

Agenda

Corporate Services Committee

13th Meeting of the Corporate Services Committee

June 19, 2018, 12:30 PM

Council Chambers

Members

Councillors J. Helmer (Chair), J. Morgan, P. Hubert, M. van Holst, J. Zaifman, Mayor M. Brown

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6.1 Land Acquisition/Solicitor-Client Privileged Advice

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition.

6.2 Land Acquisition/Solicitor-Client Privileged Advice

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6.4 Litigation/Potential Litigation/Solicitor-Client Privileged Advice

A matter pertaining to an identifiable individual; employment-related matters; litigation or potential litigation affecting the municipality; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation.

6.5 Personal Matters/Identifiable Individual

A matter pertaining to personal matters involving identifiable individuals who are municipal employees with respect to employment related matters and advice and recommendations of officers of the Corporation including communications necessary for that purpose.

7. Adjournment

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JUNE 19, 2018
FROM:	CATHARINE SAUNDERS CITY CLERK AND DAVE O'BRIEN DIVISION MANAGER, CORPORATE SECURITY AND EMERGENCY MANAGEMENT
SUBJECT	COUNCIL POLICY PUBLIC ACCESS DURING COUNCIL AND STANDING COMMITTEE MEETINGS

RECOMMENDATION

That, on the recommendation of the City Clerk and the Division Manager, Corporate Security and Emergency Management, with the concurrence of the Managing Director, Corporate Services and Chief Human Resources Officer and the Managing Director, Corporate Services and City Solicitor, the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to establish a new policy pertaining to public access during Council and Standing Committee meetings.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Corporate Services Committee – March 8, 2016
Corporate Services Committee – December 5, 2017

BACKGROUND

At its meeting held on March 22, 2016, the Municipal Council resolved that:

- "b) the Civic Administration BE DIRECTED to review the recommendations outlined in the report noted in a), above, (the Ontario Ombudsman Report dated February 2016 – Investigation into complaints about a meeting held by Council for the City of London on June 10, 2016) and report back with the necessary policies and procedures to address the recommendations of the Ontario Ombudsman;"

The following recommendations were contained in the above-noted February 2016 Ontario Ombudsman Report:

1. All members of council for the City of London should be vigilant in adhering to their individual and collective obligation to ensure that the city complies with its responsibilities under the Municipal Act, 2001 and its own procedure by-law.
2. The City of London should ensure that the public has unimpeded access to council chambers in order to observe all open meetings of council and committees.
3. The City of London should ensure that a formal written policy is created and implemented that sets out security protocols during meetings of council or committees.

In response to this direction, the Civic Administration submitted a report to the December 5, 2017 meeting of the Corporate Service Committee recommending the adoption of a procedure to address concerns with respect to “crowd control” during open meetings of Council and Standing Committees.

At its meeting held on December 12, 2017, the Municipal Council resolved:

“That the staff report dated December 5, 2017 and entitled “Crowd Control Procedures at Meetings” BE REFERRED back to the Civic Administration to incorporate additional procedures with respect to the entry doors into the Chambers Gallery during Council and Standing Committee meetings.”

The purpose of this report is to respond to the concerns raised by the Ontario Ombudsman and the further direction given by Municipal Council in response to the draft policy submitted by the Civic Administration in December 2017.

DISCUSSION

The Civic Administration has expanded upon the draft procedure regarding “Crowd Control” attached to the December 5, 2017 staff report, and is recommending the proposed attached Council Policy with respect to public access during Council and Standing Committee meetings. This policy should not only address the recommendations of the Ontario Ombudsman, but will also provide additional clarity for the Municipal Council, the Civic Administration and the public for various situations that may arise that could require limiting public access to Council and Standing Committee meetings.

PREPARED AND RECOMMENDED BY:	PREPARED AND RECOMMENDED BY:
CATHARINE SAUNDERS CITY CLERK	DAVE O’BRIEN, DIVISION MANAGER CORPORATE SECURITY AND EMERGENCY MANAGEMENT
CONCURRED BY:	CONCURRED BY:
WILLIAM C. COXHEAD, MANAGING DIRECTOR, CORPORATE SERVICES AND CHIEF HUMAN RESOURCES OFFICER	BARRY CARD, MANAGING DIRECTOR, CORPORATE SERVICES AND CITY SOLICITOR

APPENDIX "A"

Bill No.
2018

By-law No. CPOL.-

A by-law to implement a Council policy pertaining to public access during Council and Standing Committee Meetings.

WHEREAS the Ontario Ombudsman is the closed meeting investigator for the City of London under section 239.2(1) of the *Municipal Act, 2001*, as amended;

AND WHEREAS the Ontario Ombudsman, in a report dated February 2016 recommended that the City of London establish a written policy that sets out security protocols during meetings of council and standing committees to ensure that that meetings are open and accessible to members of the public;

AND WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to establish a policy pertaining to public access during Council and Standing Committee Meetings;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The policy entitled "Public Access During Council and Standing Committee Meetings", attached hereto as Schedule "A" is hereby approved.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Public Access During Council and Standing Committee Meetings

Legislative History: N/A

Last Review Date: June 26, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the responsibilities and procedures for public access during Council and Standing Committee meetings, in order to ensure the safety of all attendees and proper decorum during meetings.

2. Definitions

For the purposes of this policy,

- 2.1. **Chair** – shall mean the person presiding at a Council or a Standing Committee meeting.
- 2.2. **City** – shall mean The Corporation of the City of London.
- 2.3. **Council** – shall mean the Municipal Council of The Corporation of the City of London.
- 2.4. **Meeting** – shall mean a public meeting of the Council or a Standing Committee.
- 2.5. **Meeting Room** – shall mean the room in which a Council or Standing Committee meeting is being held.
- 2.6. **Standing Committee** – shall mean a Standing Committee of the Council of The Corporation of the City of London,

3. Applicability

- 3.1. This Council policy applies to all persons attending a public Council or Standing Committee meeting.

4. The Policy

4.1 Roles and Responsibilities

- a) The Chair is responsible for ensuring that meeting attendees conduct themselves with proper decorum at all times, and that there is a safe and respectful meeting environment, pursuant to the procedures outlined in the Council Procedure By-law.
- b) The City Clerk, or their designate, is responsible for providing legislative and secretariat support at a Council or Standing Committee meeting.
- c) The Division Manager, Corporate Security and Emergency Management, or their designate, is responsible for ensuring the physical safety of the meeting room and its occupants.

4.2 Procedures

4.2.1 Prior to the Commencement of a Meeting

- a) Approximately 15 minutes prior to the commencement of a meeting the City Clerk, or their designate, shall ensure that the entry door(s) to the public viewing area of the room in which the meeting is being held is unlocked.
- b) Corporate Security shall ensure that the entry door(s) to the public viewing area of the room in which the meeting is being held is propped open, once it is unlocked by the City Clerk, or their designate.

4.2.2 During a Meeting

Decorum

- a) In the event that any person(s) attending a meeting conducts themselves in a manner that is not in keeping with proper decorum, the Chair shall follow the steps outlined in Part 9 and/or Part 17 of the Council Procedure By-law, as applicable, in order to restore decorum, which could ultimately result in the removal of that person(s) from the meeting.

Immediate or Impending Threat to Safety

- a) If, at any time, the Division Manager, Corporate Security and Emergency Management, or their designate, identifies an individual(s) as being an immediate or impending threat to the safety of themselves or other meeting attendees, steps will be taken to neutralize the threat and remove the individual(s) from the meeting, without warning. The Chair shall suspend the meeting until the immediate threat is contained and order is restored. No other person(s) shall be permitted to enter the meeting until such time as the threat is contained and order is restored, in order to mitigate risk to the safety of other persons. Members of the public wishing to enter the meeting will be advised by a City representative that there is a disruption and that entry to the meeting is temporarily suspended, for their personal safety. Once the disruption has been resolved, meeting attendees will be permitted to enter the meeting and the meeting shall resume.
- b) If, at any time, there is an immediate or impending fire, structural failure, weather event or other environmental threat to the safety of meeting attendees, the Chair shall suspend the meeting, the meeting room will be evacuated so that attendees can move to a safe location, and no further individuals shall be permitted into the meeting room until such time as the threat to safety has been resolved. In the event the threat is likely to be present for an extended period of time, the Chair, upon consultation with the City Clerk, or their designate, and the Division Manager, Corporate Security and Emergency Management, or their designate, may postpone consideration of any unfinished business to a future date and/or time.

Room Capacity

- a) For purposes of compliance with the *Ontario Fire Code*, meeting room capacity is as follows:

Room	Capacity (#)
Committee Room No. 1	60
Committee Room No. 2	60
Committee Room No. 3	60
Committee Room. No. 4	60
Committee Room No. 5	60
Council Chambers Main Level	90
Council Chambers Gallery	90

- b) In accordance with the Council Procedure By-law, no person shall be allowed to enter the main floor of the Council Chambers during meetings without the leave of the Chair, except members, employees and servants of the Corporation and those representatives of the media who have appropriate identification to the satisfaction of the Clerk.
- c) The Division Manager, Corporate Security and Emergency Management, or their designate, shall advise the City Clerk, or their designate, if the meeting room capacity has been exceeded. If such is the case, the City Clerk, or their designate, shall make the necessary arrangements to have an overflow room(s), if available, opened for members of the public, who

would otherwise exceed the meeting room capacity, to observe the meeting via live video stream. Security personnel will then direct any members of the public in excess of meeting room capacity, to the overflow room(s).

- d) In the event that an overflow room(s) is not available, or has reached its capacity, the Division Manager, Corporate Security and Emergency Management, or their designate, shall create a staging area in an appropriate area within the building the meeting is being held, where members of the public will be held until such time as room becomes available in either the meeting room or an overflow room.
- e) In the event that the number of members of the public waiting to enter a meeting is of a size that is too large to be accommodated as provided for in part d), above, the Division Manager, Corporate Security and Emergency Management, or their designate, after consultation with the City Clerk or their designate, will advise members of the public that the indoor staging area, overflow rooms(s) and meeting room are at capacity and request members of the public to wait outside of the building until such time as capacity becomes available.
- f) No group of individuals will be allowed to enter a meeting if the number of individuals within that group will create a situation where the room capacity is exceeded. The group may be divided into smaller groups in order to ensure that, upon being granted entry, room capacity is not exceeded.
- g) The Division Manager, Corporate Security and Emergency Management, or their designate, shall inform the City Clerk, or their designate, of the status of capacity throughout the meeting, unless it is otherwise evident that capacity is not being exceeded. The City Clerk, or their designate, will keep the Chair apprised if capacity is exceeded, so that the Chair can, if necessary, encourage members of the public to leave once their item is addressed, in order to make room for other members of the public to enter the meeting for their item(s) of interest.

Protests

- a) In the event that the Division Manager, Corporate Security and Emergency Management, or their designate, have reasonable grounds to believe that a person or group of persons may be attending a meeting in order to disrupt its proceedings or threaten the safety of meeting participants, the Division Manager, Corporate Security and Emergency Management, or their designate, may take reasonable measures, including, but not limited to prohibiting that person or group of persons from entering the building and will, as soon as is reasonably possible, advise the Chair via the City Clerk, or their designate, of this action.

Prohibited Objects

- a) The following objects are prohibited from being brought into meetings, due to safety concerns:
 - i) weapons (guns, knives, slingshots, explosives, etc.)
 - ii) projectiles
 - iii) large, unwieldy objects (i.e. sign posts)
 - iv) any other item determined by the Division Manager, Corporate Security and Emergency Management, or their designate, to pose a risk to the safety of meeting attendees.
- b) Any person who arrives to attend a meeting with a prohibited object(s) may be denied entry to the meeting. The Division Manager, Corporate Security and Emergency Management, or their designate, may, at their own discretion, agree to hold the prohibited object(s), if that object(s) is

otherwise legal to carry, for the person for the duration of the individual's attendance at the meeting, thus permitting the individual to enter the meeting. The prohibited object(s) will be returned to the individual after the individual has left the meeting.

Prohibited Access

- a) Prohibition of access to a meeting by banning entry to the building and/or meeting room shall be authorized by the Division Manager, Corporate Security and Emergency Management, or their designate and who will, as soon as is reasonably possible, seek the concurrence of the meeting Chair, via consultation with the City Clerk, or their designate, of this action.

Off-Site Meetings

When it is necessary to hold meetings at a venue outside of City Hall, a crowd control plan will be developed specific to the alternate venue by the Division Manager, Corporate Security and Emergency Management, or their designate, in consultation with the City Clerk, or their designate. The City Clerk shall ensure the meeting Chair is advised of the crowd control plan.

Trespass Notices

The Division Manager, Corporate Security and Emergency Management, or their designate, has the authority to issue Trespass Notices pursuant to the *Trespass to Property Act, 1990, c.T.21*, as amended, to restrict access to individuals who are deemed to be of a safety risk to the Members of Council, the Civic Administration or members of the public, to any property owned, leased or otherwise occupied by the City.

General Provisions

Nothing in this policy restricts the Division Manager, Corporate Security and Emergency Management, or their designate, from taking reasonable measures to ensure the safety and security of any property owned, leased or otherwise occupied by the City, and the persons occupying that property. Where such measures relate to a meeting, the Division Manager, Corporate Security and Emergency Management will consult with the applicable meeting Chair, via the City Clerk or their designate, with respect to the safety and security measures being put in place for the protection of all meeting participants.

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JUNE 19, 2018
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT:	DESIGNATION OF MUNICIPALLY SIGNIFICANT EVENTS

RECOMMENDATION

That, on the recommendation of the City Clerk, with the concurrence of the Managing Director, Corporate Services and City Solicitor, the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting to be held on June 26, 2018 to implement a new policy entitled “Designation of Municipally Significant Events Policy”.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

BACKGROUND

The service of alcohol in the Province of Ontario is regulated by the Alcohol and Gaming Commission of Ontario (AGCO). The AGCO administers the Special Occasion Permit (SOP) program, which allows for the sale and service of alcohol on special occasions, such as cash bars at weddings or private receptions, as well as larger scale events that are open to the public, such as charity fundraisers. There are three types of special occasions for which a permit may be issued:

- Private Event: For events where only invited guests will attend. These events cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.
- Industry Promotional Events: For events held to promote a manufacturer’s product through sampling. There can be no intent to gain or profit from the sale of alcohol at the event.
- Public Events: For events that are open to the public. Public events can be advertised and allow for fundraising/profit from the sale of alcohol.

AGCO regulations provide for Public Event permits to be issued for events of “municipal significance”. However, in order to be deemed an event of municipal significance, it requires designation by the municipality in which the event will take place. SOP applications for a municipally significant Public Event must be accompanied by either a municipal resolution or a letter from a delegated municipal official designating the event as municipally significant.

Extensions of hours of sale and service are also possible for municipally significant events. The AGCO has authority for extending the standard hours of sale and service in licensed establishments across the province (generally 11 a.m. to 2 a.m) during events of municipal significance. This is something that would need to be taken into consideration by the municipality considering designating an event of municipal significance.

Public Events must, as the words suggest, be open to the public. A Public Event could be, as an example, a charity fundraiser, outdoor street festival, community festival, etc. An SOP for a Public Event can be issued to:

- a charitable organization registered under the *Income Tax Act (Canada)*
- a non-profit organization or association organized to promote charitable, educational, religious or community objects
- an individual or a business if organizing or conducting an event of:

- “provincial, national or international significance” if determined as such by the Registrar of Alcohol, Gaming and Racing;
- “municipal significance” for which a municipal resolution or letter from the Municipal Clerk or designated authority has been provided that indicates the event is one of municipal significance.

The AGCO also imposes a number of requirements on SOP holders related to notification of public officials, documentation required in conjunction with an application, acquisition and sale of alcohol, inspections, carrying of alcohol, agreements to ensure there is no risk to safety, conduct of patrons, etc. Some of the responsibilities of a Public Event SOP Holder are described in Appendix “B”.

Proposed Process for Designation of Municipally Significant Events

As City Council has found in recent years, the scheduling of Standing Committee and City Council meetings has sometimes made it difficult to review and approve a request for designation of an event as being municipally significant within the AGCO’s timelines for processing an SOP, particularly when requests for designation often come in to the City last minute from applicants. As a result, it is being proposed that the City Clerk be authorized to designate an event to be of municipal significance following the filing of an application and the circulation of the application to certain specified parties to identify any concerns with the application. This should assist in streamlining the designation process from the City’s end, recognizing that the filing of an application in a timely manner rests entirely with the applicant. Proposed circulation of an application would include London Fire Services, Licensing and Municipal Law Enforcement, Insurance/Risk, the London Police Service, the Middlesex-London Health Unit and the City of London’s Chief Building Official for comment within a specified timeframe, so that any concerns may be considered by the City Clerk in determining whether or not to designate a particular public event as being municipally significant.

In designating an event as municipally significant, there is the possibility that the City could find itself liable if an individual is injured at the event. If the City of London were to be found “jointly and severally liable”, it could end up paying part or all of the judgment should the Special Occasion Permit holder be inadequately insured or uninsured. In addition to the expense to the municipality to defend any legal action, the outcome could negatively affect the City’s continued insurance coverage. In order to mitigate the risk to the City of London, the Special Occasion Permit holder would be required to obtain a minimum of FIVE MILLION (\$5,000,000) DOLLARS liability insurance, naming the City of London as an additional insured, at least 10 business days prior to the event. The permit holder would be required to indemnify and save the City of London harmless from all claims arising from the permit or event. Each event would be considered on its own merit, noting that the actual insurance limits required may be increased at the discretion of the City of London.

The AGCO does not define what constitutes an Event of Municipal Significance so, in an effort to develop a local definition, staff have reviewed the various types of events that the City Council has previously designated, as well as considered what other municipalities deem as being an Event of Municipal Significance. As such, it is being proposed that the following definition of an “Event of Municipal Significance” be established for the purposes determining if an event qualifies for designation as an “Event of Municipal Significance”:

“A one-time, annual or infrequently occurring event that is open to the public, has a predetermined opening and closing date and time, and which:

- a) has local, regional, national or international historical or cultural significance;
- b) builds awareness of diverse cultures; or
- c) benefits the community at large.”

Conclusion

Local public events contribute to strengthening the community and growing our economy, both in keeping with the City Council's Strategic Plan. The recommended by-law will put a policy in place to assist in achieving those strategic areas of focus. Streamlining the City of London's process for designating events of municipal significance for applicants seeking an SOP for their event, and making information on the City's process available to the public on the City's website, will make the City's process more efficient, understandable and accessible.

RECOMMENDED BY:	CONCURRED BY:
CATHY SAUNDERS CITY CLERK	BARRY CARD MANAGING DIRECTOR, CORPORATE SERVICES AND CITY SOLICITOR

APPENDIX “A”

Bill No.
2018

By-law No. CPOL.-

A by-law to adopt a new Council Policy entitled
“Designation of Municipally Significant Events
Policy”.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS O. Reg. 389/91 under the *Liquor License Act*, R.S.O. 1990, c.L.19 governs the issuance of Special Occasion Permits;

AND WHEREAS subsection 3.3.iii of O. Reg. 389/91 provides that a special occasion may be a public event designated by a municipal council as an event of municipal significance;

AND WHEREAS the Municipal Council wishes to enact a new Council Policy to delegate its authority to designate events of municipal significance to the City Clerk and to set the guidelines for approval of such events;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The policy attached hereto as Schedule “A”, entitled “Designation of Municipally Significant Events Policy” is hereby adopted.
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

SCHEDULE "A"

Policy Name: Designation of Municipally Significant Events Policy

Legislative History: DRAFT - NEW

Last Review Date: June 7, 2019

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy is intended to clarify and streamline the process for organizers of public events who wish to have the City of London designate their event as a "municipally significant event" so that they may apply to acquire a Special Occasion Permit under the *Liquor License Act*, R.S.O. 1990, c.L.19, as amended, for the sale and service of alcohol at their public event.

2. Definitions

- For the purpose of this policy,
- 2.1 "**Business day**" – shall mean any of Monday, Tuesday, Wednesday, Thursday or Friday, excluding any of those days that fall on a statutory holiday.
- 2.2 "**City of London**" – shall mean The Corporation of the City of London.
- 2.3 "**Municipally significant event**" – shall mean a one-time, annual or infrequently occurring event that is open to the public, has a predetermined opening and closing date and time, and which:
- a) has local, regional, national or international historical or cultural significance;
 - b) builds awareness of diverse cultures; or
 - c) benefits the community at large.
- 2.4 "**Public event**" – shall mean an event that is open to the general public.

3. Applicability

- 3.1 This policy shall apply to public event organizers seeking designation of a public event as a "municipally significant event" for the purpose of applying to acquire a Special Occasion Permit under the *Liquor License Act*, R.S.O. 1990, c.L.19, as amended.

4. The Policy

4.1 Delegated Authority

The City Clerk, or their written designate, is delegated authority to issue a letter designating a public event as a municipally significant event, on behalf of The Corporation of the City of London.

- 4.2 The City Clerk, or their written designate, shall circulate all applications for designation as a municipally significant event to the following stakeholders for comment:

- a) London Fire Services
- b) Licensing and Municipal Law Enforcement
- c) Insurance/Risk
- d) London Police Service
- e) Middlesex-London Health Unit
- f) City of London's Chief Building Official.

- 4.3 The decision of the City Clerk, or their written designate, to designate, or not, a public event as a municipally significant event shall be final.

- 4.4 The stakeholders noted in 4.2, above, shall be given 5 business days to provide any concerns regarding the application for designation as a municipally significant event, after which the City Clerk, or their written designate, will proceed to evaluate the request for designation as a municipally significant event based upon any concerns received within the given time frame.
- 4.5 Public events must meet the following criteria, to be considered by the City of London for designation as a municipally significant event:
- a) fall within the definition of municipally significant event, as defined in this policy;
 - b) serve the public interest by upholding the by-laws and policies of The Corporation of the City of London, and any other applicable legislation; and
 - c) will host no less than 100 members of the general public.
- 4.6 Applicants must submit their request for designation as a municipally significant event on the prescribed application form no less than 10 business days before requiring a response from the City Clerk, or their written designate.
- 4.7 Applicants must obtain a minimum of FIVE MILLION (\$5,000,000) DOLLARS liability insurance, naming the City of London as an additional insured, at least 10 business days prior to the event. The permit holder shall be required to indemnify and save the City of London harmless from all claims arising from the permit or event. Each event would be considered on its own merit, noting that the actual insurance limits required may be increased at the discretion of the City of London.
- 4.8 Incomplete applications shall be returned to the organizer for completion. Once completed and returned to the City Clerk, or their written designate, the 10 business day review period shall re-commence upon receipt of the fully completed application.

APPENDIX “B”

Responsibilities of a Public Event SOP Holder

The following are some of the key responsibilities of the Public Event SOP holder:

- The regular hours for the sale and service of liquor under an SOP are 11 a.m. to 2 a.m. the following day, except for New Year’s Eve (December 31) when sale and service of liquor under an SOP must cease at 3 a.m. the next day (January 1). However, the Registrar may restrict the hours of sale and service as a condition of the permit.
- All signs of sale and service must be cleared from the premises within 45 minutes of the end time stated on the permit. This includes the removal of all partially consumed and empty bottles, and glasses that contained liquor.
- Police officers and AGCO Inspectors must be given unobstructed access to the event at all times in order to conduct inspections or investigations and may cancel a SOP while the event is underway if they reasonably believe that the LLA or regulations are being contravened in connection with the event, or if there is a serious public safety risk.
- Only liquor purchased on the permit from a government store (LCBO, The Beer Store or authorized manufacturer’s retail store) is allowed to be sold or served at the event.
- Unless under the authority of an agreement entered into by the permit holder and a liquor sales licensee at an outdoor public event designated as “municipally significant”, liquor sold or served at the event may not be removed from the premises by any person attending the event. Only the host may remove unused liquor at the conclusion of the event.
- Liquor cannot be sold, served or provided to any person who appears to be under 19 years of age, and proper identification must be checked for any person who appears to be under 19 years of age.
- Intoxication, disorderly conduct and unlawful gambling are not permitted.
- Encouraging the immoderate consumption of alcohol is not permitted, as are contests or games involving the consumption of liquor. Non-alcoholic beverages must be available.
- Guests cannot be required to purchase a minimum number of drinks (or drink tickets) to enter or remain at the event, and no drink containing more than 85ml of spirits can be sold or served.
- There must be sufficient food available to serve the people in attendance.
- The SOP and levy, as verified on alcohol purchase receipts, must be available for inspection.
- The permit holder or his/her designate (the person indicated on the reverse side of the permit) must be present at the event at all times.
- Games of chance or mixed chance and skill (i.e. raffles, 50/50 draws etc.) are not permitted unless the proper licence has been obtained from the province or municipality. Licences are only issued to eligible organizations with charitable or religious purposes. Under such a licence, liquor may be awarded as a prize.
- For outdoor events, the area to which the permit applies must be separated from other areas by a minimum 36 inch (0.9 metres) high separation.
- Left over liquor must be removed from the premises at the end of the event. When returning unopened alcohol to the government store, you must produce the SOP and a copy of the sales receipt.
- SOP holders can learn to lower their liability risks by taking the Smart Serve program and hiring servers who have taken the course (or a licensed caterer).

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JUNE 19, 2018
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT	APPOINTMENT OF HEARINGS OFFICERS TO CONDUCT HEARINGS UNDER VARIOUS CITY OF LONDON BY-LAWS

RECOMMENDATION

That, on the recommendation of the City Clerk, the following actions be taken with respect to appointment of Hearings Officers to conduct Hearings under various City of London By-laws:

- a) the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to amend By-law No. A.-6653-121 being "A by-law to establish the positions of Hearings Officer" by removing the requirement that a Hearings Officer be a resident of London and by removing the term of appointment; and,
- b) subject to a) above, the attached proposed by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to approve the appointment of Hearings Officers in accordance with By-law A.-6653-121, as amended, being "A by-law to establish the positions of Hearings Officer".

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

April 13, 2011, Finance and Administration Committee – Item #1

BACKGROUND

The Municipal Council, at its meeting held on April 11, 2011, enacted "A By-law to establish the positions of Hearings Officer" to hear appeals under various City by-laws and to approve the "Rules of Practice and Procedure for Hearings Before a Hearings Officer", pursuant to Section 23.1 of the *Municipal Act, 2001* and the *Statutory Powers Procedure Act*.

Two Hearings Officers were appointed by Municipal Council and delegated the authority to hear appeals under various City by-laws. A single officer conducts the hearings and issues a final decision with reasons. The Hearings Officers have been rotating the responsibilities for conducting hearings based on the availability of the individual. This has provided flexibility in setting hearing dates and has resulted in timely responses to appeals.

The current Hearings Officer By-law requires Hearings Officers to be Canadian citizens, a resident in the City of London and possess the following:

- knowledge and prior experience in administrative law;
- be of good character;
- ability to carry out a fair and impartial hearing;
- ability to write a clear and concise decision;
- ability to communicate effectively with the public;
- an understanding of *Statutory Powers Procedure Act, R.S.O. 1990, c. S.22*; and,
- an understanding of the *Municipal Act, 2001, S.O. 2001, c. 25*.

Since 2012, the City of London’s Hearings Officers have dealt with 88 appeals under various City of London by-laws. The chart below summarizes the appeals that have been considered to date.

TYPE OF APPEAL	# of Appeals
Dog muzzle appeals	48
Sign and Canopy appeals	2
Vital Services By-law appeals	4
Tree Conservation By-law appeals	8
Residential Rental Units Licensing By-law appeals	8
Taxi Licensing By-law appeals	13
Business Licensing By-law appeals	5
Total	88

The current Hearings Officers have legal background which has been extremely helpful in carrying out their roles.

Subsequent to the appointment of the Hearings Officers in 2011, additional City of London by-laws have been added to the list of by-laws appealable to a Hearings Officer, resulting in an increase in workload. As a result, the Civic Administration is recommending that an additional Hearings Officer be appointed to assist with the number of appeals being received, so that the appeals can be dealt with in a timely manner.

The Civic Administration has approached Don Bryant, a retired, experienced lawyer to seek his interest in being appointed as a Hearings Officer. Mr. Bryant has indicated his willingness to have his name put forward for Municipal Council’s consideration for appointment as a Hearings Officer. A summary of his qualifications is attached as Appendix “C” to this report.

While Mr. Bryant does not live in London, he has practiced law in London for a number of years. Given that the purpose of a hearing is to provide a fair and impartial hearing conducted by a Hearings Officer who is independent of Municipal Council, and based on our hearings experience to-date, it no longer appears to be necessary that the individual be a resident of London, or that a term be applied to the appointment. In fact, the more experienced a Hearings Officer becomes, the more efficient and knowledgeable they become with the Hearings process.

Conclusion

It is therefore recommended that the By-law A.-6653-121, being a by-law to establish the positions of Hearings Officer be amended to remove the requirement that a Hearings Officer be a resident of London and that the term of appointment for a Hearings Officer be at the pleasure of Council.

With the above in mind, the Civic Administration is also recommending that the Municipal Council confirm the continued appointment of Sue Carlyle and Andrew Wright as Hearings Officers and that Don Bryant be appointed as a third Hearings Officer to assist with the appeals workload.

PREPARED AND RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK

APPENDIX "A"

Bill No.
2018

By-law No.

A by-law to amend By-law A.-6653-121 being "A by-law to establish the positions of Hearings Officer" to remove the requirement that the Hearings Officer be a resident of London and to remove the term of appointment.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 23.2 of the *Municipal Act, 2001*, as amended permits a municipal Council to delegate its powers and duties to an individual who is an officer of the municipality;

AND WHEREAS the Council of The Corporation of the City of London enacted By-law No. A.-6653-121 being "A by-law to establish the positions of Hearings Officer" on April 18, 2011;

AND WHEREAS the Council of The Corporation of the City of London deems it appropriate to amend the "Hearings Officer By-law" to remove the requirement for a Hearings Officer to be a resident London and to remove the term of appointment;

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

1. Section 3i) of By-law A.-6653-121 is hereby amended by deleting the words "resident in the City of London".

2. Section 5 of By-law A.-6653-121 is hereby amended by deleting section 5 in its entirety and by replacing it with the following new section 5:

"Each Hearings Officer shall hold office at the pleasure of the Municipal Council."

3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First reading – June 26, 2018
Second reading – June 26, 2018
Third reading – June 26, 2018

APPENDIX "B"

Bill No.
2018

By-law No.

A by-law to approve the appointments of Hearings Officers in accordance with By-law A.-6653-121 being "A by-law to establish the positions of Hearings Officer".

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 23.2 of the *Municipal Act, 2001*, as amended permits a municipal Council to delegate its powers and duties to an individual who is an officer of the municipality;

AND WHEREAS the Council of The Corporation of the City of London enacted By-law No. A.-6653-121 being "A by-law to establish the positions of Hearings Officer" on April 18, 2011;

AND WHEREAS the Council of The Corporation of the City of London wishes to appoint Andrew Wright, Susan Carlyle and Don Bryant as Hearings Officers in accordance with By-law A.-6653-121, as amended,¹ being "A by-law to establish the positions of Hearings Officer";

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Andrew Wright, Sue Carlyle and Don Bryant be hereby appointed as Hearings Officers in accordance with By-law A.-6653-121, as amended, being "A by-law to establish the positions of Hearings Officer".
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First reading - June 26, 2018
Second reading – June 26, 2018
Third reading – June 26, 2018

APPENDIX “C”

Donald S. Bryant

EMPLOYMENT

- President of D. S. Bryant Law Professional Corporation
- Partner (Retired) in the firm of McKenzie Lake, Lawyers LLP, 1800-140 Fullarton St., London, Ontario, 1998 to 2018
- Partner in the firm of McKenzie Nash Bryant, 1990 to 1998
- Partner in the firm of Shepherd, McKenzie, Plaxton, Little and Jenkins, 1983 to 1990

EDUCATION

- Called to the Bar in Ontario, 1978
- Bachelor of Laws, University of Western Ontario, 1976
- Bachelor of Arts, University of Western Ontario, 1973

PROFESSIONAL EXPERIENCE

- Represented St. Joseph’s Health Care, London as general counsel
- Represented several major London land developers
- Represented the City of London in the redevelopment of Covent Garden Market
- Represented owner, contractor or lender in various Infrastructure Ontario Public Private Partnership projects
- Represented the City of London in preparation of the joint venture agreement between the City of London, Western University and Fanshawe College related to the Advanced Manufacturing Park.
- Represented the City of London in preparation of the joint venture agreement between the City of London and the YMCA/YWCA related to the North London Community Centre.
- Represented The Canada Life Assurance Company in providing in excess of \$100M in infrastructure loans in the Territory of Nunavut.
- Represented Tourism London to establish it as a separate entity from the City of London

BOARD EXPERIENCE

- Currently serve on the board of Tourism London
- Currently serve on the board of the Greater London International Airport Authority
- Past chair of the capital campaign cabinet for St. Joseph’s Hospice of London
- Past President and Board member London Chamber of Commerce
- Chaired the 2010 Task Force on City Council compensation review
- Member of the 2009 Governance Task Force for the City of London
- Past President and Chair of Thames Valley Family Service

PROFESSIONAL MEMBERSHIPS

Law Society of Upper Canada
Middlesex Law Association
Canadian Bar Association
Ontario Bar Association

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING OF JUNE 19, 2018
FROM:	ROSANNA WILCOX, DIRECTOR, COMMUNITY & ECONOMIC INNOVATION
SUBJECT:	INFRASTRUCTURE CANADA'S SMART CITIES CHALLENGE UPDATE

RECOMMENDATION

That, on the recommendation of the Director, Community & Economic Innovation, the following report, including the attached City of London Smart Cities Challenge Application, **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

February 20, 2018 – Corporate Services Committee, Item #5, Infrastructure Canada's Smart Cities Challenge

BACKGROUND

Purpose

The purpose of this report is to provide an update on the City of London's application to Infrastructure Canada's Smart Cities Challenge.

Infrastructure Canada's Smart Cities Challenge

Announced by Infrastructure Canada in late 2017, the Smart Cities Challenge is a competition open to all municipalities, local or regional governments, and Indigenous communities (First Nations, Inuit, and Métis) across Canada.

The Challenge is intended to inspire communities from across the country to define their future with the help of their residents. By using a smart cities approach, communities can achieve meaningful outcomes for residents by leveraging the fundamental benefits that data and connected technology have to offer: openness, integration, transferability and collaboration.

The central component of the Challenge is the development of a Challenge Statement. This Statement is a single sentence that defines the outcome or outcomes a community aims to achieve by implementing its smart cities proposal and should be shaped by residents, both in its development and implementation. It must be measurable, ambitious, and achievable through the proposed use of data and connected technology.

The Challenge application must also include an outline of the planned activities or projects to achieve the outcome(s) set out in the Challenge Statement. In developing these proposals, communities are asked to select no more than two of the following as the area(s) of focus for their proposals: (1) Economic opportunity; (2) Empowerment and inclusion; (3) Environmental quality; (4) Healthy living and recreation; (5) Mobility; and, (6) Safety and security.

Winning communities will be awarded with prize money to help implement their smart cities proposals. Prize categories include:

- One prize of up to \$50 million (all population sizes)
- Two prizes of up to \$10 million each (population under 500,000 residents)
- One prize of up to \$5 million (population under 30,000 residents)

The application deadline was April 24, 2018.

DISCUSSION

In order to develop London's Smart Cities Challenge application, a steering committee comprised of City staff from across the organization, as well as representation from London's civic tech community, was created. The City also partnered with the civic tech/open data advocacy community to help design and lead a variety of engagement sessions specific to the Smart Cities Challenge, which were open to all Londoners and promoted widely through postcards and social media channels.

GetInvolved

Building upon the work of The London Plan and London's Smart City Strategy, the City initiated a community conversation about the focus of our Smart Cities Challenge application. Using the www.getinvolved.london.ca platform, residents had the opportunity to identify the area(s) of focus they wished to be considered for the Challenge application, as well as provide thoughts, ideas and project proposals. In total there were 695 unique visitors and 98 contributions to the getinvolved platform.

Open Houses

Open House sessions were held in the evenings of March 29 and April 4 from 7:00-9:00 p.m. at central locations in the city's downtown. These sessions included a broader discussion of London's Smart City strategy and ambition, as well as a review of inspiration from other communities from across Canada and around the world. Suggestions, ideas and visions were collected through familiar engagement techniques and collated with the input gathered through the getinvolved platform.

Hackathon and Ideation Session

The final community-wide engagement activity was an ambitious day-long hackathon and ideation session. On Saturday April 7, community members, civic leaders, businesses, non-profits and interested residents gathered at Innovation Works and worked collaboratively to review the public input gathered through the Smart Cities Challenge engagement as well as the City's previous Smart City Strategy engagements. This process led to the selection of 'Empowerment and Inclusion' as the theme and helped to focus the direction and development of the application. Our community has been an active and ongoing part of the writing process including producing the Challenge Statement, developing outcomes, and recommending specific projects.

