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Keep it brief.</li> <li>➤ Present enough information to grab people's interest and provide a way for them to contact the Town to get more information.</li> <li>➤ It is essential that the information is finalized before it is turned in to the organization. Ensure contact information is included.</li> </ul>



INFORMATION SHARING PROCESS TOOLS		
TOOL	DISCUSSION	CONSIDERATIONS
<b>BROCHURES, FLYERS OR FACT SHEETS</b>	<ul style="list-style-type: none"> <li>➤ Use these tools to provide factual information to a broad cross-section of the public.</li> <li>➤ Fact sheets can be delivered by mail drop, inserts into other publications, posting on the website and/or e-mailed.</li> <li>➤ Use these tools to explain the scope and impact of the project and to curb the flow of misinformation.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Keep it concise, clear and minimize the use of acronyms and jargon.</li> <li>➤ These tools are an excellent way to revive interest in a long term project or when moving to the next phase of a larger project.</li> </ul>
<b>WEBSITES</b>	<ul style="list-style-type: none"> <li>➤ The Internet is commonly used as an information sharing tool for public involvement.</li> <li>➤ Websites along with on-line surveys can be used to gather information.</li> <li>➤ Municipalities have the responsibility for including the full range of constituents, some of whom may not have access to the Internet and limited capacity to use the technology effectively.</li> </ul>	<ul style="list-style-type: none"> <li>➤ A website is only one way to share information and must not be used as the sole communication tool.</li> <li>➤ When using the Internet, use less text and more graphics.</li> <li>➤ Integrate web monitoring tools so the Town can document the type and amount of usage.</li> </ul>
<b>INFORMATION REPOSITORIES - LIBRARY, TOWN HALL, HOSPITAL &amp; OTHER PUBLIC FACILITIES</b>	<ul style="list-style-type: none"> <li>➤ Some legislation requires that notices and reports are provided for access by the general public.</li> <li>➤ While information repositories are not frequently used for information sharing, they do provide a means for people to get information that they are unable to access through other channels.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Consider using the repository as a distribution centre of information.</li> <li>➤ Make sure the staff of the facility knows where the information is being stored.</li> <li>➤ Consider posting the same information on the website.</li> </ul>
<b>INFORMATION HOTLINE</b>	<ul style="list-style-type: none"> <li>➤ A hotline can be set up for specific projects.</li> <li>➤ The intention is to provide up-to-date information on issues affecting the public.</li> <li>➤ For the most part, websites have replaced information</li> </ul>	<ul style="list-style-type: none"> <li>➤ An information hotline is not the same as a customer service line.</li> <li>➤ IT provides access to those people who do not have access to the Internet.</li> <li>➤ The use of information</li> </ul>



INFORMATION SHARING PROCESS TOOLS		
TOOL	DISCUSSION	CONSIDERATIONS
	hotlines.	hotlines can present a risk of eliminating people who are not fluent in English and who cannot follow complicated instructions.
<b>PUBLIC DISPLAYS</b>	<ul style="list-style-type: none"> <li>➤ Setting up stationary displays at public facilities i.e. arena, mall, schools, hospital lobbies, etc. can provide introductory information and informal consultation.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Displays need a person in attendance to answer questions and supervise the display.</li> <li>➤ Select the facility based on the audience that the Town wishes to reach.</li> </ul>
<b>PRESENTATIONS</b>	<ul style="list-style-type: none"> <li>➤ Presentations are useful for complex projects to outline scope and impact of project, the timelines, and the range of involvement.</li> <li>➤ Everyone hears the information at the same time.</li> <li>➤ Presentations can be used to build trust and transparency; however, if people are overwhelmed with the information, they may see it as an exclusionary tactic.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Provide a manageable amount of important information.</li> <li>➤ Limit the number of speakers.</li> <li>➤ The presenter must have good presentation skills and speak to the level of the audience.</li> <li>➤ Provide ample time for questions and answers.</li> <li>➤ Use a skilled facilitator to keep the discussion on track.</li> <li>➤ Provide handouts of the information presented.</li> <li>➤ Making a presentation to a meeting of an organization is a way of providing information to a specific audience.</li> </ul>
<b>SITE VISITS OR TOURS</b>	<ul style="list-style-type: none"> <li>➤ The experience can move participants to a new level of understanding and facilitate a truly informed discussion.</li> <li>➤ The impact of this type of information sharing should not be underestimated.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Clearly define the purpose and the benefits of a tour or site visit before deciding to use this tool.</li> <li>➤ Ensure that the host knows what types of things the group needs to see to inform their discussion.</li> <li>➤ Provide a time for questions and answers with the host.</li> <li>➤ Debriefing with the members of the group is a critical part of this process.</li> </ul>



