



Working together with our community

Council Information Package The Corporation of Norfolk County

May 14, 2019

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Contact Information

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Information Package Additions

- A. Shelley Darlington, Director, Corporate Support Services
Karen Judd, Manager, Purchasing Services
[Information Memo - Bid Deposits and Financial Guarantees in Bid Documents](#)
- B. Shelley Darlington, Director, Corporate Support Services
Karen Judd, Manager, Purchasing Services
[Information Memo - Price-Per-Point Methodology in RFPs](#)



Office of the Regional Chair

May 3, 2019

Resolution Number 2019-375

The Honourable Christine Elliott
Ministry of Health and Long-Term Care
Hepburn Block, 10th Floor
80 Grosvenor St.
Toronto ON M7A 1E9

The Honourable Steve Clark
Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto ON M5G 2E5

Dear Ministers:

Subject: Overview of Health System Transformation – A Region of Peel Perspective

I am writing to advise that Regional Council approved the following resolution at its meeting held on Thursday, April 25, 2019:

Resolution 2019-375:

Whereas the Provincial Government has made certain announcements relating to Public Health and the Paramedic Services system;

And whereas, the announcements do not contain sufficient detail to be able to provide commentary;

And whereas, the announcements have a significant impact on the delivery of public health services and Paramedic Services;

And whereas, the role of the municipalities is not clear in the announcement;

And whereas, funding has not been committed, neither quantum or source;

Therefore be it resolved, that this matter be referred to the Health Services Integration Committee to monitor the issue and determine the role of the Region throughout the roll out of the plans and work with staff to report back to Council on details of the proposal and projected impacts of change together with regular staff communication to Regional Council on emerging issues;

And further, that recommendations of the Health System Integration Committee and Regional Council be referred to the Government Relations Committee for further advocacy;

The Regional Municipality of Peel

And further, that the Chair arrange a round table meeting with the local MPP's to provide information on the current structure and funding model and the potential impacts of change to service delivery with changes to the structure and funding model. Other invitees to the round table include the Chair and Vice-Chair of the Health Services section, the Commissioner of Health Services, the CAO, the Medical Officer of Health and the Chief of Paramedic Services and Chair of Health System Integration Committee;

And further, that the Chair and Mayors work with MARCO/LUMCO and AMO to demonstrate the benefits of public health and Paramedic Services remaining fully integrated with other Region of Peel functions;

And further, that the Province be requested to engage municipalities and existing Boards of Health before proceeding with any changes to the existing structure and funding;

And further, that this resolution be provided to the Minister of Health, the Minister of Municipal Affairs and Housing, all municipalities, AMO, Ontario Association of Paramedic Chiefs, the Association of Local Public Health Agencies, and MARCO/LUMCO.

Yours Truly,



Nando Iannicca
Regional Chair and Chief Executive Officer

NI:sm

Copied:

Pat Vanini, Executive Director, Association of Municipalities of Ontario
Michelle Mackenzie, Executive Director, Ontario Association of Paramedic Chiefs
Loretta Ryan, Executive Director, The Association of Local Public Health Agencies
Karen Redman, Regional Chair, Waterloo Region, Chair of MARCO
Cam Guthrie, Mayor, City of Guelph, Chair of LUMCO
All Ontario Municipalities

The Regional Municipality of Peel

Subject: Township of Mulmur - Aggregate Motion

Hello,

The Township of Mulmur passed the following motion at the Council meeting on May 1, 2019.

Deputy Mayor Hawkins requested a recorded vote on the following motion:

Motion #78-19 Hawkins-Clark: THAT The Township of Mulmur recognizes the importance of aggregate extraction and the proper management of aggregate resources, including recycling aggregates;

AND WHEREAS, Mulmur owns and operates a gravel pit;

AND WHEREAS, the inappropriate extraction of aggregate can impact host communities, including, but not limited to: risk to surface and underground water supplies stress placed on local infrastructure; road safety; air and noise pollution; loss of farmland; encroachment on residential communities; interference with natural heritage systems;

AND WHEREAS, the Ontario Government commenced a detailed review of the Aggregate Resources Act in 2016;

AND WHEREAS, the Ministry of Natural Resources hosted a summit on Aggregate Reform on March 29, 2019, and did not include municipal government as stakeholders;

AND WHEREAS, the Township supports the recommendations to allow policy interpretation for accessing material under Road Allowances;

NOW THEREFORE BE IT RESOLVED THAT:

- 1) The Township of Mulmur hereby requests the following:
 - a) the Provincial Government provide for municipal representation at future meetings related to the Aggregate Reform;
 - b) Municipalities be provided authority to regulate hours of operation and haul routes within municipal boundaries;
 - c) If the Provincial level is accepted as a single level for applications, Municipalities be provided a process through which to provide comments on aggregate extraction activities proposed within or in the vicinity of their boundaries;
 - d) The comments on "Cutting the Red Tape" provided by the Ontario Sand and Gravel Association be evaluated from the perspective of the local host community and ensure that there are mechanisms/processes in place to address impacts.
 - e) That land unavailable for extraction due to changes on the rules to endangered and threatened species and other policies within the Natural Heritage System continue to be protected.

Shirley Boxem - yea
Patricia Clark - yea
Ken Cufaro - yea
Earl Hawkins - yea
Janet Horner - yea
Carried.