London's Challenge Statement

The conclusion of the public engagement and ideation process led to the development and submission of the following Challenge Statement:

London will be the most connected, empowered and democratic city in Canada. All residents will have a strong sense of civic belonging and the ability to shape community decision-making, supported by the use of technology, data and culture of innovation.

This Statement is grounded in several foundational processes and plans, including: ReThink London, The London Plan, Council's Strategic Plan, London's Smart City Strategy and the London Strengthening Neighbourhoods Strategy.

The smart cities activities and projects associated with this Challenge Statement include:

- Build a localized neighbourhood application and platform built on various forms of city and community data to connect residents to each other and to their city;
- Create the ability for residents to provide real-time feedback on content, processes and services;
- Develop a user acquisition strategy that is part of all city engagement and communication processes;
- Apply algorithms and machine learning to predict next steps and/or related services; and,
- Use application data to shape service planning, design and community decision-making.

Indicators or progress toward the outcome of becoming the most connected, empowered and democratic city in Canada include:

- Ongoing evaluation of London Strengthening Neighbourhood key initiatives;
- Annual Citizen Satisfaction Surveys;
- Municipal voter turnout;
- Headcount data on public engagement activities;
- Adoption, usage rates, user satisfaction with platform;
- Increase in the number of residents receiving location/interest based notifications;
- Increase in any format public participation and direct democracy interactions;
- Increase in the number of residents prompted and converted to take a next service step; and,
- Success/value of recommendation and referral engine.

The full application (attached as Appendix A) was submitted to the federal process and is posted on <https://getinvolved.london.ca/smartcities>. This is an exciting initiative, and an opportunity to build on the great work already happening across the corporation to build our capacity as a leader in public service.

Application Update and Next Steps

Eligible applications were reviewed by experts from both inside and outside government and then evaluated by an Independent Jury. Finalists will receive a \$250,000 grant to develop their proposal which will be due in Winter 2019. Winners are expected to be announced in Spring 2019.

On June 1, 2018, the federal government announced the communities selected as finalists for the Smart Cities Challenge (<https://impact.canada.ca/en/challenges/smart-cities/results>). Over 200 communities from across Canada submitted applications, of which 20 were selected as finalists. While London's application was not selected, all information and ideas gathered through the Smart Cities Challenge process have been captured and will be used to help inform the development of London's Smart Cities Strategy.

CONCLUSION

The development of London's Smart Cities Challenge application has been an exciting and collaborative process, building upon the foundational work already completed through ReThink, The London Plan, Council's 2015-2019 Strategic Plan, London's Smart City Strategy and the London Strengthening Neighbourhood Strategy.

The development of our application has created tremendous momentum and will help to move London's Smart City Strategy forward, the achievement of which will not be possible without ongoing collaboration with residents and external partners. The City of London congratulates all communities selected as finalists and looks forward to learning from the exciting projects they will be undertaking.

Recognition and appreciation is extended to the many individuals involved in the development of our Smart Cities Challenge application, including: Allie Codispodi, Jen Carter, Titus Ferguson, Meagan Geudens, Jon-Paul McGonigle, Patti McKague, John Nolan, Matt Ross, Cheryl Smith, Jerzy Smolarek, Nick Steinburg, Adam Thompson.

RECOMMENDED BY:	
Rosanna Wilcox Director, Community and Economic Innovation	
CONCURRED BY:	CONCURRED BY:
Mat Daley Director, Information Technology Services	John Fleming Managing Director, Planning and City Planner

c. Senior Leadership Team



SmartCities
Challenge - London

#SmartCityLDN

Smart Cities Challenge Proposal City of London

getinvovled.london.ca/smartcities



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Community Information

Name of community: London

Province/Territory: Ontario

Population: 383,822

Indigenous community: No

Prize Category

\$10 million (population under 500,000 residents)

Challenge Statement

London will be the most connected, empowered and democratic city in Canada. All residents will have a strong sense of civic belonging and the ability to shape community decision-making, supported by the use of technology, data and culture of innovation.

Outcomes

Overarching Outcome Statement

London will be the most connected, empowered and democratic city in Canada where resident participation and decision-making shape our community, supported by the use of technology, data and a culture of innovation.

We will create a culture of resident empowerment and participation which supports continuous improvement through community collaboration. Supported by accessible technology platforms, the residents of our city will be the most connected and empowered in all of Canada. We will create a new model for democracy and public engagement; a collaborative city that puts residents first.

This is more than a branding exercise; it is about changing the roots of how we think about and implement civic engagement and information sharing in our community. Currently, barriers to civic engagement mean that resident input is not always representative of the community as a whole and is driven by complaint and problem identification instead of ideas and engagement. We will build an environment in our city where that is no longer the case. We will transform how we communicate, organize and utilize information by introducing a digital identity for residents, and change how we conduct our communications and engagement processes through accessible technology and platforms to enable Londoners to be connected, empowered and informed.

We will create a culture of participation in our city by empowering residents, strengthening community connections, and opening up greater opportunities for engagement with democracy.

Outcome 1: Connected City

London will be a connected city where residents feel like they are part of their community and have a digitally supported relationship with their neighbourhoods, City services and broader regional programs.

A connected city improves communication between and among the City of London, neighborhood associations, residents, businesses and regional organizations. It creates a city of neighbours who will co-create and curate their own city experience.

This will be accomplished by creating a personalized digital identity platform that will be used to connect residents to the services and agencies they use frequently.

Whether they are newcomers to Canada or just new to the neighbourhood, people often struggle to find their place in a new community. It can be difficult to settle in, access relevant information, and develop connections to their neighbourhoods, city and region. To address this, part of implementing the digital identity would be an enhanced 'welcome wagon' that would allow newcomers to receive information tailored to their new location and to their interests. Personally relevant information would empower newcomers to get involved with their neighbors, access City and local services, connect with local public engagement opportunities, and make their voices heard.

The digital identity will enable the City to provide predictive recommendations about services, supports and interests within and beyond city boundaries. Our connected city will use predictive machine learning to provide recommended next services, tailoring information, collaboration opportunities and engagement requests to residents' interests and needs, as well as ensuring multi-lingual, multi-medium technology is used to deploy those communications.

The connected city will require robust and comprehensive data management policies and procedures, complimented with open data sharing with residents and regional partners. Our connected city will enable regional and local partners to plug into vast open data resources to aid in decision making.

Finally, a connected city will support all Londoners by recognizing the unique and varied ways that individuals interact with services. While the digital identity is technology-based, it is grounded in the principles of user first and user-centric design. It provides continuity and consistency in service delivery, and recognizes user choice, preference, and ability. For example, an individual may use the application directly, or indirectly through a community connector or navigator, or by accessing digital resources at a local civic space (i.e. library, community centre, etc.).

Outcome 2: Canada's Most Democratic City

As the most connected city in Canada, London will also become the most democratic city; one that empowers its citizens through direct digital participation in decision making.

There is currently a high barrier to participation in community and civic life. Participation requires you to actively follow and be aware of every opportunity for public engagement. The systemic barriers are compounded by the fact that legislated public engagement promotion typically uses dated communication mediums (e.g. newspapers and signs) that have not kept up with how we now consume news and information.

London has been a national leader in using digital tools and platforms to engage city residents in decision making (outlined in question 5). Despite this, residents are asking us to do better and we have the opportunity to deliver more.

Through public engagement, we have consistently heard that Londoners want to see services and opportunities which are open to everyone – regardless of age, gender, sexuality, ethnic or cultural background, or socioeconomic status. Building an inclusive and diverse community through equal access to opportunity is fundamental to how Londoners want to see our city grow. It's why we've focused our Smart Cities Challenge application on Empowerment and Inclusion, and it's what we're striving for as we plan for the future.

We will meet residents where they are, leveraging the digital and physical spaces where they already connect to enable participation in the most important decisions happening in our democracy. Our city will ensure residents are able to participate using the mediums they are familiar and comfortable with. Our community will be made up of residents who are informed and aware of what is happening in their neighbourhoods, their city and their region. They will be able to access information in a format and language that ensures their full understanding and engagement. We will be a city where barriers to engagement have not only been structurally removed, but where an active approach to engagement will be embedded throughout civic and community processes.

Through day-to-day use of City services, interactions with their urban environment, and connectedness to their neighbourhood, combined with active, democratic engagement, residents will create a public engagement narrative that will contribute to shaping their city experience not only for themselves, but for their community. Public engagement will not be something you do, it will be something you are.

Residents will influence and shape the important decisions being made every day. This will provide politicians and City staff with access to near real-time information about services and the key issues affecting the community. As a result, we will be able to collectively plan and design an inclusive resident-centric city.

Ambition and Achievability of Outcomes:

Our outcomes are ambitious but achievable. They are ambitious because they require connecting an enormous number of data sources and building channels to ensure residents are able to access and use this data. It would be a city-wide initiative requiring broad buy-in to move it forward. The outcomes are not only technical, but also require culture and process change across organizations.

Our proposal is achievable because it comes at a time when the world is experiencing massive shifts in how we connect to one another and with services. Just as we have seen disruptions in business and private organizations, residents are expecting changes in how their cities grow, function and support them. This proposal serves to accelerate the cultural shift that is emerging in the hearts and minds of Londoners; how they self-identify, how they connect with their neighbourhoods and how they want to contribute to their city democracy. We have a hunger for deeper and more engaging connections, we want to leverage emerging technology to support that and we want to create a resident-centric city.

Necessity of a Smart Cities Approach

One of the barriers to engagement is the sheer volume of information. How to analyze it, how to segment it, and how to put it in formats that meet resident needs is an enormous task that was impossible until recently with developments in big data analytics, accessible web and mobile applications, machine learning and artificial intelligence. Further, the ability to directly and digitally engage with real-time decisions and public participation is only possible with an integrated digital communications tool built on open data.

London's Smart City approach is to be a city that uses technology, data and a culture of innovation to improve the quality of life for all its residents. Modern technological infrastructure, combined with a new way of thinking about the processes and practice of public engagement, is the very essence of our proposal.

Evidence of a Reflection of London's True Needs

Residents have consistently expressed a need to be more connected to each other and to their city. They have also expressed a desire to participate in the democracy of our city by engaging in decisions that affect their neighbourhoods, city and region.

We have strong evidence to support the community's desire for these outcomes. Citizen advocacy has provided input into numerous strategies across London, but the most direct example can be found in the detailed feedback from the 4,500 residents who participated in the development of the London Strengthening Neighbourhoods Strategy, 2017-2020 (see attached London Strengthening Neighbourhoods Strategy 2017-2020 Report Dec 7.pdf). The focus of LSNS 2017-2020 is based on Council's strategic direction **to support neighbourhood driven activities and decision making**, and build upon the many other city building initiatives that have taken place over the last five years.

The following themes and strategies were identified, which will guide the collective efforts of City staff and community partners to support neighbourhood driven activities and decision making.

Engagement in Neighbourhoods

Strategy 1: Increase awareness of resident-identified neighbourhoods

- **Action:** Target under or non-represented neighbourhoods (including newly built or dormant) with engagement opportunities and support, including communication, events and facilitation

Communication

Strategy 1: Improve and coordinate communication within and amongst neighbourhoods

- **Action:** Install resident-managed bulletin boards in neighbourhood “bumping places” which are identified on a publicly accessible online map
- **Action:** Improve neighbourhood maps – interactive with community association contacts where available
- **Action:** Continue to improve and promote the [NeighbourGood website](#)

Strategy 2: Increase and improve communication between the City of London and residents

- **Action:** Create opportunities for City staff and Councillors to share timely information with neighbourhoods/wards in a variety of ways including email, newsletters, community bulletin boards, web apps, mail
- **Action:** Explore the development of a web application that residents can subscribe to receive “city” information – zoning applications, minor variances, road construction, environmental assessments, emergency alerts, waste collection days that impact their local neighbourhood
- **Action:** Develop a tool to enhance community feedback and input related to city issues, opportunities

Strategy 3: Increase and improve communication between the City of London and neighbourhood associations

- **Action:** Explore consistently including of neighbourhood associations in the notifications process for items such as zoning applications/variances that impact work being done in the association’s geographical area of interest

Tools and Resources to Support Neighbourhoods

Strategy 3: Support the development of a virtual hub that stores a variety of tools/resources/ideas/etc. that is available for neighbourhoods to access

- **Action:** Identify a virtual hub/website that could be used to store information and acts as a portal for all tools and resources
- **Action:** Create a “Welcome Wagon” toolkit which connects new residents to their neighbourhood

Overarching Strategies

Strategy 1: Develop a plan to broaden engagement with diverse communities

- **Action:** Develop resources in other languages that are AODA compliant and cover all other dimensions of diversity
- **Action:** Develop tools to connect neighbourhood groups with communities of interest
- **Action:** Increase awareness of neighbourhood groups to organizations who are settling people into neighbourhoods and/or represent other communities of interest

Measuring Outcomes and Progress

Resident participation and empowerment are central to the proposal, and measuring those themes will be an ongoing activity. We have a number of surveys and measures that will allow us to quantify our progress toward becoming the most connected, empowered and democratic city in Canada.

- LSNS survey (ongoing evaluation of LSNS key initiatives through resident surveys, focus groups, and community conversations)
- Annual Citizen Satisfaction Survey (baseline on quality of life, satisfaction with overall level of City services, satisfaction with aspects of city services (quality, accessibility, timeliness), value for tax dollars, experience and satisfaction with city staff, communications)
- Municipal voter turnout
- Headcount data (digital and in-person) on public engagements activities across the entire City (e.g. planning applications, public participations, input into Service area strategic plans, etc.)

There will also be project-based outcome measurements. These include:

- Adoption and usage rates of platform
- Customer feedback on platform
- Increase in number of residents receiving location or interest based notifications (in any medium, e.g. app notifications, SMS or emails)
- Increase in any format public participation and direct democracy interactions
- Increase in number of residents prompted and converted to take a next City or regional service step
- Success and value of recommendation and referral engine
- Satisfaction with new services based on referral and demand-based interactions

Engagement

There are four engagement processes and plans that have been foundational to the development of our Challenge Statement and preliminary proposal. We believe that we have “a jump” on other municipalities based on the significant engagement work we’ve done on the subject of smart cities in London.

ReThink London and The London Plan

ReThink London, one of the largest community engagement processes around an Official Plan in Canada, saw more than 20,000 Londoners become directly involved in an advanced city-building conversation about London’s future. The program had a reach to 240,000 people throughout the community. Through that discussion, there was a substantial and ongoing dialogue on the role of technology in delivering our future city-building. Stemming from this public engagement, there is an entire chapter within the new Official Plan, “The London Plan,” dedicated specifically to smart cities. This is a unique aspect of an Official Plan in Canada and demonstrates the community’s and Council’s interest in advancing London as a smart city.

The Smart City chapter in The London Plan includes the following sections and desired outcomes:

What are we trying to achieve?

- Provide customer-centric public services that leverage digital infrastructure, people, and processes to serve all residents and businesses.
- Facilitate open government by using technology that will make the city more transparent and inclusive to encourage the participation and involvement of all stakeholders in decisions faced by the city.

Information sharing for a smart city

638_ Convenient access to civic information and analytics tools should be provided to residents, businesses, and visitors to the city.

639_ Digitally enabled services may be pursued to give residents and businesses better access to information and options for how they use the city. Where appropriate, mechanisms will be created that allow residents and businesses to give feedback and report on city infrastructure and services to enhance real-time data.

640_ Platforms may be created to allow for real-time data sharing to support analytics and decision making in a variety of formats suitable to mobile and other platforms and accessible by all.

641_ Data collection and sharing should be coordinated among municipal departments to inform decision making, business strategies and ensure delivery of cost-efficient and high-quality city services.

644_ The City may collaborate with regional partners to explore the development of a digitally connected region for southwestern Ontario to enhance access to rich sources of information and the means to share and analyze it to generate knowledge and encourage collaboration across the area. This collaboration may extend to community partners such as education and health care institutions, research and development organizations, high-tech businesses, senior levels of government and other potential collaborators within our communities.

London's Smart City Strategy

Council's 2015-2019 Strategic Plan identifies the Smart City Strategy within the strategic areas of focus 'Growing Our Economy' and 'Leading in Public Service.' This set the Smart City Strategy as an important priority project for Council and the development of the strategy was subsequently funded through the corresponding four-year budget.

City Council, through its multi-year budget process, funded their portion for the development of the strategy, endorsed a terms of reference and embarked upon an innovative partnership with LARG*net (Western University, Fanshawe College, London Health Science Centre and St. Joseph's Health Care Centre), London Hydro, and the London Economic Development Corporation to prepare the strategy. The preparation of the strategy was funded collaboratively by all of these partners. Within the City, the strategy has been jointly led by senior leaders in Planning Services, Engineering Services, Information Technologies and Community and Economic Innovation.

Engagement sessions with residents, businesses, organizations, institutions and other stakeholders were held from December 2016 to April 2017. Activities included two online surveys, presentations and six focus groups to garner a significant amount of community input on smart city gaps, needs and future opportunities.

Many themes emerged from this process and those most relevant to our Challenge Statement are listed below:

- Establishing and driving a culture of Smart City thinking throughout the Corporation
- Citizen-centred service delivery
- Navigating bureaucracy and having a voice in city decisions
- Digital inclusion/capacity/literacy
- Using analytics to make planning decisions
- Knowledge of/access to city services, notices, programs, and news
- Connected city as a lever for good (physical, mental) health
- Supporting the digital (sharing, autonomous, connected) economy and attracting talent for that workforce

London Strengthening Neighbourhoods Strategy

The heart and essence of every city are its neighbourhoods. The London Strengthening Neighbourhoods Strategy is fundamentally a resident driven strategy that encourages resident participation and engagement to help make all of London's neighbourhoods stronger.

In 2008, over 100 London residents came together to form a resident task force to participate in a process that developed London Strengthening Neighbourhoods Strategy (LSNS) and Implementation Plan (2010-2015). This five year plan served as a guide for the work of residents and City staff toward stronger neighbourhoods across the city.

In December 2015, the City and community celebrated the successful completion of LSNS (2010-2015) and began the conversation about what would come next.

LSNS significantly contributes to the "Strengthening our Community" Area of Focus in the City of London's Strategic Plan. The Strategy recognizes that neighbourhoods are about people and places, and how they work together to make great places to live, work, and play. Strong neighbourhoods are vibrant, connected, and engaged – they form the backbone of our diverse, inclusive and welcoming community. LSNS empowers residents to work with the City to create healthy, safe, and accessible places.

Through 2016 City staff engaged over 4,500 residents from all of London's neighbourhoods to inform the development of a new London Strengthening Neighbourhoods Strategy. The focus of LSNS 2017-2020 is based on Council's strategic direction **to support neighbourhood driven activities and decision making**, and build upon the many other city building initiatives that have taken place over the last five years.

Following are the themes and strategies that are most relevant to the challenge application:

Engagement in Neighbourhoods

Strategy 2: Encourage and support collaboration and information exchange between neighbourhood associations across the city

Strategy 3: Support the creation and sustainability of neighbourhood associations

Communication

Strategy 1: Improve and coordinate communication within and amongst neighbourhoods

Strategy 2: Increase and improve communication between the City of London and residents

Strategy 3: Increase and improve communication between the City of London and neighbourhood associations

Tools and Resources to Support Neighbourhoods

Strategy 3: Support the development of a virtual hub that is available for neighbourhoods to access

Overarching Strategies

Strategy 1: Develop a plan to broaden engagement with diverse communities

Strategy 2: Evaluate London Strengthening Neighbourhoods Strategy

Strategy 3: Report annually on progress made

Smart Cities Challenge

The City of London continued its tradition of strong community engagement by partnering with the city's active and robust civic tech/open data advocacy community to help design and lead a variety of engagement sessions specific to the Smart City Challenge which were open to all Londoners and promoted widely through postcards and all social media channels by Members of Council, City staff and community and industry partners.

GetInvolved

Building upon the work of The London Plan and London's Smart City Strategy, the City initiated a community conversation about the focus of our Smart Cities Challenge application. Using the www.getinvolved.london.ca platform, residents had the opportunity to identify the area(s) of focus they wished to be considered for the Challenge application, as well as provide thoughts, ideas and project proposals. In total there were 695 unique visitors and 98 contributions to the getinvolved platform.

Open Houses

Open House sessions were held in the evenings of March 29 and April 4 from 7:00-9:00 p.m. at central locations in the city's downtown. These sessions included a broader discussion of London's Smart City strategy and ambition and a review of inspiration from other community across Canada and around the world. Suggestions, ideas and visions were collected through familiar engagement techniques and collated with the input gathered through GetInvolved.

Hackathon and Ideation Session

Our final community-wide engagement activity was an ambitious day-long hackathon and ideation session. On Saturday April 7, community members, civic leaders, businesses, non-profits and interested residents gathered at Innovation Works and worked collaboratively to review the public input gathered through the Smart Cities Challenge engagement as well as the City's Smart City Strategy engagements. This process led to the selection of 'Empowerment and Inclusion' as the theme and honed our application into the document presented here. Our community has been an active and ongoing part of the writing process including producing the Challenge Statement, developing outcomes, and recommending specific projects.

Looking Ahead

The attainment of our Challenge Statement and the outcomes outlined in this proposal will not be achievable without ongoing collaboration with residents and external partners. This includes technology design and development, testing, minimal viable products, etc. Furthermore, residents are at the heart of London's Smart City Strategy and will continue to be engaged in smart city conversations, hackathons, strategy evaluation, technology design and development, etc.

Activities and Projects

To become the most connected, empowered and democratic city in Canada, London will build a culture of digital participation and resident empowerment through the development of accessible technology platforms, the transformation of processes and ongoing collaboration with residents and partners that will increase the sense of civic belonging.

We will develop a series of civic apps - tools and platforms - that create stronger and more empowered connections between residents, organizations and the City. To accomplish this we need to build a data-driven, networked urban environment where the city is a platform that hosts a variety of services, structures and organizations that collaborate together for the benefit of its residents.

This will be a decentralized system, not owned or controlled by a single organization, but managed and secured by the individual resident whose information and identity it represents. Users will be able to curate their own civic experience and have the ability to easily opt-in to participation and select the level of engagement they wish to have and/or be involved in.

Consequently, our city will be known as a fully connected, empowered and democratic city, built on a sharing culture that enables every resident to program their experience and to create a customized relationship with services, organizations, data and their community. We have identified a number of specific projects and activities that will allow us to achieve this goal as a Smart City. These include:

Project #1: Create a 'Digital Identity' for residents

We will create a digital identity system for all residents of London in order to facilitate and manage their information and create a consistent experience across points-of-contact in their neighbourhoods, city and region.

The digital identity is a centrally stored and managed collection of private identifiable information, demographic details, services accessed, preferences and unique elements that form a distinct avatar or representation of each resident.

All of the information used to form the digital identity will be controlled by the resident through preference identification. How the information will be used, the services it integrates with and the opportunities presented will be determined by the residents' selections. Residents have the right to control how and where their personal data will be accessed and shared.

For residents, the result is as much a change in mind-set as it is the transformation of everyday transactions. Seamless 24/7 interaction with the government and public services will become the norm.

Project #2: Develop a localized neighbourhood platform and application

The digital identity will require a fully integrated digital ecosystem. The first of these will be a localized neighbourhood application which will be host to various types of city, community and regional data in order to facilitate residents' connectedness to each other and to city services. The application will be transformative to our community and will help residents to be more informed about what is going on in their neighbourhood and across the city. It will feature resident profiles, information about city services, city-wide initiatives and programs and user-opt-in third party services. Login will be managed through the newly developed digital identity and will help further continuity of service as a resident moves between services and agencies.

This application will be web-based and mobile friendly. Residents will curate their own experience by indicating what content they are interested in having on their platform. Residents will opt-in to interest and location based content and notifications. For example a resident or business owner will be able to select that they are interested in neighbourhood association updates within a 2 kilometer radius, specific recreation activities and assets across the city, various City transactional services or construction and planning applications within 500 meters of a self-determined location. They might want to be kept informed of the variety of public engagement processes, Council and Standing Committee meetings and outcomes, Ward meetings or roadworks around their business or home. All of this information will be pushed to the application for notifications, or on-demand consumption.

User Acquisition Strategy

Many civic technology projects have great focus on features, but little time or effort spent on developing a sustainable distribution channel in order to attract and retain new users. User acquisition is deprioritized with few resources applied beyond an initial marketing push. This often leads to great applications and services with very few users.

With that in mind, we have developed a user acquisition strategy based on the measureable and sustainable growth of our city. Every year over 20,000 new residents move to London.

These newcomers will directly benefit from a platform and application designed for connectedness and the development of resident and neighbourhood identity.

In order for residents to see value in the platform and application, it must be developed with the end user in mind. By default, community resources tend to be designed under the assumption that the end user knows what information they are looking for; this is rarely the case. In order to support residents to be more connected, included, and engaged in our community, it is critical that any technological solution be developed in collaboration with the end user to make certain the end product will benefit the population it is intended to serve.

Technology sector inspired “growth hacking” strategies will also be used. In addition to newcomers, we will use the thousands of ‘touch-points’ that residents have with the City and other services as an opportunity to promote and direct inquiries into the application. Every resident interaction can become an opportunity to provide access to information, connections to services and engagement opportunities.

Other acquisition opportunities include enhancing current applications and portals such as: Service London portals, service desks, utility billing, property tax and assessment interactions, public engagements initiatives, etc. Over time every physical-place interaction would connect residents to their broader community using the innovative digital platform.

Change Management

The success of this project will require deploying change management resources into the communications and engagement processes of current Service Area’s resident touchpoints strategies. We will introduce a more interconnected resident engagement experience that will be a transformation of how the city collaborates internally around those touch points and thus will require careful analysis and augmentation of internal business practices where applicable.

Further, a Lean approach to product development will be adopted. This means finding minimum viable product implementations, measuring the results and iteratively improving or pruning away features which are ineffective at creating the desired connectedness.

Platform for Direct Democracy and Engagement

The application will be leveraged to engage Londoners in the largest direct democracy undertaking ever conducted in Canada. Building on the application’s notification infrastructure, we will build functionality which allows residents to give feedback on the various plans, applications, City improvements and decisions – all of which the resident will curate based on their desired civic experience.

In order to support application use, we will need to adapt data and information commonly provided at public engagement sessions for mobile and remote digital mediums and also ensure that digital feedback is included and considered in municipal public engagement processes. Natural language processing and sentiment analysis (both forms of artificial intelligence technology) will be used to aggregate themes, trends and to articulate quantitative information from the soon to be vast amount of qualitative engagement data to aid decisions at all levels of the municipality.

Project #3: Recommendation Engine and Referral Platform

As residents use the application and platform for more and more of their civic engagement and neighbourhood development, we can begin to identify areas of “frustrated demand”; that is, areas where there is demand for some service (inferred from users asking for notifications about those services/interests in areas where it is not provided). This allows program and service delivery expansion to follow highly targeted and localized demand driven paths. With this demand data, we can begin running more advanced artificial intelligence and predictive analytics to forecast demand and give decision makers a highly accurate picture of resident, business and community needs.

Inspired by the success of artificial intelligence-enabled features such as Amazon’s “recommended products” and Netflix’s “recommended movies” we will develop a City service recommendation engine and referral platform. Using usage data from the over 100 City services and the artificial intelligence technique of collaborative filtering, we can begin to predict what services a resident is likely to need next after accessing a sequence of previous services.

In addition, using the notification service and other communications means, we can recommend next steps to a resident rather than waiting for them to hit a barrier and be forced to search for that next step themselves. As a result services will be intuitive, predictive, accessible, and meet residents where they are as opposed to waiting for them to come to us. We will continue to build a city that is both resident centric and co-created.

Project #4: Commitment to Smart City Technology Principles

1. Resident-centric design
2. Inter-operable between departments, agencies and organizations
3. Be Open: accountable and transparent
4. Develop repeatable and scalable standards
5. Adapt and transform through iterative design

Open, Interoperable, Scalable and Replicable

Our projects will build on our foundational open data strategy which will enable open access to the various data sets, map layers, and both qualitative and quantitative data that will inform the resident experience. This project will also support the merging of a large number of disparate regular/tabular and geospatial data sets together into a common data warehouse, as supported by our current open data strategy.

Technical applications will be fully open-source, allowing it to be shared and scaled with other municipalities and communities; not only as users but also contributors. Open standards will allow other municipalities to “fork” the code and customize it to their particular needs (saving development costs). Using open source platforms will also allow the City to leverage the large number of libraries and code-sources already available in the commons and also will invite the public and third parties to be a part of the development process.

We will also be committed to documenting and sharing the IT infrastructure architecture required to run this application as well as any Information Security assessments, standards and associated best practices. This further aids in scalability in helping other municipalities de-risk an investment in this kind of localized notification application.

We will open source all working documents, data pre-processing workflows, and our learnings and results from building the recommendation engine. This will include all scripts and code used to actually run the recommendation engine. This will allow municipalities to quickly fork the code, plug in their own data sources, pre-process them according to our method and be up and running with a beta of the recommendation engine for their own services within a relatively short iteration of time.

The project management, change management and policy templates used in adding these resident opt-in processes across a variety of city services will all be open-sourced and shared. For example, any opt-in language, commonly requested interests categories, commonly requested geospatial data layers, blanket internal data sharing policies, service area readiness assessments to determine the readiness of potential resident-contact distribution channels, etc.

Not only is the technology infrastructure open sourced but so is the process by which a municipality would go about conducting these process changes which are essential to the success of the technology application. The documentation of this will similarly be open-sourced to allow other municipalities to upload, edit, share learnings and policy implementation templates as they go about adopting these new communications/engagement processes in their business unit. Often technology projects shy away from the massive cultural, organizational and process level change required to make these technology enabled smart cities initiatives a success; we will not do this. Instead, by open sourcing the governance and implementation assets we set a foundation for the national scalability of this project across a wide variety of other communities.

We hope that very quickly other municipalities can adopt the technical resources and learnings from this project and subsequently launch similar projects for the benefit of their own communities.

Strategies

Council's 2015-2019 Strategic Plan

Council's vision for our London is 'A leader in commerce, culture and innovation – our region's connection to the World.'

Strengthening our Community

Strategy: Vibrant, connected and engaged neighbourhoods/ **sub-strategy:** Support neighbourhood driven activities and decision making

Strategy: Diverse, inclusive, and welcoming community/ **sub-strategy:** Support all Londoners to feel engaged and involved in our community

Growing our Economy

Strategy: Local, regional, and global innovation/ **sub-strategy:** Use new and emerging technology to improve quality of life and grow London's economy

Leading in Public Service

Strategy: Open, accountable, and responsive government/ **sub-strategy:** Make community engagement a priority. Make the public a partner who has access to our information and helps make decisions with Council

Strategy: Excellent service delivery/ **sub-strategy:** Deliver great customer experiences to residents, businesses, and visitors

The London Plan

The London Plan contains an entire section that is dedicated specifically to [smart cities](#).

London Strengthening Neighbourhood Strategy

Engagement in Neighbourhoods

Strategy 1: Increase awareness of resident-identified neighbourhoods

- **Action:** Target under or non-represented neighbourhoods (including newly built or dormant) with engagement opportunities and support, including communication, events and facilitation

Communication

Strategy 1: Improve and coordinate communication within and amongst neighbourhoods

- **Action:** Install resident-managed bulletin boards in neighbourhood “bumping places” which are identified on a publicly accessible online map
- **Action:** Improve neighbourhood maps – interactive with community association contacts where available
- **Action:** Continue to improve and promote the NeighbourGood website

Strategy 2: Increase and improve communication between the City of London and residents

- **Action:** Create opportunities for City staff and Councillors to share timely information with neighbourhoods/wards in a variety of ways including email, newsletters, community bulletin boards, web apps, mail
- **Action:** Explore the development of a web application that residents can subscribe to receive “city” information – zoning applications, minor variances, road construction, environmental assessments, emergency alerts, waste collection days that impact their local neighbourhood
- **Action:** Develop a tool to enhance community feedback and input related to city issues, opportunities

Strategy 3: Increase and improve communication between the City of London and neighbourhood associations

- **Action:** Explore consistently including of neighbourhood associations in the notifications process for items such as zoning applications/variances that impact work being done in the association’s geographical area of interest

Tools and Resources to Support Neighbourhoods

Strategy 3: Support the development of a virtual hub that stores a variety of tools/resources/ideas/etc. that is available for neighbourhoods to access

- **Action:** Identify a virtual hub/website that could be used to store information and acts as a portal for all tools and resources
- **Action:** Create a “Welcome Wagon” toolkit which connects new residents to their neighbourhood

Overarching Strategies

Strategy 1: Develop a plan to broaden engagement with diverse communities

- **Action:** Develop resources in other languages that are AODA compliant and cover all other dimensions of diversity
- **Action:** Develop tools to connect neighbourhood groups with communities of interest
- **Action:** Increase awareness of neighbourhood groups to organizations who are settling people into neighbourhoods and/or represent other communities of interest

Community Readiness

Through many comprehensive community planning processes, our community has demonstrated the ability and drive to work together to develop innovative solutions for the problems with which we are faced. We have demonstrated the ability to work collaboratively with diverse stakeholder groups including residents, community organizations and other government partners in order to achieve common goals. Through resident and community participation, it is possible to develop stronger, more nuanced solutions. In order to solve complex challenges, residents with lived experience must be involved in the decision making process, from defining the problem, to supporting the development and implementation of solutions. In recent years, there have been several examples of our community coming together around complex problems, including:

- **London's Child & Youth Agenda** – Bonded together under the common vision to improve outcomes for children, youth, and families in London, more than 170 partners that comprise the Child & Youth Network developed a five year action plan, and led the implementation of recommendations outlined in the Child & Youth Agenda.
- **London for All: A Roadmap to End Poverty** – London for All represents our community's plan to end poverty in a generation, developed through the engagement of more than 1000 Londoners with lived experience, as well as the support of community organizations. Over the last year, individuals with lived experience and representatives from organizations across the community have been working collaboratively to push forward the strategies outlined in the plan.
- **London Strengthening Neighbourhoods Strategy (LSNS)** – LSNS was developed through extensive engagement with residents across the city. More than 100 residents in each of 42 planning districts gave their feedback about how to strengthen our city's neighbourhoods. A fundamentally resident-driven strategy, LSNS supports neighbourhood driven activities and decision making, and builds on many other city building initiatives that have taken place over the last five years.
- **Age Friendly London Action Plan** – Through the leadership of London residents, in 2010, London became the first city in Canada to join the World Health Organization Global Network of Age Friendly Cities, promoting an inclusive and accessible urban environment that promotes active ageing. The Age Friendly London Action Plan (2017-2020) represents the combined vision of older adult community members, service providers, organizations, working group chairs, and members. Their ideas, solutions, and contributions made the development of this plan possible, and will guide the work to continue to improve age friendliness in London.

What is common across these examples is the level of collaboration with community partners. Beyond initial engagement, community involvement is central to the implementation of solutions to make our city a great place to live, work, and play. In order to drive and support resident and community-driven work, the City has acted as backbone support, providing staff resources and the necessary support to continue to empower the community to lead and implement the work.

Moving Forward

We are committed to supporting the ongoing development of the Smart Cities initiative, and will provide the necessary support to residents to participate throughout the life cycle of the initiative. To implement this proposal, we will leverage the experiences of the above listed examples to continue to facilitate collaborative work in our community, bringing together diverse perspectives.

The City of London's Official Plan contains an entire chapter dedicated to smart cities, a first in Canada. The 2015-2019 Strategic Plan references the development of a smart city strategy, as well as the corporate values of collaboration and innovation. Therefore, it should be noted that smart city initiatives are a priority for the City of London.

In terms of an implementation structure, in addition to continuing to collaborate with residents and the community innovators involved in the development of this proposal, we will also leverage the existing Smart City Strategy Steering Committee, an innovative partnership which includes: LARG*net (Western University, Fanshawe College, London Health Science Centre and St. Joseph's Health Care Centre); London Hydro; London Economic Development Corporation; and the City of London (City Manager's Office, Planning, Engineering and Information Technology Services).

One of the key challenges in implementing such a complex proposal is managing the scope of work. In order to ensure success, special attention will be given to risk mitigation and project management best practices. The City of London has also recently adopted a continuous improvement program, which allows us to identify process inefficiencies and enables, engages and empowers the delivery of customer-focused services.