INFORMATION SHARING PROCESS TOOLS		
TOOL	DISCUSSION	CONSIDERATIONS
<b>PUBLIC HEARINGS</b>	<ul style="list-style-type: none"> <li>➤ Municipalities are required by legislation to provide the opportunity for the public to speak directly and formally to Council on specific development issues.</li> <li>➤ The challenge with public hearings is that they can be emotionally charged with people that have vested interests and strong opinions.</li> </ul>	<ul style="list-style-type: none"> <li>➤ The planning teams must ensure that the decision-makers are aware of the larger public involvement process – the scope, the complexity, the range of participants - so that they are able to place the public comments within that framework.</li> <li>➤ If possible, encourage representatives from all perspectives to speak at the hearing.</li> <li>➤ If the process has a committee, the committee spokesperson should be encouraged to speak.</li> </ul>

CAN BE BOTH INFORMATION SHARING AND CONSULTATION PROCESS TOOLS		
TOOL	DISCUSSION	CONSIDERATIONS
<b>COMMUNITY OR ORGANIZATIONAL LIAISON</b>	<ul style="list-style-type: none"> <li>➤ Liaisons are used when committees or advisory groups are established.</li> <li>➤ A community liaison can be the conduit for ensuring information is passed on in a timely way.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Responsibilities of this role must be clearly set out in the recruiting process.</li> </ul>
<b>DISCUSSION DOCUMENTS</b>	<ul style="list-style-type: none"> <li>➤ A discussion document can be used to provide an overview of the project and to focus on areas where public input is required.</li> <li>➤ It provides a whole picture of the project and encourages participants to move past rote responses.</li> </ul>	<ul style="list-style-type: none"> <li>➤ The key to an effective discussion document is the presentation of materials in a simple and accessible format including diagrams.</li> <li>➤ Use probing questions to foster exploration of predetermined assumptions.</li> <li>➤ Tell participants how their input will be used.</li> <li>➤ Provide a summary report.</li> </ul>



<b>CONSULTATION PROCESS TOOLS</b>		
<b>TOOL</b>	<b>DISCUSSION</b>	<b>CONSIDERATIONS</b>
<b>INTERVIEWS</b>	<ul style="list-style-type: none"> <li>➤ Interviews are an excellent tool for gathering initial information and learning about a specific situation.</li> <li>➤ The data from interviews can be used in developing position papers.</li> <li>➤ Interviews are also a good ways to gather detailed data on perceptions.</li> </ul>	<ul style="list-style-type: none"> <li>➤ An interview requires a set established format with a set number of key questions.</li> <li>➤ Interviewees must be informed how the data will be used. It is a good idea to do multiple interviews per interest group to validate the information gathered.</li> </ul>
<b>FOCUS GROUPS</b>	<ul style="list-style-type: none"> <li>➤ A focus group is a group interview intended to be kept small and quite informal other than there is a pre-determined set of questions.</li> <li>➤ A focus group is an effective tool for “digging deeper”. One person’s comments can trigger reflection or challenge assumptions for the rest of the group.</li> </ul>	<ul style="list-style-type: none"> <li>➤ If holding more than one focus group, ensure that the questions and process are identical for all groups so that the data is comparable.</li> <li>➤ Use a skilled facilitator who has the ability to ask probing questions and explore ideas more fully.</li> </ul>
<b>RESPONSE FORMS</b>	<ul style="list-style-type: none"> <li>➤ Response forms are used to gather feedback or reaction to information presented at a public event or through printed material.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Response forms are different from surveys as they do not represent a random sampling.</li> <li>➤ Allow enough time for people to give a thoughtful response to a response form.</li> <li>➤ If using open-ended questions, provide resources to synthesize and analyze the results.</li> </ul>