Have a nice day,

Adam Hicks | Administrative Assistant

Township of Mulmur | 758070 2nd Line East | Mulmur, Ontario L9V 0G8

Phone 705-466-3341 ext. 234 | Fax 705-466-2922 | ahicks@mulmur.ca



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Subject: Mulmur Library Motion

Hello,

The Township of Mulmur passed the following motion at the Council meeting on May 1, 2019.

Motion #83-19 Boxem-Cufaro: WHEREAS, Mulmur Township Council considers public libraries as a vital service to community well-being especially in a rural community such as ours;

AND WHEREAS, public libraries offer much needed support to the very vulnerable members of our society - the children, the seniors, recent immigrants, and the low-income citizens;

AND WHEREAS, the Provincial Government has cut the budget for Ontario Library Services by 50%;

AND WHEREAS, this funding will end the Interlibrary Loan Service to libraries;

AND WHEREAS, due to limited resources available to some libraries, the Interlibrary Loan Service is of great importance to its patrons;

NOW THEREFORE, Mulmur Township Council respectfully requests that the Province reconsiders the 50% budget cut for Ontario Library Services and finds some other means to fund necessary library services.

Carried.

Have a nice day,

Adam Hicks | Administrative Assistant

Township of Mulmur | 758070 2nd Line East | Mulmur, Ontario L9V 0G8

Phone 705-466-3341 ext. 234 | Fax 705-466-2922 | ahicks@mulmur.ca



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Working together with our community

By-Law OPP PSB Annual Meeting

April 30, 2019

9:00 am

Committee Room A

2nd Floor County Administration Building
50 Colborne Street South, Simcoe

Present: Kristal Chopp, Michael Columbus (Chair), David Murphy, Dennis Travale, Inspector Varga, Staff Sergeant Millson, Staff Sergeant Fashing, Nicholas Loeb, Devon Staley, Owen Jaggard (Secretary)

Absent with Regrets: Fritz Enzlin

Call to Order (Item 1)

The meeting was called to order at 9:07 by Chair Columbus. The requirement and purpose of the meeting was reviewed with those in attendance. An annual meeting is required by Norfolk County-OPP contract for the purpose of exchanging information and improving enforcement coordination.

Business Arising from the Previous Minutes (Item 2)

A) By-Law OPP PSB Meeting Minutes - April 3, 2017

The contents of the minutes were briefly reviewed and the Inspector Varga provided an update on multiple items.

Regarding Animal Care and Control, Inspector Varga detailed the continued issue of raccoon related calls and the protocol followed when they are received. Frequently, citizens are advised to contact private contractors if the raccoon cannot be safely dispatched.

Police Service Board members Kristal Chopp and Michael Columbus noted Pam Duesling, General Manager of Developmental and Cultural Services recently distributed an updated list of private animal removal contractors in the

area. Inspector Varga requested a copy be forwarded to the OPP. The recording secretary will follow up and distribute a copy.

Inspector Varga briefly reviewed the issues with communication between the OPP and By-Law Officers detailed in the previous minutes. He stated communication has improved, but some difficulties persist. By-law Officers are difficult for the OPP to reach. Calls to the By-law office are often redirected to voicemails and direct calls to cell phones are not always picked up or promptly returned.

Discussion (Item 3)

A) OPP Stats Report on By-law Enforcement

Inspector Varga presented OPP By-Law related enforcement stats from 2017-2018 and responded to questions.

Police Service Board members discussed the value of these stats and expressed interest in similar stats from the By-law Enforcement department.

Comparative stats on charges laid between the OPP and Norfolk County By-law were requested. Nicholas Loeb, County Solicitor noted he has a copy of these stats from 2018. The recording secretary will follow up and distribute a copy.

Inspector Varga noted dispatch coordination and contacting by-law officers is a continuing issue.

Members discussed contributing factors including number of By-Law staff, working hours, By-Law enforceability, and By-Law Officer Training. Nicholas Loeb stated internal training has occurred to expand enforcement potential. Members, OPP, and County staff discussed the desirability of expanded training.

B) Action Items - April 3, 2017

1. (Travale/Murphy)
That the By-Law OPP PSB Meeting Minutes of April 3, 2017 be received as information.

Carried.

Actions items from the 2017 By-Law OPP PSB Meeting were discussed.

Devon Staley offered an update on recent changes in Downtown Simcoe Parking Enforcement. Norfolk County By-law has recently resumed full responsibility for Downtown ticketing.

Inspector Varga offered an update on cottage related noise issues and the associated exchange of statistics with By-Law. Statistics are now regularly exchanged.

Mayor Kristal Chopp offered an update on Animal Control stating the new County CAO is taking the lead engaging County partners on the issue.

Inspector Varga offered an update and background on the curfew in parks item from 2017. Late night vandalism and loitering continues to be a problem in all parks. Other municipalities have implemented a curfew by-law for parks. Haldimand County was cited as an example. Norfolk County has not implemented a parks curfew By-law.

Members discussed and asked questions on the issues with communication between the OPP and By-Law Officers noted in the minutes. Inspector Varga explained a solution will need to recognize Norfolk County's unique enforcement challenges. Dennis Travale noted coordination between By-law and the OPP effects calls for services, impacts policing cost, and relates to upcoming contract negotiation with the OPP.