Plan for \$250,000 Grant

We will use the money in the following ways:

1. Collaborate with local post-secondary institutions to establish reliable methods for measuring our desired outcomes relating to connectedness and democratic decision-making. Through this work we will develop high quality baseline data that we can use to measure our progress in achieving these outcomes over time. [Internal Staff Time]
2. Scope out initial capital and operating costs of technology infrastructure and costs for localized neighbourhood platform and application, as well as the City and Regional Recommendation Engine. [Consulting]
3. Conduct public engagement to engage the community in what data layers and interests would be most requested to prioritize our feature and data roadmap (user driven features). [Events, Internal Staff Time/Consultant Time]
4. Assess internal corporate readiness and change readiness across various service areas for augmenting engagement/communications opt-in user acquisition processes. This is used to prioritize a roadmap of where to devote resources to developing those engagement/communications processes. [Internal Staff Time/Consultant Time]
5. Assess any ongoing operational and capital (e.g. maintenance, support, replacement) costs associated with all projects and build the business case and funding model. [Internal Staff Time/Consultant Time]
6. Information Security Review of proposed infrastructure. [Internal Staff Time/Consultant Time]
7. Build open-sourced prototype City service Recommendation engine using city data. [Direct Technology/Development Costs/Internal Staff Time/Consultant Time]
8. Find minimum-viable-product target for Regional Recommendation Engine by consulting with various high volume regional partners to assess readiness and opportunity to pursue a broader regional service recommendation engine. [Internal Staff Time/Consultant Time]
9. Build open-sourced beta and small-scale pilot of the localized neighbourhood platform and application proof of concept [Direct Technology/Development Costs/Internal Staff Time/Consultant Time]

Partners

The City will benefit from the partnerships already in place as part of the existing Smart City Strategy development. Steering Committee members include:

- LARG*net (Western University, Fanshawe College, London Health Science Centre and St. Joseph's Health Care Centre)
- London Hydro
- London Economic Development Corporation.

Each of these organizations have an active role in the successful delivery of smart city projects and have significant, demonstrable expertise in the areas of innovations in customer service delivery, data collection and analysis, and civic engagement and inclusivity. London's proposal will be supported by this built-in governance body whose roles and responsibilities in achieving the Smart City Strategy have already been well defined.

One of London's key smart city strengths is a vibrant and diversified digital, creative and technology community. From marketing agencies, to gaming studios and hardware companies this project will be supported by a diverse cluster of premier technical and creative talent. Commitments of meaningful involvement have been received from:

[Arcane](#)
[InfoTech](#)
[rTraction Canada](#)
[Start.ca](#)
[THiNQ](#)
[Web.isod.es](#)
[Voices.com](#)

London is privileged to have many engaged institutional partners and will be relying on their networks, experience and reach as audiences to prototype and launch the proposal, for ongoing iterative development, and for platform investments and contributions. These include:

- Middlesex County
- Elgin County
- Fanshawe College
- Western University
- [Downtown London](#)
- Pillar Nonprofit Network
- Civic Tech and Open Data London

“Civic Tech and Open Data London represents a diverse group of Londoners interested in finding solutions to civic challenges through the better understanding of technology. Our participation in the drafting of this proposal is indicative of our commitment to its success through implementation.”

(Titus Ferguson, Executive Director)

“Pillar Nonprofit Network strengthens individuals, organizations and enterprises invested in positive community impact through capacity building, a shared space for social innovators and cross sector collaboration. Pillar Nonprofit Network is truly thrilled to be a partner with London for the Smart Cities Challenge. We are eager and willing to do our part to connect volunteers, nonprofits and social enterprises to this movement building for London to be the most connected, empowered and democratic city in Canada.”

(Michelle Baldwin, Executive Director)

Anticipated Additional Partners

Through ongoing public engagement and the process of designing and developing early-stage prototypes, new organizations and opportunities will be discovered and our partnership impact deepened. The City of London hosts and participates in a number of community networks, including public and private sector partners, which will be instrumental in broadening the reach of the proposal. These networks include:

- London’s Civic Leaders Forum – The Forum serves as an informal connection point for leaders from the various agencies, boards and commissions operating within the city and region. This ongoing body can serve as an important sounding board for London’s Smart City Work
- Regional CAO’s Table – The Chief Administrative Officers and City Managers from the Greater London Area meet formally each year to discuss issues of shared priorities across the region. Discussions around the scalability and transferability of London’s Smart City Challenge proposal can be coordinated through this body



London
CANADA

OFFICE
OF MAYOR
MATT BROWN

April 23, 2018

The Honourable Amarjeet Sohi
Minister of Infrastructure and Communities
180 Kent St.
Suite 1100
Ottawa, Ontario K1P 0B6

Dear Minister,

RE: City of London Smart City Challenge Application

On behalf of the City and Londoners alike, I am delighted to formally submit the City of London's Smart Cities Challenge application to the Government of Canada.

At the heart of our application is a commitment to building a London that our residents and businesses deserve. As our Challenge Statement demonstrates: "London will be the most connected, empowered and democratic city in Canada. All residents will have a strong sense of civic belonging and the ability to shape community decision-making, supported by the use of technology, data and culture of innovation."

Our application represents the ongoing evolution of our City's commitment to providing a high quality of life, creating meaningful social and economic opportunities, and building one of the greenest cities in Canada. Smart City approaches are not new to our City. In fact, London has already embedded our Smart City Strategy within the London Plan (our Official Plan) – a first in Canada.

We envision a Smart City as one that promotes a culture of digital participation and engagement. London has prioritized the delivery of many municipal services online and is rolling out innovative customer relations management tools to provide services more effectively. Through the Smart Cities Challenge, we want to go further and develop a digital identity platform to connect residents to the services they count on each day.

300 Dufferin Avenue
P.O. Box 5053
London, ON Canada
N6A 4L9
THE CORPORATION OF
THE CITY OF LONDON
T. 519.661.4920
F. 519.661.5308
mayor@london.ca
LONDON.CA



London
CANADA

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MATT BROWN

Our City is committed to creating a London that is welcoming and inclusive. For example, since 2015 our community has opened its doors to welcome over 1,200 Syrian refugees. Newcomers often struggle to find their place in a new community and face challenges accessing information and services. Our envisioned digital identity platform would create an enhanced ‘welcome wagon’ to enable newcomers to get the information they need, meet their neighbours, and find opportunities to engage in their community. The Smart Cities Challenge can help us welcome our newest residents’ home.

Ensuring that every Londoner can participate in building a better city is at the heart of our own Smart City approach. In fact, we set off down this road in 2012 with “Rethink London,” one of the largest community engagement processes around an Official Plan in Canada. Over 20,000 Londoners were involved in an advanced city-building conversation about the future of our city.

Our Council followed through on this work by prioritizing London’s Smart City Strategy in our 2015-2019 Strategic Plan. We have recognized that to get people engaged in their community, we need to first engage them at the neighbourhood level. This focus has been carried out through our community-driven London Strengthening Neighbourhoods Strategy (LSNS). Our LSNS recognizes that neighbourhoods are about people and places, and how they work together to make great places to live, work, and play. Since 2016, we have engaged over 4,500 residents from all of London’s neighbourhoods to inform the development and implementation of the LSNS.

Your Government’s Smart Cities Challenge will help us take the next step and enable London to unlock the potential of Smart City innovation in our community. Londoners are demanding 21st Century tools to seize on the opportunities present in a modern city. We aim to provide these solutions through building a truly Smart City.

By doing this we will be the most connected, empowered and democratic city in Canada. Building upon our digital identity platform, we will tailor this tool to allow residents to give feedback on City plans and priorities, applications, and decisions before Council – all of which individual residents can curate based on their needs and priorities. Local democracy is cherished in London. That is why later this year,

300 Dufferin Avenue
P.O. Box 5053
London, ON Canada
N6A 4L9

THE CORPORATION OF
THE CITY OF LONDON

T. 519.661.4920
F. 519.661.5308
mayor@london.ca

LONDON.CA



London
CANADA

OFFICE
OF MAYOR
MATT BROWN

London will be home to Canada's first municipal election using the ranked ballot voting system.

I want to thank you for your Government's recognition that strong cities and communities make a strong Canada. Perhaps nowhere is this recognition more simply evidenced than through the Smart City Challenge. A partnership between the Government of Canada and the City of London will enable our city to continue to lead. I look forward to our partnership to build Canada's most connected, empowered and democratic city together.

Sincerely,

Mayor Matt Brown
City of London

cc. Kate Young, M.P.
Peter Fragiskatos, M.P.
Irene Mathyssen, M.P.
Karen Veccio, M.P.

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CANADA

P.O. Box 5035
300 Dufferin Avenue
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N6A 4L9

March 7, 2018

R. Wilcox
Director, Community & Economic Innovation

I hereby certify that the Municipal Council, at its meeting held on March 6, 2018 resolved:

That the following actions be taken with respect to Infrastructure Canada's Smart Cities Challenge:

- a) the staff report dated February 20, 2018, including the Smart Cities Challenge Applicant Guide, BE RECEIVED for information; and
- b) the Director, Community & Economic Innovation BE AUTHORIZED to take all actions necessary to make an application on behalf of the City of London, in accordance with the plan contained in the staff report dated February 20, 2018. (5/5/CSC)

C.
Saunders
City Clerk
/hw

cc: J. Fleming, Managing Director, Planning and City Planner
M. Daley, Director, Information Technology Services

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JUNE 19, 2018
FROM:	MAT DALEY DIRECTOR, INFORMATION TECHNOLOGY SERVICES, AND ROSANNA WILCOX DIRECTOR, COMMUNITY AND ECONOMIC INNOVATION
SUBJECT:	SOUTHWESTERN INTEGRATED FIBRE TECHNOLOGY (SWIFT) NETWORK PROJECT

RECOMMENDATIONS

That, on the recommendation of the Director of Information Technology Services, and the Director of Community and Economic Innovation and with the concurrence of the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Southwestern Integrated Fibre Technology (SWIFT) Network project:

- a) the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to:
 - i) authorize and approve an Agreement between The Corporation of the City of London and Southwestern Integrated Fibre Technology Inc. to facilitate the construction and interconnection of an ultra-high-speed, open access fibre optic network;
 - ii) authorize the Mayor and the City Clerk to execute the Agreement noted in part a) i) above; and
 - iii) direct the City Clerk to give written notice of this by-law to the Minister of Finance pursuant to subsection 110(5) of the *Municipal Act, 2001*.
- b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" attached hereto as Appendix "B";
- c) The Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this Agreement; and
- d) Approval hereby given BE CONDITIONAL upon the Corporation of the City of London entering into a formal contract and having an agreement relating to the subject matter of this approval.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

- None

BACKGROUND

Purpose

The purpose of this report is to seek Council approval to provide funding to the Southwestern Integrated Fibre Technology (SWIFT) Network Project for \$690,000 over three years, at \$230,000 each year, financed from the Economic Development Reserve Fund, to facilitate the construction and interconnection of an ultra-high-speed, open access fibre optic network. The City of London's initial investment will be matched 4:1 by SWIFT to guarantee an additional \$2.07 million of ultra-high-speed fibre and related infrastructure built within the geographic boundary of the City of London with construction to be completed by 2022. This investment provides London with a \$2.76 million open-use fibre backbone and related infrastructure, and as a result of our investment, SWIFT has identified London as one of three core infrastructure nodes in the SWIFT Network which will position The City of London for follow-on fibre infrastructure investment from Internet Service Providers wishing to enhance the network.

Background

Council Strategic Alignment

The SWIFT Network project supports and delivers on Council's vision to be "a leader in commerce, culture and innovation – our region's connection to the World" as this future looking infrastructure project positions London and the Region by enabling greater connectivity and economic development. Specifically, SWIFT will deliver on the "Growing our Economy" strategic area of focus and its sub-strategy of "Local, Regional and Global Innovation".

What is SWIFT?

SWIFT is a non-profit Corporation that exists to provide high-speed fibre optic connectivity throughout Southwestern Ontario, Caledon and Niagara regions by facilitating the construction of the SWIFT Network. SWIFT will do this by leveraging municipal, provincial and federal funding to coordinate Internet Service Providers to build out fibre infrastructure in underserved areas. This enables increased connectivity in areas where near future regular cost network expansion by Internet Service Providers may be less likely due to business case infeasibility.

SWIFT Origins

The Western Ontario Warden's Caucus (WOWC) created the SWIFT project to address internet connectivity gaps in Southwestern Ontario, Caledon and Niagara regions and to prepare for ever-growing demand for broadband connectivity. SWIFT operates through the use of a combination of public and private funding to build on existing fibre and create this far-reaching regional fibre network. This will bring fibre closer to customers and make it easier for Internet Service Providers to connect homes and businesses to ultra-high-speed internet. The new funding will trigger private investment from Internet Service Providers, who will continue to own and operate their networks and deliver services directly to customers. All Internet Service Providers will have equal access to the SWIFT fibre network, leveling the playing field and creating a more competitive marketplace that will better serve both urban and rural communities.

SWIFT began with a network feasibility study conducted in 2012 which laid out the critical path to fund and construct the SWIFT Network. In the following years, the Federal government announced the Canada-Ontario Small Communities Fund and, in 2016, the Canadian Radio-television and Telecommunications Commission (CRTC) declared broadband internet a basic telecommunications service and announced significant funding to reach its ambitious speed and connectivity goals. At the same time, the Federal government announced that it will be making investments to bring high-speed, broadband internet access to 300 rural and remote communities by 2021 through the "Connect to Innovate" program.

The SWIFT project has successfully accessed these funding opportunities and, with funding from all three levels of government and many Internet Service Providers, SWIFT is now moving ahead to deliver this ultra-high-speed fibre network.

Fibre and Broadband Internet as a Vehicle for Economic Development

Traditionally, copper phone lines and coaxial cable were the primary means of providing internet services to business customers. Today's businesses require robust, high speed connectivity at a competitive price, and fibre is becoming the preferred means of providing this connectivity to keep and attract businesses, which ultimately helps to drive economic growth.

Fibre based broadband internet is becoming essential to an increasing number of business operations, social, community and educational needs for all citizens. The positive causal link between economic development and broadband internet access has been extensively studied worldwide. Cornell University's Community & Regional Development Institute recently concluded that, "broadband adoption actually cause[s] certain types of economic growth." There are many broadband internet gaps across Ontario, especially in rural areas leading to a widening digital divide which hurts not just the residents of rural Ontario, but the urban areas who become increasingly economically disconnected from these rural economies.

Governance

SWIFT is a non-profit Corporation that is governed by a 15 member Board of Directors that includes eight WOWC members approved by the WOWC caucus, two additional municipal contributing members (currently selected from Niagara Region, Caledon, Orillia, Waterloo Region and London should it participate), and five seats comprised of members representing First Nations, school boards, colleges and universities. All 15 members have an equal vote on the Board.

How SWIFT Works

Due to the profit-basis by which Internet Service Providers make infrastructure investments, consistent regional fibre being deployed in low-coverage areas in Southwestern Ontario is not guaranteed. This is why there is a growing disparity across Southwestern Ontario with hundreds of thousands of residents falling below the minimum acceptable internet speed threshold set by the CRTC. SWIFT will allow participants to pool resources and contract with private sector providers to improve internet connectivity to all residents in Southwestern Ontario, Caledon and Niagara Region, resulting in the facilitation of economic development in the region. By pooling customer demand and creating economies of scale, SWIFT is able to improve connectivity and decrease rates to all internet consumers.

SWIFT Sustainability Plan

The SWIFT sustainability model is based on two main components. (1) Capital costs (\$290 million) are funded through a mix of Internet Service Provider investment and Federal, Provincial and Municipal funding; and (2) Sustainable recurring revenue throughout the project will come through revenue sharing agreements negotiated between SWIFT and the 28 pre-qualified Internet Service Providers who are building out the open access SWIFT Network. In return for SWIFT continually upgrading the network with a portion of this revenue, SWIFT will retain 51% ownership of the network until 7 years after the initial network construction completes. After this period, network ownership will be transferred back to Internet Service Providers for a nominal consideration.

Timelines, Key Milestones and Costs

SWIFT Key Milestones

The SWIFT project proceeded through a variety of vetting, feasibility and planning stages over the past six years. From initial feasibility studies, to securing multi-level government funding, to just recently completing the Pre-Qualification phase to update and further de-risk the business model. SWIFT is entering the construction phase with the network plan being continually updated as more Municipal Partners join SWIFT.

Timeline	SWIFT Key Milestones
2012 - 2015	Feasibility Study and Development Plan commissioned and completed by the Western Ontario Warden's Caucus (WOWC)
2016 - 2018	Securing 20 Municipal Partners of the SWIFT Network
July 2016	Federal and Provincial Governments announce \$180 Million in funding for SWIFT
May 2017	Two stage request for pre-qualification (RFPQ) to update network data and assess network business feasibility
July 2017	Network Pre-Qualification phase completed
January 2018	Construction RFP released to Pre-Qualified Internet Service Providers
Mid 2018	RFP closes
2018 - 2022	Network construction phase
2022 - 2029	7 year continuous improvement of network and SWIFT-Internet Service Providers revenue sharing phase
2029	Network ownership transferred back to Internet Service Providers for a nominal consideration

City of London - SWIFT Focused Key Milestones

London has been in exploratory conversations with SWIFT since 2017 and should the City of London enter into a legal agreement with SWIFT, funding would begin in late 2018 with construction of the network located in the geographic area of the City of London completed by 2022.

Timeline	London Specific Key Milestones
2018	SWIFT – London contract negotiations
End of 2018	First \$230,000 payment by London to SWIFT
2018 - 2019	London targeted network construction begins
End of 2019	Second \$230,000 payment by London to SWIFT
End of 2020	Final \$230,000 payment by London to SWIFT
End of 2022	London targeted network construction completed

Current Status of SWIFT

“On January 3rd, SWIFT launched its first in a series of upcoming Request for Proposals (RFPs) that outlined a complete list of deliverables and requirements for the design, construction, operation and maintenance of the ultra-high speed, open access, fibre optic backbone network for Southwestern Ontario, Caledon and the Niagara Region. The RFP is based on the information that they had collected from Internet Service Providers, municipalities and community members from across the region. During this phase of the project, the 28 pre-qualified Internet Service Providers will be able to submit a proposal in response to the RFP for the first phase of network construction. Their responses to the RFP will determine exactly where and when the fibre will be built. SWIFT anticipates selecting the Preferred Proponent(s) in the spring of 2018, with construction of the network commencing mid to late 2018.” (April 27, 2018, SWIFT Quarterly Update).

SWIFT Network Capital Costs

The total capital costs for the SWIFT Network are \$290 million. In August of 2016, \$180 million was approved by the Government of Canada under the Canada-Ontario Small Communities Fund (\$90 million through the Province of Ontario and \$90 million through the Government of Canada). SWIFT is targeting approximately \$20 million in contributions from partner municipalities with \$17,018,735 already having been committed. The remaining capital costs, estimated to be approximately \$88 million, will be contributed by Internet Service Providers (to be administered through the SWIFT open and competitive RFP process).

SWIFT Capital Costs	
Government of Canada	\$90 Million
Province of Ontario	\$90 Million
Partner Municipalities	\$20 Million
Internet Service Providers	\$88 Million
Total Capital Cost	\$288 Million

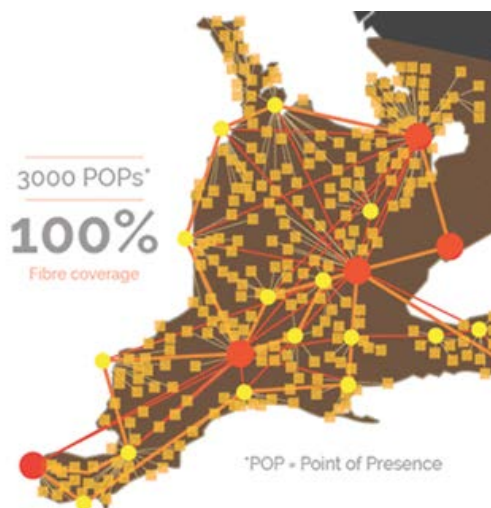
Municipal Members

Over the past several years SWIFT has steadily added to their list of Municipal Partners, including Municipal governments such as Windsor, Orillia, Region of Waterloo, Middlesex County, Niagara Region, Oxford County, Brant County, Bruce County, Caledon, Chatham-Kent, Dufferin County, Elgin County, Essex County, Grey County, Huron County, Lambton County, Norfolk County, Perth County, Simcoe County and Wellington County.

DISCUSSION

SWIFT Matching Investment and London as a Core Network Node

The City of London's initial investment will be matched 4:1 by SWIFT to guarantee an additional \$2.07 million of SWIFT funded ultra-high-speed fibre and related infrastructure, built within the geographic boundary of the City of London, with construction to be completed by 2022. This investment provides London with a \$2.76 million open access fibre backbone and related infrastructure. The City of London SWIFT Working Group will work closely with the London Economic Development Corporation (LEDC) and SWIFT to identify the target locations of greatest interest for fibre investment within the City of London. Further, if London participates in this project, SWIFT has informed Civic Administration that London will be one of three main regional core network nodes in the SWIFT Network plan, with the other two nodes being Guelph and Barrie. This will position London as a logical and attractive target for follow-on infrastructure investment by Internet Service Providers seeking to build off of the open access SWIFT Network backbone after completion of the SWIFT Network Project.



SWIFT provides a unique opportunity to accelerate the process of moving from copper to fibre as a communication medium. Further, once the SWIFT Network is built, Internet Service Providers will continue building on this backbone which will increase the density of broadband fibre within the municipal boundaries of London.

Should London choose not to join SWIFT, it is possible that fibre-optic Internet Service Providers would preferentially expand their networks in areas other than London and surrounding areas in order to take advantage of the significant public subsidy available through the SWIFT Network project.

Economic Development Impact

London's economy is undergoing a rapid digital modernization with our digital media, technology and gaming sectors thriving and gaining national prestige. The nature of their work often requires heavy use of collaborative streaming technologies, large-data file transfers and other high-speed internet demanding uses. These sectors do business internationally, and require high-speed transfer and broadband capabilities to remain competitive locally, regionally and globally. Our industrial and manufacturing sectors are seeing an increased demand for broadband capabilities. With the growing adoption of digitally controlled factory floor machines and the growing ubiquity of embedded Internet of Things (IoT) devices continuously streaming and transmitting data, fibre based internet broadband will be essential to London's economic success. Further, London's digital creative and manufacturing sectors view broadband connectivity as foundational infrastructure for generating new jobs and making new investments to grow their businesses. Positioning ourselves as the SWIFT regional broadband network node will aid in future-proofing and attracting these critical London industries.

With a growing older population in Ontario, resource constraints on medical institutions are likely to continue to increase. Further, it is an increasingly common trend to see health care provider's provision medical services online to improve accessibility. This can provide a lower cost of service than the in-person approach while providing convenient "from home" care to patients facing mobility barriers. Without reliable broadband internet, some Ontario residents facing mobility barriers may have limited access to the online versions of the health care services delivered by medical providers. The SWIFT Network, with London as a core network node will aid in expanding regional patient access to online provisioned medical services.

London has excellent educational institutions and the growing trend to provide online courses is causing a sharp increase in the demand for high-speed broadband internet as many require streaming video. For these educational institutions to access regional students, they require students to have broadband internet which would be further enabled by the regional broadband infrastructure that SWIFT aims to build.

Risk Management

SWIFT has managed this undertaking to mitigate the risks inherent with such a large infrastructure project. For example, SWIFT has continually reviewed business feasibility of the network plan. This is evidenced in the Request for Pre-Qualification Phase where after a detailed business feasibility study had already been conducted, Internet Service Providers wishing to receive the subsidy were required to apply to be Pre-Qualified. This phase required Internet Service Providers to share the exact location of existing fibre infrastructure, known service gaps, business structure, financial plans and network expansion plans to confirm the feasibility of the SWIFT Network.

To secure London's 4:1 infrastructure investment by SWIFT, Civic Administration has ensured provisions have been put in place in the draft agreement between SWIFT and The Corporation of the City of London (Section 4.5 of attached agreement Schedule "A") to guarantee construction is completed within four years and that all investment within London's municipal boundaries is net new SWIFT funded construction.

The City Solicitor's Office notes that under the agreement, The City of London becomes a Contributing Member of Southwestern Integrated Fibre Technology Inc. (SWIFT Inc.). There is the potential for the City of London to be named in any lawsuits that might be brought against SWIFT Inc.

The City Solicitor's Office identified measures with respect to potential bonusing under s. 106 of the *Municipal Act, 2001*. Pursuant to section 110 of the *Municipal Act, 2001*, and Regulation 603/06, the Agreement allows SWIFT to use the City's funding only in respect of the "provision, lease, operation or maintenance" of the SWIFT Network. Further, as per subsection 110(5) of the *Municipal Act, 2001*, the by-law directs the City Clerk to give written notice of the by-law to the Minister of Finance.

FINANCIAL IMPACT

The SWIFT project would be funded through the Economic Development Reserve Fund. The proposed cost schedule is attached Appendix "B". The ongoing operating costs associated with this project and SWIFT membership are \$2,000 a year which will be funded through the existing Information Technology Services operating budget.

CONCLUSION

After consultation with SWIFT and the SWIFT Working Group, Civic Administration is recommending that The Corporation of the City of London enter into an agreement with SWIFT and approve a contribution of \$690,000 to be distributed over a period of three years.

Funding Timeline	London Specific Payment Milestones
End of 2018	First \$230,000 payment by London to SWIFT
End of 2019	Second \$230,000 payment by London to SWIFT
End of 2020	Final \$230,000 payment by London to SWIFT

Entering into an agreement with SWIFT will deliver positive economic development impacts for Londoners by guaranteeing an additional \$2.07 million of ultra-high-speed fibre and related infrastructure built within the geographic boundary of the City of London within four years. This investment provides London with a \$2.76 million fibre infrastructure backbone, and as a SWIFT core network node, will position London for follow-on fibre infrastructure investments from Internet Service Providers. This project will continue London's support of our leading educational and digital media institutions while delivering on Council's vision to be "A leader in commerce, culture and innovation – our region's connection to the World," as well as deliver on the Strategic Area of Focus of Growing our Economy" through "local, regional and global innovation."

Acknowledgements

Special thanks to Larry MacKinnon of the London Economic Development Corporation and the members of the SWIFT Working Group: Alan Dunbar, Gary Irwin, Mark Johnson, and Lynn Marshall.

PREPARED BY:	RECOMMENDED BY:
MATT ROSS MANAGER, INFORMATION TECHNOLOGY SERVICES	MAT DALEY DIRECTOR, INFORMATION TECHNOLOGY SERVICES
RECOMMENDED BY:	CONCURRED BY:
ROSANNA WILCOX DIRECTOR, COMMUNITY AND ECONOMIC INNOVATION	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES & CITY TREASURER, CHIEF FINANCIAL OFFICER

Attach: Appendix "A" – By-law to authorize Agreement
 Schedule "A" – Agreement between SWIFT and The Corporation of the City of
 London
 Appendix "B" – Sources of Financing

APPENDIX “A”

Bill No.
2018

By-law No.

A by-law to approve an agreement between The Corporation of the City of London and Southwestern Integrated Fibre Technology Inc. (SWIFT) regarding funding in order to advance the development of the SWIFT Network.

WHEREAS section 2 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (“*Municipal Act, 2001*”) provides that municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction and each municipality is given powers and duties under the *Municipal Act, 2001* for the purpose of providing good government with respect to those matters;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 8 of the *Municipal Act, 2001* provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS subsection 9 of the *Municipal Act, 2001* provides that the City has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under the *Municipal Act, 2001* or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 4. Public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act; in paragraph 5. Economic, social and environmental well-being of the municipality; in paragraph 6. Health, safety and well-being of persons; in paragraph 7. Services and things that the municipality is authorized to provide under subsection (1); in paragraph 10. Structures;

AND WHEREAS subsection 106(1) of the *Municipal Act, 2001* provides that a municipality shall not assist directly or indirectly any commercial enterprise through the granting of bonuses for that purpose;

AND WHEREAS subsection 107 of the *Municipal Act, 2001* provides that, subject to section 106, a municipality may make grants to any person, group or body, including a fund, within or outside the boundaries of the municipality for any purpose that council considers to be in the interests of the municipality;

AND WHEREAS Municipal Council of The Corporation of the City of London considers it to be in the interests of the municipality to contribute the sum of \$690,000.00 to SWIFT to advance the development of dark fibre in southwestern Ontario including in the geographic area of the City of London;

AND WHEREAS subsection 110(1) of the *Municipal Act, 2001* provides that the section applies to an agreement entered into by a municipality for the provision of municipal capital facilities by any person, including another municipality, if the agreement provides for assistance provided for in subsection 110(3);

AND WHEREAS subsection 110(3) of the *Municipal Act, 2001* provides that,

despite section 106, a municipality may provide financial or other assistance at less than fair market value or at no cost to any person who has entered into an agreement to provide facilities under this section and such assistance may include, (a) giving or lending money and charging interest; (b) giving, lending, leasing or selling property; (c) guaranteeing borrowing; and (d) providing the services of employees of the municipality;

AND WHEREAS subsection 3(1) of Ontario Regulation 603/06 under the *Municipal Act, 2001* provides that the class of municipal capital facilities described in section 2 of the Regulation are also eligible municipal capital facilities for the purpose of assistance under subsection 110(3) of the Act;

AND WHEREAS subsection 3(2) of Ontario Regulation 603/06 under the *Municipal Act, 2001* provides that no municipal capital facilities other than those in the classes described in subsection 2(1) of the Regulation are eligible for assistance under subsection 110(3) of the Act;

AND WHEREAS subsection 2(1) of Ontario Regulation 603/06 under the *Municipal Act*, lists the various classes of municipal capital facilities including: paragraph 5. Municipal facilities related to the provision of telecommunications;

AND WHEREAS subsection 110(4) of the *Municipal Act, 2001* provides that the assistance shall only be in respect of the provision, lease, operation or maintenance of the facilities that are the subject of the agreement;

AND WHEREAS subsection 110(5) of the *Municipal Act, 2001* provides that, upon the passing of a by-law permitting a municipality to enter into an agreement under this section, the clerk of the municipality shall give written notice of the by-law to the Minister of Finance;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The agreement to be entered into between The Corporation of the City of London and Southwestern Integrated Fibre Technology Inc. (SWIFT) in which the City provides funding in order to advance the development of the SWIFT Network, substantially in the form attached as Schedule "A" to this By-law, is approved.
2. The Mayor and the City Clerk are hereby authorized to execute the agreement approved in section 1 above.
3. The City Clerk be authorized to give written notice of this by-law to the Minister of Finance pursuant to subsection 110(5) of the *Municipal Act, 2001*.
4. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council , 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First reading -
Second reading -
Third reading -

SCHEDULE “A”

THIS AGREEMENT MADE THIS 1st DAY OF JULY, 2018.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON
(hereinafter referred to as the “**Municipal Member**”)

- and -

SOUTHWESTERN INTEGRATED FIBRE TECHNOLOGY INC.
(hereinafter referred to as “**SWIFT**”)

WHEREAS SWIFT, a not-for-profit, non-share capital corporation incorporated under the laws of Canada, has been formed by upper and single tier municipalities to facilitate the construction and interconnection of an ultra-high-speed, open access fibre optic network (the “**SWIFT Network**”), which SWIFT anticipates will include the development of a core fibre backbone, multiple local access fibre branches, and numerous new Points of Presence (“**PoPs**”), throughout southwestern Ontario, Caledon and Niagara (the “**Regions**”);

AND WHEREAS the SWIFT Network is intended to enhance the prosperity and overall well-being of communities within the Regions by subsidizing private telecom service providers’ (“**TSPs**”) network infrastructure costs so they may provide service to residents, businesses, public service organizations, First Nations and other user groups and ultimately provide equitable access to ubiquitous fibre optic infrastructure;

AND WHEREAS the SWIFT Network will be built and operated by the TSPs, owned by the TSPs (subject to any conditions of the federal and provincial funding described below), and overseen by SWIFT;

AND WHEREAS the estimated initial costs of the SWIFT Network are \$288 million (the “**Initial Costs**”), which will be funded as follows:

- (a) the Government of Canada and the Province of Ontario have collectively committed to fund \$180 million of the Initial Costs;
- (b) the counties and municipalities listed on Schedule “A” hereto (the “**Municipal Partners**”) have collectively committed to fund **\$17,018,735** of the Initial Costs (the “**Municipal Funding**”);
- (c) other municipalities will fund up to an additional \$3,000,000; and
- (d) the TSPs will fund the remaining Initial Costs;

AND WHEREAS the Municipal Partners and the other funding municipalities noted above will benefit from a multiplier of 14:1 or better on a regional basis for their investments in the development of the SWIFT Network, as the total expenditures on the development of the SWIFT Network will equal at least fourteen (14) times the amount of the cumulative contribution by the Municipal Partners and other funding municipalities;

AND WHEREAS in order to advance the development of the SWIFT Network, the Municipal Member has agreed to contribute to SWIFT \$690,000 of the Municipal Funding (the “**Member Contribution**”);

AND WHEREAS in consideration for the Member Contribution (and subject to the Municipal Member contributing the full amount of the Member Contribution to SWIFT in accordance with the terms of this Agreement), SWIFT shall facilitate the construction and interconnection of the

SWIFT Network, with the total expenditures on the SWIFT Network serving the geographic area of the City of London (the “**Municipal Member’s Territory**”) being equal to at least four (4) times the amount of the Member Contribution;

AND WHEREAS once the SWIFT Network becomes operational, a portion of the revenues of the TSPs derived from the SWIFT Network (such portion to be agreed between SWIFT and the TSPs) will be paid to SWIFT, aggregated in a Broadband Development Fund, and used by SWIFT to fund expansion of the SWIFT Network by the TSPs throughout the Regions;

NOW THEREFORE IN CONSIDERATION OF THE PREMISES AND MUTUAL COVENANTS HEREIN CONTAINED AND OF OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED BY EACH PARTY, THE PARTIES COVENANT AND AGREE AS FOLLOWS:

1. The Municipal Member shall pay the member contribution set out in Schedule “B” (the “**Member Contribution**”) to SWIFT, for the purposes of advancing and developing the SWIFT Network, provided that the Municipal Member shall only pay such Member Contribution once SWIFT makes the Municipal Member a Contributing Member of SWIFT (as defined in SWIFT By-Law No. 1).
2. The Municipal Member shall pay SWIFT the Member Contribution in annual installments, on such dates and in such amounts set out on Schedule “B” hereto, against receipt by the Municipal Member of invoices from SWIFT therefor.
3. In consideration for the Member Contribution (and subject to the Municipal Member contributing the full amount of the Member Contribution to SWIFT in accordance with the terms of this Agreement), SWIFT shall ensure that the total expenditures by SWIFT and the TSPs on developing SWIFT funded Infrastructure for the SWIFT Network to serve the Municipal Member’s Territory equal at least four (4) times the amount of the Member Contribution.
4.
 - 4.1 The Municipal Member shall provide input and feedback to SWIFT, as requested by SWIFT from time to time, regarding the points of presence and fibre cable plant locations to be established within the Municipal Member’s Territory as part of the SWIFT Network. SWIFT shall otherwise be responsible for coordinating the development of the SWIFT Network with the TSPs.
 - 4.2 The Municipal Member shall provide SWIFT a specific list or map of the areas within the Municipal Member’s Territory deemed by the Municipal Member to be most in need of SWIFT Network infrastructure (the “**Target Areas**”).
 - 4.3 SWIFT shall facilitate the construction and interconnection of the SWIFT Network, with the total expenditures on the SWIFT Network serving the Municipal Member’s Territory being equal to at least four (4) times the amount of the Member Contribution.
 - 4.4 SWIFT shall endeavor to work with the Municipal Member to prioritize investment in the Target Areas.
 - 4.5 SWIFT shall complete construction of the portion of the SWIFT Network located in the Municipal Member’s Territory no later than December, 2022.
5. SWIFT shall procure services of TSPs in an open, public and competitive manner in accordance with the Broader Public Sector Procurement Directive of the Management Board of Cabinet dated July 01, 2011.

6. SWIFT may only use the Member Contribution in respect of the provision, lease, operation or maintenance of the SWIFT Network, pursuant to subsection 110(4) of the *Municipal Act, 2001*.
7. SWIFT shall inform the Municipal Member of the progress of the SWIFT Network by delivering a report to the Municipal Member on a semi-annual basis, which report shall include financial information and information about the status of procurement, construction and operation of the SWIFT Network.
8. A portion of the revenues derived from the SWIFT Network will be reinvested by SWIFT to accelerate or further expand the development of the SWIFT Network. In accordance with the conditions of its federal and provincial funding, SWIFT will own at least 51% of the SWIFT Network for the first seven (7) years following construction completion.
9. If SWIFT, in its sole discretion, elects at any time not to proceed with the construction and interconnection of the SWIFT Network, or if SWIFT breaches any of its obligations under this Agreement, then the Municipal Member may terminate this Agreement, and in such event SWIFT shall refund to the Municipal Member the portion of the Member Contribution received by SWIFT, less the Municipal Member's proportionate share of SWIFT's administrative and consulting costs incurred to the date of such refund.
10. If the Municipal Member breaches any of its obligations under this Agreement, then SWIFT may terminate this Agreement, and in such event the Municipal Member (i) shall not be entitled to any refund of any portion of the Member Contribution paid to SWIFT and (ii) shall be liable for any unpaid portion of the Member Contribution if SWIFT has entered into one or more agreements for the development of the SWIFT Network to serve the Municipal Member's Territory in accordance with this Agreement.
11. All of the terms of this Agreement shall be binding upon and shall ensure to the benefit of the parties hereto and their respective successors and assigns.
12. Time shall be of the essence herein.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by their officers properly authorized in that behalf on the day and year first written above.

