Committee of the Whole
REPORT 08-031

3:30 p.m.
October 29, 2008
Albion Rooms
Hamilton Convention Centre

Present:
Mayor F. Eisenberger
Deputy Mayor R. Powers

Absent with regrets:
Councillor M. McCarthy – Other City Business
Councillor T. Jackson – Vacation

Also Present:
J. Rinaldo, Acting City Manager
P. Barkwell, Acting General Manager, Finance & Corporate Services
S. Stewart, General Manager, Public Works
T. McCabe, General Manager, Planning & Economic Development
G. Davis, Senior Director, Capital Planning
M. Gallagher, Co-ordinator

COMMITTEE OF THE WHOLE PRESENTS REPORT 08-031 AND RESPECTFULLY RECOMMENDS:

1. City of Hamilton Agreement with Black & McDonald Limited and Ellis-Don Corporation, an Unincorporated and Integrated Joint Venture, Carrying on Business as A.B.E., jointly and severally (“A.B.E.”), for the Reconstruction of Hamilton City Hall (Item 6)

   (a) That the City Hall Project Budget (3540441442) be increased by $5,400,000, from $68,500,000 to $73,900,000;

   (b) That the City of Hamilton enter into an ITA Agreement (Integrated Team Approach) with Black & McDonald Limited and Ellis-Don Corporation, an Unincorporated and Integrated Joint Venture, Carrying on Business as A.B.E., jointly and severally, for the reconstruction of Hamilton City Hall in the gross amount of $59,920,000, and the net amount of $55,505,000, consisting of:

      (i) $4,520,000 ($2,805,000 net) in design and launch fees;
(ii) $55,400,000 ($52,700,000 net) in construction fees;

(c) That the General Manager of Public Works be authorized and directed to issue a Letter of Intent to A.B.E. in a form satisfactory to the City Solicitor, authorizing the commencement of the above-mentioned work for the City of Hamilton project, with a start date of October 31, 2008 and ending December 1, 2008 or such earlier date that the ITA Agreement is executed by all parties;

(d) That the Mayor and City Clerk be authorized and directed to execute the ITA Agreement, in a form satisfactory to the General Manager of Public Works and City Solicitor.

2. City Hall Renovations (PW08130) (City Wide) (Item 7.2)

That City Hall Renovations Report PW08130 be received.

3. LEED Certification

That staff be directed to report back on whether to move ahead with the LEED certification process on City Hall near the end of the project.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA

The Clerk noted the following changes to the agenda:

1. DELEGATION REQUEST

Request from John Wood respecting City Hall Renovations – declined the invitation

Councillor Whitehead advised Committee that Mr. Wood following further consultation and review has decided to withdraw his request to appear before committee at this time.

2. ADDITIONAL REPORT

Information Report PW08130 respecting City Hall Renovations

3. PRIVATE AND CONFIDENTIAL

A private and confidential matter respecting contractual relations with a supplier, potential litigation, and the receiving of solicitor-client advice

The agenda as amended was approved.

Council – October 29, 2008
(b) **DECLARATIONS OF INTEREST**

None

(c) **ADOPTION OF MINUTES**

None

(d) **PRESENTATIONS**

(i) Gerry Davis, Senior Director, Capital Planning, provided a power point presentation and highlighted the following:
- Chronology of Events
- Design Status
- Schedule Status
- Project Costs
- ITA Agreement
- Drawings
- Outstanding Items
- Additional Scope Items to Consider

**City Hall Renovations Steering Committee Report 08-009, October 20, 2008 - City of Hamilton Agreement with ABE (A Joint Venture) for the Reconstruction of Hamilton City Hall (Item 6)**

The following resolution was deleted from the City Hall Renovations Steering Committee Report and replaced with Item 1 as noted in this report.

(a) **That the City Hall Project Budget (3540441442) be increased by $5,400,000, from $68,500,000 to $73,900,000;**

(b) **That the City of Hamilton enter into an ITA Agreement (Integrated Team Approach) with ABE (A Joint Venture) consortium for the reconstruction of Hamilton City Hall in the gross amount of $59,920,000, and the net amount of $55,505,000, consisting of:**

(i) $4,520,000 ($2,805,000 net) in design and launch fees;
(ii) $55,400,000 ($52,700,000 net) in construction fees;

(c) **That the City Solicitor and General Manager of Public Works be authorized and directed to issue a Letter of Intent to the ABE (A Joint Venture) consortium authorizing the reconstruction of City Hall commencing on October 31, 2008;**

(d) **That the Mayor and City Clerk be authorized and directed to execute the ITA Agreement, in a form satisfactory to the City Solicitor.**
The Main Motion (Item 1) Carried on a Recorded Vote:

Yeas: Mayor F. Eisenberger, Deputy Mayor R. Powers
     Councillors B. Bratina, B. Clark, C. Collins, L. Ferguson, B.
     McHattie, B. Morelli, M. Pearson, S. Merulla, R. Pasuta, T.
     Whitehead

Total: 12

Nays: Councillor D. Duvall and D. Mitchell

Total: 2

Absent: Councillors T. Jackson and M. McCarthy

Total: 2

(ii) Presentation on Cladding

Ken Coit, Planner, Planning and Economic Development Department
provided a power point presentation on the cladding issue. Highlights
included

- characteristics of marble on the exterior of City Hall
- comparison between pre cast concrete panel and marble panels

(e) PRIVATE AND CONFIDENTIAL

Committee moved into closed session to address a matter concerning a
contractual relations with a supplier, potential litigation, and the receiving of
solicitor-client advice. Committee reconvened in Open Session with no
public report. Staff was provided direction in closed session.

(f) City Hall Cladding Poll: Results

Mayor Eisenberger provided Committee with the results of a Cladding Poll
conducted by the Mayors Office.

The meeting adjourned at 6:20 p.m.

Respectfully submitted,

Mayor F. Eisenberger

Mary Gallagher, Co-ordinator
October 29, 2008