Police Service Board members noted statistics on By-Law enforcement could be valuable information for Council if provided regularly.

C) Other Business

Members discussed the connection between Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA), the issue of animal cruelty, and calls received by the OPP.

D) Next Meeting

A second meeting on June 5, 2019 will be scheduled with Fritz Enzlin and the County CAO's attendance requested. Recording Secretary will send a meeting invitation.

At the request of Chair Columbus and Dennis Travale, the minutes of this meeting will be shared with Norfolk County Council for information.

Adjournment (Item 4)

10:05am

Contact Information

Owen Jaggard, PSB Secretary

Owen.jaggard@norfolkcounty.ca





May 7, 2019

AMO's Initial Review of Bill 107, the *Getting Ontario Moving Act*, 2019 and Bill 108, the *More Homes, More Choices Act*, 2019

On May 2nd, 2019, two Bills of key interest to municipal governments were introduced. [Bill 108, the *More Homes, More Choices Act*, 2019](#) addresses the shortage of affordable housing across the province by finding faster ways of getting a greater mix of housing supply on the ground. [Bill 107, the *Getting Ontario Moving Act*, 2019](#) updates numerous road safety rules and allows the province to assume ownership over Toronto's subway infrastructure.

This update will focus on schedules of primary importance to municipal governments. We will continue to analyze the legislation and keep you updated as further information becomes available. A number of changes will require regulations.

Bill 108, *The More Homes, More Choices Act*, 2019

The Bill contains numerous amendments to many pieces of legislation. Considering the pressure on the Ontario government, Bill 108 contains some positives for municipal governments. Other aspects of the Bill may result in financial and service impacts that need to be determined. We have put the Schedules in order of primary importance.

Schedule 3 – Amendments to the *Development Charges Act*

The Housing Supply Action Plan reflects the long-standing idea that growth should pay for growth but brings some changes that will alter Development Charges (DCs). These include:

- The separation of DCs and a new Community Benefits Charge (CBC) regime to pay for as yet unspecified municipal services. Greater clarity is needed and will be provided through anticipated regulations. CBCs are discussed under Schedule 12.
- Municipal governments may now charge the full capital costs of waste diversion services in the calculation of development charges (not including landfill sites, landfill services, or incineration). This is a positive development.
- Proposed changes also affect rules on when development charge are payable if the development is rental housing, institutional, commercial, industrial or non-profit housing. In these cases, development charge payments to the municipality

will now be made as six annual instalments commencing upon occupancy. Municipal governments may charge interest from the time of building permit issue and the interest rate will be determined by regulation. Notably, front-ending payment agreements reached prior to the Act coming into force will be preserved.

- Against municipal advice, second dwellings or dwelling units will be exempt from development charges.
- Public library material (for reference or circulation) will also be excluded from development charge calculations.

A deeper analysis of Schedule 3 and its potential impacts is underway. Once completed, we will provide members with this information.

Schedule 9 – Amendments to the *Local Planning Appeal Tribunal Act*

The LPAT remains but will no longer evaluate appeals based on compliance with official plans and consistency with provincial plans and policy. Instead, it will return to a “best planning outcome” approach. This means a return to *de novo* hearings. This is very disappointing for municipal governments as it will again take final planning decisions out of elected councils’ hands. Historically, the use of a *de novo* approach to appeals has drawn out hearings. It is unclear how this reversal will speed up housing development.

On the positive side, the Bill proposes limits to third party appeals of subdivisions and promotes increased mediation to resolve appeals. There will also be new limits on the extent of testimony. As well, the province has committed to hiring additional staff to help deal with the existing LPAT case backlog that arose from the OMB process and transition. It may be that current land use applications at Council tables are withdrawn to come in after Bill 108 rules take effect. AMO will consult with the Ministry as transition rules and accompanying regulations are considered.

Schedule 12 – Amendments to the *Planning Act*

The proposed Bill touches on numerous land use planning policies. Overall, these changes may have the desired effect of increasing the mix of housing and speeding up the process.

To facilitate housing mix, the Bill would allow the creation of second units in ancillary buildings. It also reduces timelines for making decisions related to official plans from 210 to 120 days and from 150 to 90 days for zoning by-law amendments. It also proposes to shelter plans of subdivision from third party appeals.

The schedule also proposes to change the conditions under which municipal governments can establish inclusionary zoning by-laws and policies to facilitate affordable housing development. Inclusionary zoning would be limited to areas around protected major transit stations or areas with a development permit system in place. The Bill would also allow the Minister of Municipal Affairs and Housing to exercise authority to order an area to be subject to inclusionary zoning. These proposed changes will continue to allow municipal governments the ability to enact inclusionary zoning but will restrict the application of this affordable housing tool.

Another change is that either the municipality or the Minister can initiate the use of a Community Planning Permit System (CPPS) in areas strategic for housing growth.

The proposed legislation also introduces a new Community Benefits Charge (CBC) regime to address the costs of providing services to new residents as a result of growth. This is a change to Section 37 allowing a municipality, through a by-law defining an area, to impose community benefits charges against land to pay for capital costs of facilities, services and matters required because of development or redevelopment in the area. Notably, costs of growth eligible for development charges are excluded from the new Community Benefits framework.