SIGNED, SEALED AND DELIVERED

**THE CORPORATION OF THE CITY
OF LONDON**

Per: _____
Name:
Title:

Per: _____
Name:
Title:

I/We have the authority to bind the Municipal Member.

**SOUTHWESTERN INTEGRATED
FIBRE TECHNOLOGY INC.**

Per: _____
Name: Gerry Marshall
Title: Chair

Per: _____
Name: Geoff Hogan
Title: CEO

I/We have the authority to bind SWIFT.

SCHEDULE "A"

MUNICIPAL PARTNERS

Municipal Partners	Contribution
Brant County	\$ 346,986
Bruce County	\$ 860,092
Caledon	\$ 634,062
Chatham-Kent	\$ 762,440
Dufferin County	\$ 535,857
Elgin County	\$ 527,793
Essex County	\$ 1,101,024
Grey County	\$ 1,079,981
Huron County	\$ 678,557
Lambton County	\$ 1,010,429
Middlesex County	\$ 784,063
Niagara Region	\$ 1,000,000
Norfolk County	\$ 505,432
Oxford County	\$ 704,239
Perth County	\$ 569,484
Region of Waterloo	\$ 2,231,874
Simcoe County	\$ 2,457,273
Wellington County	\$ 880,401
Subtotal Upper and Single	\$ 16,669,985
Orillia	\$ 73,750
Windsor	\$ 275,000
Subtotal Separated	\$ 348,750
Total Raised to date	\$ 17,018,735

SCHEDULE "B"

AMOUNTS AND DATES OF MEMBER CONTRIBUTIONS

DATE	AMOUNT
Prior to December 31, 2018	\$ 230,000.00
Prior to December 31, 2019	\$ 230,000.00
Prior to December 31, 2020	\$ 230,000.00
Total Member Contribution	\$690,000.00

APPENDIX 'B'

Chair and Members
Corporate Services Committee

#18098
June 19, 2018
(Establish Budget)

**RE: Southwestern Integrated Fibre Technology (SWIFT) Network Project
(Subledger CP180021)
Capital Project GG1062 - Southwestern Integrated Fibre Technology (SWIFT)
Network Project**

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project, although not included in the Capital Plan, can be accommodated with a drawdown from the Economic Development Reserve Fund, and that, subject to the adoption of the recommendations of the Director, Information Technology Services, Finance and Corporate Services and the Director of Community and Economic Innovation, and with the concurrence of the City Treasurer, the detailed source of financing for this project is:

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Additional Funding</u>	<u>Revised Budget</u>
Capital Grant	\$0	\$690,000	\$690,000
NET ESTIMATED EXPENDITURES	<u>\$0</u>	<u>\$690,000</u>	<u>\$690,000</u>
<u>SOURCE OF FINANCING:</u>			
Drawdown from the Economic Development Reserve Fund 1)	\$0	\$690,000	\$690,000
TOTAL FINANCING	<u>\$0</u>	<u>\$690,000</u>	<u>\$690,000</u>

- 1) The funding is available as a drawdown from the Economic Development Reserve Fund. The uncommitted balance will be approximately \$14.8 million after the approval of this project.
- 2) Funding will be provided to the Southwestern Integrated Fibre Technology (SWIFT) Network Project over 3 years (2018-2020), with payments of \$230,000 taking place at the end of each year.

lp

Anna Lisa Barbon
Managing Director, Corporate Services and
City Treasurer, Chief Financial Officer

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JUNE 19, 2018
FROM:	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	CAPITAL BUDGET REALIGNMENT – BUS RAPID TRANSIT

RECOMMENDATION

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following report with respect to realignment of the capital budget for the Bus Rapid Transit project **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

Strategic Priorities & Policy Committee, April 23, 2018, Agenda Item #4.1, Bus Rapid Transit Environmental Assessment Initiative

BACKGROUND

On April 23, 2018, the Bus Rapid Transit project team presented a report to the Strategic Priorities & Policy Committee regarding the Environmental Assessment Initiative for the project. Included with this report was a revised cash flow for the project, representing the most current project roll-out schedule. This new schedule shows some “quickstart” components of construction starting in 2019, with more major components starting in 2020, ending in 2026.

The current budget for Bus Rapid Transit is based on a schedule that was approved in 2015 and includes construction from 2016 to 2024. Civic Administration feels that it is important to realign the timing in the current budget with the timing in the latest project roll-out schedule. The \$500 million project budget remains the same, just shifted to future periods. The budget will not match the cash flow schedule in the April 23 report because the cash flow schedule shows the outflow of cash as the construction takes place over multiple years but the budget must include 100% of the funding in the first year of tender in order to approve the multi-year construction tender.

The budget realignment was achieved through housekeeping budget adjustments. Housekeeping budget adjustments are normally presented to Municipal Council for information purposes with the bi-annual capital monitoring reports, but are being presented at this time due to the magnitude of the change. Previously approved funding is set aside for use when required by the new schedule. Capital levy is placed in the capital receipts account, development charges funding is returned to the appropriate development charges reserve funds and funding from other levels of government is advanced to future periods. **Table 1** provides an overview of the budget changes and **Appendix A** provides details of the sources of financing changes.

As noted in the April 23 SPPC report, municipal funding is currently calculated as \$12 million in tax support (capital levy) and \$118 million in development charges. New provincial regulations for Development Charges (DC) recovery for transit projects may change the growth/non-growth splits based on the new scale of the project and the service standard (ridership), but the impact is unknown at this time. The City has retained a consultant to provide the methodology for DC rate calculation purposes which will be completed in the coming months. It is anticipated that these changes will be incorporated into the 2020 capital budget. At the same time, the 14 capital projects which currently combine to make up the overall (\$500 million) Rapid Transit project will be also be restated to match the new construction corridors.

Table 1 – Overview of Budget Changes for Rapid Transit Project

Expenditures \$000's	Approved 2018 Life-to- date	Projected									Total Approved & Projected Budget
	2019	2020	2021	2022	2023	2024	2025	2026	2027		
Current Budget	147,761	17,584	30,135	131,203	85,686	34,231	41,233	4,167	8,000	0	500,000
Realigned Budget	17,975	39,888	111,726	39,350	132,314	75,898	22,050	52,769	6,780	1,250	500,000
Annual Difference	129,786	(22,304)	(81,591)	91,853	(46,628)	(41,667)	19,184	(48,602)	1,220	(1,250)	0
<i>Cash Flow (April 23 SPPC Report)</i>	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	
	17,975	37,288	56,799	57,074	69,370	66,069	65,105	66,131	52,308	11,881	500,000

CONCLUSION

On April 23, 2018, Strategic Priorities & Policy Committee received a report on the Bus Rapid Transit project which included a revised project schedule. This schedule is different from the project schedule supporting the current budget. The purpose of this report is to realign the timing in the current budget with the timing in the revised project schedule. The \$500 million project budget remains the same, just shifted to future periods. The budget realignment was achieved through housekeeping budget adjustments and is presented to Municipal Council for information purposes.

PREPARED BY:
ALAN DUNBAR, CPA, CGA MANAGER, FINANCIAL PLANNING & POLICY
RECOMMENDED BY:
ANNA LISA BARBON, CPA, CGA MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER

Attach.

Appendix A – Realigned Budget for Rapid Transit with Sources of Financing

- C. Jason Davies, Manager, Financial Planning & Policy
- Jennie Ramsay, Project Director, Rapid Transit Implementation
- Kelly Scherr, Managing Director, Environmental and Engineering Services and City Engineer
- Edward Soldo, Director, Roads and Transportation
- Paul Yeoman, Director, Development Services

APPENDIX A – Realigned Budget for Rapid Transit with Sources of Financing

CURRENT BUDGET ⁽¹⁾

Description	Approved 2018 Budget Life-to-date	2019	2020	2021	2022	Projected		2025	2026	2027	Approved & Projected Budget
						2023	2024				
EXPENDITURES	147,761,034	17,583,640	30,135,420	131,202,620	85,686,286	34,231,000	41,233,300	4,166,700	8,000,000	0	500,000,000
SOURCE OF FINANCING											
CAPITAL LEVY	(6,852,533)	(1,602,940)	(77,533)	(481,800)	(39,200)	(565,400)	(892,700)	(416,700)	(800,000)	0	(11,728,806)
DEBENTURE	0	0	0	0	0	0	0	0	0	0	0
RATE SUPPORTED	(6,852,533)	(1,602,940)	(77,533)	(481,800)	(39,200)	(565,400)	(892,700)	(416,700)	(800,000)	0	(11,728,806)
FR CITY SVCES - ROADS	(35,874,900)	(3,121,700)	(232,800)	0	0	0	0	0	0	0	(39,229,400)
FR CITY SVCES - TRANSIT	(1,500,000)	(3,919,100)	0	(1,336,300)	0	0	(1,250,000)	(1,000,000)	0	0	(9,005,400)
DEBENTURE-NON-RATE SUPP	(31,484,300)	(8,939,900)	0	(3,000,000)	(520,800)	(7,511,600)	(8,824,000)	(2,750,000)	(7,200,000)	0	(70,230,600)
NON-RATE SUPPORTED	(68,859,200)	(15,980,700)	(232,800)	(4,336,300)	(520,800)	(7,511,600)	(10,074,000)	(3,750,000)	(7,200,000)	0	(118,465,400)
TOTAL CITY FUNDING	(75,711,733)	(17,583,640)	(310,333)	(4,818,100)	(560,000)	(8,077,000)	(10,966,700)	(4,166,700)	(8,000,000)	0	(130,194,206)
PTIF-PUBLIC TRANSIT INFRASTR	(8,875,409)	0	0	0	0	0	0	0	0	0	(8,875,409)
SENIOR GOVERNMENT	(63,173,892)	0	(29,825,087)	(126,384,520)	(85,126,286)	(26,154,000)	(30,266,600)	0	0	0	(360,930,385)
OTHER GOVERNMENT FUNDING	(72,049,301)	0	(29,825,087)	(126,384,520)	(85,126,286)	(26,154,000)	(30,266,600)	0	0	0	(369,805,794)
SOURCE OF FINANCING	(147,761,034)	(17,583,640)	(30,135,420)	(131,202,620)	(85,686,286)	(34,231,000)	(41,233,300)	(4,166,700)	(8,000,000)	0	(500,000,000)

(1) Represents the current budget for the Bus Rapid Transit project as presented in the 2018 Annual Budget Update.

APPENDIX A – Realigned Budget for Rapid Transit with Sources of Financing (continued)

REALIGNED BUDGET ⁽¹⁾

Description	Approved	Projected									Approved &
	2018 Budget Life-to-date	2019	2020	2021	2022	2023	2024	2025	2026	2027	Projected Budget
EXPENDITURES	17,974,909	39,887,547	111,726,370	39,349,634	132,314,355	75,898,443	22,049,596	52,769,109	6,780,370	1,249,667	500,000,000
SOURCE OF FINANCING											
CAPITAL LEVY	(541,023)	(3,009,982)	(1,763,166)	(454,694)	(2,974,215)	(934,673)	(498,420)	(1,353,126)	(184,064)	(15,443)	(11,728,806)
DEBENTURE	0	0	0	0	0	0	0	0	0	0	0
RATE SUPPORTED	(541,023)	(3,009,982)	(1,763,166)	(454,694)	(2,974,215)	(934,673)	(498,420)	(1,353,126)	(184,064)	(15,443)	(11,728,806)
FR CITY SVCES - ROADS	(6,888,838)	(7,657,176)	(9,026,314)	(4,997,620)	(8,415,207)	(777,759)	(502,239)	(441,970)	(321,433)	(200,842)	(39,229,400)
FR CITY SVCES - TRANSIT	0	0	0	0	(5,094,453)	0	0	(3,423,297)	(487,650)	0	(9,005,400)
DEBENTURE-NON-RATE SUPP	0	(5,746,085)	(29,330,615)	(75,566)	(7,928,248)	(10,786,010)	(6,108,812)	(9,308,803)	(946,461)	0	(70,230,600)
RATE SUPPORTED	(6,888,838)	(13,403,262)	(38,356,928)	(5,073,187)	(21,437,908)	(11,563,769)	(6,611,051)	(13,174,070)	(1,755,544)	(200,842)	(118,465,400)
TOTAL CITY FUNDING	(7,429,861)	(16,413,244)	(40,120,094)	(5,527,881)	(24,412,123)	(12,498,443)	(7,109,472)	(14,527,197)	(1,939,607)	(216,285)	(130,194,206)
PTIF-PUBLIC TRANSIT INFRASR	(7,052,449)	(1,822,960)	0	0	0	0	0	0	0	0	(8,875,409)
SENIOR GOVERNMENT	(3,492,600)	(21,651,343)	(71,606,276)	(33,821,753)	(107,902,233)	(63,400,001)	(14,940,124)	(38,241,912)	(4,840,762)	(1,033,382)	(360,930,386)
OTHER GOVERNMENT FUNDING	(10,545,049)	(23,474,303)	(71,606,276)	(33,821,753)	(107,902,233)	(63,400,001)	(14,940,124)	(38,241,912)	(4,840,762)	(1,033,382)	(369,805,794)
SOURCE OF FINANCING	(17,974,909)	(39,887,547)	(111,726,370)	(39,349,634)	(132,314,355)	(75,898,443)	(22,049,596)	(52,769,109)	(6,780,369)	(1,249,667)	(500,000,000)

(1) Represents the Bus Rapid Transit budget realigned to match the most current project roll-out as presented in "Bus Rapid Transit - Environmental Assessment Initiative" (SPPC, April 23, 2018).

APPENDIX A – Realigned Budget for Rapid Transit with Sources of Financing (continued)

ANNUAL DIFFERENCE ⁽¹⁾

Description	Approved	Projected									Approved & Projected Budget
	2018 Budget Life-to-date	2019	2020	2021	2022	2023	2024	2025	2026	2027	
EXPENDITURES	129,786,125	(22,303,907)	(81,590,950)	91,852,986	(46,628,069)	(41,667,443)	19,183,704	(48,602,409)	1,219,630	(1,249,667)	0
SOURCE OF FINANCING											
CAPITAL LEVY	(6,311,510)	1,407,042	1,685,633	(27,106)	2,935,015	369,273	(394,280)	936,426	(615,936)	15,443	0
DEBENTURE	0	0	0	0	0	0	0	0	0	0	0
RATE SUPPORTED	(6,311,510)	1,407,042	1,685,633	(27,106)	2,935,015	369,273	(394,280)	936,426	(615,936)	15,443	0
FR CITY SVCES - ROADS	(28,986,062)	4,535,476	8,793,514	4,997,620	8,415,207	777,759	502,239	441,970	321,433	200,842	(0)
FR CITY SVCES - TRANSIT	(1,500,000)	(3,919,100)	0	(1,336,300)	5,094,453	0	(1,250,000)	2,423,297	487,650	0	0
DEBENTURE-NON-RATE SUPP	(31,484,300)	(3,193,815)	29,330,615	(2,924,434)	7,407,448	3,274,410	(2,715,188)	6,558,803	(6,253,539)	0	0
RATE SUPPORTED	(61,970,362)	(2,577,438)	38,124,128	736,887	20,917,108	4,052,169	(3,462,949)	9,424,070	(5,444,456)	200,842	(0)
TOTAL CITY FUNDING	(68,281,872)	(1,170,396)	39,809,761	709,781	23,852,123	4,421,443	(3,857,228)	10,360,497	(6,060,393)	216,285	(0)
PTIF-PUBLIC TRANSIT INFRASTR	(1,822,960)	1,822,960	0	0	0	0	0	0	0	0	(0)
SENIOR GOVERNMENT	(59,681,292)	21,651,343	41,781,189	(92,562,767)	22,775,947	37,246,001	(15,326,476)	38,241,912	4,840,762	1,033,382	(0)
OTHER GOVERNMENT FUNDING	(61,504,252)	23,474,303	41,781,189	(92,562,767)	22,775,947	37,246,001	(15,326,476)	38,241,912	4,840,762	1,033,382	0
SOURCE OF FINANCING	(129,786,124)	22,303,907	81,590,950	(91,852,986)	46,628,069	41,667,443	(19,183,704)	48,602,409	(1,219,631)	1,249,667	0

(1) Represents the difference between the Realigned Budget and the Current Budget on an annual basis.

APPENDIX A – Realigned Budget for Rapid Transit with Sources of Financing (continued)

ACCUMULATED DIFFERENCE ⁽¹⁾

Description	Approved	Projected									Approved & Projected Budget
	2018 Budget Life-to-date	2019	2020	2021	2022	2023	2024	2025	2026	2027	
EXPENDITURES	129,786,125	107,482,219	25,891,268	117,744,255	71,116,186	29,448,743	48,632,447	30,038	1,249,667	0	
SOURCE OF FINANCING											
CAPITAL LEVY	(6,311,510)	(4,904,468)	(3,218,836)	(3,245,942)	(310,927)	58,347	(335,933)	600,494	(15,443)	0	
DEBENTURE	0	0	0	0	0	0	0	0	0	0	
RATE SUPPORTED	(6,311,510)	(4,904,468)	(3,218,836)	(3,245,942)	(310,927)	58,347	(335,933)	600,494	(15,443)	0	
FR CITY SVCES - ROADS	(28,986,062)	(24,450,585)	(15,657,072)	(10,659,451)	(2,244,245)	(1,466,485)	(964,246)	(522,276)	(200,843)	(0)	
FR CITY SVCES - TRANSIT	(1,500,000)	(5,419,100)	(5,419,100)	(6,755,400)	(1,660,947)	(1,660,947)	(2,910,947)	(487,650)	0	0	
DEBENTURE-NON-RATE SUPP	(31,484,300)	(34,678,115)	(5,347,500)	(8,271,934)	(864,486)	2,409,924	(305,264)	6,253,539	0	0	
RATE SUPPORTED	(61,970,362)	(64,547,800)	(26,423,672)	(25,686,785)	(4,769,677)	(717,508)	(4,180,457)	5,243,614	(200,843)	(0)	
TOTAL CITY FUNDING	(68,281,872)	(69,452,268)	(29,642,507)	(28,932,727)	(5,080,604)	(659,161)	(4,516,390)	5,844,107	(216,285)	(0)	
PTIF-PUBLIC TRANSIT INFRASSTR	(1,822,960)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	
SENIOR GOVERNMENT	(59,681,292)	(38,029,949)	3,751,240	(88,811,527)	(66,035,580)	(28,789,580)	(44,116,055)	(5,874,143)	(1,033,381)	(0)	
OTHER GOVERNMENT FUNDING	(61,504,252)	(38,029,949)	3,751,240	(88,811,527)	(66,035,581)	(28,789,580)	(44,116,056)	(5,874,143)	(1,033,382)	0	
SOURCE OF FINANCING	(129,786,124)	(107,482,217)	(25,891,267)	(117,744,254)	(71,116,185)	(29,448,741)	(48,632,445)	(30,036)	(1,249,667)	(0)	

(1) Represents the difference between the Realigned Budget and the Current Budget accumulated from 2018 to the respective year.

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JUNE 19, 2018
FROM:	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	REQUEST FOR PREQUALIFICATION 18-06 VENDOR OF RECORD LIST FOR INTERIOR RENOVATIONS

RECOMMENDATION

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions **BE TAKEN** with respect to award of contracts for the Vendor of Record for interior renovations:

- (a) The prequalification responses submitted by:
- i. Bronnenco Construction Ltd., 1885 Blue Heron Drive, Unit 1 , London, ON, N6H 5L9
 - ii. Elgin Contracting and Restoration Ltd., 10 Barrie Blvd., St. Thomas, ON, N5P 4B9
 - iii. K & L Construction (Ontario) Ltd., 27-1615 North Routledge Park, London, ON, N6H 5N5
 - iv. michael + clark construction, 6447 Westminster Drive, London, ON, N6P 1N5
 - v. Tradition Construction Inc., 523 Bathurst Street, London, ON, N6B 1P5, and
 - vi. Van Boxmeer Construction Co. Ltd., 13466 Elginfield Rd, Lucan, ON, N0M 2J0

BE ACCEPTED;

- (b) Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with these purchases; and
- (c) Approval hereby given **BE CONDITIONAL** upon the Corporation entering into formal contracts or having a purchase order, or contract records relating to the subject matter of this approval.

PERTINENT REPORTS RELATED TO THIS MATTER

- None

BACKGROUND

BACKGROUND:

A Vendor of Record (VOR) arrangement is one in which an organization has established a list of suppliers to provide goods and/or services that were generally outlined in a Request for Proposal or Request for Qualification. Suppliers on a VOR, are invited to provide pricing for specific projects or supply goods during the defined period of the VOR.

VORs are used by all levels of government entities, such as, the Province of Ontario and the Ontario Education Collaborative Marketplace (OECM), as they allow for an organization to have a prequalified list of suppliers ready for when needs arise. Organizations that utilize VORs for services often have multiple projects through the year that are of varying dollar values but are

similar in nature. By prequalifying suppliers in advance, the organization can increase their efficiencies in having the projects completed as well as benefit from having multiple suppliers available, should scheduling become an issue.

In this particular VOR, the City requires contractors to complete interior renovations and miscellaneous work throughout the City operated facilities. In 2017, the work provided by contractors of this nature totalled \$700,000. The six contractors who are recommended to move forward as part of the VOR will be directed to submit to an invitational Request for Quotation and provide pricing per project. There is no commitment from the City to purchase the services and no guarantee that the contractor will be awarded these projects. Contractors on the VOR will be invited to bid on projects up to an estimated value of \$100,000. Projects below \$15,000 will follow the Procurement of Goods and Service's Policy, and will be quoted by contractors on the VOR. All interior renovations and miscellaneous work will be requested by the City's Facilities Design and Construction Project Manager or a staff representative when required by delegation. The City will solely decide, aligning with the Procurement of Goods and Services Policy, if one or multiple contractors from the VOR will be invited to bid.

Some examples of other VOR's that the City of London has leveraged are:

- Vendor of Record Arrangement for Mobile Devices and Services – Lead Agency – Province of Ontario
- Personal Computers, Laptops, Monitors and Services – Lead Agency – Province of Ontario
- Storm Water Management Facility Construction Projects – Lead Agency – City of London
- Telecommunications Fibre and Cable Installation and Repair – Lead Agency – City of London

The benefits of the Vendor of Record list are as follows:

- **Performance**

Given the value associated with being on the VOR contractor list, it will encourage the contractors to optimize their performance on projects in order to maintain their participation on the list.

- **Cost Effectiveness**

Bids will only be received from contractors who have met or exceeded the defined set of criteria therefore cost overruns associated with scheduling delays and quality issues will be limited.

- **Health & Safety**

For each project awarded as part of the VOR, one contractor will be designated as the "Constructor" as defined by the Occupational Health and Safety Act. The "Constructor" will be responsible for the Health and Safety of all workers on the project and comply with the Occupational Health and Safety Act and its regulations. This designation reduces the risk of the City becoming the "Constructor".

- **Administrative Efficiencies**

By having prerequisite documentation and vendor profile on record, the time and resources spent initiating a project is reduced and purchase orders can be issued without delay. Staff time spent supervising the work will be reduced as the VOR delivers the best overall value based on price, quality, performance, scheduling, health & safety and financial stability.

The VOR list will ensure that qualified contractors have equal opportunities to bid projects while reducing the time it takes to procure a project using a pool of high performing contractors. The VOR list will increase accountability, performance and provide measurable key performance indicators such as quality, scheduling and pricing on projects.

PURCHASING PROCESS:

The City issued a Request for Prequalification to create a VOR list for interior renovations through the bids&tenders website on April 17, 2018 for five (5) – one (1) year terms. The Request for Prequalification closed on May 3, 2018 and ten (10) compliant submissions were received.

The submissions were reviewed by staff from Purchasing & Supply and Facilities to ensure compliance with the requirements. All prequalification responses met the City’s requirements in all areas.

The Request for Prequalification was scored on the following predetermined evaluation criteria:

- Company Profile and Experience – 20%
- Sub-contractors – 15%
- Health and Safety – 15%
- Staff and Key Personnel Qualifications and Experience – 10%
- Quality Control/Project Management – 20%
- Schedule of Prices – 20%

Upon the completion of the review, Bronnenco Construction Ltd., Elgin Contracting and Restoration Ltd., K & L Construction (Ontario) Ltd., michael + clark construction, Tradition Construction Inc., Van Boxmeer Construction Co. Ltd., were the highest evaluated contractors who met and provided the best financial offer to the City. Therefore, these highest ranking contractors are recommended as the City of London’s preferred vendors of record for interior renovations.

FINANCIAL IMPACT:

Funding is provided through various Service Area’s operating and capital budgets.

ACKNOWLEDGEMENTS:

This report was prepared by John Devito, Facilities Design & Construction and Sarah Denomy, Purchasing and Supply.

SUBMITTED BY:	CONCURRED BY:
JOHN DEVITO, P.ENG MANAGER, FACILITIES DESIGN & CONSTRUCTION	TIM WELLHAUSER, C.I.M. DIVISION MANAGER, FACILITIES
CONCURRED BY:	RECOMMENDED BY:
IAN B COLLINS, CPA, CMA DIRECTOR, FINANCIAL SERVICES	ANNA LISA BARBON, CPA, CGA MANAGING DIRECTOR, CORPORATE SERVICES & CITY TREASURER, CHIEF FINANCIAL OFFICER

cc: John Freeman, Manager, Purchasing and Supply
Mat Daley, Director, Information Technology Services

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON TUESDAY, JUNE 19, 2018
FROM:	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	PROCUREMENT OF GOODS AND SERVICES POLICY REVISIONS

RECOMMENDATION

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the attached proposed by-law (Appendix "1") **BE INTRODUCED** at the Municipal Council meeting to be held on June 26, 2018 to amend Schedule "C" - Procurement of Goods and Services Policy to By-law No. A.-6151-17, being "A By-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*".

BACKGROUND

The Procurement of Goods and Services Policy is to be reviewed and revised on a periodic basis as per section 2.10 of Appendix "A" of the Policy. The last revision was approved by Council on March 21st, 2017. The revisions and updates recommended in this report to the Procurement of Goods and Services Policy can be summarized into three (3) main categories:

- eProcurement Changes
- Exemption Changes
- Housekeeping Amendments

Appendix "2" attached to this report shows a marked up copy of all the proposed changes recommended in this report for ease of reference. A summary of all changes proposed to the Procurement of Good and Services Policy shown by category of change listing each section reference and the associated rationale for the changes is detailed below.

eProcurement Changes

The new eProcurement electronic bidding system, Bids & Tenders, which has recently been implemented requires several policy changes to reflect the current process related to electronic bid submissions.

Section 13.4: Public tender openings are discontinued. All bids are posted on the City's bidding system for full disclosure.

Section 19.1 Submission of Bids: Manual bid submissions are discontinued. All bids are received on the City's bidding system to ensure compliance and audit abilities.

Schedule C – Irregularities Contained in Bids: Irregularity #1 Response is adjusted for electronic bids and Irregularity #2 and #11 are no longer required with the move to eProcurement.

Exemption Changes

Schedule B – Goods and Services NOT Subject to this Policy: Minor changes have been made to further clarify exemptions and to replace item 8 (ii) with a new item 17 that includes Banking Services and its affiliated services such as merchant processing services that enables a business to accept transactions (payment processing) where covered by agreements as deemed appropriate by the City Treasurer with the concurrence of the City Manager.

Housekeeping Amendments

The remaining amendments being recommended are minor in nature and reflect further clarification and refinement of the Policy brought on by changes in Trade Agreements, clarification sought, and process refinements.

Section 1.5 Sustainable Purchasing: The Reference to trade agreements has been updated to reflect current agreements.

Section 2.9 Dispute/Appeal Process: Business days has been further defined.

Section 3.0 Definitions: A new definition for Informal Request for Quotation has been added and the definition for Request for Quotation has been modified in the Policy to add clarity to bid documentation and processes.

Section 13.2 (c) Awards under the Request for Tender (RFT) Process and Schedule A: Added the administrative RFT approval level to clarify the process that has been in place for several years now.

Section 15.2 Consulting Engineers, Architects, Landscape Architects and Environmental Consultants (a) and (d) and (e): These changes reflect current updates to the City of London Grouped Consultant Selection process, as needed and identification Comprehensive Economic and Trade Agreement (CETA) thresholds.

Section 21.9 Application of Trade Agreements: In order to support existing and many new Trade Agreements, references to CETA are being generalized to further support section 1.5 Sustainable Purchasing.

These are some small general “housekeeping” changes to the Policy which are shown in the marked up version attached. Most of these changes are very minor and represent a further refinement of the existing Policy. All references to additional Acts, Legislation and Trade Agreements are generalized to include the wording “as amended” in order to keep this Policy current.

Conclusion:

The City of London considers itself one of the national leaders in public procurement. These revisions allow the City to stay current with the latest best practices and maintain the Procurement of Goods and Services Policy Mission of transparency, fairness and competitiveness which aligns itself with Councils Strategic Area of Focus, Leading in Public Service. Civic Administration continues to monitor the procurement environment, and will continue to bring forward refinements to ensure that best practices continue to be in place.

PREPARED AND SUBMITTED BY:	CONCURRED BY:
JOHN FREEMAN, CSCMP MANAGER, PURCHASING AND SUPPLY	IAN COLLINS, CPA, CMA DIRECTOR, FINANCIAL SERVICES
RECOMMENDED BY:	
ANNA LISA BARBON, CPA, CGA MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER	

APPENDIX “1”

Bill No.

By-law No.

A By-law to amend By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act*, 2001.

WHEREAS section 5(3) of the *Municipal Act*, 2001 S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act*, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS on December 17, 2007 Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act*, 2001 (the “Council Policy By-law”);

AND WHEREAS it is deemed expedient to amend the Council Policy By-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "C" to By-law No. A.-6151-17, being the "Procurement of Goods and Services Policy", is hereby repealed and replaced with the attached revised Schedule "C" - Procurement of Goods and Services Policy which is attached hereto and which shall be Schedule "C" to By-law A.-6151-17.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown

Mayor

Catharine Saunders

City Clerk

First reading – June 26, 2018

Second reading – June 26, 2018

Third reading – June 26, 2018

Revised: June 26, 2018

Page 2 of 62

SCHEDULE “C”

Policy Name: Procurement of Goods and Services Policy

Legislative History: By-law No. A.-6151-17, Schedule “C”

Last Review Date: June 19, 2018

Service Area Lead: Manager, Purchasing & Supply

1. Policy Statement

This Policy outlines the processes to be followed in order to obtain the best value when purchasing goods, or contracting services for the Corporation of the City of London.

2. Definitions

Please refer to Section 3 of the attached Appendix A.

3. Applicability

Procurement activities shall be subject to all applicable City policies and by-laws, any specific provisions of the Municipal Act, and all other applicable Federal and Provincial legislation.

4. The Policy

Please refer to the attached Appendix A.

Appendix "A"

Procurement of Goods and Services Policy

The Corporation of the City of
London

Revised: June 26, 2018



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1.0 Procurement Goals and Objectives

Mission:

To obtain the right goods and/or services when needed while achieving best value through a transparent, fair and competitive process with a high focus on Customer Service.

- 1.1 This Policy outlines the processes to be followed in order to obtain the best value when purchasing goods, or contracting services for the Corporation of the City of London (herein after known as 'City').
- 1.2 The guiding principle is that procurement decisions will be made using a competitive process that is open, transparent and fair.
- 1.3 The City encourages innovation and the use of technology which meets City specifications and industry standards in order to ensure the utilization of the most efficient and effective procurement processes and practices.
- 1.4 The City will consider the total costs, including, but not limited to, acquisition, operating, training, maintenance, quality, warranty, payment terms, disposal value and disposal costs in evaluating competitive bids from responsive and responsible bidders. Where costs are submitted for more than one year, the net present value of the annual costs will be used to evaluate the costs at a discount value concurred by the City Treasurer.

The Purchasing and Supply function fully embraces the philosophy of continuous improvement and will continue to be a leader in advanced public procurement solutions that are quality focused and consider the 'Total Cost of Ownership' where possible.

The City encourages its supply chain partners to have similar quality considerations with their procurement of goods and services.

1.5 Sustainable Purchasing

Sustainable Purchasing is a framework for procurement decision-making that will contribute to the City of London's procurement objective to achieve best value for the City by considering the full life cycle of products and their complete economic, environmental and social costs and benefits.

The City of London recognizes that through its procurement function it has the power to bring about environmental and social improvements both locally and globally while maximizing economic benefits. The City is committed to maximizing sustainability benefits by engaging with the public marketplace and increasing the efficiency of procurement procedures and practice.

Sustainable Purchasing Purpose

The purpose is to:

- Embed environmental and ethical criteria into the City's procurement procedures and supply chain management processes and ensure cost effectiveness and competitive pricing.
- Set specifications for goods and services that achieve environmental benefits such as waste reduction, water conservation, energy conservation, and pollution prevention and increase the development and awareness of environmentally sound procurement, efficient and durable products, reusable products and products that contain post-consumer, recyclable, non-toxic, and/or nonpetroleum content.
- Ensure safe and healthy workplaces for the people who produce goods or supply services to the City of London by requiring suppliers to adhere to minimum performance standards with respect to fair labour practices and human rights, based on core labour conventions of the International Labour Organization (ILO), Canadian laws and other applicable environmental and ethical standards as defined in the City's Supplier Code of Conduct.
- Evaluate, as appropriate, products and services based on a full life cycle or total cost of ownership perspective that considers their complete economic, environmental and social costs and benefits.
- Evaluate, as appropriate, the sustainability performance of suppliers' internal operations and rewarding leadership and innovation among Suppliers who contribute to healthy, fair and safe workplaces and practice environmental stewardship.
- Strive to reduce the overall consumption of goods and services, where possible, through more efficient procurement procedures and practices.
- Enhance procurement practices to align with existing City sustainability initiatives, such as Leadership in Energy and Environmental Design (LEED) green building design and E3 Fleets.
- Advance a corporate culture at the City that recognizes and places a priority on sustainability.
- Adhere to the principles of public procurement by continuing to support a process that is open, fair, transparent and competitive and complying with all applicable trade agreements such as The Canadian Free Trade Agreement (CFTA).

Scope

This applies to the procurement of goods, services and construction by all Service Areas. Full implementation of the policy will be phased in over time.

Guidelines

A. Responsibilities

All City Service Areas, Offices and Agencies shall identify and purchase the most environmentally and socially responsible products and services that are available for the intended purpose at a competitive price and that meet the performance requirements. Environmental and social factors that should be considered include, but are not limited to:

- Minimization of virgin material use in product or service life cycle
- Maximization of recycled products used in product or service life cycle
- Environmental cost of entire product or service life cycle
- Reuse of existing products or materials in product or service life cycle
- Recyclability of product
- Minimization of packaging
- Reduction of energy/water consumption
- Toxicity reduction or elimination
- Elimination of uncertified hardwoods in product or service life cycle
- Durability and maintenance requirements
- Ultimate disposal of the product
- Adherence to the minimum social performance standards of the *Supplier Code of Conduct*

Purchasing & Supply staff shall adhere to the guidelines set forth in this policy when making purchasing decisions. Purchasing & Supply will be responsible for ensuring Suppliers comply with the minimum performance standards of the *Supplier Code of Conduct* and will participate in establishing annual action plans and targets, developing relevant tools and procedures, and reporting on annual performance.

City Service Areas shall assist Purchasing & Supply in its implementation of this policy by supporting training, information gathering, developing of environmental specifications, and evaluation of products and services and suppliers sustainability performance. End Users shall work with Purchasing & Supply to set product and service specifications and evaluate products and services based on these specifications.

B. Metrics and Reporting System

Sustainable purchasing performance indicators and annual targets will be defined. A reporting system will track performance against these indicators and report on achievement of targets.

C. Program Resourcing

Adequate resourcing (e.g. human and financial) will be assessed regularly to ensure successful implementation of the Sustainable Purchasing Policy.

D. Phased Implementation

Sustainable Purchasing will be phased in over time through the selection of priority products and service based on a defined set of selection criteria (e.g. cost saving potential, sustainability impacts, market availability).

1.6 Supplier Code of Conduct

The Supplier Code of Conduct sets the minimum performance standards for Suppliers and their subcontractors and supports the City of London's Sustainable Purchasing. The goal of the Supplier Code of Conduct is to ensure safe and healthy workplaces for the people who make goods, services and construction for the City, where human and civil rights conditions meet internationally agreed upon standards.