<b>CONSULTATION PROCESS TOOLS</b>		
<b>TOOL</b>	<b>DISCUSSION</b>	<b>CONSIDERATIONS</b>
<b>ELECTRONIC FORUMS (CONSULTATION)</b>	<ul style="list-style-type: none"> <li>➤ An electronic forum is an on-line discussion group that can occur in real time or over a period of time.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Participation guidelines are essential.</li> <li>➤ Make the site easy to access.</li> <li>➤ Limit the size of a real-time forum to enable participation by everyone.</li> <li>➤ A moderator is required to vet input and focus the discussion.</li> </ul>
<b>TOWN HALL MEETINGS</b>	<ul style="list-style-type: none"> <li>➤ The town hall meeting consists of some form of presentation by a speaker or panel followed by a plenary session.</li> <li>➤ It has the potential to become a soap box session if it is not well-managed.</li> </ul>	<ul style="list-style-type: none"> <li>➤ The town hall meeting has serious limitations as they can be large and conflict-ridden. A few vocal people can dominate the conversation.</li> <li>➤ This type of forum does not allow for dialogue or learning.</li> </ul>
<b>EXPERT PANEL</b>	<ul style="list-style-type: none"> <li>➤ An expert panel can be convened to review materials or recommendations at several stages in a project.</li> <li>➤ An expert panel can be used as an interim evaluation mechanism.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Technical experts are not the only experts even in technical projects.</li> <li>➤ It is important that in order to make the best use of the information, any bias on the part of a panel member be disclosed.</li> </ul>



CONSULTATION PROCESS TOOLS		
TOOL	DISCUSSION	CONSIDERATIONS
WORKSHOPS	<ul style="list-style-type: none"> <li>➤ Workshops can be large or small events with a structured process to facilitate discussions on specific topics.</li> <li>➤ The key challenge to a workshop is using creativity to ensure interaction and dialogue aimed at the desired outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Workshops are generally used with participants who have some level of experience or knowledge about the topic.</li> <li>➤ Ensure time to establish a level of comfort or “forming” in the session.</li> <li>➤ Planning for the workshop should begin with the outcomes and working backward.</li> <li>➤ Provide opportunity for participants to evaluate the session.</li> <li>➤ Always provide the summary to participants.</li> <li>➤ Ensure that there is a strategy for integrating the results of a workshop into the project discussion.</li> </ul>



CAN BE BOTH CONSULTATION AND INFORMATION SHARING TOOLS		
TOOL	DISCUSSION	CONSIDERATION
<b>EXPERT COMMITTEES</b>	<ul style="list-style-type: none"> <li>➤ Expert committees can be useful in identifying the questions that need to be asked providing unbiased information to the larger stakeholder community, and reviewing recommendations.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Information gathered from an expert committee may need to be translated into lay language before it is shared with the public.</li> <li>➤ If the information is simplified, ensure the experts have a chance to review the information before it is made public.</li> </ul>
<b>TASK FORCES</b>	<ul style="list-style-type: none"> <li>➤ A task force is an ad hoc committee charged with a specific task, specific deliverables and with specific timelines.</li> </ul>	<ul style="list-style-type: none"> <li>➤ A task force can be used as a research mechanism to provide specific information.</li> <li>➤ A task force should be kept small and have specific guidelines.</li> <li>➤ Assign a Town staff member to provide logistical support and guidance to the task force without interfering with the process.</li> </ul>
<b>ADVISORY COMMITTEES OR BOARDS</b>	<ul style="list-style-type: none"> <li>➤ Advisory committees usually consist of broad representation from a range of stakeholders.</li> <li>➤ The committee usually sits for the duration of the project.</li> </ul>	<ul style="list-style-type: none"> <li>➤ It is important to balance participation on advisory committees to ensure all voices are heard.</li> <li>➤ This usually requires a structured recruitment process.</li> </ul>

Adapted from: *Involving Edmonton - 2008 Edition - a Public Involvement Initiative*  
City of Edmonton.



**Appendix B**

**Job Description**

**Special Events and Tourism Coordinator**



## TOWN OF HAY RIVER JOB DESCRIPTION

**Job Title:** Special Events & Tourism Coordinator

**Incumbent:**

**Reports to:** Community Services Director

**Basic Function/Major Responsibilities:**

- Responsible for the planning, development and implementation of special events and tourism for the Town and supporting Council and the SAO with economic development initiatives for the Town.
- Act as the Town of Hay River point of contact in the community for tourism operators, community members and visitors.

**Duties:**

- Organize special events sponsored by the Town.
- Liaise and collaborate with tourism operators to identify and broaden tourism in Hay River.
- Create partnerships with other communities in the vicinity of Hay River to attract tourists to the area.
- Engage the community members in a community-wide conversation about advancing tourism in Hay River.
- Liaise with the territorial Tourism Ministry to coordinate local tourism opportunities with territorial tourism initiatives.
- Pursue funding opportunities to support the Town's tourism strategy and tactics.
- Maintain and enhance the Town's website to include tourism information with links to tourism activities, accommodation and food services.
- Provide support to Town Council and the Senior Administrative Officer with economic development.
- Enhance the image of the Town as a tourism destination through media and promotional campaigns.