The CBC by-law will be based on a strategy produced by the municipality which identifies the costs of growth not covered by development charges. As well, the Ministry of Municipal Affairs and Housing will be preparing a list of eligible items for the charge, methodology for calculating the charge and any caps they may deem necessary. AMO has discussed with the province the need for a transparent transition to this new means of recuperating the cost of growth.

It should be noted that the CBC will be held in a special account and these funds must be spent in keeping with the Act and regulations. Specifically, each year a municipality will have to spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year. Certain lands (i.e. hospitals) will be exempted from the new Community Benefits regime. These exemptions will be listed in a future regulation.

Another proposed change relates to parkland. Parkland costs can be included in the Community Benefits Charge or they can be charged under subsection 42 (1). However, there will be changes to the methodology.

AMO will continue to monitor additional details as they become available. If Bill 108 becomes law, many regulations would be required for implementation.

Schedule 2 – Amendments to the *Conservation Authorities Act*

Schedule 2 introduces a new concept of Conservation Authority (CA) ‘core services.’ Core services’ includes programs and services related to natural hazard risks, land management and conservation of lands owned or controlled by the authority, source water protection under *the Clear Water Act, 2006*, and other CA responsibilities under legislation as prescribed in regulations. As well, the Lake Simcoe Conservation Authority has specific responsibilities related to the *Lake Simcoe Act*. Expectations on the standards and expectations for these core services will be set out in regulations.

The draft amendments will also require CAs to enter into memoranda of understanding with municipal governments on service delivery to avoid duplication, especially where planning and development are concerned. Knowing what CAs are required to do, what is discretionary and how this impacts the levy as part of a municipal agreement is welcomed.

This schedule also includes governance and oversight-related provisions such as CA board member training and Minister oversight. Assurances that Conservation Authority Board members have training about their responsibilities is good governance.

AMO will participate in discussions with the Ministry of Natural Resources and Forestry and the Ministry of Environment, Conservation and Parks on the implementation of these changes, including draft regulations, in the months ahead.

Schedule 6 – Amendments to the *Environmental Assessment Act*

The province is proposing to increase the exemptions for low risk activities within the municipal class EA. These could include speed bumps, de-icing, and streetscaping. As well, the province has exempted itself from a number of EA requirements related to transit, mines, parks and real estate. A consultation paper has been released and AMO will be providing comment.

While greater information around Duty to Consult, the sale of provincial brownfields and the bump up process is being sought by AMO, these proposed changes reflect long term requests from the municipal sector.

Schedule 5 – Amendments to the *Endangered Species Act*

The suite of changes contained in this schedule is intended to streamline development while protecting endangered species. The proposals remain science-based and seek to balance both species-at-risk protections and human endeavours in a new way.

The proposed changes would require that species at risk be considered in the broader geographic context (both inside and outside Ontario) when determining species' status. The role of the Committee on the Status of Species at Risk in Ontario (COSSARO) will remain the same. However, to increase predictability, their reports will now be due each year in January. Bill 108 also creates more realistic timelines, enables the phasing in of protection implementation and gives the Minister discretion to consider social and economic realities when determining a government response to species at risk.

A key change is that the Minister will be able to enter into 'landscape agreements.' A landscape agreement authorizes activities that would otherwise be prohibited with respect to one or more listed species. Agreements will include requirements to execute specified beneficial actions that will assist in the protection or recovery of species.

Bill 108 also establishes a Species at Risk Conservation Fund and an agency to manage and administer the Fund. The purpose of the Fund is to provide funding for activities that are reasonably likely to protect or recover species at risk. Where a municipal work or a development damages a habitat, a charge in lieu of meeting certain imposed conditions would be possible with a permit. The municipality or developer would still have to minimize impacts and seek alternatives. This creates an alternative path for development where protection of onsite habitat is problematic.

AMO continues to work with the Ministry as they formulate policy, draft regulations and programming to implement these proposed changes.

Schedule 11 – Amendments to the *Ontario Heritage Act*

The Bill proposes changes that would improve heritage register maintenance and transparency. The legislative amendments would require a municipal council to notify the property owner if the property is not formally designated but has been included in the register due to cultural heritage value or interest.

The proposed legislation also includes new timelines for a number of notices and decisions that are currently open-ended under the existing regime. The amendments

also provide additional clarity to the meaning of ‘alteration’ and ‘demolition.’ All of these changes should add more certainty to the process and make it more transparent and efficient.

Schedule 1- Amendments to the *Cannabis Control Act*

Schedule 1 clarifies provisions for interim closure orders for illegal dispensaries and creates exemptions allowing police and other emergency responders to enter the premises for ‘exigent circumstances.’ The schedule also repeals a provision that exempted residences from interim closure orders. This is to deal with the tactic of putting a residency within an illegal dispensary.

Bill 107, *The Getting Ontario Moving Act*, 2019

Bill 107 focuses on making roads safer for Ontario residents. The draft legislation also creates authorities for the provincial government to upload subway infrastructure.

Schedule 1 – Amendments to the *Highway Traffic Act* (HTA)

Bill 107 would amend the *HTA* to align sections related to driving under the influence to correspond with updates to the *Criminal Code of Canada*. This is necessary to ensure charges are consistent and defensible in court.

