

CITY OF HAMILTON

NOTICE OF MOTION

Council: May 24, 2017

MOVED BY COUNCILLOR T. WHITEHEAD.....

Reconsideration of sub-section (e) to Item 4 of the General Issues Committee Report 16-023, respecting Report FCS16083 - Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs

WHEREAS, Public Works staff had requested that the required Transfer Funding Agreement for the Public Transit Infrastructure Fund, include a clause that would allow the City to withdraw a project, as listed in Appendix "B" to Report 16-023, or component of a project, should it become apparent that program timelines cannot be met;

WHEREAS, Ministry of Transportation staff advised that such a change to the Public Transit Infrastructure Transfer Funding Agreement ("Agreement") could not be made, as it is inconsistent with the approval process outlined in the Canada-Ontario bilateral agreement;

WHEREAS, until such time as the clause, which would allow the City to withdraw a project, as listed in Appendix "B" to Report 16-023, or component of a project, should it become apparent that program timelines cannot be met has been removed from the Agreement, the \$36,489,204 Public Infrastructure Funding cannot be released to the City of Hamilton;

WHEREAS, at its meeting of October 12, 2016, Council approved Item 4 of the General Issues Committee Report 16-023, respecting Report FCS16083 - Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs;

THEREFORE BE IT RESOLVED:

That sub-section (e) to Item 4 of the General Issues Committee Report 16-023, which reads as follows, be reconsidered:

4. Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs (FCS16083) (City Wide) (Item 7.3)

- (a) That the projects, as listed in Appendix "B" to Report 16-023, be approved as the City of Hamilton's submission for consideration to Infrastructure Ontario for the requested funding amount of \$36,489,204, in accordance with the terms and conditions associated with the Public Transit Infrastructure Fund;
- (b) That the projects, as listed in Appendix "C" to Report 16-023, be approved as the City of Hamilton's submission for consideration to Infrastructure Ontario for the requested funding amount of \$32,918,072, in accordance with the terms and conditions associated with the Clean Water and Wastewater Fund;

- (c) That the Mayor and the City Clerk be authorized to execute all necessary documentation, including Funding Agreements for funding under the Public Transit Infrastructure Fund and Clean Water and Wastewater Fund Programs, in a form satisfactory to the City Solicitor;
- (d) That in consultation with the Procurement Section, Corporate Services Department, the City of Hamilton Procurement Policy be amended for projects that are accepted under federal and or provincial funding programs with a completion deadline of March 2018, as follows:
 - (i) That the requirement to issue a formal Request for Proposals to the entire vendor community be waived;
 - (ii) That Request for Proposals will be issued on an invitational basis only and staff will invite at least three firms to bid for each Request for Proposals (Purchasing Policy #5.4); and,
 - (iii) That the Manager of Procurement may waive the requirement for three Bids for Requests for Proposals (Purchasing Policy #5.4), but will only do so where the Client Department has demonstrated to the satisfaction of the Manager of Procurement that a minimum of three Bids cannot be obtained;
- (e) ***That the required funding agreement for the Public Transit Infrastructure Fund, include a clause that would allow the City to withdraw a project as listed in Appendix "B" to Report 16-023, or component of a project, should it become apparent that program timelines cannot be met;***
- (f) That the operating budget and FTE impacts related to approved Public Transit Infrastructure Fund projects, estimated to be \$2.75 M and 29.0 FTE's be incorporated in the 2017 Tax Supported Operating Budget and \$1.43 M and 30.0 FTE's be incorporated in the 2018 Tax Supported Operating Budget; and,
- (g) That copies of Report FCS16083, respecting the Public Transit Infrastructure Fund and Clean Water and Wastewater Fund Grant Programs, be forwarded to local Members of Provincial Parliament and to local Members of Parliament.