**Qualifications:**

- Post-secondary education/degree in Physical Education, Recreation or Tourism or a combination of related education such as a diploma or certificate in event management.
- 3 - 5 years' experience in a municipal environment, community development, program management or special event planning.
- Broad experience in special event planning.





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## **2011 Management Discussion and Analysis**

The following financial discussion and analysis has been prepared by management and should be read in conjunction with the audited consolidated financial statements and their accompanying notes and schedules.

### *Results from Operations*

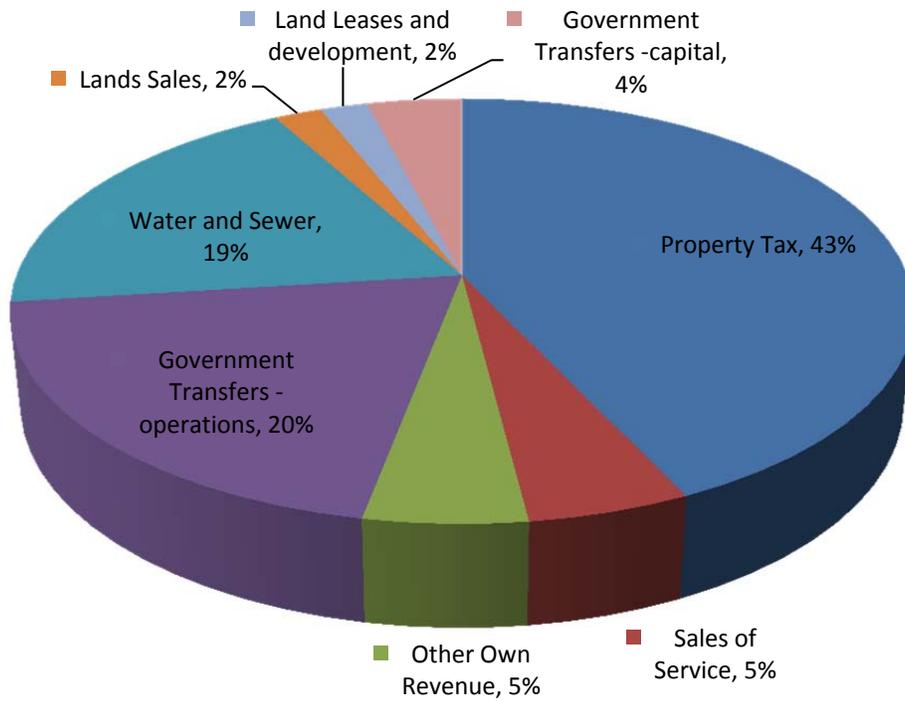
The Consolidated Statement of Operations reports the Town of Hay River's change in economic resources and accumulated surplus for 2011, on a comparative basis. Revenues were exceeded by Expenditures in the year by \$473,256. However, after allowing for the purchases of and transfers from investments in tangible capital assets there was an increase in the accumulated surplus by the net amount of \$ 106,644.

During 2011 this municipal government recorded consolidated revenues of \$ 11.1 million, an increase of \$ 367,919 over those of 2010 primarily due to increase in property taxes and water / sewer revenue.