Another proposed change of key interest to municipal governments is the creation of an Administrative Monetary Penalty (AMP) regime for municipal governments to charge drivers that pass an extended school bus stop arm outfitted with a camera. The province will be putting forward regulations to allow the evidence from these cameras to be used in court. Municipal governments are keen to introduce school bus stop arm enforcement cameras to help keep children safe. Along with the anticipated deployment of Automated Speed Enforcement (ASE) technology in School and Community Safety Zones, these measures should provide the ability for local governments to more efficiently enforce road safety in communities.

A concern for municipal governments relates to fine collection. Section 21.1 (13) of the Bill provides that an AMP that is not paid in accordance with the terms of the order is a debt to the Crown. AMO recommends that the legislation be amended to consider it a debt to the Crown *or* a municipal government, depending on its nature, as provided through a new regulation.

Bill 107, if passed, would also amend the rules to automatically allow off-road vehicles on municipal roads in all areas of the province. This amendment reverses the onus as these vehicles are currently prohibited unless a municipal government passes a by-law to allow them.

Another change is the anticipated alignment of Ontario’s rules for commercial vehicles with other jurisdictions. This includes allowing the use of wide-based single tires for trucks and aligning the rules with other jurisdictions for charter bus operations in the province.

Penalty increases are also proposed for drivers that endanger workers such as construction personnel or tow truck drivers on highways and for drivers that drive too slowly in the left-hand lane. Bill 107, if passed, will also introduce new penalties for

impaired driving instructors, for removing or defacing traffic signs and prohibiting vehicles from entering bicycle lanes and bus terminals.

The province will also review the rules of the road for bicycles, e-scooters and e-bikes as well as consult on raising highway speed limits.

Schedule 3 – Amendments to the *Metrolinx Act*

The legislation creates the mechanism for the Ontario government to prescribe rapid transit project design, development or construction as the sole responsibility of Metrolinx through regulation and to prohibit further action on that project by the City of Toronto. The proposed amendments would allow the Minister to issue directives to the City of Toronto and its agencies.

The changes in this legislation are limited to the City of Toronto and its agencies as defined under the *City of Toronto Act*, specifically the Toronto Transit Commission (TTC). However section 47 (1) of the legislation allows the province to assume assets “with or without” compensation or recourse to the City. The Act further stipulates that this transfer would not constitute a breach of by-laws, rights or contracts nor is it an expropriation. Section 51 (3) limits proceedings for remedies or restitution.

AMO notes that these proposed provisions could set precedents for changes beyond the TTC subway where the provincial government assumes municipal assets without fair compensation. AMO will review this further given its potential application in other municipal-provincial contexts.

Schedule 5 – Amendments to the *Public Transportation and Highways Improvement Act (PTHIA)*

Bill 107 proposes to update the PTHIA to recognize activities such as grading of land and broadens the definition of infrastructure to include “structures” in addition to bridge and underpass construction in the Ministry permit zone.

Schedule 6 – Amendments to the *Shortline Railways Act*

The Bill updates the Act to define a railway as a rail service to encompass its operations, to allow the registrar to more easily add, amend or revoke conditions on licenses and to provide processes for doing so, including by electronic means. Railways are required to provide operational information on a regular basis and to notify the registrar of changes to corporate officers or to the services provided. The Bill also proposes to abolish the current requirement for a shortline rail service that will discontinue operations to offer to sell to the Government of Ontario at salvage value.

Contacts:

Development Charges:

Matthew Wilson, Senior Advisor, mwilson@amo.on.ca, 416-971-9856 ext. 323

Bill 108:

Cathie Brown, Senior Advisor, cathiebrown@amo.on.ca, 416-971-9856 ext. 342

Bill 107:

Craig Reid, Senior Advisor, creid@amo.on.ca, 416-971-9856 ext. 334

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Association of Municipalities of Ontario
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May 9, 2019

In This Issue

- The top questions about digital signatures.
- Ministry of Energy webinars discuss energy reporting.
- AMO Conference 2019 - *Municipalities: Ontario's Frontline*.
- Register for AMO's Wellness & Mental Health in the Municipal Workplace Symposium.
- Risk Management Symposium coming soon.
- Investments 101 online course now available!
- Town Hall Tuesdays webinar series.
- LAS Blog: Investing for Outcomes.
- Feeling the cyber threat?
- A conversation with ONE Investment.
- Careers with Lakeshore and Hastings County.

AMO Matters

Each week we will profile a key question about digital signatures. Q9: Are Notarius digital signatures recognized worldwide? [Click here](#) for the answer.

Provincial Matters

The Ministry of Energy is hosting webinars for your 2019 [energy reporting requirements](#). [Annual Reporting Webinars](#) will be held May 22 and June 5. [CDM Plan Update Webinars](#) will be held May 15, May 29 and June 12. No need to pre-register - just click on the link to join. Webinars run from 12 pm - 1 pm EST.

Eye on Events

Register today for the [2019 AMO Conference in Ottawa August 18-21](#). Municipalities are on the frontline of key public services in Ontario. Find out what that means for your community.

AMO's first Wellness & Mental Health in the Municipal Workplace Symposium takes place May 29, 2019. Program, registration and location information are available [here](#).