The Supplier Code of Conduct will ensure that Suppliers are in compliance with the International Labour Standards (i.e. core labour conventions) of the International Labour Organization (ILO), Canadian laws and other applicable environmental and ethical standards. The City will apply the Supplier Code of Conduct as one of the criteria used in its selection of Suppliers. It is a requirement that City Suppliers and their sub-contractors follow this code.

Compliance Requirements

City Suppliers and their sub-contractors must strive to comply with all national and other applicable laws of the country(ies) of operations or applicable to the manufacturing of goods or delivery of services, including, but not limited to those laws relating to working conditions, human rights, health and safety and the environment. For goods and services produced in Canada, Canadian laws will apply. For goods and services produced outside of Canada, and where foreign national laws and the Supplier Code of Conduct address the same issue, the standard that is most stringent will apply, thereby ensuring that all Suppliers, regardless of their place of operation, are meeting a consistent set of minimum performance standards related to human rights and fair workplace practices. The application of the Supplier Code of Conduct will be phased in over time.

Minimum Performance Standards

The following nine standards are based on the ILO International Labour Standards (i.e. labour conventions) that directly support the Universal Declaration of Human Rights and address the worst forms of child and forced labour. These core conventions set out reasonably achievable minimum standards for working conditions in manufacturing facilities and factories internationally. The ILO International Labour Standards are available online at: <http://www.ilo.org>

a. Freely Chosen Employment

The Supplier shall employ workers who choose to be employed by the Supplier's company. The Supplier shall not use any forced, bonded or indentured labour or involuntary prison labour. All work shall be voluntary, and workers shall be free to leave upon reasonable notice.

b. Child Labour

The Supplier shall commit to a zero-tolerance policy toward the use of child labour in any stage of manufacturing. The term "child" refers to any person under the age of 15 (or 14 where the law of the country of manufacture allows). Workers under the age of 18 shall not perform work that is likely to jeopardize the health or safety of young workers. The use of legitimate workplace apprenticeship programs, which comply with all laws and regulations, is permitted.

c. Non-discrimination and Diversity

The Supplier shall promote cooperation, individual responsibility and acceptance of diversity among its employees. The Supplier and its employees shall not engage in discrimination based on race, colour, age, gender, sexual orientation, ethnicity, disability, place of origin, ancestry, source of income, pregnancy, religion, political affiliation, union membership, family status or marital status in hiring and employment practices such as promotions, rewards, and access to training. In addition, workers or potential workers should not be subjected to medical tests that could be unlawfully used in a discriminatory way.

d. Health and Safety

Workers will be provided with a safe and healthy work environment. Conditions in all work and residential facilities shall be safe, clean, and consistent with all applicable laws and regulations regarding occupational health and safety. The Supplier shall adequately inform employees of their health and safety guidelines in terms of equipment, training, management, and work practices.

e. Employee Treatment, Harassment and Abuse

The Supplier's employees shall be treated with respect and dignity and Supplier's disciplinary policies and procedures shall be clearly defined and communicated to employees before application. There shall be no harsh and inhumane treatment, including any physical, sexual, psychological, verbal harassment or abuse, or corporal punishment; nor is there to be the threat of any such treatment.

f. Freedom of Association and Collective Bargaining

The Supplier shall work directly with employees to find solutions to any outstanding legal and employment issues while at all times respecting worker rights to obtain representation, join labour unions, and/or bargain collectively. Workers shall be able to

communicate openly with management regarding working conditions without fear of reprisal, intimidation or harassment.

g. Wages and Benefits

Compensation paid to workers shall comply with all applicable wage laws, including those relating to minimum wages, overtime hours and legally mandated benefits. Employees shall be compensated for overtime hours at such premium rate as is legally required in the country of manufacture or, in those countries where such laws do not exist, at a rate at least equal to their regular hourly compensation rate. Deductions from wages as a disciplinary manner is not permitted and payment shall occur in a timely manner with record of payment (e.g. pay stub).

h. Hours of Work

The Supplier shall ensure regular working hours do not exceed forty eight (48) hours per week, and that the combination of regular hours and required overtime hours do not exceed sixty (60) hours per week except in emergency circumstances.

i. Environmental Responsibility

Suppliers shall take responsibility to reduce the environmental impact of their products and services as well as their overall operations or 'in-house' practices (e.g. energy conservation in their buildings). Suppliers must not be in violation of any national environmental regulations and should be striving to meet third-party standards.

2.0 General Provisions

- 2.1 Unless otherwise provided in accordance with this Policy, the Manager of Purchasing and Supply and the authorized employees of Purchasing and Supply shall act for the City, for the purchase and disposal of all goods and/or services and shall be responsible for providing necessary advice and services required for such purchases and/or disposals in accordance with the method of purchase authorized by this Policy.
- 2.2 No purchase of goods and/or services shall be authorized unless it is in compliance with this Policy. Goods and/or services that are obtained without following the provisions of this Policy will not be accepted, and any invoices received may not be processed for payment.
- 2.3 Unless otherwise provided in accordance with this Policy, the purchase of all goods and/or services shall be authorized in accordance with the provisions of Schedule "A" to this Policy.
- 2.4 Requisitions or purchase orders shall not be arbitrarily structured to alter the relationship of the price to the preauthorized expenditure limit.

- 2.5 The procedures prescribed in this Policy shall be followed to make an award or to make a recommendation of an award to Committee and City Council.
- 2.6 Wherever possible, it should be the intent of the client service areas to procure goods and/or services of like nature as a combined effort in order to benefit from economies of scale.
- 2.7 During the public procurement process, internal City bids will not be considered as the analysis of in-house versus out-source (procurement) will be made prior to any such process.
- 2.8 Definitions specific to this Policy are documented in Section 3.
- 2.9 The City recognizes that mistakes and misunderstandings may occur; bidders may feel aggrieved and may seek to dispute the recommendation of an award of a contract. To maintain the integrity of the process, bidders who believe they have been treated unfairly can make this known by contacting the Manager of Purchasing and Supply prior to the award of the contract. The bidder must file the formal dispute for an appeal in writing within two (2) City of London business days of notification to the bidder by the City that their bid is not acceptable and request a hearing meeting with the Manager of Purchasing and Supply or designate. This meeting must be held within seven (7) City of London business days of notification. If the bidder disagrees with the decision of the hearing meeting the next step is to formally appeal to the City Treasurer or designate in writing within seven (7) City of London business days. If the bidder disagrees with the decision of the City Treasurer, the next step is to formally appeal in writing to the City Clerk within seven (7) City of London business days. The Corporate Services Committee will hear the appeal and make a recommendation to Council regarding the dispute. City Council's decision on the Committee's recommendation is final.

The City may, in its absolute sole discretion, reject any other bids submitted if the bidder, or any officer or Managing Director of the bidder is or has been engaged, either directly or indirectly through another Corporation or personally, in/or during a dispute appeal of decision for the contract award action against the City.

In determining whether or not to reject a bid under this clause, the City will consider delays in awards of this or subsequent City contracts and whether the dispute or appeal is likely to affect the bidder's ability to work with the City, its consultants and representatives, and whether the City's experience with the bidder indicates that the City is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the bidder. The City will also consider delays in awards of subsequent City contracts with other contractors and the potential for those additional costs resulting in delays associated with this dispute/appeal.

There are strict time limits to file a dispute appeal. If the bidder is unsure of the deadline for appeal, they must seek direction from the Manager of Purchasing and Supply. Failure to seek and follow these directions will result in the appeal being dismissed.

- 2.10 This Policy will be reviewed and revised on a periodic basis. It is anticipated that reviews will be conducted every five (5) years or more frequently as required.
- 2.11 Goods and/or services NOT subject to this Policy are listed in Schedule “B”. The final determination of whether goods and/or services qualify for exemption under Schedule “B” shall be determined by the City Treasurer or delegate.
- 2.12 Additional information on the administration of the procurement process can be found in Schedule “E” entitled Materials Management Guidelines.
- 2.13 Where a Service Area does not involve the complete utilization of the City's Purchasing and Supply Division as the procurement agent (e.g., small value contracting, or call-ups under the standing offer agreement, or user-administered tenders) then the Service Area is responsible for: Disclosing designated substances; Including designated substance and asbestos clauses in the tender/contract documents (Refer to Asbestos Management Program Appendices), and providing Pre-Demolition, Alteration or Renovation surveys to include pre-existing designated substance information.
- 2.14 In accordance with Ontario Regulation 191/11 under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) as amended, the City of London shall consider accessibility criteria and features when procuring or acquiring goods, services, or facilities, except where it is not practicable to do so. In which case, an explanation will be provided upon request.
- 2.15 No purchase of goods and services associated with computer software, hardware and/or telecommunications equipment will be authorized without the completion of appropriate Information Technology reviews as determined by Information Technology Services and the authorization, in writing, of the Director, Information Technology Services or designate.

3.0 Definitions

In this Policy, unless a contrary intention appears,

‘Acting’ means the formal delegation of approval authority by the person in the position of authority to the person acting in that role on a temporary basis.

‘Addendum’ (Addenda) means the form of a document used to officially change, add and/or delete information contained within a Competitive Bid. By issuing an Addendum, the Competitive Bid itself changes to incorporate the Addendum.

‘Agreement’ means a formal written legal agreement or contract for the supply of goods, services, equipment or construction.

‘Award’ means a bid is formally accepted by the City and has obtained the required approval as defined in Section 8.5 and Schedule “A”. An award may be executed by the issuance of a Purchase Order, Contract Record or formal Agreement.

‘Best Value’ means the optimal balance of performance and cost determined in accordance with a pre-defined evaluation plan. Best value may include a time horizon that reflects the overall life cycle of a given asset.

‘Bid’ means a response to a competitive bid issued by the City.

‘Bidder’ means a person, corporation or other entity that responds, or intends to respond to a competitive bid.

‘Bid Deposit’ means currencies, certified cheques, bid bond issued by a surety company licensed to operate by the Government of Canada or the Province of Ontario or another form of negotiable instrument acceptable to the City to compensate the City if the successful bidder does not enter into a contract.

‘Blanket Purchase Contract’ means any contract for the purchase of goods and/or services which will be required frequently or repetitively but where the exact quantity of goods and/or services required may not be precisely known or the time period during which the goods and/or services are to be delivered may not be precisely determined.

‘City’ means The Corporation of the City of London.

‘City Treasurer’ means a person, or person ‘acting’ in this capacity with chief responsibility for Corporate Finances at the City (Managing Director, Corporate Services and City Treasurer, Chief Financial Officer).

‘Certificate of Clearance’ from the Workplace Safety and Insurance Board means a certificate issued by an authorized official of the Workplace Safety and Insurance Board certifying that the Board waives its rights under Subsection 141(10) of the Workplace Safety and Insurance Act, R.S.O. 1997, as amended.

'Committee' means the authorizing body (as amended by City Council) that provides initial approval prior to seeking Council approval

'Competitive Bid' means REOI, RFI, RFQUAL, RFP, IRFQ, RFQ or RFT as further defined in this section.

'Consultant' means an external subject matter expert that provides advisory services and/or direction to City Staff when the City requires competency and/or capacity for a particular procurement that is not available in-house, excluding legal, employment and labour relations services.

'Contract' means any formal or deliberate written agreement for the purchase of goods, services, equipment or construction including but not limited to Purchase Order and Agreement. Standard contracts are used for the acquisition of goods and/or services for a specific requirement. Corporate contracts are used for the acquisition of goods and/or services for a group of specific requirements.

'Contracting' means any formal or deliberate written agreement for the purchase of goods, services, equipment or construction including but not limited to Purchase Order and Agreement. Standard contracts are used for the acquisition of goods and/or services for a specific requirement. Corporate contracts are used for the acquisition of goods and/or services for a group of specific requirements.

'Conflict of Interest' means a situation in which the personal interests of Managing Directors, officers and key staff member come into conflict, or appear to come into conflict, with the interests of the City.

'Contract Record' means a document which summarizes the goods and/or services to be purchased.

'Declaration Respecting Workers' Compensation Act, R.S.O. 1990/Corporations Tax Act' means a declaration that the bidder has paid all assessments or compensation payable and has otherwise complied with all requirements of the Workplace Safety and Insurance Board and that the bidder has paid all taxes and/or penalties imposed on it pursuant to the Corporations Tax Act, R.S.O. 1990, CHAPTER C.40, as amended.

'Delegate' means a person who has been delegated approval authority by a position with authority under this Policy (Section 8.7).

'Delegation of Approval Authority' means the formal delegation of authority to perform a specific task or approval by a person in a position with authority under this Policy (Section 8.7), resulting in a 'delegate'.

'Delegation of Approval Authority List' means a list prepared by the Managing Director granting the formal delegation of authority to perform a task or approval (Section 8.7).

‘Dispute Committee’ means a committee comprised of the Manager of Purchasing and Supply (or delegate), the City Treasurer (or delegate), the City Manager (or delegate), and the Managing Director of the client service area involved.

‘Elected Official’ means a member of (London) City Council.

‘Emergency’ means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.

‘Employee - Employer Relationship’ means a worker agrees to work for the City, on a full-time or part-time basis, for a specified or indeterminate period of time, in return for wages or a salary. The City has the right to decide where, when and how the work is to be done.

‘Executed Agreement’ means a formal agreement, either incorporated in the bid documents or prepared by the City or its agents, to be executed by the successful bidder and the City.

‘Fairness Advisor’ means an external resource who focuses on the procurement process and the case law for a procurement, but is also required to have a business perspective and may provide advice to the City.

‘Fairness Commissioner’ means an external resource who works concurrently with the City’s procurement process to proactively make the process fairer and certifies the work at the conclusion. The Commissioner will provide direction to the City as required.

‘Fairness Monitor’ means an external resource who oversees a procurements’ procedural fairness, transparency and adherence, particularly as it relates to the procurement process and provides feedback to the City.

‘Goods and/or Services’ means supplies, services, materials and equipment of every kind required to be used to carry out the operations of a service area.

‘Informal Request for Quotation’ or ‘IRFQ’ means a request for prices on specific goods and/or services from selected suppliers which are submitted in writing, or as specified in the Informal Request for Quotation.

‘Insurance Documents’ means official original documents issued by an insurance company acceptable to the City and, preferably, licensed to operate by the Government of Canada or the Province of Ontario certifying that the bidder is insured in accordance with the City’s insurance requirements and completed on the City standard insurance form (s); as contained in the bid document.

‘Irregular Result’ is defined in Section 8.10.

‘Irregularities Contained in Bids’ is defined in Schedule “C” and includes the appropriate response to those irregularities.

‘Irrevocable Letter of Credit’ means an irrevocable letter on the financial institution’s standard form containing a request that the party to whom it is addressed pay the bearer or a person named therein money as a result of failure to perform or fulfill all the covenants, undertakings, terms, conditions and agreements contained in a contract.

‘Labour and Material Bond’ means a bond issued by a surety company on the City standard Form of Bond to ensure that the contractor will fulfill its obligations to its employees, subcontractors and suppliers and thereby protects the City.

‘Letter of Agreement to Bond’ means a letter or other form issued by a surety company licensed to operate by the Government of Canada or the Province of Ontario advising that, if the bidder is successful the bonding agency will issue the required bonds.

‘Manager of Purchasing and Supply’ means a person responsible for the Purchasing and Supply section at the City. For the purposes of this Policy, when ‘Manager of Purchasing and Supply’ appears it does not include staff that has been delegated approval authority by the ‘Manager of Purchasing and Supply’, unless otherwise noted.

‘Managing Director’ means a person, or person ‘acting’ in this capacity responsible for a service area at the City which includes, but is not limited to the City Treasurer, City Solicitor, City Engineer, City Planner, Chief Building Official and Chief Human Resources Officer.

‘Obsolete’ means City assets that are no longer current or have no functional use due to being replaced by newer assets and still may have some economic value.

‘Pecuniary Interest’ means the opportunity, directly or indirectly, to profit or share in any profit derived from a competitive bid or agreement.

‘Performance Bond’ means a bond issued by a surety company on the City standard Form of Bond executed in connection with a contract and which secures the performance and fulfillment of the undertakings, covenants, terms, conditions and agreements contained in the contracts. These may also be in the form of ‘renewable performance bonds’.

‘Professional Consulting Services’ means a consulting firm, engineer or architect providing professional knowledge or construction design or technical expertise.

‘Program Administrator’ means a person who has been given the responsibility to maintain and monitor the purchasing card program at the City.

‘Proponent’ means the respondent to a Request for Proposal (RFP).

‘Purchase Order’ means the standard City procurement document issued by Purchasing and Supply to formalize a purchasing transaction with a supplier.

‘Purchasing Card’ means a credit card provided by the City’s Finance area and its use is bound by the provisions of the Procurement of Goods and Services Policy.

‘Purchase Requisition’ means a duly authorized written or electronically produced request in an approved format to obtain goods or services.

‘Request for Expression of Interest’ or ‘REOI’ means a focused market research tool used to determine supplier interest in a proposed procurement. It may be issued simultaneously with a Request for Qualifications (RFQUAL) when the proposed procurement is well defined and the purchaser has clear expectations for the procurement.

‘Request for Information’ or ‘RFI’ means a general market research tool to determine which products and services are available, scope out business requirements, and/or estimate project costs which may be used prior to issuing another type of competitive bid.

‘Request for Proposal’ or ‘RFP’ means a process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective suppliers to propose solutions or methods to arrive at the desired result.

‘Request for Qualifications’ or ‘RFQUAL’ means a request for list of qualified suppliers and firms who have an interest in providing services to the City, typically through a two-stage process.

‘Request for Quotation’ or ‘RFQ’ means a request for prices on specific goods and/or services as specified in the Request for Quotation.

‘Request for Tender’ or ‘RFT’ means a request for sealed bids which contain an offer in writing to execute some specified services, or to supply certain specific goods, at a certain price, in response to a publicly advertised request for bids.

‘Scrap’ means City assets that no longer have the ability to function for their original design in their current state and have minimal economic value other than primarily for recycling value.

‘Sealed Bid’ means a formal sealed response received as a part of a competitive bid.

‘Single Source’ means that there is more than one source of supply in the open market, but only one source is recommended due to predetermined and approved specifications. Further qualifications appear in the definition in Section 14.4.

‘Sole Source’ means that the goods and/or services are available from only one supplier. Further qualifications appear in the definition in Section 14.3.

‘Substantive Objection’ means an unsuccessful bidder requests moving to the third stage of dispute resolution as prescribed in Section 2.9.

‘Supplier’ means any individual or organization providing goods or services to the City including but not limited to contractors, consultants, suppliers, service organizations etc.

'Surplus' means City assets that exceed the portion that is utilized by the City, may be current, may have functional use and still have some economic value.

'Tender' means a sealed bid which contains an offer in writing to execute some specified services, or to supply certain specified goods, at a certain price, in response to a publicly advertised request for bids.

'Triggering Event' means an occurrence resulting from an unforeseen action or consequence of an unforeseen event, which must be remedied on a time sensitive basis to avoid a material financial risk to the City or serious or prolonged risk to persons or property.

'Value Analysis' means a life cycle costing approach to valuing a given alternative, which calculates the long term expected impacts of implementing the particular option.

4.0 Responsibilities

4.1. General Responsibilities

- a. All City staff delegated with approval authority (Section 8.7) shall follow the guidelines as set out in Schedule “D” ‘A Statement of Ethics for Public Purchasers’ established by the Ontario Public Buyers’ Association, as well as the City’s Conflict of Interest Policy, and Section 5 below.
- b. Procurement activities shall be subject to all applicable City policies and by-laws, any specific provisions of the Municipal Act, and all other applicable Federal and Provincial legislation.
- c. Failure to adhere to the requirements outlined in this Policy may lead to disciplinary action up to and including termination of employment.
- d. No provision of this Policy precludes a Managing Director or the Manager of Purchasing and Supply with the concurrence of the City Manager from recommending an award to Committee and City Council where:
 - i. in the opinion of a Managing Director, it is in the best interest of the City to do so; or;
 - ii. it is a matter of procurement procedure and, in the opinion of the Manager of Purchasing and Supply, it is in the best interest of the City to do so.

4.2. City Manager

The City Manager has the authority to instruct the Managing Directors not to award contracts and to submit recommendations to Committee and City Council for approval and may provide additional restrictions concerning procurement where such action is considered necessary and in the best interest of the City.

4.3. Managing Directors

- a. Have responsibility for all procurement activities within their service areas and are accountable for achieving best value while following the Procurement of Goods and Services Policy;
- b. Have the authority to delegate approval authority to staff at the appropriate levels within their service areas (Section 8.7);
- c. The Managing Directors have the authority to award contracts in the circumstances specified in this Policy provided that the delegated power is exercised within the limits prescribed in Schedule “A” and the requirements of this Policy are met; and

- d. When the Managing Director is of the opinion that a Triggering Event has occurred, the Managing Director may authorize the purchase of such goods and/or services as is considered necessary to remedy the situation without regard to the requirement for a competitive bid and may approve the necessary contract amendment. The relevant details surrounding the Triggering Event shall be included in a report and submitted to Committee as soon as possible.

4.4. City Treasurer

The City Treasurer is responsible for:

- a. Overseeing the Purchasing and Supply function;
- b. Maintaining ownership over the Procurement of Goods and Services Policy; and
- c. Approval authority as outlined in Schedule “A” and 8.5.

4.5. Manager of Purchasing and Supply

The Manager of Purchasing and Supply is responsible for:

- a. The integrity of the procurement process with the exception of those items listed in Schedule “B”;
- b. Providing professional procurement advice and service to City staff.
- c. Awards within the authority of the Managing Director (or delegate) for which the Manager of Purchasing and Supply may award a contract on behalf of these positions provided that Purchasing and Supply is in receipt of a funded requisition and the requirements of this Policy are met;
- d. Monitoring compliance with this Policy;
- e. Notifying the Senior Management Team, in advance if possible, of non-compliance with this Policy;
- f. Rejecting any Purchase Requisitions for services where the services could result in the establishment of an employee – employer relationship; and
- g. Creating and revising administrative procedures and directions respecting:
 - i. the preparation and development of specifications;
 - ii. the requirements and form of bid deposits;
 - iii. other securities and documentation required or advisable for sealed bids;
 - iv. procedures for the opening, evaluation and recommendation of bid documents; and
 - v. such other matters of an ancillary or incidental nature to more fully carry out the intent and purpose of this Policy.

4.6. Committee and City Council Approval

Despite any other provision of this Policy, the following contracts are subject to Committee and City Council approval:

- a. Any contract requiring approval from the Ontario Municipal Board;
- b. Any contract prescribed by Statute to be made by City Council;
- c. Where a recommendation is being made to amend the total value of a contract in excess of the original bid (plus contingency), and;
 - i. it is an amount greater than \$50,000; or
 - ii. in the opinion of the City Treasurer, funds are not available for the additional expenditure.
- d. Where a Substantive Objection (see definition in Section 3), emanating from the competitive bid has been filed with the City Treasurer prior to award of the contract;
- e. Where there is an irregular result (see Section 8.10); and
- f. Where authority to approve has not been expressly delegated.

5.0 Conflict of Interest

- 5.1 No elected official, appointed officer or employee of the City shall have any pecuniary or controlling interest either direct or indirect in any competitive bid or contract for the supply of goods or services to the City, unless such pecuniary interest is disclosed by the contractor, bidder or person submitting a quotation, as the case may be, or unless such pecuniary interest would be exempt under the Municipal Conflict of Interest Act.
- 5.2 Competitive bid documents shall include a section that requires and provides for the disclosure of any pecuniary interest prior to submission of the bid. Should a conflict of interest arise after the award of a contract, the conflict shall immediately be disclosed in writing to the Manager of Purchasing and Supply. Further, all competitive bid documents and agreements shall provide that in the event that a contract is awarded to a person who has not, during the bidding or contracting process, disclosed the pecuniary interest of an elected official, appointed officer or employee of the City in the contract, the contract may be cancelled at any time by the City in its entire discretion without damages or penalty.
- 5.3 In this section, 'controlling interest' means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than ten

percent (10%) of the voting rights attached to all equity shares of the corporation for the time being outstanding;

- 5.4 For the purposes of this section, a person has an indirect pecuniary interest in any competitive bid or agreement entered into by a corporation, if:
- a. The person or his or her nominee is a shareholder in or a Managing Director or senior officer of a corporation that does not offer in securities to the public.
 - b. Has a controlling interest in or is a Managing Director or senior officer of a corporation that offers securities to the public.
- 5.5 For the purposes of this section, an elected official, appointed officer or employee of the City has an indirect pecuniary interest if the person is a partner of a person or is in the employment of a person or body that has entered into a tender, proposal, quotation or contract with the City.
- 5.6 For the purposes of this section, the pecuniary interest in a Tender, Proposal, Quotation or contract of a parent or spouse or any child of an elected official, appointed officer or employee shall, if known to the person, be deemed to be also the pecuniary interest of the elected official, appointed officer or employee as the case may be.

6.0 Prohibitions

6.1 Division of Contracts

No employee of the City shall divide a purchase or a contract to avoid the requirements of the Tender, Proposal, Quotation or Purchasing Card procedures. Nor shall purchases be split in order to circumvent prescribed spending authority dollar limits as outlined in this Policy

6.2 Interference in the Procurement Process

- a. Elected officials, appointed officers and employees shall not knowingly cause or permit anything to be done or communicated to anyone in a manner which is likely to cause any potential supplier to have an unfair advantage or disadvantage in obtaining a contract for the supply of goods and/or services to the City. This also includes a contract with any other municipality, local board or public body involved in the purchase of goods and/or services either jointly or in cooperation with the City.
- b. Elected officials shall separate themselves from the procurement process and have no involvement whatsoever in specific procurements. Elected officials should not see any documents or receive any information related to a particular procurement while the procurement process is ongoing. Elected officials who

receive inquiries from suppliers related to any specific procurement shall immediately direct those inquiries to the Manager of Purchasing and Supply, or the City Treasurer.

- c. The only exception to the above relates to selection of external auditors or an integrity commissioner whereby elected officials are specifically part of the evaluation team.

6.3 Official Point of Purchasing Contract and Lobbying Prohibition

- a. The City is committed to the highest standards of integrity with respect to the purchase of goods and/or services and managing the processes by which goods and/or services are acquired. The official point of purchasing contact shall be a member of the Purchasing and Supply Team. Should it be necessary or desirable to have a contact person to respond to technical issues that person shall be named in the competitive bid documents. All communications will be made by these individuals and during the procurement process, no bidder or person acting on behalf of the bidder or group of bidders shall contact any elected official, consultant or any employee of the City to attempt to seek information or to influence the award of the contract. Any activity designed to influence the decision process, including, but not limited to, contacting any elected official, consultant or employee of the City for such purposes as meetings of introduction, social events, meals or meetings related to the selection process, shall result in disqualification of the bidder for the project to which the influential activity is deemed to be directed.

Notwithstanding the foregoing, this prohibition does not apply to meetings specifically scheduled by the City Purchasing and Supply group for presentations or negotiations. Any bidder found to be in breach of this Policy shall be subject to immediate disqualification from the procurement process and may be prohibited from future opportunities at the discretion of City Council.

- b. In addition, no bidder who has been awarded the contract shall engage in any contact or activities in an attempt to influence any elected official or any employee of the City with respect to the purchase of additional enhancements, options, or modules. However, a contractor may communicate with the appropriate member of the Purchasing and Supply Team, the Manager of Purchasing and Supply or the City Treasurer for purposes of administration of the contract during the term of the contract.
- c. The determination of what constitutes influential activity is in the sole discretion of the Manager of Purchasing and Supply, acting reasonably, and not subject to appeal.
- d. Contract award decisions shall be based on clear, transparent and objective criteria that is applied free from political considerations or political interference.

7.0 Procurement Documentation

- 7.1 In order to maintain consistency, Purchasing and Supply shall provide guidelines to the City Manager and/or Managing Director on procurement policies and procedures and on the structure, format and general content of procurement documentation.
- 7.2 Purchasing and Supply shall review proposed procurement documentation to ensure clarity, reasonableness and quality and shall advise the City Manager and/or Managing Director of suggested improvements.
- 7.3 Procurement documentation shall avoid use of specific products or brand names.
- 7.4 Notwithstanding Section 7.3, a Managing Director (or delegate) may specify a specific product, brand name or approved equal for essential functionality purposes (with consideration for operating and maintenance costs) to avoid unacceptable risk or for some other valid purpose. In such instances, the Managing Director (or delegate) and Purchasing and Supply shall manage the procurement to achieve a competitive situation whenever possible.
- 7.5 The use of standards in procurement documentation that have been certified, evaluated, qualified, registered or verified by independent nationally recognized and industry-supported organizations such as, but not limited to, the Standards Council of Canada, shall be preferred.
- 7.6 Managing Directors (or delegate) shall:
 - a. Give consideration to Value Analysis, Sustainable Purchasing and Supplier Code of Conduct;
 - b. Ensure that adequate Value Analysis comparisons are conducted to provide assurance that the specification(s) will provide best value;
 - c. Forward the Value Analysis to Purchasing and Supply for documentation in the procurement file; and
 - d. Ensure specification(s) are set to allow for an open competitive process.
- 7.7 All substantive changes to standard clauses in competitive bid documents and standard agreements shall be reviewed and approved by the City Solicitor or delegate.
- 7.8 Unless otherwise noted in this Policy, the Manager of Purchasing and Supply (or delegate) in conjunction with the Managing Director (or delegate) shall issue bid documents for goods and/or services. Purchasing and Supply shall give notice of the issuance of a competitive bid electronically via the internet as well as any other means as appropriate.

7.9 Internal Auditor shall review compliance with the Procurement or Goods and Services Policy, and report to the Audit Committee as set out in their audit plan.

8.0 Approval Authority and Reporting Requirements

8.1 Any person delegated approval authority pursuant to this Policy shall ensure that an approved budget, as described in Section 17 of this Policy, exists for the proposed procurement and that such procurement does not violate any City policies or any applicable law. Any such procurement shall also satisfy any applicable audit and documentation requirements of the City.

8.2 All applicable taxes, duties and shipping shall be excluded in determining the procurement limit of authorized delegates and the type of procurement process to be followed.

8.3 The dollar values identified in this section represent the annual estimated procurement value for a good and/or service to be procured. The annual estimated procurement value is the cumulative value spent over a twelve (12) month period for a particular good and/or service.

8.4 In the case of multi-year supply and/or service contracts, the preauthorized expenditure limit shall refer to the estimated annual expenditure under the contract.

8.5 The following body and persons shall have the respective approval authority as set out below (see summary in Schedule "A"). All dollar values are based on annual amounts and must be within pre-approved budgeted limits.

a. **Committee and City Council** must approve the following awards:

- i. RFP greater than \$100,000;
- ii. RFT greater than \$3,000,000;
- iii. RFQ, RFP and RFT with an irregular result greater than \$100,000 (section 8.10);
- iv. Sole Source or Single Source greater than \$50,000;
- v. Contract extensions greater than \$3,000,000 (section 20.2); and
- vi. Appointment of Professional Consulting Services (Section 15) greater than \$100,000.

b. **Managing Directors or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)** are authorized to approve the following awards:

- i. RFQ (formal quotations) greater than \$50,000 but not exceeding \$100,000; and
 - ii. RFP up to \$100,000;
 - iii. RFT up to \$3,000,000;
 - iv. Sole Source or Single Source up to \$50,000;
 - v. Contract extensions up to \$3,000,000, for Council approved agreements that have clearly defined options to extend (Section 20.2).
- c. **Managing Directors or any employee exercising delegated authority approval** are authorized to approve the following awards;
- i. Informal quotations up to \$50,000; and,
 - ii. Appointment of Professional Consulting Services not exceeding \$100,000 (Section 15).

8.6 Section 8.5 approvals may be overridden in the case of an ‘emergency’ as defined in Section 14.2 of this Policy.

8.7 Delegation of Approval Authority

‘Delegation of Approval Authority’ means the formal delegation of authority to perform a task or approval by a person in a position with authority under this Policy, resulting in a ‘delegate’.

- a. The method for the Managing Directors delegating approval authority is as follows:
- i. The Managing Directors shall prepare a ‘delegation of approval authority list’ within their respective areas;
 - ii. The list will provide evidence that the staff listed have been delegated approval authority by the Managing Director;
 - iii. The list at minimum, shall include the staff person’s name, title and approval limit. The list will also include any acting roles;
 - iv. The list shall be updated immediately upon any change in staff or position;
 - v. A copy of the list shall be sent to the Manager of Purchasing and Supply each time there is a revision;
 - vi. The Manager of Purchasing and Supply will ensure the delegation of approval authority lists are available to all Purchasing and Supply Staff; and

vii. Purchasing and Supply staff will review the list prior to completing tasks that require approval.

b. The Managing Directors and Manager of Purchasing and Supply shall develop a 'delegation of approval authority list' for the approvals and tasks they are responsible for under this Policy.

8.8 Only the Managing Directors may further delegate approval authority to their staff at the procurement values deemed appropriate. Staff that has been delegated approval authority from the Managing Directors to approve procurements shall have no authority to delegate this approval authority to any other person.

8.9 City Council may explicitly delegate further approval authority as it considers necessary from time to time, including but not limited to, any extended time periods during which City Council does not meet.

8.10 Irregular Result

The client Service Area, in conjunction with Purchasing and Supply, shall submit a report to Committee and City Council and receive their approval for the award of a competitive bid greater than \$100,000 if any of the following conditions apply (if the award is less than \$100,000, the Managing Director with the concurrence of the Manager of Purchasing and Supply or delegate may approve the award):

- a. The value of the lowest compliant bid is in excess of the City Council approved budget including any contingency allowance;
- b. The specifications of a competitive bid cannot be met by two (2) or more suppliers;
- c. The award is not being made to a compliant bidder(s) offering the Best Value to the City;
- d. Where a Substantive Objection has been filed with the City Treasurer prior to award of a competitive bid; or
- e. Where in the opinion of the Manager of Purchasing and Supply, the client Service Area award recommendation is not in the best interest of the City.

8.11 Reporting to Committee and City Council

- a. The Managing Directors shall submit an informational report on an annual basis, no later than March 1 to the Manager of Purchasing and Supply containing the details of the contract awards made under Section 8.5.c for their respective Service Areas.
- b. The Manager of Purchasing and Supply shall coordinate data collection and prepare an annual report for submission to City Council including the awards made under section 8.5 b and 8.5 c, no later than April 30. The report will only

include awards that were not processed through Purchasing and Supply, unless otherwise directed by Council. Purchasing and Supply shall certify that the awards are in compliance with this Policy and where non-conformances are identified, corrective action will be taken.

- c. Where a supplier has invoiced the City a cumulative total value of \$100,000 or more in a calendar year, total payments relative to the supplier shall be included in an annual information report to Committee and City Council. The Manager of Purchasing and Supply or Designate shall prepare a report of all Civic Administratively Awarded Tenders for the reporting year.

9.0 Low Dollar Value Procurements (up to \$15,000) – as per Schedule “A”

- 9.1 Procurements up to \$15,000 shall be considered low dollar value procurements
- 9.2 All low dollar value procurements shall utilize applicable City contracts and shall otherwise be in accordance with this Policy.
- 9.3 A corporate Purchasing Card may be used for low dollar value procurements provided the user complies with Section 18 of this Policy.
- 9.4 The Managing Directors may delegate approval authority to their staff for low dollar value procurements and it is their responsibility to ensure that this Policy is adhered to.
- 9.5 All information on low dollar value procurements must be documented and maintained on file.
- 9.6 Low dollar value procurements do not require an RFQ, RFP or RFT. Obtaining competitive quotes is considered a good business practice and should be obtained. An authorized Purchase Requisition submitted to Purchasing and Supply is the preferred method.

10.0 Informal Request For Quotation (IRFQ) (Greater than \$15,000 to \$50,000) – as per Schedule “A”

- 10.1 Procurements greater than \$15,000 but not exceeding \$50,000 are eligible to be completed through an Informal Quotation process. The Managing Director or any employee exercising delegated authority is authorized to award the contract.
- 10.2 All Informal Quotations shall utilize standard applicable Service Area contracts and/or corporate contracts and shall otherwise be in accordance with the Procurement of Goods and Services Policy.