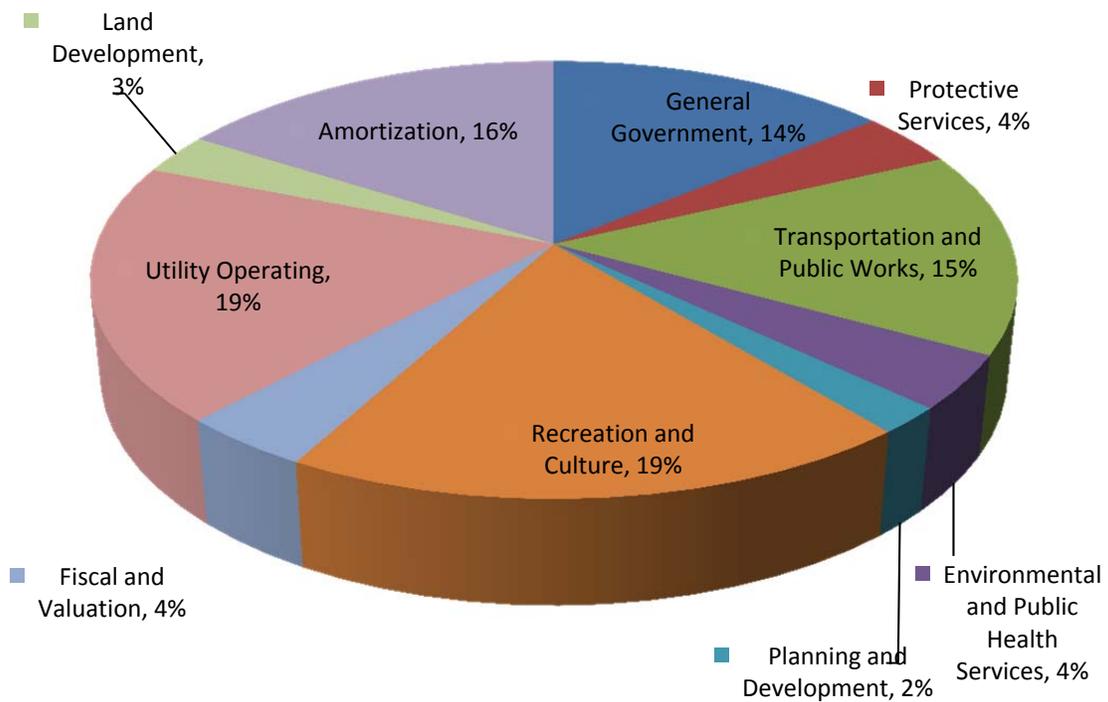
Consolidated expenditures for 2011 were \$ 12.5 million, an increase of \$ 1,343,128 over those of 2010. The two largest changes occurred in general government costs and a change in the accounting for amortization expenses.



### 2011 Consolidated Revenue



### 2011 Consolidated Expenditures





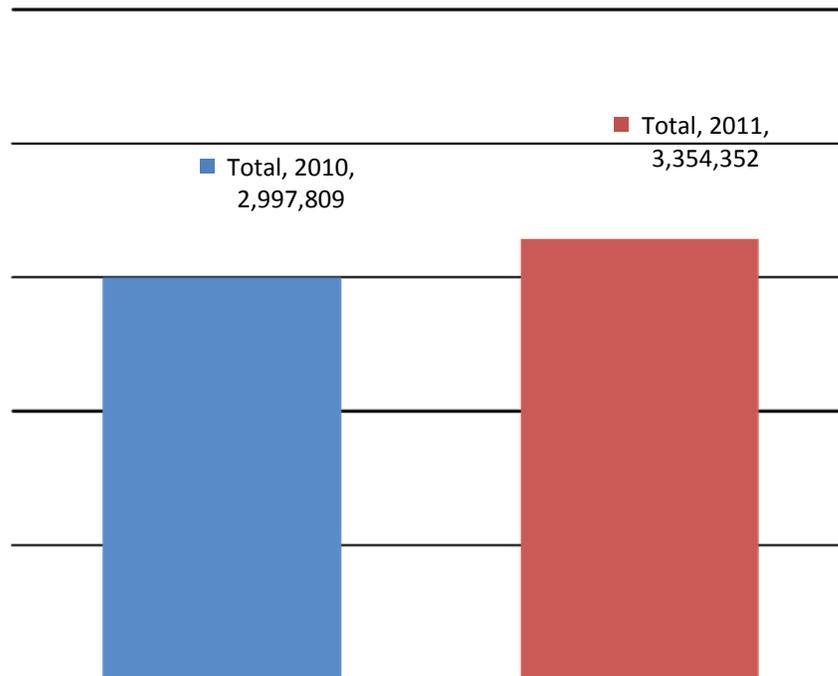
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### *Financial Position*

The Consolidation Statement of Financial Position reports this municipal government's financial and non-financial resources, obligations and accumulated surplus as at December 31, 2011 on a comparative basis. This statement is used to evaluate the municipal government's ability to finance its activities and to meet its liabilities and commitments. An important indicator on the Consolidated Statement of Financial Position is the Town's net financial assets.

Net financial assets is the difference between financial assets and liabilities which provides an indication of the affordability of additional spending. Net financial assets increased by almost 12 % in 2011.