Cannabis, cybersecurity, smart cities...what do they all have in common? They are subject matters at this year's Risk Management Symposium at Casino Rama. [Book your spot now](#) for September 12 and 13, and take advantage of the accommodation discount. See you there!

ONE Investment's educational workshop is now available as an online course: self-paced, convenient and accessible. Registration for Investments 101 - The Foundation for a Municipal Investment Strategy is available until June 30, 2019. [Register here](#).

Town Hall Tuesdays are just around the corner. Don't forget to [register](#) for any of the free online webinars starting May 14. They will be recorded and accessible for your future reference.

LAS

LAS Blog: ONE Investment has a variety of tools available to meet the future financial needs of your municipality. Check out the [LAS Blog](#) to learn more.

The twenty-first century is here, and as promised, we're surrounded by technology. But with great advantages, also comes the drawbacks. Read [our blog](#) about cybersecurity and learn to protect yourself and your municipality.

ONE Investment

ONE Investment is inviting you to join the conversation about Prudent Investor to discuss your municipality's needs, address concerns, and showcase ONE Investment's solutions. We will be in Odessa on May 31 and Essex County on June 14. Visit the website to [sign up](#) or contact ONE@oneinvestmentprogram.ca for more details.

Careers

Director of Community and Development Services - Town of Lakeshore. Reports to the Chief Administrative Officer. Qualified applicants interested in the position are to email a detailed resume outlining their qualifications to jobs@lakeshore.ca no later than 2:00 pm on Thursday, May 23, 2019 clearly indicating Director of Community and Development Services in the subject line.

Senior Planner - County of Hastings. Interested candidates may submit their resume and covering letter not later than 4:00 PM on Wednesday May 22, 2019 to Justin Harrow, County of Hastings, 235 Pinnacle Street, P. O. Bag 4400, Belleville, Ontario K8N 3A9, Fax: (613) 966-6775. If forwarding by email, please quote: "2019-NON-GG-153 - Your Name" within the subject line and submit your application to careers@hastingscounty.com.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

AMO Contacts

AMO Watch File Tel: 416.971.9856

Conferences/Events

Policy and Funding Programs

LAS Local Authority Services

MEPCO Municipal Employer Pension Centre of Ontario

ONE Investment

Media Inquiries Tel: 416.729.5425

Municipal Wire, Career/Employment and Council Resolution Distributions

Information Package Memo

To: Mayor Chopp and Members of Council

From: Shelley Darlington, Director, Corporate Support Services
Karen Judd, Manager, Purchasing Services

Date: May 14, 2019

Re: Bid Deposits and Financial Guarantees in Bid Documents

The purpose of this memo is to provide background information on Bid Deposits and Financial Guarantees in Bid Documents as requested at the Council-in-Committee meeting of May 7, 2019.

Section 16 and 17 of Norfolk County Policy ECS-02, Purchasing Policy lays out the requirements for Bid Deposits and Financial Guarantees for inclusion in bid request documents.

A Bid Deposit as identified in Section 16 is a form of financial guarantee that ensures the successful bidder will enter into an agreement.

The policy states that the Bid Deposit will be reflective of the project budget while offering adequate protection to Norfolk County in case of default by the Bidder. Bid deposits will not be less than 5% of the estimated budget for goods, services or construction being purchased unless determined otherwise as authorized by the General Manager in consultation with the Director of Corporate Support Services.

Financial guarantees can be in the form of either Performance Security or Bonding depending on the goods and services being procured and are reflective of the project budget while offering adequate protection to Norfolk County in the event of default by the Bidder.

Performance Security as identified in Section 17.1 is a form of guarantee for the full completion of all work as required in the Bid Request and is required for, but not limited to, construction, renovation, maintenance, demolition, service contracts (when working on County property), and supply and installation of equipment for a minimum of 5% of the estimated contract price.

The previous version of the Purchasing Policy identified the minimum percentage amount at 10% however, in December, 2017, the revised policy was approved by Council allowing a reduction to the minimum percentage amount to 5%. This reduction was implemented as method to maximize competition while ensuring adequate protection to the County in the event of default by bidder.

Acceptable formats for performance security include: certified cheque, bank draft, money order or irrevocable letter of credit in a form satisfactory to the County.

Bonding as identified in Section 17.2 is a guarantee of the full completion of all work and/or all financial commitments as required in the Bid Request. Performance, Labour and Materials Payment and/or Maintenance Bonds must be for a minimum of 50% of the Bid amount for each bond. The applicable Manager or designate shall determine the financial amounts of the bonds required.

The bonding requirements identified in the policy are in accordance with Section 85.1 of *The Construction Act*, R.S.O. 1990 as follows:

Requirement for a Labour and Material Payment Bond:

On entering into a public contract, a contractor shall furnish the owner with a labour and material payment bond, in the prescribed form, that,

- (a) is of an insurer licensed under the *Insurance Act* to write surety and fidelity insurance;
- (b) has a coverage limit of at least 50 per cent of the contract price, or such other percentage of the contract price as may be prescribed; and
- (c) extends protection to subcontractors and persons supplying labour or materials to the improvement.