- 10.3 For procurements where there are no applicable Service Area contracts or corporate contracts, informal quotations shall be obtained by the client Service Area in the following manner:
- a. Three (3) written (use of the electronic bidding system is encouraged) bids obtained from three (3) separate potential suppliers;
 - b. A 'No Bid' response shall not be considered as a valid bid;
 - c. All suppliers shall receive the same informal quotation written information;
 - d. The informal quotation shall be awarded to the lowest compliant bid; and
 - e. Documentation on all bids, including but not limited to the prospective bidders list, bid document, bid responses and decision making rationale shall be retained in the client Service Area files in accordance with City Council approved by-laws for records retention, or a minimum of two (2) years.
- 10.4 Staff is encouraged to seek three (3) bids to ensure a more competitive process. If staff has exhausted all efforts to obtain three (3) bids and can support this with documented evidence under Section 10.3 e., a minimum of two (2) written bids is acceptable.
- 10.5 Purchasing and Supply shall assist as requested by the client Service Area, or when deemed necessary, with the Informal Quotation process. Purchasing and Supply may also conduct reviews to ensure the requirements of this section and all other applicable sections of this Policy have been met.
- 10.6 When a client Service Area requires an RFP in lieu of an Informal Quotation, the RFP shall be issued by Purchasing and Supply in the same manner as for RFP's in Section 12 and subject to the approval authority in Section 8.5.b.
- 10.7 Since the informal quotation process does not necessarily go through Purchasing and Supply, the City's standard insurance form must be completed and forwarded by the client Service Area to Insurance and Risk Management for review and input into the Insurance Program. WSIB Certificates of Clearance must be submitted to Accounts Payable at the commencement of the project and periodically as the work is completed and before final payment is released.
- 10.8 An authorized Purchase Requisition is to be sent to Purchasing and Supply and include copies of the bids received. A Purchase Order, Contract Record or Agreement will be issued to formalize the contract with selected supplier.

11.0 Request For Quotation (RFQ) (\$50,000 to \$100,000) – As Per Schedule "A"

- 11.1 RFQ procedures shall be used where:

- a. The item is greater than \$50,000 but not exceeding \$100,000;
 - b. The requirement can be fully defined; and
 - c. Best value for the City will be achieved by an award selection made on the basis of the total lifecycle cost that meets all terms, conditions and specifications.
- 11.2 The Managing Director or any employee exercising delegated authority approval and the Manager of Purchasing and Supply must jointly approve this award.
- 11.3 The Managing Director or any employee exercising delegated authority approval shall provide to Purchasing and Supply a purchase request in writing containing the relevant specifications, budget authorization, approval authority and terms and conditions for the purchase of goods, services or construction.
- 11.4 The client Service Area shall be responsible to review the competitive bid and verify that all terms, conditions and specifications of the bid are met.
- 11.5 Purchasing and Supply shall forward to the Managing Director (or delegate) a summary of the bids and recommend the award of contract to the lowest compliant bid subject to review by the Managing Director (or delegate) regarding specifications and contractor performance.
- 11.6 When a client Service Area requires the issuance of an RFP in lieu of a RFQ, the RFP shall be issued by Purchasing and Supply as described in Section 12 of this Policy and subject to the approval authority in Section 8.5.b.
- 11.7 The City reserves the right in its absolute sole discretion to accept or reject any submission.

12.0 Request for Proposal (RFP) – As Per Schedule “A”

- 12.1 The RFP procedure shall be used where:
- a. The requirement is best described in a general performance specification;
 - b. Innovative solutions are sought; and
 - c. To achieve best value, the award selection will be made on an evaluated point per item or other method involving a combination of mandatory and desirable requirements.
- 12.2 Awards under the RFP process require the following approval:
- a. The Managing Director or any employee exercising delegated authority approval and the Manager of Purchasing and Supply must jointly approve an RFP award for purchases up to \$100,000;

- b. Committee and City Council must approve an RFP award for purchases greater than \$100,000;
 - c. Committee and City Council must approve an RFP award with an irregular result (see definition in Section 8.10).
- 12.3 The RFP process is a competitive method of procurement that may or may not include supplier pre-qualification.
- 12.4 An RFI, REOI or RFQUAL may be issued in advance of a RFP to assist in the development of a more definitive set of terms and conditions, scope of work/service and the selection of qualified suppliers.
- 12.5 An RFI, REOI and RFQUAL shall follow the same award approvals as an RFP, if applicable.
- 12.6 Purchasing and Supply shall maintain a list of suggested evaluation criteria for assistance in formulating an evaluation method for use in an RFP. This may include but not be limited to factors such as qualifications and experience, strategy, approach, methodology, scheduling and past performance, facilities, equipment, pricing, life cycle costing, standardization of product, and aspects that would support environmental procurement. Also see sections 1.5 and 1.6.
- 12.7 Managing Directors or any employee exercising delegated authority approval shall identify appropriate evaluation criteria from the list maintained by Purchasing and Supply for use in a RFP but are not limited to criteria from the list. Cost will always be included as a factor, as best value includes but is not limited to quality and cost.
- 12.8 The Managing Director or any employee exercising delegated authority approval shall provide Purchasing and Supply with a written purchase request in a form acceptable to the Manager of Purchasing and Supply containing the budget authorization, approval authority, terms of reference and evaluation criteria to be applied in evaluating the proposals submitted.
- 12.9 A representative from Purchasing and Supply will be the lead in the RFP process. A selection committee will be formed with a minimum of three evaluators and be comprised of at least one representative from the client Service Area and one representative from Purchasing and Supply. The evaluators shall review all compliant proposals against the established criteria, reach consensus on the final rating results, and ensure that the final rating results with supporting documents, are kept in the procurement file. The Purchasing and Supply representative may or may not participate in the scoring of the proposals.
- 12.10 During the proposal process all communication with proponents shall be through Purchasing and Supply.

- 12.11 Purchasing and Supply shall forward to the Managing Director (or delegate) an evaluation summary of the procurement, as well as the evaluation committee's recommendation for award of contract to the proponent meeting all mandatory requirements and providing best value as stipulated in the RFP. The representative from Purchasing and Supply is responsible for documenting the determination of best value. The criteria and analysis to determine best value will be included (if applicable) in the report to Committee and City Council.
- 12.12 With respect to all reports initiated for RFP, a report on the sources of financing, and other financial commentary as considered appropriate, shall be prepared.
- 12.13 Reporting will not include financial summaries of bids as this information will remain confidential. Any disclosure of information shall be made by the appropriate officer in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended.
- 12.14 Unsuccessful proponents may, upon their request, attend a debriefing session with a Purchasing and Supply representative to review their competitive bid. Any discussions relating to any submissions other than that of the proponent present will be strictly prohibited. This debriefing session is intended to provide general feedback regarding the proponent's rating on various criteria in order to allow the proponent to understand where future improvements might be available.
- 12.15 The City reserves the right in its absolute sole discretion to accept or reject any submission.

13.0 Request for Tender (RFT) (Greater than \$100,000) – As Per Schedule “A”

- 13.1 RFT procedures shall be used where:
 - a. The total cost is expected to be greater than \$100,000;
 - b. The requirement can be fully defined; and
 - c. Best value for the City can be achieved by an award selection made on the basis of the lowest bid that meets all terms, conditions and specifications.
- 13.2 Awards under the RFT process require the following approval:
 - a. Committee and City Council must approve award of tenders greater than \$3,000,000;
 - b. Committee and City Council must approve award of contracts when a tender result is irregular as per Section 8.10 of this Policy.
 - c. Results from \$100,000 to \$3,000,000 that do NOT have an Irregular Result may be awarded administratively.

- 13.3 The Managing Director (or delegate) shall provide to Purchasing and Supply a purchase request in writing containing the relevant specifications, budget authorization, approval authority and terms and conditions for the purchase of goods, services or construction. Specifications may include certain brands of product in order to facilitate standardization of the City's inventory as per Section 7.4 of this Policy.
- 13.4 The Manager of Purchasing and Supply shall be responsible for arranging for the public disclosure of bid submissions at the time and date specified by the bid call.
- 13.5 Purchasing and Supply shall forward to the Managing Director (or delegate) a summary of the bids and recommend award of the contract to the lowest compliant bidder.
- 13.6 With respect to all reports initiated for tenders, there shall be a recommendation report to Committee and City Council containing the sources of financing, and other financial commentary as considered appropriate.

The City reserves the right in its absolute sole discretion to accept or reject any submission.

14.0 Non-Competitive Purchases (Emergency, Sole Source, Single Source)

- 14.1 The requirement for a competitive bid process for the selection of a supplier for goods, services and construction (except for Emergencies – see 14.2) may be waived under authority of the City Manager and replaced with direct negotiations by the Managing Director (or delegate) and Manager of Purchasing and Supply (or delegate) under the following circumstances.
- a. The procurement qualifies as 'Sole Source' as defined in Section 14.3;
 - b. The procurement qualifies as a 'Single Source' as defined in Section 14.4.

14.2 Procurement in Emergencies

For the purposes of this section, "Emergency" means an event or occurrence that the City Manager or Managing Director deem as an immediate threat to:

- Public health;
- The maintenance of essential City services; or
- The welfare and protection of persons, property, or the environment; and the event or occurrence necessitates the immediate need for goods or services to mitigate the emergency and time does not permit for a competitive procurement process.

In the event of an Emergency the City Manager or Managing Director and their respective delegates, Fire Chief or a Deputy Fire Chief, or Chief Building Official or Deputy Chief Building Official, are authorized to enter into a purchase agreement without the requirement for a formal competitive process.

A list of pre-qualified suppliers will be used to select the suppliers, whenever possible.

Where the procurement cost to mitigate the Emergency is anticipated to exceed \$50,000, there must be a notification sent (e-mail contact is acceptable) to the Manager of Purchasing and Supply or delegate. The steps taken to mitigate the Emergency must always be clearly documented regardless of amount and where the aggregate costs for a single supplier are in excess of \$50,000, the emergency procurement shall be reported by the responsible Managing Director to Committee and City Council (including the source of financing) at the next scheduled meeting following the event. The Managing Director responsible for the area leading the emergency procurement must forward the appropriate purchase requisition(s) to the Manager of Purchasing and Supply within five (5) business days after the mitigation activities associated with the emergency event have been terminated.

14.3 Sole Source

The procurement may be conducted using a Sole Source process if the goods and/or services are available from only one supplier by reason of:

- a. Statutory or market based monopoly;
- b. Competition is precluded due to the application of any Act or legislation or because of the existence of patent rights, copyrights, license, technical secrets or controls of raw material; or
- c. The complete item, service, or system is unique to one supplier and no alternative or substitute exists

14.4 Single Source

Single Source means that there is more than one source of supply in the open market, but only one source is recommended due to predetermined and approved specifications.

The procurement may be conducted using a Single Source process if the goods and/or services are available from more than one source, but there are valid and sufficient reasons for selecting one supplier in particular, as follows:

- a. An attempt to acquire the required goods and/or services by soliciting competitive bids has been made in good faith, but has failed to identify more than one willing and compliant supplier;
- b. The confidential nature of the requirement is such that it would not be in the public interest to solicit competitive bids;

- c. Construction, renovations, repairs, maintenance etc. in respect of a building leased by the City may only be done by the lessor of the building, in accordance with a lease agreement;
- d. There is a need for compatibility with goods and/or services previously acquired or the required goods and/or services will be additional to similar goods and/or services being supplied under an existing contract (i.e. contract extension or renewal);
- e. The required goods and/or services are to be supplied by a particular supplier(s) having special knowledge, skills, expertise or experience;
- f. The goods are purchased under circumstances which are exceptionally advantageous to the City, such as in the case of a bankruptcy or receivership;
- g. It is advantageous to the City to acquire the goods or services from a supplier pursuant to the procurement process conducted by another public body;
- h. It is advantageous to the City to acquire the goods or services directly from another public body or public service body;
- i. Another organization is funding or substantially funding the acquisition and has determined the supplier, and the terms and conditions of the commitment into which the City will enter are acceptable to the City;
- j. The acquisition is for a particular brand of goods or services that are intended solely for resale to the public and no other brand is desirable and the brand is not available from any other source; or
- k. Where due to abnormal market conditions, the goods, services or construction required are in short supply.

14.5 Sole Source and Single Source – Approval and Reporting

- a. Awards which qualify to be considered as a Single Source or Sole Source process require the following approval:
 - i. the Managing Director and Manager of Purchasing and Supply, must jointly approve an award not exceeding \$50,000;
 - ii. Committee and City Council must approve an award greater than \$50,000, unless otherwise permitted by this Policy.
- b. For awards under Section 14.5.a.ii, the Managing Director is responsible for submitting a report to Committee and City Council detailing the rationale supporting their decision.

15.0 Appointment of Professional Consulting Services

15.1 General

- a. Senior management staff will be involved in the selection process for Professional Consulting Services. Specifically, Division Managers are to be involved with all projects, and Managing Directors and the City Manager, as appropriate for high-profile projects of increasing complexity or expense.
- b. Under no circumstances shall an extension or expansion of a consulting engagement preclude the required approvals. This includes splitting the project or scope of work into multiple phases or sections. City Council has sole authority to approve and award contracts greater than \$100,000.
- c. If a consulting engagement that has been awarded administratively then exceeds the approval threshold of \$100,000, the Managing Director shall immediately prepare a report to City Council providing a status update and requesting approval to proceed (if applicable).
- d. The Managing Director shall be responsible for ensuring that any substantive clause changes to the standard consulting services agreement are reviewed by the City Solicitor (or delegate) and the agreement is executed by the Mayor and Clerk.
- e. The Managing Director shall be responsible for obtaining and submitting the appropriate insurance and WSIB documents to Risk Management.
- f. The Managing Director shall be responsible for ensuring that all proposal responses and decision making rationale are retained in the client Service Area files in accordance with City Council approved by-laws for records retention, or a minimum of two (2) years.
- g. The Managing Directors shall provide the Manager of Purchasing and Supply, on an annual basis, no later than March 1, administrative awards made in their area to any Professional Consulting Service firms (Sections 15.2 and 15.3) with an aggregate total greater than \$100,000. The Manager of Purchasing and Supply shall coordinate data collection and prepare an annual Appointment of Professional Consulting Services report for submission to City Council, no later than April 30.

15.2 Consulting Engineers, Architects, Landscape Architects and Environmental Consultants

The selection of Professional Consulting Services will follow the requirements of Section 15.1 and;

- a. The City's appointment of Consulting Engineers, Architects, Landscape Architects and Environmental Consultants Policy is adapted from the National

Best Practice for Consultant Selection as described in more detail in the current council adopted City of London Grouped Consultant Selection Process.

- b. A list of pre-approved firms (Consulting Engineers, Architects, Landscape Architects and Environmental Consultants) that provide professional consulting services shall be established by the Managing Director for their respective areas. This candidate firm list shall be supplied to the Manager of Purchasing and Supply on an annual basis, no later than March 1.
- c. Assignments for projects which have estimated fees of less than \$100,000 shall be awarded by the Managing Director to listed candidate firms based on an evaluation of the firm's competency, expertise, costs, past performance on City projects, available capacity, and the size of their operation and the particulars of the work to be done.
- d. Assignments for projects which are more complex in nature but which are within the capability of firms included on the above-mentioned pre-approved list and have estimated fees between \$100,000 and \$365,700, shall be assigned on the basis of a proposal submitted by a minimum of three (3) qualified firms from the list stating their approach to the proposed project and their experience and knowledge of projects of a similar nature. Grouped Consultant Selection process may be undertaken for more than one project if the projects are similar in nature, the consultants possess the skills necessary to undertake this type of work and efficiencies are realized by the City. The process for undertaking grouped consultant selections is further described in the latest version of the council adopted City of London Grouped Consultant Selection Process.
- e. Assignments for complex projects, or projects with estimated consulting fees greater than \$365,700 shall be awarded based on a two (2) stage process with the first stage being an open, publicly advertised expression of interest/pre-qualification stage (REOI/RFQUAL), and the second being a RFP of the short-listed firms, of which there shall be a minimum of three (3) qualified firms stating their approach to the proposed project and their experience and knowledge of projects similar in nature.
- f. The assignments outlined in parts d) and e) above and their related budget shall be subject to the approval of City Council. Prior to award by City Council, City staff will negotiate with the recommended consultant to establish estimated personnel costs and other charges required for these assignments. It is anticipated that an upset fee will be established for the first phase of the project as directed by the Managing Director. City Council approval will be for the entire project noting that the consultant shall obtain the approval of the appropriate Managing Director to proceed with subsequent phases to upset limits as appropriate to the work within the limit of the budget.

- g. A consulting firm which has satisfactorily partially completed a project may be recommended for award of the balance of a project without competition subject to satisfying all financial, reporting and other conditions contained within this Policy. This should be to the financial advantage of the City due to the fact that such a consultant has specific knowledge of the project and has undertaken work for which duplication would be required if another firm were to be selected.

15.3 Other Professional Consulting Services

The selection of Professional Consulting Services which are not included under Section 15.2 will follow the requirements of Section 15.1 and;

- a. Projects which have estimated fees of less than \$100,000 may be awarded by the Managing Director in consultation with the Manager of Purchasing and Supply under the following circumstances:
 - i. the project requires special knowledge, skills, expertise or experience; or
 - ii. another organization is funding or substantially funding the project and has already selected a preferred firm and/or strict timelines have been placed on the funding; or
 - iii. the confidential nature of the project is such that it would not be in the public interest to solicit competitive bids; or
 - iv. the preferred firm has already been selected through a formal procurement process by another public body to provide same or similar services; or
 - v. the project requirement meets the definition of Sole Source, Section 14.3.
- b. The Managing Director is responsible for detailing the rationale supporting their decision to award the recommended firm.
- c. Under this section, all professional consultant proposals must include, at minimum:
 - i. Schedule of fees; and
 - ii. Methodology and timeline to complete project; and
 - iii. Demonstrated experience and qualifications required to perform project; and
 - iv. List of personnel who will be directly involved in the completion of the project.
- d. All requirements for Other Professional Consulting Services (section 15.3) not meeting the selection requirements of section 15.3 a. shall follow the RFP process outlined in section 12.0.

16.0 Blanket Purchase Contracts

- 16.1 A Request for a Blanket Purchase Contract may be used where:
- a. One (1) or more clients repetitively order the same goods or services and the actual demand is not known in advance; and
 - b. A need is anticipated for a range of goods and/or services for a specific purpose, but the actual demand is not known at the outset, and delivery is to be made when a requirement arises.
- 16.2 Purchasing and Supply shall establish and maintain Blanket Purchase Contracts that define source and price with selected suppliers for all frequently used goods or services.
- 16.3 To establish prices and select sources, Purchasing and Supply shall employ the provisions contained in this Policy for the acquisition of goods and/or services and construction labour and materials.
- 16.4 More than one (1) supplier may be selected for the supply of goods or services where it is in the best interests of the City.
- 16.5 Where procurement action is initiated by a Service Area for frequently used goods or services, it is to be made with the supplier or suppliers listed in the Blanket Purchase Contract.
- 16.6 In a Request for Blanket Purchase Contract, the expected quantity of the specified goods or services to be purchased over the time period of the agreement will be as accurate an estimate as practical and be based, to the extent possible, on previous usage adjusted for any known factors that may change usage.

17.0 Requirement for Approved Funds

- 17.1 The exercise of authority to award a contract is subject to the identification and availability of sufficient funds in appropriate accounts within City Council approved budget.
- 17.2 Where goods and/or services are routinely purchased or leased on a multi-year basis, the exercise of authority to award a contract is subject to:
- a. The identification and availability of sufficient funds in appropriate accounts for the current year within City Council approved budget;
 - b. The requirement for the goods or services will continue to exist in subsequent years and, in the opinion of the City Treasurer, the required funding can reasonably be expected to be made available; and

- c. The contract containing a provision that the supply of goods or services in subsequent years is subject to the approval by Committee and City Council of the Service Area estimates to meet the proposed expenditures.

17.3 Construction Tender Call Before and After Approvals

- a. Following the adoption of the capital budget by City Council, the Manager of Purchasing and Supply is authorized to call tenders for municipal construction projects and the acquisition of equipment.
- b. Notwithstanding Section 17.3.a, the Manager of Purchasing and Supply is authorized to obtain, prior to the adoption of the capital budget by City Council, sealed bids for material construction projects and equipment, provided that the documents include a clause specifically stating that the acceptance of a bid and placing of the order is subject to budget approval by Committee and City Council and the items specified are subject to change in quantity and/or deletion.

18.0 Purchasing Cards

18.1 General

- a. Service Area approved employees will be issued Purchasing Cards to use for low-dollar goods and/or services in support of sound business practices. Purchasing Card provision is based on the need to purchase goods and services for the City and the card may be revoked based on change of assignment or location. The provision of a Purchasing Card is not an entitlement nor reflective of title or position.
- b. Benefits of the Corporate Purchasing Card program accrue at the Corporate Finance level by reducing the number of invoices and cheques processed and at the supplier level by reducing their invoicing to the City and the turnaround time for payment.
- c. No employee shall use a Purchasing Card to purchase goods and/or services unless appointed and authorized by the employee's Managing Director (or delegate). Any use of a Purchasing Card shall be in accordance with the Procurement of Goods and Services Policy and all other applicable City by-laws and policies. The requirements for low dollar purchases are specifically covered under Section 9 of the Procurement of Goods and Services Policy. Managing Directors are ultimately responsible for ensuring that purchases within their Service Area are made in accordance with the applicable by-laws and policies.
- d. A Purchasing Card will be issued once the employee has read, signed and submitted the Cardholder Agreement Form to the Program Administrator, which sets out in writing the employee's responsibilities and restrictions regarding the use of the Purchasing Card.

- e. All Purchasing Cards issued will have a predetermined 'single transaction limit', a 'monthly credit limit' and 'blocked commodities' as determined and authorized by the applicable Managing Director (or delegate) and City Treasurer. All Purchasing Cards will be blocked from obtaining cash advances.
- f. The dollar limit for individual purchases and monthly spending limit for each employee will be determined by the Managing Director (or delegate) of their Service Area based on their expected level of procurement and type of procurement. Cardholder limits for single or monthly transactions exceeding \$15,000 must be approved in writing by the Manager of Purchasing and Supply.
- g. Suppliers will not be rejected for refusing to accept the Purchasing Card.
- h. The City assumes liability for all authorized charges on the Purchasing Cards, not the individual cardholder.

18.2 Program Administration, Audit and Monthly Reconciliation

- a. Oversight and administration of the Purchasing Card program is the responsibility of Financial Services and a Program Administrator has been identified in this area. The Program Administrator will maintain a master list of all Purchasing Cards and their limits. In addition, the Program Administrator will establish reporting mechanisms for monthly reconciliation of accounts.
- b. All transactions are subject to review by internal and/or external audit groups. Quarterly reviews to ensure compliance with the Procurement of Goods and Services Policy will be performed by the Manager of Purchasing and Supply. Periodic reviews to ensure compliance with other approved Council by-laws and policies will be performed by Financial Services. All serious compliance issues will be reported to the City Treasurer and Internal Auditor. Less significant compliance issues will be directed to the cardholder's supervisor/manager. A record of all compliance issues will be maintained by the Program Administrator.
- c. All requests for Purchasing Cards, maintenance forms and other documents are to be submitted to the Program Administrator for review and processing. Cardholder or cardholder representatives are not permitted to submit forms directly to the bank. All original cardholder agreements and other cardholder maintenance forms are to be maintained by the Program Administrator.
- d. Payment will automatically be withdrawn from the General Operating Bank Account following the monthly statement date. If individual cards have not been reconciled and approved for payment by the deadline each month, expenditures will be charged directly to the default cost center attached to the card. Service Area representatives are responsible to ensure that the statement is submitted and the expenditures are allocated to the correct general ledger accounts.

- e. Reconciled and authorized monthly statements are to be submitted to Corporate Finance no later than the last working day of the month. Each transaction must include an explanation or purpose of the expenditure.
- f. Cardholders shall provide original detailed and itemized receipts for each transaction with the monthly cardholder statement. If circumstances arise where a detailed receipt cannot be obtained, a Declaration Form may be submitted in place of a detailed receipt. Declaration Form limits and procedures shall be determined by the City Treasurer or delegate.

18.3 Responsibilities and Restrictions

- a. The Purchasing Card shall not be used:
 - i. for any purchase of goods and/or services that are prohibited under the Procurement of Goods and Services Policy any other City by-law or policy;
 - ii. for personal use other than incidental personal use as part of a business expense, which must be reimbursed at the time of the monthly reconciliation;
 - iii. when the total purchase price exceeds the single purchase limit on the card;
 - iv. when an exclusive contract with another vendor is in effect for the goods and/or service (unless pre-authorized in writing by the Manager of Purchasing and Supply);
 - v. for items which are stocked at City Stores except under extenuating circumstances; and,
 - vi. for any computer software, hardware and/or telecommunications equipment such as telephones, cellular phones, tablets and mobile radios except by designated staff in Information Technology Division authorized by the Director, Information Technology Services or designate.
- b. The following items require pre-authorized written approval by the cardholder's Expense Review Officer:
 - i. The purchase of prepaid gift cards, prepaid gift certificates, prepaid grocery cards, or any other prepaid merchant cards; or,
 - ii. The purchase of alcohol while on City business, team building, employee appreciation, or otherwise. Note: alcohol purchased for resale to the public at City facilities (e.g. Golf Courses) is exempted from this specific restriction.

A copy of the written approval must be included with the monthly statement when submitted to Financial Services.

- c. Individual transactions are not to be subject to splitting or stringing, which is the practice of committing multiple purchasing card transactions to circumvent delegated authority levels and thus bypassing the City's competitive bidding process, nor are Purchasing Cards to be used on a repetitive basis to circumvent prescribed approval authority limits. With the appropriate approvals, cardholder limits may be increased either temporarily or permanently based on need by contacting the Program Administrator or submitting an authorized Cardholder Maintenance Form.
- d. All refunds and credits must be applied to the original Purchasing Card. Where vendor return policies allow, cardholders are not to return products for refunds in the form of gift cards or other prepaid cards.
- e. Permanent full-time employment status is required to obtain a Purchasing Card. Students, contractors, consultants or seasonal employees will not be granted a card except under special circumstances and approved in writing by the City Manager.
- f. The Purchasing Card is user-specific and therefore no employee shall attempt to purchase an item using a card issued to another employee. Delegation of authority is not permitted in making transactions.
- g. The cardholder's supervisor/manager is responsible for notifying the Program Administrator immediately upon any change in the cardholder's employment status. This includes, but is not limited to termination, layoff, leave of absence and long term disability. If applicable, the plastic card should also be returned to the Program Administrator.
- h. Employees will adhere to the Corporation's Code of Ethics, Section (a), which states 'an employee will use his/her position with the Corporation solely for the gain and service of the Corporation and not to secure advantage, benefit, favour, or service for self, relatives, friends or associates. This includes the selection of a vendor based upon 'air miles' or 'reward points' that reward customers for purchases.
- i. When a Purchasing Card is used to procure goods and/or services (including meals or items that would be considered personal in nature) and two (2) or more City employees are present, the most senior person in organizational authority must pay for the expenditure and prepare the respective monthly cardholder statement. If this is not feasible, the cardholder statement listing the expenditure shall be approved by the manager or Expense Review Officer, as outlined in the Corporate Travel and Business Expense Policy of the most senior person in authority present.

18.4 Misuse and/or Failure to Meet Cardholder's Responsibilities

Misuse of the Purchasing Card and/or failure to meet any of the Cardholder's responsibilities may result in cancellation of the employee's authority to use a Purchasing Card and/or further disciplinary action up to and including termination of employment.

19.0 Bid Administration

19.1 Submission of Bids

The City uses an electronic bidding system. The bidding rules are contained within the system.

19.2 Bid Irregularities

Where a bid is received that includes irregularities, the City will follow the protocol as appropriate for the particular irregularity. The protocol for bid irregularities and their associated responses are detailed in Schedule "C". Mandatory Requirements MUST be met or there will be an Automatic rejection.

19.3 No Acceptable or Equal Bids

- a. Where bids are received that exceed budget, are not responsive to the requirement, or do not represent fair market value, a revised competitive bid shall be issued in an effort to obtain an acceptable bid unless Section 19.3.b applies.
- b. The Managing Director and the Manager of Purchasing and Supply jointly may waive the need for a revised competitive bid and enter into negotiations with the lowest responsive bidder, emanating from a competitive bid, under the following circumstances:
 - i. the total cost of the lowest responsive bid is in excess of the funds appropriated by City Council for the project; and,
 - ii. the Managing Director and the Manager of Purchasing and Supply agree that the changes required to achieve an acceptable bid will not change the general nature of the requirement described in the competitive bid.
- c. The method of negotiation shall be those accepted as standard negotiating procedures that employ ethical public procurement practices in consultation with the Manager of Purchasing and Supply.
- d. In the case of building construction contracts, where the total cost of the lowest responsive bid is in excess of the appropriation made by City Council, negotiations shall be made in accordance with the guidelines established by the Canadian Construction Documents Committee and in consultation with the Manager of Purchasing and Supply.

- e. The City reserves the right in its absolute and sole discretion to cease negotiations and reject any offer.
- f. In the unlikely event that two (2) or more compliant equal bids are submitted during a competitive bid process, Purchasing and Supply will offer an opportunity for bidders to re- bid. Should a tie persist, the following factors will be considered:
 - i. payment discount;
 - ii. when delivery is an important factor, the bidder offering the best delivery date is given preference;
 - iii. a bidder in a position to offer better after sales service, with a good record in this regard shall be given preference;
 - iv. a bidder with an overall satisfactory performance record shall be given preference over a bidder known to have an unsatisfactory performance record or no previous experience with the City; and,
 - v. if the considerations above do not break the tie, equal bidders shall draw straws in no preferential order held by the Manager of Purchasing and Supply or delegate and witnessed by a member of the Purchasing and Supply Team. The bidder who draws the longest straw will be the winner, and thus breaking the tie.

19.4 Only One Bid Received

- a. In the event only one bid is received in response to a competitive bid, the Manager of Purchasing and Supply may return the unopened bid to the bidder when, in the opinion of the Managing Director (or delegate) and the Manager of Purchasing and Supply, using criteria, based on the number of bids which might reasonably be expected on a given type of bid, additional bids could be secured. In returning the unopened bid, the Manager of Purchasing and Supply shall inform the bidder that the City may be re-issuing the competitive bid at a later date
- b. In the event that only one bid is received in response to a request for competitive bid, the bid may be opened and evaluated in accordance with the City's usual procedures when, in the opinion of the Managing Director (or delegate) and the Manager of Purchasing and Supply, the bid should be considered by the City. If, after evaluation by the Managing Director (or delegate) and the Manager of Purchasing and Supply, the bid is found not to be acceptable, they may follow the procedures set out in Section 19.3.a., with necessary modifications
- c. In the event that the bid received is found acceptable, it will be awarded as an Irregular Result under Schedule "A" of this Policy.

19.5 Exclusion of Bidders Due to Poor Performance

- a. The City Treasurer may, in consultation with the City Solicitor, prohibit unsatisfactory suppliers and contractors from bidding on any future competitive bids for a time period appropriate with the results of the performance evaluation process as outlined in Section 20.5.
- b. Suppliers may also be prohibited from bidding on any future contract if they maintain officers, Managing Directors, or employees who are also officers, Managing Directors, or employers of suppliers who have already been prohibited from bidding based on the results of the performance evaluation process as outlined in Section 20.5 of this Policy.

19.6 Exclusion of Bidders in Litigation and disputes or appeals of contract awards

- a. The City may, in its absolute sole discretion, reject a bid submitted if the bidder, or any officer or Managing Director of the bidder is or has been engaged, either directly or indirectly through another Corporation or personally, in a legal action against the City, its elected or appointed officers and employees in relation to:
 - i. any other contract or services; or,
 - ii. any matter arising from the City's exercise of its powers, duties, or functions; or,
 - iii. a dispute and/or an appeal of contract awards as per section 2.9
- b. In determining whether or not to reject a bid under this clause, the City will consider whether the litigation is likely to affect the bidder's ability to work with the City, its consultants and representatives, and whether the City's experience with the bidder indicates that the City is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the bidder.

20.0 Contract Administration

20.1 Contractual Agreement

- a. The award of a contract may be made by way of an Agreement, Contract Record or Purchase Order.
- b. A Purchase Order or Contract Record is to be used when the resulting contract is straightforward and will contain the City's standard terms and conditions.
- c. Agreement is to be used when the resulting contract is complex and will contain terms and conditions other than the City's standard terms and conditions.

- d. It shall be the responsibility of the Managing Director (or delegate) with the Manager of Purchasing and Supply and/or the City Solicitor to determine if it is in the best interest of the City to establish an agreement with the supplier.
- e. Where it is determined that Section 20.1.d is to apply, the agreement shall be reviewed for execution by the City Solicitor.
- f. Where an agreement is required, as a result of the award of a contract by delegated authority, the Mayor and City Clerk shall execute the agreement in the name of the City.
- g. Where an agreement is issued, Purchasing and Supply may issue a Purchase Order or Contract Record incorporating the formal agreement.
- h. Where an agreement is not required, Purchasing and Supply shall issue an authorized Purchase Order or Contract Record incorporating the terms and conditions relevant to the award of contract.

20.2 Exercise of Contract Renewal Options

- a. Where a contract contains an option for renewal, the Managing Director may authorize Purchasing and Supply to exercise such option provided that all of the following apply:
 - i. the supplier's performance in supplying the goods and/or services or construction is considered to have met the requirements of the contract;
 - ii. any price increases are consistent with the prevailing market conditions for the goods or services being purchased;
 - iii. the facts justifying the decision to award this supplier previously are still relevant at the time of contract renewal
 - iv. funds are available or will be available in appropriate accounts within City Council approved budget, including authorized revisions, to meet the proposed expenditure;
 - v. The Committee report, if applicable, clearly identified the options to extend;
 - vi. the Managing Director and the Manager of Purchasing and Supply agree that the exercise of the option is in the best interest of the City; and,
 - vii. compliance with Sections i) through v) is documented, authorized by the Managing Director and forwarded to Purchasing and Supply.
- b. Approval for contract renewals and extensions shall be governed by Section 8.5 and Schedule "A".

20.3 Contract Amendments

- a. No amendment to a contract shall be made unless the amendment is in the best interest of the City.
- b. No amendment that changes the price of a contract shall be agreed to without a corresponding change in requirement or scope of work.
- c. Amendments to contracts are subject to the identification and availability of sufficient funds in appropriate accounts within City Council approved budgets including authorized amendments.
- d. Managing Directors may authorize amendments when:
 - i. the total amended value of the contract (original contract plus amendment) is within the approval limit as noted in Schedule "A"; or
 - ii. the contract amendment will not exceed the Council approved source of financing by an amount greater than \$50,000 or 3% of contract value, whichever is greater, and there are funds available.
- e. City Council must authorize contract amendments when:
 - i. the total amended value of the contract will be greater than the administrative (Managing Director) approval threshold; or
 - ii. the total amended value of the contract will exceed the Council approved source of financing by an amount greater than \$50,000 or 3% of contract value, whichever is greater, and there are funds available.

20.4 Execution and Custody of Documents

- a. The Mayor and City Clerk are authorized as per By-law A-1 or resolution by Council to execute formal agreements in the name of the City for which the award was made by delegated authority.
- b. Purchasing and Supply shall have the authority to execute Purchase Orders and/or Contract Records issued in accordance with this Policy.
- c. Purchasing and Supply shall be responsible for the safeguarding of all original procurement and contract documents/records for the contracting of goods, services or construction for which the award is made by delegated authority.
- d. Managing Directors are responsible for executing and retaining all documents in accordance with Section 10.3.e of this Policy.

20.5 Performance Evaluation

- a. At the outset of a project, the client Service Area manager shall institute a performance evaluation process in contracts where the Manager and/or Purchasing and Supply determine that a performance evaluation would be appropriate

- b. The performance evaluation shall rate the performance of the supplier, contractor or consultant on standard criteria adopted from time to time (i.e. failure to meet contract specifications, terms and conditions, health and safety violations, etc.). A copy of the introductory letter and performance evaluations shall be provided to the supplier, contractor or consultant in advance of the contract, and shall remain constant for the duration of the contract. Performance issues must be noted in writing with a copy to the supplier, Purchasing and Supply and a copy to the Service Area project file. Performance issues must also be noted in any project meeting minutes
- c. On completion of the project, the client Service Area manager will meet with Purchasing and Supply to review the evaluation. All supporting documents pertaining to any substandard performance and comments must be attached to the evaluation document. Purchasing and Supply will forward a copy of the completed evaluation to the supplier, contractor or consultant for their records. The supplier, contractor or consultant may request a meeting with the client Service Area manager and a representative from Purchasing and Supply to discuss the evaluation and shall have twenty (20) calendar days following delivery of the evaluation to request an appeal. This appeal shall be forwarded to Purchasing and Supply.
- d. The appeal shall be conducted by a dispute committee which will hear from both City staff or its consultants and the supplier at a time and place appointed in writing by the Committee. The decision of the Dispute Committee shall be in writing and it shall be final.
- e. The performance evaluation shall determine whether a supplier, contractor or consultant will:
 - i. be allowed to renew a contract with the City;
 - ii. be placed on a probationary list for a minimum of two (2) years during which time they shall be permitted to bid or propose work for the City with the understanding that the work will be closely monitored; or
 - iii. be prohibited from bidding on any contracts with the City during a three (3) year period, followed by a one (1) year probationary period after reinstatement as provided for in Section 19.5.
- f. In reaching a decision, the Dispute Committee shall rely upon the evaluation criteria determined in advance of the project and the results of prior performance evaluations relating to other contracts performed by the same supplier.
- g. No tender, proposal or quotation will be accepted from any supplier during the term of the suspension.