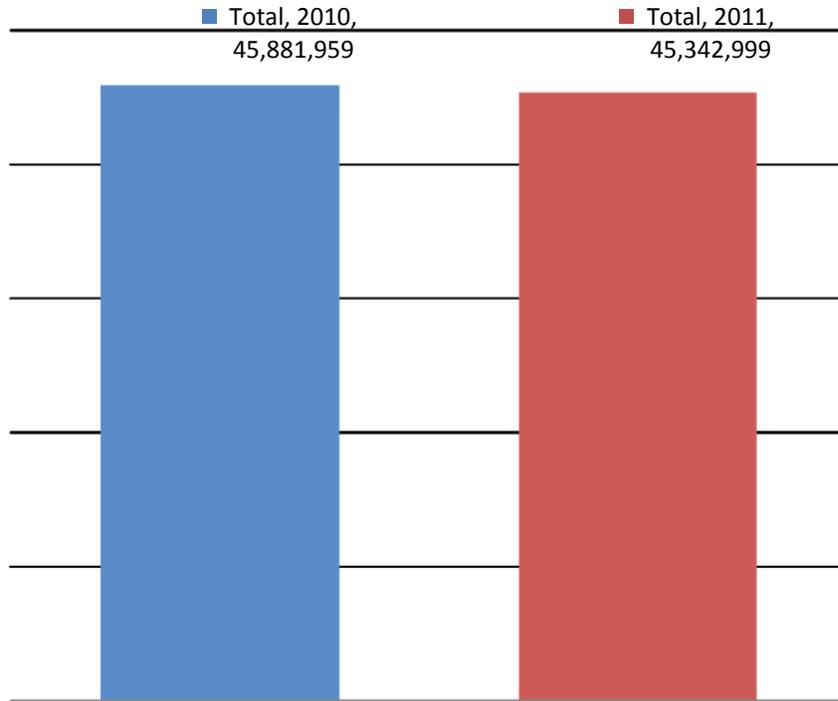
### *Net Financial Assets*





Another important indicator on the Consolidated Statement of Financial Position is the accumulated surplus position. Accumulated surplus represents the net assets of the community and the yearly change in the accumulated surplus is equal to the annual excess of revenues over expenses for the year or results of operations.

*Accumulated Surplus*



The accumulated surplus position decreased by 1 % from 2010 to 2011 mainly due to an increase in the amortization of capital assets.



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### *Investments*

The Council of the Town of Hay River receives recommendations from administration respecting the investment of municipal funds and approval is given by way of resolution of Council. Safety of the principal is the first priority for investment decisions. Consideration is also given to liquidity, risk versus return and diversity of the portfolio.

### *Debt*

The Town of Hay River's long term debt is in the form of an installment debenture that was refinanced with the Royal Bank of Canada in February, 2011 for a 10 year term at a rate of 4.93%. The proceeds of the debenture were used for the construction of the Aquatic Centre.

### *Reserves*

Reserve balances increased in 2011 with the allocation to the utility reserve but there was a slight decline in the general reserve.

In response to the matters raised by the Auditors in their July 9 letter to the SAO:

#### **Bylaw and Policies Review**

Financial bylaw and policy review will follow the appointment of the new Council. Prioritization of the review will be determined in consultation with the new Council in late 2012/early 2013.

#### **Water and Sewage Reporting Schedule**

To be completed by late 2012.

#### **Funding Agreements**

All funding agreements will be centrally located by late 2012.

#### **Budget/Audit Worksheets**

The budget for 2013 will include all working papers, which will be available for reference during the next Audit.

#### **VADIM Budget**

The budget for 2013 will be input into VADIM exclusively in late 2012.

#### **VADIM Fixed Asset Module**

Administration will seek support from VADIM to determine the capabilities and limitations of the Fixed Asset module in late 2012. Procedures will be modified to suit.

#### **Coding**

Administration will minimize the number of journal entries through the use of working papers to confirm budget allocations. This is effective immediately.

#### **Trade Vouchers**

Supporting documentation will be included for all trade vouchers. This is effective immediately.

#### **Grants-in-Lieu**

Supporting documentation will be included with each Grant-in-Lieu payment. This is effective immediately.



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**Bank Reconciliations**

The procedure for bank reconciliations will be adjusted in late 2012/early 2013 to incorporate the recommendations from the Auditor.

**Tangible Capital Assets**

Departments will review and edit the capital asset listings annually. Administration is working toward the implementation of a graphical software system to track assets.

Michael Richardson  
Senior Administrative Officer