Requirement for a Performance Bond:

On entering into a public contract, a contractor shall furnish the owner with a performance bond, in the prescribed form, that,

- (a) is of an insurer licensed under the *Insurance Act* to write surety and fidelity insurance;
- (b) has a coverage limit of at least 50 per cent of the contract price, or such other percentage of the contract price as may be prescribed; and

For the purposes of the Act, “public contract” means a contract between an owner and a contractor respecting an improvement, if the owner is the Crown, a municipality or a broader public sector organization.

Through analysis with members of the Ontario Public Buyers Association (OPBA) research has been completed to confirm that the security amounts requested in Norfolk County bid requests are comparable to other municipalities. Attached as Appendix A is a summary of the findings.

Please contact us if you require further information.

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Attachment:

Attachment A – Bid Deposit and Financial Guarantees Comparison

Attachment A - Bid Deposit and Financial Guarantees Comparison

As at May 10, 2019

Bid Deposit - shall mean a financial guarantee to ensure the successful Bidder will enter into an agreement.

Performance Security - shall mean a financial guarantee of the full completion of all work as required in a Bid Request. Acceptable formats include certified cheque, bank draft, money order or irrevocable letter of credit in a form satisfactory to the County.

Performance, Labour, Materials and/or Maintenance Bonds - shall mean a financial guarantee of the full completion of all work and/or all financial commitments as required in the Bid Request. Bonding is typically used for construction or large dollar value projects.

		FINANCIAL GUARANTEES	
Municipality	Bid Deposit	Performance Security	Performance, Labour, Materials and/or Maintenance Bonds
Norfolk County	<p>The Director, Corporate Support Services in consultation with the user department will determine whether a bid deposit will be part of the bid submission requirements.</p> <p>Bid deposits will not be less than 5% of the estimated budget for goods, services or construction being purchased unless determined otherwise as authorized by the General Manager in consultation with the Director, Corporate Support Services.</p>	Performance security in the form of an original certified cheque, bank draft, irrevocable letter of credit or money order is required for but not limited to construction, renovation, maintenance, demolition, service contracts (when working on County property), and supply and installation of equipment for a minimum of 5% of the estimated contract price.	If using bonding as a method of security, must be for a minimum of 50% of the Bid amount for each bond. The applicable Manager or designate shall determine the financial amounts of the bonds required.
County of Brant	10% on all bids to a maximum of \$50,000 unless recognized as high risk than bid deposit can increase at the discretion of the County.	Does not use any other form of security, just bonds.	50% of the bid amount for each bond (labour and materials).
City of Brantford	10% of the project budget.	We have a few residual contracts still in place where a performance security upon award has been requested but we are moving away from that process. We seldom, if ever, call on them.	The City requests Performance and Labour & Materials bonds.
Municipality of Chatham- Kent	Up to the discretion of the Purchasing Officer.	The Municipality reserves the right to require Bid Security.	Required for projects over \$100,000 and is 100% of the total purchase price.
County of Elgin	<p>Bid Deposit based on Tender Value:</p> <p>\$100,000 to \$250,000=\$10,000</p> <p>\$250,000 to \$500,000=\$20,000</p> <p>\$500,000 to \$1,000,000=\$40,000</p> <p>\$1,000,000 to \$2,000,000=\$75,000</p> <p>\$2,000,000 and Over = \$150,000</p>	<p>We use performance securities on all contracts over \$100k but rarely for anything under \$100k.</p> <p>10% performance security in the form of a certified cheque or letter of credit.</p>	performance bond valued at 100% and labour and materials bond valued at 50% of the amount of the Tender bid.

		FINANCIAL GUARANTEES	
Municipality	Bid Deposit	Performance Security	Performance, Labour, Materials and/or Maintenance Bonds
Georgian College	10% but only used on construction.	Does not use other options for securities other than a bond at the current time.	50% of the bid amount for each bond (labour and materials).
County of Grey	10%	10% bid deposit that will be held to use as performance security.	Performance Bond and Labour and Materials Bonds of at least 50% of the job price for projects budgeted over 100K.
Haldimand County	Not be less than 5% but can increase to adequately protect the County.	Will use what was the bid deposit and hold as performance security.	50% of the bid amount for each bond (labour and materials). 100% for performance bond.
City of Hamilton	5-10% of Budget, mostly of construction and large dollar value.		Performance Bond and Labour and Materials Bonds of at least 50% of the job price for projects budgeted over 100K.
Town of Halton Hills	10% - Required for construction only.	Use bonding except for park construction.	50% performance bonds and labour and material bonds.
City of London	10% bid deposit tenders over \$100,000.	Often 50% but it's project by project, depending on the risk associated.	50% of the bid amount for each bond (labour and materials).
Middlesex County	Not less than \$5,000.00, or more than 10% of the tendered price.	Acquisition of major equipment does not require tender deposits, performance or payment bonds.	100% of the tendered price but may be reduced upon approval received from the appropriate Committee or Council.
Northumberland County	No bid deposits.	We accept or use performance securities if required, usually in small renovations.	Depending on the project value and risk we use performance bonds usually 100% of the project cost but are considering moving to 50%.
Oxford County	Procurement in excess of \$100,000, bid deposits shall be set be 5% Less than \$100,000, the CAO or Director shall determine the amount of the bid deposit.	No set amount, dependent on goods/service.	Construction Projects over \$150,000, for a minimum of 50% of the estimated amount for Performance Bonds and Labour and Material Bonds If below \$150,000 Director determines.
Perth County	10% and typically required for construction projects.	Does not use any other form of security, just bonds	Performance Bond and Labour and Material Bond