21.0 General

21.1 Cooperative Purchasing

- a. The City may participate with other government agencies or public authorities in cooperative purchasing where it is in the best interests of the City to do so.
- b. The decision to participate in cooperative purchasing agreements will be made by the Manager of Purchasing and Supply
- c. The individual policies of the government agencies or public authorities participating in the cooperative competitive bid are to be the accepted by-law for that particular competitive bid.

21.2 Direct Solicitation

- a. Unsolicited proposals received by the City shall be referred to the Manager of Purchasing and Supply for review.
- b. Any procurement activity resulting from the receipt of an unsolicited proposal shall comply with the provisions of this Policy.
- c. A contract resulting from an unsolicited proposal shall be awarded on a non-competitive basis only when the procurement complies with the requirements of a non-competitive procurement, as detailed in Section 14.

21.3 Resolution of Questions

Any question involving the meaning or application of this Policy is to be submitted to the City Treasurer who will resolve the question.

21.4 Access to Information

- a. The disclosure of information received relevant to the issue of competitive bids or the award of contracts emanating from competitive bids shall be made by the appropriate officers in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended.
- b. All records and information pertaining to competitive bids, which reveal a trade secret or scientific, technical, commercial, financial or other labour relations information, supplied in confidence implicitly or explicitly, shall remain confidential if the disclosure could reasonably be expected to:
 - i. significantly prejudice the competitive position or significantly interfere with the contractual or other negotiations of a person, corporation or other entity that responds, or intends to respond to a request for bids;
 - ii. result in similar information no longer being supplied to the City where it is in the public interest that similar information continues to be so supplied;

- iii. result in undue loss or gain to any person, group, committee or financial institution or agency; or,
- iv. result in information whose disclosure could reasonably be expected to be injurious to the financial interests of the City.

21.5 Local or Geographical Preference

The City shall not give any local or geographical preference during the competitive bid process. The City may mandate certain bona fide on-site response time requirements for specific situations.

21.6 Terms and Conditions

All standard City Terms and Conditions for all procurement activities will govern unless there is written approval for the proposed changes from the Client Managing Director and the City Solicitor

21.7 Receipt of Goods

- a. Managing Directors or any employee exercising delegated authority approval shall:
 - i. arrange for the prompt inspection of goods on receipt to confirm conformance with the terms of the contract; and
 - ii. inform Purchasing and Supply of discrepancies immediately.
- b. Purchasing and Supply shall coordinate an appropriate course of action with the Managing Director for any non-performance or discrepancies.

21.8 City of London Regional Water Supply Division

This Policy will apply to all City of London Regional Water Supply Division procurement up to the approvals required by Committee and City Council. Approvals beyond these dollar value thresholds will be made by the Joint Boards of Management for the Lake Huron and Elgin Area Water Supply Systems.

21.9 Application of Trade Agreements

This Policy is subject to applicable Trade Agreements.

SCHEDULE “A” – Levels of Contract Approval Authority

Sales taxes, excise taxes, goods and service taxes and duties shall be excluded in determining the price of a contract for the supply of goods or services for the purpose of the relationship of the price to the preauthorized expenditure limit. In the case of multi-year supply and/or service contracts, the preauthorized expenditure limit shall refer to the estimated annual expenditure under the contract. Emergencies as defined in Section 14.2 are exempt from this Approval Authority.

Dollar Value (excluding taxes, duty or shipping)	Tool / Procurement Process	Approval Authority	Policy Section
Under \$15,000	Purchasing Card or Purchase Order	Managing Director or any employee exercising delegated authority approval	9
Greater than \$15,000 to \$50,000	IRFQ (Informal Request for Quotation) – three written quotes. Note: A copy of the quotes must be provided to Purchasing and Supply for their records.	Managing Director or any employee exercising delegated authority approval	10
Greater than \$50,000 to \$100,000	RFQ	Managing Director or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)	11
Up to \$100,000	RFP	Managing Director or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)	12
Greater than \$100,000 to \$3,000,000	RFT without an Irregular Result	Managing Director or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)	13

Dollar Value (excluding taxes, duty or shipping)	Tool / Procurement Process	Approval Authority	Policy Section
Greater than \$3,000,000	RFT	Committee and City Council	13
Greater than \$100,000	All RFQ and RFP. RFT with an Irregular Result	Committee and City Council	11,12,13 & 8.10
Up to \$50,000	Single Source or Sole Source	Managing Director and Manager of Purchasing and Supply (jointly) – requires documented rationale	14.3 & 14.4
Greater than \$50,000	Single Source or Sole Source	Committee and City Council	14.3 & 14.4
Less than \$3,000,000	Contract Extensions – previously approved by City Council	Managing Director and Manager of Purchasing and Supply (jointly) – requires documented rationale	20.2
Greater than \$3,000,000	Contract Extensions – previously approved by City Council	Committee and City Council	20.2
Up to \$50,000 or 3% of the Contract Value	Contract Amendments – subject to availability of sufficient funds in appropriate accounts and budget	Managing Director or any employee exercising delegated authority approval OR Committee and City Council	20.3

Note: The City Manager may also exercise the approval authority of a Managing Director.

Note: For all IRFQ, RFQ, RFP, RFT as outlined under policy sections 8.10,10, 11, 12, and 13, the criteria and analysis to determine best value must be clearly documented if not the lowest bid.

SCHEDULE “A” – Levels of Contract Approval Authority [Continued]

For the Appointment of Professional Consulting Services:

Dollar Value (excluding taxes, duty or shipping)	Tool / Procurement Process	Approval Authority	Policy Section
Less than \$100,000	Appointment from Pre- approved List	Managing Director	15
\$100,000 to \$365,700	Proposals invited from 3 Firms on Pre-approved List	City Council	15
Greater than \$365,700	Two stages: REOI/RFQUAL and RFP	City Council	15

Note: The City Manager may also exercise the approval authority of a Managing Director.

SCHEDULE “B” – Goods and/or Services NOT Subject to this Policy

1. Training and Education including:
 - i. Conferences, Seminars, Courses and Conventions ii Magazines, Subscriptions, Periodicals
 - ii. Memberships
 - iii. Staff Development
 - iv. Staff Workshops
 - v. Staff Relations
2. Refundable Employee Expenses in accordance with the Travel and Business Expense Policy.
3. Corporate General Expenses including:
 - i. Payroll and Payroll Deductions
 - ii. Medicals
 - iii. Insurance Premiums, Claim Settlements and Adjuster Services
 - iv. Tax Remittances, GST/HST Cost Recovery Reviews and WSIB Remittances
 - v. Charges to and from Other Government Agencies
 - vi. Development Charges
 - vii. Postage
 - viii. Newspaper Advertising
 - ix. Retirement Recognition Awards
 - x. Investment Management Services
 - xi. Employee Group Benefits, Compensation, Programs, Consulting and Reviews
4. Licenses, certificates and other approvals required.
5. Election materials - The City Clerk has the authority to purchase goods, services and equipment considered necessary or advisable to carry out the requirements of the Municipal Elections Act, R.S.O. 1996, as amended. The City Clerk shall wherever possible be guided by the provisions of this Policy.
6. Ongoing maintenance and actions to maintain present functionality of existing computer hardware and software. All requests for purchases of computer

systems (hardware and software that will be connected to the corporate network) must be reviewed by Information Technology Services and expressly authorized, in writing, by the Director, Information Technology Services or designate.

7. Professional and skilled services provided to individuals as part of approved programs within Corporate or Community Services including but not limited to medical services, home care services, counseling services and child care.
8. Professional and special services up to \$100,000, or defined more specifically in another City by-law or Council Policy, including, but not limited to:
 - i. Additional Non-recurring Accounting and Auditing Services
 - ii. Public Debenture Sales
 - iii. Realty Services for Lease, Acquisition, Demolition, Sale and Appraisal of Land and Property, including Appraisal and Consulting Services relating to matters of Expropriation
 - iv. Performance / Artist's Fees
 - v. Property Tax Bill Printing and Mailing Services
 - vi. Integrity Commissioner Services

Professional and special services exceeding \$100,000 must follow the approval process outlined on Schedule "A".

9. Utilities - Water and Waste Water, Electricity, Electrical Inspection Services, Phone and Natural Gas.
10. Construction work completed by Railways (CN and CP) and billed to the City.
11. Urgent Facilities Maintenance/Repairs/Renovations as deemed appropriate by the City Treasurer and/or City Engineer with the concurrence of the City Manager.
12. Legal Services and Labour Relations Services as deemed appropriate by the City Solicitor and/or the Chief Human Resources Officer up to \$ 250,000.
13. Construction relocations as approved by the City Utilities Co-ordination Committee.
14. Services provided for City construction projects within a railway right-of-way as required by the rail authority having jurisdiction.
15. Revenue Generation Services provided to or by the City of London with the intent to generate revenue for the City.

16. Planning and Development or Re-development Projects to purchase, sell or repurpose property or other City assets.
17. Banking Services where covered by agreements and provided either directly by the City's contracted Banking Services provider or by one of the contracted Banking Services provider's strategic partners, affiliates or holdings as deemed appropriate by the City Treasurer and with the concurrence of the City Manager.

SCHEDULE “C” – Irregularities Contained in Bids

Irregularity	Response
1. Late bids.	Automatic rejection
2. Insufficient financial security (no bid deposit or insufficient	Automatic rejection
3. Failure to insert the name of the bonding company in the	Automatic rejection
4. Failure to provide a letter of agreement to bond/ letter of	Automatic rejection
5. Incomplete, illegible or obscure bids or bids which contain additions not called for, erasures, alterations, errors or irregularities of any kind.	May be rejected as informal – Mandatory Requirements must be met or Automatic rejection
6. Documents, in which all addenda have not been	Automatic rejection
7. Failure to attend mandatory	Automatic rejection
8. Bids received on documents other than those provided by	Automatic rejection
9. Failure to insert the bidder’s business name in one of the	Automatic rejection
10. Conditions placed by the bidder on the total contract	Automatic rejection

Irregularity	Response
<p>11. Bids containing minor mathematical errors</p>	<ul style="list-style-type: none"> a) If the amount bid for a unit price item does not agree with the extension of the estimated quantity and the bid unit price, or if the extension has not been made, the unit price shall govern and the total price shall be corrected accordingly. b) If both the unit price and the total price are left blank, then both shall be considered as zero. c) If the unit price is left blank but a total price is shown for the item, the unit price shall be established by dividing the total price by the estimated quantity. d) If the total price is left blank for a lump sum item, it shall be considered as zero. e) If the bid documents contain an error in addition and/or subtraction and/or transcription in the approved competitive bid documentation format requested (i.e. not the additional supporting documentation supplied), the error shall be corrected and the corrected total contract price shall govern. f) Bid documents containing prices which appear to be so unbalanced as to likely affect the interests of the City adversely may be rejected.

SCHEDULE “D” - Statement of Ethics for Public Purchasers

The Ontario Public Buyers Association’s Code of Ethics is based upon the following tenets and all employees who are authorized to purchase goods and/or services on behalf of the City are to adhere to the following.

1. Open and Honest Dealings with Everyone who is Involved in the Purchasing Process. This includes all businesses with which this City contracts or from which it purchases goods and/or services, as well as all members of our staff and of the public who utilize the services of the Purchasing and Supply Team.
2. Fair and Impartial Award Recommendations for All Contracts and Tenders. This means that we do not extend preferential treatment to any supplier, including local companies. Not only is it against the law, it is not good business practice, since it limits fair and open competition for all potential suppliers and is therefore a detriment to obtaining the best possible value for each tax dollar.
3. An Irreproachable Standard of Personal Integrity on the Part of All Those Delegated as Purchasing Representatives for This City. Absolutely no gifts or favours are accepted by the purchasing representatives of this City in return for business or the consideration of business. Also, the purchasing representatives of this City do not publicly endorse one company in order to give that company an advantage over others.
4. Cooperation with Other Public Agencies in Order to Obtain the Best Possible Value for Every Tax Dollar. The City is a member of a cooperative purchasing group. Made up of several public agencies, this group pools its expertise and resources in order to practice good Value Analysis and to purchase goods and/or services in volume and save tax dollars.
5. Continuous Development of Purchasing Skills and Knowledge. All members of the Purchasing and Supply Team take advantage of the many opportunities provided by the Ontario Public Buyers Association to further their knowledge of good public purchasing principles and to maintain excellent skills.

SCHEDULE “E” – Materials Management Guidelines

1. Materials Management and Inventory Control

The Manager of Purchasing and Supply or delegate shall be solely responsible for the operation of all inventory and warehouse operations at Greenway Pollution Control Plant, A.J. Tyler and Exeter Road Operations centers. A system of materials management and inventory control methods shall be used to maintain an adequate level of commodities to support and supply all Service Areas.

2. Inventory Control System

- a. A physical inventory of stock items shall be taken on a periodic basis.
- b. An adequate allowance for inventory obsolescence shall be maintained.

3. Control of Goods in Use

The Manager of Purchasing and Supply or delegate may periodically perform a physical count and inventory of all goods that are not in inventory but are used and stored by various Service Areas. The Managing Director shall provide any necessary assistance required. As a result of such a review, goods may be placed into inventory, transferred, declared surplus or otherwise disposed.

4. No Separate Procurement of Commodities in Inventory

Commodities which are available from Purchasing Stores inventory and which are suitable for the intended end use shall not be requisitioned or purchased on a direct charge basis.

5. Disposal of Materials and Equipment Considered to be Obsolete and/or Surplus

- a. All Service Areas shall notify the Manager of Purchasing and Supply or delegate when items become obsolete or surplus to their requirements. Options to allow for trade-in allowance will be considered when purchasing new equipment.
- b. The Manager of Purchasing and Supply shall be responsible for ascertaining if the items can be of use to another civic Service Area rather than disposed of.
- c. Items that are not claimed for use by another Service Area may be offered for sealed bids, public auction or other public sale, depending in the opinion of the Manager of Purchasing and Supply on which method is most suitable for the equipment or material involved.
- d. Auctions are held as required dependent upon individual circumstances such as delivery of replacement items and storage capacity.

- e. The revenue from the sale of obsolete material shall be credited to the appropriate account(s).

6. Periodic Bids for Auctioneer Services

The Manager of Purchasing and Supply is authorized to obtain sealed bids for auctioneer services on a periodic basis from qualified auctioneers.

7. Disposal of Materials and Equipment Considered to be Scrap

- a. Where scrap material is available for disposal, the relevant area Manager shall inform the Manager of Purchasing and Supply who shall be responsible for the disposal of all scrap material belonging to the City.
- b. The Manager of Purchasing and Supply, after determining the value and possible alternate uses of the scrap material, may dispose of the material by:
 - i. general advertising to secure sealed bids;
 - ii. direct contact with the appropriate dealers to view the scrap and submit offers to purchase;
 - iii. public auction; or
 - iv. other methods as deemed appropriate.
- c. The revenue from the sale of scrap material shall be credited to the appropriate account(s).

Procurement of Goods and Services Policy

The Corporation of the
City of London

Revised: June 26, 2018



Revised: June 26th, 2018

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1.0 **Procurement Goals and Objectives**

MISSION

To obtain the right goods and/or services when needed while achieving best value through a transparent, fair and competitive process with a high focus on Customer Service.

- 1.1 This Policy outlines the processes to be followed in order to obtain the best value when purchasing goods, or contracting services for the Corporation of the City of London (herein after known as 'City').
- 1.2 The guiding principle is that procurement decisions will be made using a competitive process that is open, transparent and fair.
- 1.3 The City encourages innovation and the use of technology which meets City specifications and industry standards in order to ensure the utilization of the most efficient and effective procurement processes and practices.
- 1.4 The City will consider the total costs, including, but not limited to, acquisition, operating, training, maintenance, quality, warranty, payment terms, disposal value and disposal costs in evaluating competitive bids from responsive and responsible bidders. Where costs are submitted for more than one year, the net present value of the annual costs will be used to evaluate the costs at a discount value concurred by the City Treasurer.

The Purchasing and Supply function fully embraces the philosophy of continuous improvement and will continue to be a leader in advanced public procurement solutions that are quality focused and consider the 'Total Cost of Ownership' where possible.

The City encourages its supply chain partners to have similar quality considerations with their procurement of goods and services.

1.5 **Sustainable Purchasing**

Sustainable Purchasing is a framework for procurement decision-making that will contribute to the City of London's procurement objective to achieve best value for the City by considering the full life cycle of products and their complete economic, environmental and social costs and benefits.

The City of London recognizes that through its procurement function it has the power to bring about environmental and social improvements both locally and globally while maximizing economic benefits. The City is committed to maximizing sustainability benefits by engaging with the public marketplace and increasing the efficiency of procurement procedures and practices.

1.5 Sustainable Purchasing cont'dPurpose

The purpose is to:

- Embed environmental and ethical criteria into the City's procurement procedures and supply chain management processes and ensure cost effectiveness and competitive pricing.
- Set specifications for goods and services that achieve environmental benefits such as waste reduction, water conservation, energy conservation, and pollution prevention and increase the development and awareness of environmentally sound procurement, efficient and durable products, reusable products and products that contain post-consumer, recyclable, non-toxic, and/or nonpetroleum content.
- Ensure safe and healthy workplaces for the people who produce goods or supply services to the City of London by requiring suppliers to adhere to minimum performance standards with respect to fair labour practices and human rights, based on core labour conventions of the International Labour Organization (ILO), Canadian laws and other applicable environmental and ethical standards as defined in the City's *Supplier Code of Conduct*.
- Evaluate, as appropriate, products and services based on a full life cycle or total cost of ownership perspective that considers their complete economic, environmental and social costs and benefits.
- Evaluate, as appropriate, the sustainability performance of suppliers' internal operations and rewarding leadership and innovation among Suppliers who contribute to healthy, fair and safe workplaces and practice environmental stewardship.
- Strive to reduce the overall consumption of goods and services, where possible, through more efficient procurement procedures and practices.
- Enhance procurement practices to align with existing City sustainability initiatives, such as Leadership in Energy and Environmental Design (LEED) green building design and E3 Fleets.
- Advance a corporate culture at the City that recognizes and places a priority on sustainability.
- Adhere to the principles of public procurement by continuing to support a process that is open, fair, transparent and competitive and complying with all applicable trade agreements such as ~~the Agreement on Internal Trade (A.I.T.) and the Trade, Investment and Labour Mobility Agreement (TILMA)~~ The Canadian Free Trade Agreement (CFTA).

Scope

This applies to the procurement of goods, services and construction by all Service Areas. Full implementation of the policy will be phased in over time.

1.5 Sustainable Purchasing cont'dGuidelines**A. Responsibilities**

All City Service Areas, Offices and Agencies shall identify and purchase the most environmentally and socially responsible products and services that are available for the intended purpose at a competitive price and that meet the performance requirements. Environmental and social factors that should be considered include, but are not limited to:

- Minimization of virgin material use in product or service life cycle
- Maximization of recycled products used in product or service life cycle
- Environmental cost of entire product or service life cycle
- Reuse of existing products or materials in product or service life cycle
- Recyclability of product
- Minimization of packaging
- Reduction of energy/water consumption
- Toxicity reduction or elimination
- Elimination of uncertified hardwoods in product or service life cycle
- Durability and maintenance requirements
- Ultimate disposal of the product
- Adherence to the minimum social performance standards of the *Supplier Code of Conduct*

Purchasing & Supply staff shall adhere to the guidelines set forth in this policy when making purchasing decisions. Purchasing & Supply will be responsible for ensuring Suppliers comply with the minimum performance standards of the *Supplier Code of Conduct* and will participate in establishing annual action plans and targets, developing relevant tools and procedures, and reporting on annual performance.

City Service Areas shall assist Purchasing & Supply in its implementation of this policy by supporting training, information gathering, developing of environmental specifications, and evaluation of products and services and suppliers sustainability performance. End Users shall work with Purchasing & Supply to set product and service specifications and evaluate products and services based on these specifications.

B. Metrics and Reporting System

Sustainable purchasing performance indicators and annual targets will be defined. A reporting system will track performance against these indicators and report on achievement of targets.

C. Program Resourcing

Adequate resourcing (e.g. human and financial) will be assessed regularly to ensure successful implementation of the *Sustainable Purchasing Policy*.

D. Phased Implementation

Sustainable Purchasing will be phased in over time through the selection of priority products and service based on a defined set of selection criteria (e.g. cost saving potential, sustainability impacts, market availability).

1.6 Supplier Code of Conduct

The *Supplier Code of Conduct* sets the minimum performance standards for Suppliers and their subcontractors and supports the City of London's *Sustainable Purchasing*. The goal of the *Supplier Code of Conduct* is to ensure safe and healthy workplaces for the people who make goods, services and construction for the City, where human and civil rights conditions meet internationally agreed upon standards.

The *Supplier Code of Conduct* will ensure that Suppliers are in compliance with the International Labour Standards (i.e. core labour conventions) of the International Labour Organization (ILO), Canadian laws and other applicable environmental and ethical standards. The City will apply the *Supplier Code of Conduct* as one of the criteria used in its selection of Suppliers. It is a requirement that City Suppliers and their sub-contractors follow this code.

Compliance Requirements

City Suppliers and their sub-contractors must strive to comply with all national and other applicable laws of the country(ies) of operations or applicable to the manufacturing of goods or delivery of services, including, but not limited to those laws relating to working conditions, human rights, health and safety and the environment. For goods and services produced in Canada, Canadian laws will apply. For goods and services produced outside of Canada, and where foreign national laws and the *Supplier Code of Conduct* address the same issue, the standard that is most stringent will apply, thereby ensuring that all Suppliers, regardless of their place of operation, are meeting a consistent set of minimum performance standards related to human rights and fair workplace practices. The application of the *Supplier Code of Conduct* will be phased in over time.

Minimum Performance Standards

The following nine standards are based on the ILO International Labour Standards (i.e. labour conventions) that directly support the Universal Declaration of Human Rights and address the worst forms of child and forced labour. These core conventions set out reasonably achievable minimum standards for working conditions in manufacturing facilities and factories internationally. The ILO International Labour Standards are available online at: <http://www.ilo.org/ilolex/english/convdisp1.htm>.

a. Freely Chosen Employment

The Supplier shall employ workers who choose to be employed by the Supplier's company. The Supplier shall not use any forced, bonded or indentured labour or involuntary prison labour. All work shall be voluntary, and workers shall be free to leave upon reasonable notice.

b. Child Labour

The Supplier shall commit to a zero-tolerance policy toward the use of child labour in any stage of manufacturing. The term "child" refers to any person under the age of 15 (or 14 where the law of the country of manufacture allows). Workers under the age of 18 shall not perform work that is likely to jeopardize the health or safety of young workers. The use of legitimate workplace apprenticeship programs, which comply with all laws and regulations, is permitted.

1.6 Minimum Performance Standards cont'd**c. Non-discrimination and Diversity**

The Supplier shall promote cooperation, individual responsibility and acceptance of diversity among its employees. The Supplier and its employees shall not engage in discrimination based on race, colour, age, gender, sexual orientation, ethnicity, disability, place of origin, ancestry, source of income, pregnancy, religion, political affiliation, union membership, family status or marital status in hiring and employment practices such as promotions, rewards, and access to training. In addition, workers or potential workers should not be subjected to medical tests that could be unlawfully used in a discriminatory way.

d. Health and Safety

Workers will be provided with a safe and healthy work environment. Conditions in all work and residential facilities shall be safe, clean, and consistent with all applicable laws and regulations regarding occupational health and safety. The Supplier shall adequately inform employees of their health and safety guidelines in terms of equipment, training, management, and work practices.

e. Employee Treatment, Harassment and Abuse

The Supplier's employees shall be treated with respect and dignity and Supplier's disciplinary policies and procedures shall be clearly defined and communicated to employees before application. There shall be no harsh and inhumane treatment, including any physical, sexual, psychological, verbal harassment or abuse, or corporal punishment; nor is there to be the threat of any such treatment.

f. Freedom of Association and Collective Bargaining

The Supplier shall work directly with employees to find solutions to any outstanding legal and employment issues while at all times respecting worker rights to obtain representation, join labour unions, and/or bargain collectively. Workers shall be able to communicate openly with management regarding working conditions without fear of reprisal, intimidation or harassment.

g. Wages and Benefits

Compensation paid to workers shall comply with all applicable wage laws, including those relating to minimum wages, overtime hours and legally mandated benefits. Employees shall be compensated for overtime hours at such premium rate as is legally required in the country of manufacture or, in those countries where such laws do not exist, at a rate at least equal to their regular hourly compensation rate. Deductions from wages as a disciplinary manner is not permitted and payment shall occur in a timely manner with record of payment (e.g. pay stub).

h. Hours of Work

The Supplier shall ensure regular working hours do not exceed forty eight (48) hours per week, and that the combination of regular hours and required overtime hours do not exceed sixty (60) hours per week except in emergency circumstances.

i. Environmental Responsibility

Suppliers shall take responsibility to reduce the environmental impact of their products and services as well as their overall operations or 'in-house' practices (e.g. energy conservation in their buildings). Suppliers must not be in violation of any national environmental regulations and should be striving to meet third-party standards.

2.0 **General Provisions**

- 2.1 Unless otherwise provided in accordance with this Policy, the Manager of Purchasing and Supply and the authorized employees of Purchasing and Supply shall act for the City, for the purchase and disposal of all goods and/or services and shall be responsible for providing necessary advice and services required for such purchases and/or disposals in accordance with the method of purchase authorized by this Policy.
- 2.2 No purchase of goods and/or services shall be authorized unless it is in compliance with this Policy. Goods and/or services that are obtained without following the provisions of this Policy will not be accepted, and any invoices received may not be processed for payment.
- 2.3 Unless otherwise provided in accordance with this Policy, the purchase of all goods and/or services shall be authorized in accordance with the provisions of Schedule "A" to this Policy.
- 2.4 Requisitions or purchase orders shall not be arbitrarily structured to alter the relationship of the price to the preauthorized expenditure limit.
- 2.5 The procedures prescribed in this Policy shall be followed to make an award or to make a recommendation of an award to Committee and City Council.
- 2.6 Wherever possible, it should be the intent of the client service areas to procure goods and/or services of like nature as a combined effort in order to benefit from economies of scale.
- 2.7 During the public procurement process, internal City bids will not be considered as the analysis of in-house versus out-source (procurement) will be made prior to any such process.
- 2.8 Definitions specific to this Policy are documented in Section 3.
- 2.9 The City recognizes that mistakes and misunderstandings may occur; bidders may feel aggrieved and may seek to dispute the recommendation of an award of a contract. To maintain the integrity of the process, bidders who believe they have been treated unfairly can make this known by contacting the Manager of Purchasing and Supply prior to the award of the contract. The bidder must file the formal dispute for an appeal in writing within **two (2) City of London** business days of notification to the bidder by the City that their bid is not acceptable and request a hearing meeting with the Manager of Purchasing and Supply or designate. This meeting must be held within **seven (7) City of London** business days of notification. If the bidder disagrees with the decision of the hearing meeting the next step is to formally appeal to the City Treasurer or designate in writing within **seven (7) City of London** business days. If the bidder disagrees with the decision of the City Treasurer, the next step is to formally appeal in writing to the City Clerk within **seven (7) City of London** business days. The Corporate Services Committee will hear the appeal and make a recommendation to Council regarding the dispute. City Council's decision on the Committee's recommendation is final.

The City may, in its absolute sole discretion, reject any other bids submitted if the bidder, or any officer or Managing Director of the bidder is or has been engaged, either directly or indirectly through another Corporation or personally, in/or during a dispute appeal of decision for the contract award action against the City.

In determining whether or not to reject a bid under this clause, the City will consider delays in awards of this or subsequent City contracts and whether the dispute or appeal is likely to affect the bidder's ability to work with the City, its consultants and representatives, and whether the City's experience with the bidder indicates that the City is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the bidder. The City will also consider delays in awards of subsequent City contracts with other contractors and the potential for those additional costs resulting in delays associated with this dispute/appeal.

2.9 General Provisions cont'd

There are strict time limits to file a dispute appeal. If the bidder is unsure of the deadline for appeal, they must seek direction from the Manager of Purchasing and Supply. Failure to seek and follow these directions will result in the appeal being dismissed.

- 2.10 This Policy will be reviewed and revised on a periodic basis. It is anticipated that reviews will be conducted every five (5) years or more frequently as required.
- 2.11 Goods and/or services NOT subject to this Policy are listed in Schedule "B". The final determination of whether goods and/or services qualify for exemption under Schedule "B" shall be determined by the City Treasurer or delegate.
- 2.12 Additional information on the administration of the procurement process can be found in Schedule "E" entitled **Materials Management Guidelines**.
- 2.13 Where a Service Area does not involve the complete utilization of the City's Purchasing and Supply Division as the procurement agent (e.g., small value contracting, or call-ups under the standing offer agreement, or user-administered tenders) then the Service Area is responsible for: Disclosing designated substances; Including designated substance and asbestos clauses in the tender/contract documents (Refer to Asbestos Management Program Appendices), and providing Pre-Demolition, Alteration or Renovation surveys to include pre-existing designated substance information.
- 2.14 In accordance with Ontario Regulation 191/11 under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) **as amended**, the City of London shall consider accessibility criteria and features when procuring or acquiring goods, services, or facilities, except where it is not practicable to do so. In which case, an explanation will be provided upon request.
- 2.15 No purchase of goods and services associated with computer software, hardware and/or telecommunications equipment will be authorized without the completion of appropriate Information Technology reviews as determined by Information Technology Services and the authorization, in writing, of the Director, Information Technology Services or designate.

Definitions

3.0

In this Policy, unless a contrary intention appears,

'Acting' means the formal delegation of approval authority by the person in the position of authority to the person acting in that role on a temporary basis.

'Addendum' (Addenda) means the form of a document used to officially change, add and/or delete information contained within a Competitive Bid. By issuing an Addendum, the Competitive Bid itself changes to incorporate the Addendum.

'Agreement' means a formal written legal agreement or contract for the supply of goods, services, equipment or construction.

3.0 Definitions cont'd

'Award' means a bid is formally accepted by the City and has obtained the required approval as defined in Section 8.5 and Schedule "A". An award may be executed by the issuance of a Purchase Order, Contract Record or formal Agreement.

'Best Value' means the optimal balance of performance and cost determined in accordance with a pre-defined evaluation plan. Best value may include a time horizon that reflects the overall life cycle of a given asset.

'Bid' means a response to a competitive bid issued by the City.

'Bidder' means a person, corporation or other entity that responds, or intends to respond to a competitive bid.

'Bid Deposit' means currencies, certified cheques, bid bond issued by a surety company licensed to operate by the Government of Canada or the Province of Ontario or another form of negotiable instrument acceptable to the City to compensate the City if the successful bidder does not enter into a contract.

'Blanket Purchase Contract' means any contract for the purchase of goods and/or services which will be required frequently or repetitively but where the exact quantity of goods and/or services required may not be precisely known or the time period during which the goods and/or services are to be delivered may not be precisely determined.

'City' means The Corporation of the City of London.

'City Treasurer' means a person, or person 'acting' in this capacity with chief responsibility for Corporate Finances at the City (Managing Director, Corporate Services and City Treasurer, Chief Financial Officer).

'Certificate of Clearance' from the Workplace Safety and Insurance Board means a certificate issued by an authorized official of the Workplace Safety and Insurance Board certifying that the Board waives its rights under Subsection 141(10) of the Workplace Safety and Insurance Act, R.S.O. 1997, **as amended**.

'Committee' means the authorizing body (as amended by City Council) that provides initial approval prior to seeking Council approval.

'Competitive Bid' means REOI, RFI, **RFQUAL**, RFP, **IRFQ**, RFQ or RFT as further defined in this section.

'Consultant' means an external subject matter expert that provides advisory services and/or direction to City Staff when the City requires competency and/or capacity for a particular procurement that is not available in-house, excluding legal, employment and labour relations services.

3.0 Definitions cont'd

'Contract' means any formal or deliberate written agreement for the purchase of goods, services, equipment or construction including but not limited to Purchase Order and Agreement. Standard contracts are used for the acquisition of goods and/or services for a specific requirement. Corporate contracts are used for the acquisition of goods and/or services for a group of specific requirements.

'Contracting' means any formal or deliberate written agreement for the purchase of goods, services, equipment or construction including but not limited to Purchase Order and Agreement. Standard contracts are used for the acquisition of goods and/or services for a specific requirement. Corporate contracts are used for the acquisition of goods and/or services for a group of specific requirements.

'Conflict of Interest' means a situation in which the personal interests of Managing Directors, officers and key staff member come into conflict, or appear to come into conflict, with the interests of the City.

'Contract Record' means a document which summarizes the goods and/or services to be purchased.

'Declaration Respecting Workers' Compensation Act, R.S.O. 1990/Corporations Tax Act' means a declaration that the bidder has paid all assessments or compensation payable and has otherwise complied with all requirements of the Workplace Safety and Insurance Board and that the bidder has paid all taxes and/or penalties imposed on it pursuant to the Corporations Tax Act, R.S.O. 1990, CHAPTER C.40, **as amended.**

'Delegate' means a person who has been delegated approval authority by a position with authority under this Policy (Section 8.7).

'Delegation of Approval Authority' means the formal delegation of authority to perform a specific task or approval by a person in a position with authority under this Policy (Section 8.7), resulting in a 'delegate'.

'Delegation of Approval Authority List' means a list prepared by the Managing Director granting the formal delegation of authority to perform a task or approval (Section 8.7).

'Dispute Committee' means a committee comprised of the Manager of Purchasing and Supply (or delegate), the City Treasurer (or delegate), the City Manager (or delegate), and the Managing Director of the client service area involved.

'Elected Official' means a member of (London) City Council.

'Emergency' means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.

3.0 Definitions cont'd

'Employee - Employer Relationship' means a worker agrees to work for the City, on a full-time or part-time basis, for a specified or indeterminate period of time, in return for wages or a salary. The City has the right to decide where, when and how the work is to be done.

'Executed Agreement' means a formal agreement, either incorporated in the bid documents or prepared by the City or its agents, to be executed by the successful bidder and the City.

'Fairness Advisor' means an external resource who focuses on the procurement process and the case law for a procurement, but is also required to have a business perspective and may provide advice to the City.

'Fairness Commissioner' means an external resource who works concurrently with the City's procurement process to proactively make the process fairer and certifies the work at the conclusion. The Commissioner will provide direction to the City as required.

'Fairness Monitor' means an external resource who oversees a procurements' procedural fairness, transparency and adherence, particularly as it relates to the procurement process and provides feedback to the City.

'Goods and/or Services' means supplies, services, materials and equipment of every kind required to be used to carry out the operations of a service area.

'Informal Request for Quotation' or 'IRFQ' means a request for prices on specific goods and/or services from selected suppliers which are submitted in writing, or as specified in the Informal Request for Quotation.

'Insurance Documents' means official original documents issued by an insurance company acceptable to the City and, preferably, licensed to operate by the Government of Canada or the Province of Ontario certifying that the bidder is insured in accordance with the City's insurance requirements and completed on the City standard insurance form (s); as contained in the bid document.

'Irregular Result' is defined in Section 8.10.

'Irregularities Contained in Bids' is defined in Schedule "C" and includes the appropriate response to those irregularities.

'Irrevocable Letter of Credit' means an irrevocable letter on the financial institution's standard form containing a request that the party to whom it is addressed pay the bearer or a person named therein money as a result of failure to perform or fulfill all the covenants, undertakings, terms, conditions and agreements contained in a contract.

'Labour and Material Bond' means a bond issued by a surety company on the City standard Form of Bond to ensure that the contractor will fulfill its obligations to its employees, subcontractors and suppliers and thereby protects the City.

'Letter of Agreement to Bond' means a letter or other form issued by a surety company licensed to operate by the Government of Canada or the Province of Ontario advising that, if the bidder is successful the bonding agency will issue the required bonds.

3.0 Definitions cont'd

‘Manager of Purchasing and Supply’ means a person responsible for the Purchasing and Supply section at the City. For the purposes of this Policy, when ‘Manager of Purchasing and Supply’ appears it does not include staff that has been delegated approval authority by the ‘Manager of Purchasing and Supply’, unless otherwise noted.

‘Managing Director’ means a person, or person ‘acting’ in this capacity responsible for a service area at the City which includes, but is not limited to the City Treasurer, City Solicitor, City Engineer, City Planner, Chief Building Official and Chief Human Resources Officer.

‘Obsolete’ means City assets that are no longer current or have no functional use due to being replaced by newer assets and still may have some economic value.

‘Pecuniary Interest’ means the opportunity, directly or indirectly, to profit or share in any profit derived from a competitive bid or agreement.