		FINANCIAL GUARANTEES	
Municipality	Bid Deposit	Performance Security	Performance, Labour, Materials and/or Maintenance Bonds
City of St. Thomas	10% of the estimated budget.	The form of security and the amount is discretionary and discussed with end user.	100% performance and 50% L&M.
City of Waterloo	10% for construction but will occasionally on a big project or expensive equipment.	Bonding only.	50% of the bid amount for each bond (labour and materials).
City of Welland	Formerly we had a percentage that dictated the min / max thresholds for bid deposits. Currently each Tender document will dictate the amount required, as each project is different.	The Division General Manager in conjunction with the Purchasing Services Division shall select the appropriate means to guarantee performance of the Contract - either through securities or bonds.	The Division General Manager in conjunction with the Purchasing Services Division shall select the appropriate means to guarantee performance of the Contract - either through securities or bonds.
Town of Whitby	No bid deposits.	No set amount, dependent on goods/service (ie snow plowing).	Construction - minimum 50% performance bond and labour and material bond.
City of Woodstock	\$20,000 or less = \$1,000 \$20,000 to \$50,000= \$2,000 \$50,000 to \$100,000 =\$5,000 \$100,000 to \$250,000 =\$10,000 \$250,000 to \$500,000 =\$25,000 \$500,000 to \$1M =\$50,000 \$ 1M to \$2M =\$100,000 \$ 2M & over =\$200,000	Up the discretion of the issuing department but when they do ask its only 5-10% up to 25% dependent on the risk.	50% of the bid amount for labour and materials, 100% of the bid amount for performance bond.

Information Package Memo

To: Mayor Chopp and Members of Council

From: Shelley Darlington, Director, Corporate Support Services
Karen Judd, Manager, Purchasing Services

Date: May 14, 2019

Re: Price-Per-Point Methodology in RFPs

The purpose of this memo is to provide background information on the Price-Per-Point Methodology used in Request for Proposal (RFP) bid documents as requested at the Council-in-Committee meeting of May 7, 2019.

Section 4.5 of Norfolk County Policy ECS-02, Purchasing Policy lays out the requirements in using a RFP purchasing mechanism. RFPs are a publically advertised formal bid where a need is identified but the method by which it will be achieved is unknown. The process allows Vendors to propose solutions or methods to arrive at the desired result. Each proposal is evaluated based on defined criteria outlined in the formal bid document.

- This process is all about the value for the corporation.
- The County has a goal or project in mind but does not know the best approach to achieve it.
- Looking for suggestions, ideas and options.
- Used for professional services or where the County is looking for a solution to a particular situation.
- In other words, we know the “why” and the “where” but we need help with the “how”.

In accordance with Section 4.5, an RFP is used when:

- The supplies or Services cannot be specifically stipulated;
- Alternative methods are sought to perform certain functions or services;
- Innovative solutions are being sought; or
- Achievement of Best Value is sought.

RFP's are evaluated because the County compares different suggestions, ideas and options and there needs to be a method to determine comparison for value.

With the revisions to the Purchasing Policy in 2011, Council approved the introduction of the two-envelope RFP system and the price-per-point methodology for evaluation purposes.

A two-envelope system means that each RFP submission contains two envelopes.

- Envelope #1 contains all required information, including the detailed technical information but no pricing.
- Envelope #2 contains only pricing and financial information.
- Each Evaluation Committee member is responsible for conducting an independent review and scoring of each submission using the pre-established Evaluation Criteria for Envelope #1.
- The Evaluation Committee meets to discuss each member's independent review and results and come to consensus for each evaluation criterion.
- Only submissions meeting the established benchmark score, move through the process to the opening and review of Envelope #2 (pricing and financial information).

The two-envelope system provides more objectivity in comparing different suggestions, ideas and options in the evaluation process by preventing price from influencing technical scoring eliminating inconsistencies in evaluations and increasing fairness and transparency in the County's process.

The price-per-point methodology takes into account the total technical score resulting from the evaluation and applies a price-per-point system that is calculated by dividing the total price by technical points.

$$\text{*Formula Applied is } \frac{\text{Total Cost of Proposal}}{\text{Total Awarded Points}} = \text{Price per Point}$$

The proposal with the lowest price-per-point represents the greatest value. This method allows the County to purchase services that meet our needs and receive the best value.

Quite often the lowest price may still be the best value; however, flexibility is present under the price-per-point methodology to award a RFP to a vendor who may also have more to offer the County. The process also eliminates the chance of recommending a “Cadillac” proposal when a “Chevrolet” proposal will meet the County’s needs.

A RFP process differs from a tender process.

Tenders are a publically advertised formal bid for supplies and/or services in which the requirements are known at the outset and listed in detailed specifications in the bid document. Tenders are awarded based on the lowest priced, compliant bid, received.

- This process is all about the specifications and the price.
- The County knows exactly what we want to purchase, we just want the lowest price for the specifications stipulated.
- Tenders are used for construction projects, materials and most commodities.
- Utilized when there are specific needs that are clearly identified and can be described in detail.

Please contact us if you require further information.

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