‘Performance Bond’ means a bond issued by a surety company on the City standard Form of Bond executed in connection with a contract and which secures the performance and fulfillment of the undertakings, covenants, terms, conditions and agreements contained in the contracts. These may also be in the form of ‘renewable performance bonds’.

‘Professional Consulting Services’ means a consulting firm, engineer or architect providing professional knowledge or construction design or technical expertise.

‘Program Administrator’ means a person who has been given the responsibility to maintain and monitor the purchasing card program at the City.

‘Proponent’ means the respondent to a Request for Proposal (RFP).

‘Purchase Order’ means the standard City procurement document issued by Purchasing and Supply to formalize a purchasing transaction with a supplier.

‘Purchasing Card’ means a credit card provided by the City’s Finance area and its use is bound by the provisions of the Procurement of Goods and Services Policy.

‘Purchase Requisition’ means a duly authorized written or electronically produced request in an approved format to obtain goods or services.

‘Request for Expression of Interest’ or ‘REOI’ means a focused market research tool used to determine supplier interest in a proposed procurement. It may be issued simultaneously with a Request for Qualifications (RFQUAL) when the proposed procurement is well defined and the purchaser has clear expectations for the procurement.

‘Request for Information’ or ‘RFI’ means a general market research tool to determine which products and services are available, scope out business requirements, and/or estimate project costs which may be used prior to issuing another type of competitive bid.

3.0 Definitions cont'd

'Request for Proposal' or 'RFP' means a process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective suppliers to propose solutions or methods to arrive at the desired result.

'Request for Qualifications' or 'RFQUAL' means a request for list of qualified suppliers and firms who have an interest in providing services to the City, typically through a two-stage process.

'Request for Quotation' or 'RFQ' means a request for prices on specific goods and/or services from selected suppliers which are submitted in writing, or as specified in the Request for Quotation.

'Request for Tender' or 'RFT' means a request for sealed bids which contain an offer in writing to execute some specified services, or to supply certain specific goods, at a certain price, in response to a publicly advertised request for bids.

'Scrap' means City assets that no longer have the ability to function for their original design in their current state and have minimal economic value other than primarily for recycling value.

'Sealed Bid' means a formal sealed response received as a part of a competitive bid.

'Single Source' means that there is more than one source of supply in the open market, but only one source is recommended due to predetermined and approved specifications. Further qualifications appear in the definition in Section 14.4.

'Sole Source' means that the goods and/or services are available from only one supplier. Further qualifications appear in the definition in Section 14.3.

'Substantive Objection' means an unsuccessful bidder requests moving to the third stage of dispute resolution as prescribed in Section 2.9.

'Supplier' means any individual or organization providing goods or services to the City including but not limited to contractors, consultants, suppliers, service organizations etc.

'Surplus' means City assets that exceed the portion that is utilized by the City, may be current, may have functional use and still have some economic value.

'Tender' means a sealed bid which contains an offer in writing to execute some specified services, or to supply certain specified goods, at a certain price, in response to a publicly advertised request for bids.

'Triggering Event' means an occurrence resulting from an unforeseen action or consequence of an unforeseen event, which must be remedied on a time sensitive basis to avoid a material financial risk to the City or serious or prolonged risk to persons or property.

'Value Analysis' means a life cycle costing approach to valuing a given alternative, which calculates the long term expected impacts of implementing the particular option.

4.0 **Responsibilities**

4.1 **General Responsibilities**

- a. All City staff delegated with approval authority (Section 8.7) shall follow the guidelines as set out in Schedule "D" 'A Statement of Ethics for Public Purchasers' established by the Ontario Public Buyers' Association, as well as the City's Conflict of Interest Policy, and Section 5 below.
- b. Procurement activities shall be subject to all applicable City policies and by-laws, any specific provisions of the Municipal Act, and all other applicable Federal and Provincial legislation.
- c. Failure to adhere to the requirements outlined in this Policy may lead to disciplinary action up to and including termination of employment.
- d. No provision of this Policy precludes a Managing Director or the Manager of Purchasing and Supply with the concurrence of the City Manager from recommending an award to Committee and City Council where:
 - i in the opinion of a Managing Director, it is in the best interest of the City to do so; or;
 - ii it is a matter of procurement procedure and, in the opinion of the Manager of Purchasing and Supply, it is in the best interest of the City to do so.

4.2 **City Manager**

The City Manager has the authority to instruct the Managing Directors not to award contracts and to submit recommendations to Committee and City Council for approval and may provide additional restrictions concerning procurement where such action is considered necessary and in the best interest of the City.

4.3 **Managing Directors**

- a. Have responsibility for all procurement activities within their service areas and are accountable for achieving best value while following the Procurement of Goods and Services Policy;
- b. Have the authority to delegate approval authority to staff at the appropriate levels within their service areas (Section 8.7);
- c. The Managing Directors have the authority to award contracts in the circumstances specified in this Policy provided that the delegated power is exercised within the limits prescribed in Schedule "A" and the requirements of this Policy are met; and
- d. When the Managing Director is of the opinion that a Triggering Event has occurred, the Managing Director may authorize the purchase of such goods and/or services as is considered necessary to remedy the situation without regard to the requirement for a competitive bid and may approve the necessary contract amendment. The relevant details surrounding the Triggering Event shall be included in a report and submitted to Committee as soon as possible.

4.4 City Treasurer

The City Treasurer is responsible for:

- a. Overseeing the Purchasing and Supply function;
- b. Maintaining ownership over the Procurement of Goods and Services Policy; and
- c. Approval authority as outlined in Schedule "A" and 8.5.

4.5 Manager of Purchasing and Supply

The Manager of Purchasing and Supply is responsible for:

- a. The integrity of the procurement process with the exception of those items listed in Schedule "B";
- b. Providing professional procurement advice and service to City staff.
- c. Awards within the authority of the Managing Director (or delegate) for which the Manager of Purchasing and Supply may award a contract on behalf of these positions provided that Purchasing and Supply is in receipt of a funded requisition and the requirements of this Policy are met;
- d. Monitoring compliance with this Policy;
- e. Notifying the Senior Management Team, in advance if possible, of non-compliance with this Policy;
- f. Rejecting any Purchase Requisitions for services where the services could result in the establishment of an employee – employer relationship; and
- g. Creating and revising administrative procedures and directions respecting:
 - i the preparation and development of specifications;
 - ii the requirements and form of bid deposits;
 - iii other securities and documentation required or advisable for sealed bids;
 - iv procedures for the opening, evaluation and recommendation of bid documents; and
 - v such other matters of an ancillary or incidental nature to more fully carry out the intent and purpose of this Policy.

4.6 Committee and City Council Approval

Despite any other provision of this Policy, the following contracts are subject to Committee and City Council approval:

- a. Any contract requiring approval from the Ontario Municipal Board;
- b. Any contract prescribed by Statute to be made by City Council;
- c. Where a recommendation is being made to amend the total value of a contract in excess of the original bid (plus contingency), and;

4.6 Committee and City Council Approval...cont'd

- i it is an amount greater than \$50,000; or
- ii in the opinion of the City Treasurer, funds are not available for the additional expenditure.
- d. Where a Substantive Objection (see definition in Section 3), emanating from the competitive bid has been filed with the City Treasurer prior to award of the contract;
- e. Where there is an irregular result (see Section 8.10); and
- f. Where authority to approve has not been expressly delegated.

5.0 **Conflict of Interest**

5.1 No elected official, appointed officer or employee of the City shall have any pecuniary or controlling interest either direct or indirect in any competitive bid or contract for the supply of goods or services to the City, unless such pecuniary interest is disclosed by the contractor, bidder or person submitting a quotation, as the case may be, or unless such pecuniary interest would be exempt under the Municipal Conflict of Interest Act.

5.2 Competitive bid documents shall include a section that requires and provides for the disclosure of any pecuniary interest prior to submission of the bid. Should a conflict of interest arise after the award of a contract, the conflict shall immediately be disclosed in writing to the Manager of Purchasing and Supply. Further, all competitive bid documents and agreements shall provide that

in the event that a contract is awarded to a person who has not, during the bidding or contracting process, disclosed the pecuniary interest of an elected official, appointed officer or employee of the City in the contract, the contract may be cancelled at any time by the City in its entire discretion without damages or penalty.

5.3 In this section, 'controlling interest' means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than ten percent (10%) of the voting rights attached to all equity shares of the corporation for the time being outstanding;

5.4 For the purposes of this section, a person has an indirect pecuniary interest in any competitive bid or agreement entered into by a corporation, if:

- a. The person or his or her nominee is a shareholder in or a Managing Director or senior officer of a corporation that does not offer in securities to the public.
- b. Has a controlling interest in or is a Managing Director or senior officer of a corporation that offers securities to the public.

5.5 For the purposes of this section, an elected official, appointed officer or employee of the City has an indirect pecuniary interest if the person is a partner of a person or is in the employment of a person or body that has entered into a tender, proposal, quotation or contract with the City.

5.6 For the purposes of this section, the pecuniary interest in a Tender, Proposal, Quotation or contract of a parent or spouse or any child of an elected official, appointed officer or employee shall, if known to the person, be deemed to be also the pecuniary interest of the elected official, appointed officer or employee as the case may be.

6.0 **Prohibitions**

6.1 Division of Contracts

No employee of the City shall divide a purchase or a contract to avoid the requirements of the Tender, Proposal, Quotation or Purchasing Card procedures. Nor shall purchases be split in order to circumvent prescribed spending authority dollar limits as outlined in this Policy.

6.2 Interference in the Procurement Process

- a. Elected officials, appointed officers and employees shall not knowingly cause or permit anything to be done or communicated to anyone in a manner which is likely to cause any potential supplier to have an unfair advantage or disadvantage in obtaining a contract for the supply of goods and/or services to the City. This also includes a contract with any other municipality, local board or public body involved in the purchase of goods and/or services either jointly or in cooperation with the City.
- b. Elected officials shall separate themselves from the procurement process and have no involvement whatsoever in specific procurements. Elected officials should not see any documents or receive any information related to a particular procurement while the procurement process is ongoing. Elected officials who receive inquiries from suppliers related to any specific procurement shall immediately direct those inquiries to the Manager of Purchasing and Supply, or the City Treasurer.
- c. The only exception to the above relates to selection of external auditors or an integrity commissioner whereby elected officials are specifically part of the evaluation team.

6.3 Official Point of Purchasing Contact and Lobbying Prohibition

- a. The City is committed to the highest standards of integrity with respect to the purchase of goods and/or services and managing the processes by which goods and/or services are acquired. The official point of purchasing contact shall be a member of the Purchasing and Supply Team. Should it be necessary or desirable to have a contact person to respond to technical issues that person shall be named in the competitive bid documents. All communications will be made by these individuals and during the procurement process, no bidder or person acting on behalf of the bidder or group of bidders shall contact any elected official, consultant or any employee of the City to attempt to seek information or to influence the award of the contract. Any activity designed to influence the decision process, including, but not limited to, contacting any elected official, consultant or employee of the City for such purposes as meetings of introduction, social events, meals or meetings related to the selection process, shall result in disqualification of the bidder for the project to which the influential activity is deemed to be directed.

6.3 Official Point of Purchasing Contact and Lobbying Prohibition...cont'd

Notwithstanding the foregoing, this prohibition does not apply to meetings specifically scheduled by the City Purchasing and Supply group for presentations or negotiations. Any bidder found to be in breach of this Policy shall be subject to immediate disqualification from the procurement process and may be prohibited from future opportunities at the discretion of City Council.

- b. In addition, no bidder who has been awarded the contract shall engage in any contact or activities in an attempt to influence any elected official or any employee of the City with respect to the purchase of additional enhancements, options, or modules. However, a contractor may communicate with the appropriate member of the Purchasing and Supply Team, the Manager of Purchasing and Supply or the City Treasurer for purposes of administration of the contract during the term of the contract.
- c. The determination of what constitutes influential activity is in the sole discretion of the Manager of Purchasing and Supply, acting reasonably, and not subject to appeal.
- d. Contract award decisions shall be based on clear, transparent and objective criteria that is applied free from political considerations or political interference.

7.0 **Procurement Documentation**

7.1 In order to maintain consistency, Purchasing and Supply shall provide guidelines to the City Manager and/or Managing Director on procurement policies and procedures and on the structure, format and general content of procurement documentation.

7.2 Purchasing and Supply shall review proposed procurement documentation to ensure clarity, reasonableness and quality and shall advise the City Manager and/or Managing Director of suggested improvements.

7.3 Procurement documentation shall avoid use of specific products or brand names.

7.4 Notwithstanding Section 7.3, a Managing Director (or delegate) may specify a specific product, brand name or approved equal for essential functionality purposes (with consideration for operating and maintenance costs) to avoid unacceptable risk or for some other valid purpose. In such instances, the Managing Director (or delegate) and Purchasing and Supply shall manage the procurement to achieve a competitive situation whenever possible.

7.5 The use of standards in procurement documentation that have been certified, evaluated, qualified, registered or verified by independent nationally recognized and industry-supported organizations such as, but not limited to, the Standards Council of Canada, shall be preferred.

7.6 Managing Directors (or delegate) shall:

- a. Give consideration to Value Analysis, Sustainable Purchasing and Supplier Code of Conduct;
- b. Ensure that adequate Value Analysis comparisons are conducted to provide assurance that the specification(s) will provide best value;

7.6 Procurement Documentation...cont'd

- c. Forward the Value Analysis to Purchasing and Supply for documentation in the procurement file; and
- d. Ensure specification(s) are set to allow for an open competitive process.

7.7 All substantive changes to standard clauses in competitive bid documents and standard agreements shall be reviewed and approved by the City Solicitor or delegate.

7.8 Unless otherwise noted in this Policy, the Manager of Purchasing and Supply (or delegate) in conjunction with the Managing Director (or delegate) shall issue bid documents for goods and/or services. Purchasing and Supply shall give notice of the issuance of a competitive bid electronically via the internet as well as any other means as appropriate.

7.9 Internal Auditor shall review compliance with the Procurement or Goods and Services Policy, and report to the Audit Committee as set out in their audit plan.

8.0 **Approval Authority and Reporting Requirements**

8.1 Any person delegated approval authority pursuant to this Policy shall ensure that an approved budget, as described in Section 17 of this Policy, exists for the proposed procurement and that such procurement does not violate any City policies or any applicable law. Any such procurement shall also satisfy any applicable audit and documentation requirements of the City.

8.2 All applicable taxes, duties and shipping shall be excluded in determining the procurement limit of authorized delegates and the type of procurement process to be followed.

8.3 The dollar values identified in this section represent the annual estimated procurement value for a good and/or service to be procured. The annual estimated procurement value is the cumulative value spent over a twelve (12) month period for a particular good and/or service.

8.4 In the case of multi-year supply and/or service contracts, the preauthorized expenditure limit shall refer to the estimated annual expenditure under the contract.

8.5 The following body and persons shall have the respective approval authority as set out below (see summary in Schedule "A"). All dollar values are based on annual amounts and must be within pre-approved budgeted limits.

- a. **Committee and City Council** must approve the following awards:
 - i RFP greater than \$100,000;
 - ii RFT greater than \$3,000,000;
 - iii RFQ, RFP and RFT with an irregular result greater than \$100,000 (section 8.10);
 - iv Sole Source or Single Source greater than \$50,000;
 - v Contract extensions greater than \$3,000,000 (section 20.2);and
 - vi Appointment of Professional Consulting Services (Section 15) greater than \$100,000.

8.5 Approval Authority and Reporting Requirements...cont'd

- b. **Managing Directors or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)** are authorized to approve the following awards:
 - i. RFQ (formal quotations) greater than \$50,000 but not exceeding \$100,000;and
 - ii. RFP up to \$100,000;
 - iii. RFT up to \$3,000,000;
 - iv. Sole Source or Single Source up to \$50,000;
 - v. Contract extensions up to \$3,000,000, for Council approved agreements that have clearly defined options to extend (Section 20.2).

- c. **Managing Directors or any employee exercising delegated authority approval** are authorized to approve the following awards;
 - i. Informal quotations up to \$50,000; and,
 - ii. Appointment of Professional Consulting Services not exceeding \$100,000 (Section 15).

8.6 Section 8.5 approvals may be overridden in the case of an 'emergency' as defined in Section 14.2 of this Policy.

8.7 Delegation of Approval Authority

'Delegation of Approval Authority' means the formal delegation of authority to perform a task or approval by a person in a position with authority under this Policy, resulting in a 'delegate'.

- a. The method for the Managing Directors delegating approval authority is as follows:
 - i. The Managing Directors shall prepare a 'delegation of approval authority list' within their respective areas;
 - ii. The list will provide evidence that the staff listed have been delegated approval authority by the Managing Director;
 - iii. The list at minimum, shall include the staff person's name, title and approval limit. The list will also include any acting roles;
 - iv. The list shall be updated immediately upon any change in staff or position;
 - v. A copy of the list shall be sent to the Manager of Purchasing and Supply each time there is a revision;
 - vi. The Manager of Purchasing and Supply will ensure the delegation of approval authority lists are available to all Purchasing and Supply Staff; and
 - vii. Purchasing and Supply staff will review the list prior to completing tasks that require approval.

- b. The Managing Directors and Manager of Purchasing and Supply shall develop a 'delegation of approval authority list' for the approvals and tasks they are responsible for under this Policy.

8.8 **Only** the Managing Directors may further delegate approval authority to their staff at the procurement values deemed appropriate. Staff that has been delegated approval authority from the Managing Directors to approve procurements **shall have no authority to** delegate this approval authority to any other person.

8.9 City Council may explicitly delegate further approval authority as it considers necessary from time to time, including but not limited to, any extended time periods during which City Council does not meet.

8.10 Irregular Result

The client Service Area, in conjunction with Purchasing and Supply, shall submit a report to Committee and City Council and receive their approval for the award of a competitive bid greater than \$100,000 if **ANY** of the following conditions apply (if the award is less than \$100,000, the Managing Director with the concurrence of the Manager of Purchasing and Supply or delegate may approve the award):

- a. The value of the lowest compliant bid is in excess of the City Council approved budget including any contingency allowance;
- b. The specifications of a competitive bid cannot be met by two (2) or more suppliers;
- c. The award is not being made to a compliant bidder(s) offering the Best Value to the City;
- d. Where a Substantive Objection has been filed with the City Treasurer prior to award of a competitive bid; or
- e. Where in the opinion of the Manager of Purchasing and Supply, the client Service Area award recommendation is not in the best interest of the City.

8.11 Reporting to Committee and City Council

- a. The Managing Directors shall submit an informational report on an annual basis, no later than March 1 to the Manager of Purchasing and Supply containing the details of the contract awards made under Section 8.5.c for their respective Service Areas.
- b. The Manager of Purchasing and Supply shall coordinate data collection and prepare an annual report for submission to City Council including the awards made under section 8.5 b and 8.5 c, no later than April 30. The report will only include awards that were not processed through Purchasing and Supply, unless otherwise directed by Council. Purchasing and Supply shall certify that the awards are in compliance with this Policy and where non-conformances are identified, corrective action will be taken.
- c. Where a supplier has invoiced the City a cumulative total value of \$100,000 or more in a calendar year, total payments relative to the supplier shall be included in an annual information report to Committee and City Council. The Manager of Purchasing and Supply or Designate shall prepare a report of all Civic Administratively Awarded Tenders for the reporting year.

9.0 **Low Dollar Value Procurements (up to \$15,000) – as per Schedule "A"**

9.1 Procurements up to \$15,000 shall be considered low dollar value procurements.

- 9.2 All low dollar value procurements shall utilize applicable City contracts and shall otherwise be in accordance with this Policy.
- 9.3 A corporate Purchasing Card may be used for low dollar value procurements provided the user complies with Section 18 of this Policy.
- 9.4 The Managing Directors may delegate approval authority to their staff for low dollar value procurements and it is their responsibility to ensure that this Policy is adhered to.
- 9.5 All information on low dollar value procurements must be documented and maintained on file.
- 9.6 Low dollar value procurements do not require an RFQ, RFP or RFT. Obtaining competitive quotes is considered a good business practice and should be obtained. An authorized Purchase Requisition submitted to Purchasing and Supply is the preferred method.
- 10.0 **Informal Request For Quotation (IRFQ) (Greater than \$15,000 to \$50,000) – as per Schedule "A"**
- 10.1 Procurements greater than \$15,000 but not exceeding \$50,000 are eligible to be completed through an Informal Quotation process. The Managing Director or any employee exercising delegated authority is authorized to award the contract.
- 10.2 All Informal Quotations shall utilize standard applicable Service Area contracts and/or corporate contracts and shall otherwise be in accordance with the Procurement of Goods and Services Policy.
- 10.3 For procurements where there are no applicable Service Area contracts or corporate contracts, informal quotations shall be obtained by the client Service Area in the following manner:
- a. Three (3) written (use of the electronic bidding system is encouraged) bids obtained from three (3) separate potential suppliers;
 - b. A 'No Bid' response shall not be considered as a valid bid;
 - c. All suppliers shall receive the same informal quotation written information;
 - d. The informal quotation shall be awarded to the lowest compliant bid; and
 - e. Documentation on all bids, including but not limited to the prospective bidders list, bid document, bid responses and decision making rationale shall be retained in the client Service Area files in accordance with City Council approved by-laws for records retention, or a minimum of two (2) years.
- 10.4 Staff is encouraged to seek three (3) bids to ensure a more competitive process. If staff has exhausted all efforts to obtain three (3) bids and can support this with documented evidence under Section 10.3 e., a minimum of two (2) written bids is acceptable.
- 10.5 Purchasing and Supply shall assist as requested by the client Service Area, or when deemed necessary, with the Informal Quotation process. Purchasing and Supply may also conduct reviews to ensure the requirements of this section and all other applicable sections of this Policy have been met.
- 10.6 When a client Service Area requires an RFP in lieu of an Informal Quotation, the RFP shall be issued by Purchasing and Supply in the same manner as for RFP's in Section 12 and subject to the approval authority in Section 8.5.b.

- 10.7 Since the informal quotation process does not necessarily go through Purchasing and Supply, the City's standard insurance form must be completed and forwarded by the client Service Area to Insurance and Risk Management for review and input into the Insurance Program. WSIB Certificates of Clearance must be submitted to Accounts Payable at the commencement of the project and periodically as the work is completed and before final payment is released.
- 10.8 An authorized Purchase Requisition is to be sent to Purchasing and Supply and include copies of the bids received. A Purchase Order, Contract Record or Agreement will be issued to formalize the contract with selected supplier.
- 11.0 **Request For Quotation (RFQ) (\$50,000 to \$100,000) – As Per Schedule "A"**
- 11.1 RFQ procedures shall be used where:
- a. The item is greater than \$50,000 but not exceeding \$100,000;
 - b. The requirement can be fully defined; and
 - c. Best value for the City will be achieved by an award selection made on the basis of the total lifecycle cost that meets all terms, conditions and specifications.
- 11.2 The Managing Director or any employee exercising delegated authority approval and the Manager of Purchasing and Supply must **jointly** approve this award.
- 11.3 The Managing Director or any employee exercising delegated authority approval shall provide to Purchasing and Supply a purchase request in writing containing the relevant specifications, budget authorization, approval authority and terms and conditions for the purchase of goods, services or construction.
- 11.4 The client Service Area shall be responsible to review the competitive bid and verify that all terms, conditions and specifications of the bid are met.
- 11.5 Purchasing and Supply shall forward to the Managing Director (or delegate) a summary of the bids and recommend the award of contract to the lowest compliant bid subject to review by the Managing Director (or delegate) regarding specifications and contractor performance.
- 11.6 When a client Service Area requires the issuance of an RFP in lieu of a RFQ, the RFP shall be issued by Purchasing and Supply as described in Section 12 of this Policy and subject to the approval authority in Section 8.5.b.
- 11.7 The City reserves the right in its absolute sole discretion to accept or reject any submission.
- 12.0 **Request for Proposal (RFP) – As Per Schedule "A"**
- 12.1 The RFP procedure shall be used where:
- a. The requirement is best described in a general performance specification;
 - b. Innovative solutions are sought; and
 - c. To achieve best value, the award selection will be made on an evaluated point per item or other method involving a combination of mandatory and desirable requirements.

- 12.2 Awards under the RFP process require the following approval:
- a. The Managing Director or any employee exercising delegated authority approval and the Manager of Purchasing and Supply must **jointly** approve an RFP award for purchases up to \$100,000;
 - b. Committee and City Council must approve an RFP award for purchases greater than \$100,000;
 - c. Committee and City Council must approve an RFP award with an irregular result (see definition in Section 8.10).
- 12.3 The RFP process is a competitive method of procurement that may or may not include supplier pre-qualification.
- 12.4 An RFI, REOI or **RFQUAL Request for Qualifications** may be issued in advance of a RFP to assist in the development of a more definitive set of terms and conditions, scope of work/service and the selection of qualified suppliers.
- 12.5 An RFI, REOI and **RFQUAL Request for Qualifications** shall follow the same award approvals as an RFP, if applicable.
- 12.6 Purchasing and Supply shall maintain a list of suggested evaluation criteria for assistance in formulating an evaluation method for use in an RFP. This may include but not be limited to factors such as qualifications and experience, strategy, approach, methodology, scheduling and past performance, facilities, equipment, pricing, life cycle costing, standardization of product, and aspects that would support environmental procurement. Also see sections 1.5 and 1.6.
- 12.7 Managing Directors or any employee exercising delegated authority approval shall identify appropriate evaluation criteria from the list maintained by Purchasing and Supply for use in a RFP but are not limited to criteria from the list. Cost will always be included as a factor, as best value includes but is not limited to quality and cost.
- 12.8 The Managing Director or any employee exercising delegated authority approval shall provide Purchasing and Supply with a written purchase request in a form acceptable to the Manager of Purchasing and Supply containing the budget authorization, approval authority, terms of reference and evaluation criteria to be applied in evaluating the proposals submitted.
- 12.9 A representative from Purchasing and Supply will be the lead in the RFP process. A selection committee will be formed with a minimum of three evaluators and be comprised of at least one representative from the client Service Area and one representative from Purchasing and Supply. The evaluators shall review all compliant proposals against the established criteria, reach consensus on the final rating results, and ensure that the final rating results with supporting documents, are kept in the procurement file. The Purchasing and Supply representative may or may not participate in the scoring of the proposals.
- 12.10 During the proposal process all communication with proponents shall be through Purchasing and Supply.

- 12.11 Purchasing and Supply shall forward to the Managing Director (or delegate) an evaluation summary of the procurement, as well as the evaluation committee's recommendation for award of contract to the proponent meeting all mandatory requirements and providing best value as stipulated in the RFP. The representative from Purchasing and Supply is responsible for documenting the determination of best value. The criteria and analysis to determine best value will be included (if applicable) in the report to Committee and City Council.
- 12.12 With respect to all reports initiated for RFP, a report on the sources of financing, and other financial commentary as considered appropriate, shall be prepared.
- 12.13 Reporting will not include financial summaries of bids as this information will remain confidential. Any disclosure of information shall be made by the appropriate officer in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended.
- 12.14 Unsuccessful proponents may, upon their request, attend a debriefing session with a Purchasing and Supply representative to review their competitive bid. Any discussions relating to any submissions other than that of the proponent present will be strictly prohibited. This debriefing session is intended to provide general feedback regarding the proponent's rating on various criteria in order to allow the proponent to understand where future improvements might be available.
- ~~12.15 Manager of Purchasing and Supply shall be responsible for arranging for a public announcement of proponents who submitted a proposal at a time and date outlined in the RFP document. There shall be in attendance at that time:~~
- ~~a. Manager of Purchasing and Supply (or delegate); and~~
- ~~b. At least one other representative of Purchasing and Supply.~~
- 12.16 The City reserves the right in its absolute sole discretion to accept or reject any submission.
- 13.0 **Request for Tender (RFT) (Greater than \$100,000) – As Per Schedule "A"**
- 13.1 RFT procedures shall be used where:
- a. The total cost is expected to be greater than \$100,000;
 - b. The requirement can be fully defined; and
 - c. Best value for the City can be achieved by an award selection made on the basis of the lowest bid that meets all terms, conditions and specifications.
- 13.2 Awards under the RFT process require the following approval:
- a. Committee and City Council must approve award of tenders greater than \$3,000,000;
 - b. Committee and City Council must approve award of contracts when a tender result is irregular as per Section 8.10 of this Policy.
 - c. Results from \$100,000 to \$3,000,000 that do NOT have an Irregular Result may be awarded administratively.

13.3 The Managing Director (or delegate) shall provide to Purchasing and Supply a purchase request in writing containing the relevant specifications, budget authorization, approval authority and terms and conditions for the purchase of goods, services or construction. Specifications may include certain brands of product in order to facilitate standardization of the City's inventory as per Section 7.4 of this Policy.

~~13.4~~ The Manager of Purchasing and Supply shall be responsible for arranging for the public disclosure opening of bid tender submissions at the time and date specified by the bid tender call. ~~There shall be in attendance at that time:~~

~~a. Manager of Purchasing and Supply or delegate; and~~

~~b. At least one other representative of Purchasing and Supply.~~

~~If the Manager of Purchasing and Supply or delegate is not available, the City Treasurer or delegate may act on their behalf.~~

13.5 Purchasing and Supply shall forward to the Managing Director (or delegate) a summary of the bids and recommend award of the contract to the lowest compliant bidder.

13.6 With respect to all reports initiated for tenders, there shall be a recommendation report to Committee and City Council containing the sources of financing, and other financial commentary as considered appropriate.

The City reserves the right in its absolute sole discretion to accept or reject any submission.

14.0 **Non-Competitive Purchases (Emergency, Sole Source, Single Source)**

14.1 The requirement for a competitive bid process for the selection of a supplier for goods, services and construction (except for Emergencies – see 14.2) may be waived under authority of the City Manager and replaced with direct negotiations by the Managing Director (or delegate) and Manager of Purchasing and Supply (or delegate) under the following circumstances.

a. The procurement qualifies as 'Sole Source' as defined in Section 14.3;

b. The procurement qualifies as a 'Single Source' as defined in Section 14.4.

14.2 **Procurement in Emergencies**

For the purposes of this section, "Emergency" means an event or occurrence that the City Manager or Managing Director deem as an immediate threat to:

- Public health;
- The maintenance of essential City services; or
- The welfare and protection of persons, property, or the environment; and the event or occurrence necessitates the immediate need for goods or services to mitigate the emergency and time does not permit for a competitive procurement process.

14.2 Procurement in Emergencies...cont'd

In the event of an Emergency the City Manager or Managing Director and their respective delegates, Fire Chief or a Deputy Fire Chief, or Chief Building Official or Deputy Chief Building Official, are authorized to enter into a purchase agreement without the requirement for a formal competitive process.

A list of pre-qualified suppliers will be used to select the suppliers, whenever possible.

Where the procurement cost to mitigate the Emergency is anticipated to exceed \$50,000, there must be a notification sent (e-mail contact is acceptable) to the Manager of Purchasing and Supply or delegate. The steps taken to mitigate the Emergency must always be clearly documented regardless of amount and where the aggregate costs for a single supplier are in excess of \$50,000, the emergency procurement shall be reported by the responsible Managing Director to Committee and City Council (including the source of financing) at the next scheduled meeting following the event. The Managing Director responsible for the area leading the emergency procurement must forward the appropriate purchase requisition(s) to the Manager of Purchasing and Supply within five (5) business days after the mitigation activities associated with the emergency event have been terminated.

14.3 Sole Source

The procurement may be conducted using a Sole Source process if the goods and/or services are available from only one supplier by reason of:

- a. Statutory or market based monopoly;
- b. Competition is precluded due to the application of any Act or legislation or because of the existence of patent rights, copyrights, license, technical secrets or controls of raw material; or
- c. The complete item, service, or system is unique to one supplier and no alternative or substitute exists.

14.4 Single Source

Single Source means that there is more than one source of supply in the open market, but only one source is recommended due to predetermined and approved specifications.

The procurement may be conducted using a Single Source process if the goods and/or services are available from more than one source, but there are valid and sufficient reasons for selecting one supplier in particular, as follows:

- a. An attempt to acquire the required goods and/or services by soliciting competitive bids has been made in good faith, but has failed to identify more than one willing and compliant supplier;
- b. The confidential nature of the requirement is such that it would not be in the public interest to solicit competitive bids;

14.4 Single Source...cont'd

- c. Construction, renovations, repairs, maintenance etc. in respect of a building leased by the City may only be done by the lessor of the building, in accordance with a lease agreement;
- d. There is a need for compatibility with goods and/or services previously acquired or the required goods and/or services will be additional to similar goods and/or services being supplied under an existing contract (i.e. contract extension or renewal);
- e. The required goods and/or services are to be supplied by a particular supplier(s) having special knowledge, skills, expertise or experience;
- f. The goods are purchased under circumstances which are exceptionally advantageous to the City, such as in the case of a bankruptcy or receivership;
- g. It is advantageous to the City to acquire the goods or services from a supplier pursuant to the procurement process conducted by another public body;
- h. It is advantageous to the City to acquire the goods or services directly from another public body or public service body;
- i. Another organization is funding or substantially funding the acquisition and has determined the supplier, and the terms and conditions of the commitment into which the City will enter are acceptable to the City;
- j. The acquisition is for a particular brand of goods or services that are intended solely for resale to the public and no other brand is desirable and the brand is not available from any other source; or
- k. Where due to abnormal market conditions, the goods, services or construction required are in short supply.

14.5 Sole Source and Single Source – Approval and Reporting

- a. Awards which qualify to be considered as a Single Source or Sole Source process require the following approval:
 - i the Managing Director and Manager of Purchasing and Supply, must **jointly** approve an award not exceeding \$50,000;
 - ii Committee and City Council must approve an award greater than \$50,000, unless otherwise permitted by this Policy.
- b. For awards under Section 14.5.a.ii, the Managing Director is responsible for submitting a report to Committee and City Council detailing the rationale supporting their decision.

15.0 Appointment of Professional Consulting Services

15.1 General

- a. Senior management staff will be involved in the selection process for Professional Consulting Services. Specifically, Division Managers are to be involved with all projects, and Managing Directors and the City Manager, as appropriate for high-profile projects of increasing complexity or expense.
- b. Under no circumstances shall an extension or expansion of a consulting engagement preclude the required approvals. This includes splitting the project or scope of work into multiple phases or sections. City Council has sole authority to approve and award contracts greater than \$100,000.
- c. If a consulting engagement that has been awarded administratively then exceeds the approval threshold of \$100,000, the Managing Director shall immediately prepare a report to City Council providing a status update and requesting approval to proceed (if applicable).
- d. The Managing Director shall be responsible for ensuring that any substantive clause changes to the standard consulting services agreement are reviewed by the City Solicitor (or delegate) and the agreement is executed by the Mayor and Clerk.
- e. The Managing Director shall be responsible for obtaining and submitting the appropriate insurance and WSIB documents to Risk Management.
- f. The Managing Director shall be responsible for ensuring that all proposal responses and decision making rationale are retained in the client Service Area files in accordance with City Council approved by-laws for records retention, or a minimum of two (2) years.
- g. The Managing Directors shall provide the Manager of Purchasing and Supply, on an annual basis, no later than March 1, administrative awards made in their area to any Professional Consulting Service firms (Sections 15.2 and 15.3) with an aggregate total greater than \$100,000. The Manager of Purchasing and Supply shall coordinate data collection and prepare an annual Appointment of Professional Consulting Services report for submission to City Council, no later than April 30.

15.2 Consulting Engineers, Architects, Landscape Architects and Environmental Consultants

The selection of Professional Consulting Services will follow the requirements of Section 15.1 and;

- a. The City's appointment of Consulting Engineers, Architects, Landscape Architects and Environmental Consultants Policy is adapted from the National Best Practice for Consultant Selection as described in more detail in the Consultant Appointment Procedure (latest version)-current council adopted City of London Grouped Consultant Selection Process.
- b. A list of pre-approved firms (Consulting Engineers, Architects, Landscape Architects and Environmental Consultants) that provide professional consulting services shall be established by the Managing Director for their respective areas. This candidate firm list shall be supplied to the Manager of Purchasing and Supply on an annual basis, no later than March 1.

15.2 Consulting Engineers, Architects, Landscape Architects and Environmental Consultants...cont'd

- c. Assignments for projects which have estimated fees of less than \$100,000 shall be awarded by the Managing Director to listed candidate firms based on an evaluation of the firm's competency, expertise, costs, past performance on City projects, available capacity, and the size of their operation and the particulars of the work to be done.
- d. Assignments for projects which are more complex in nature but which are within the capability of firms included on the above-mentioned pre-approved list and have estimated fees between \$100,000 and ~~\$500,000~~ \$365,700, shall be assigned on the basis of a proposal submitted by a minimum of three (3) qualified firms from the list stating their approach to the proposed project and their experience and knowledge of projects of a similar nature. Grouped Consultant Selection process may be undertaken for more than one project if the projects are similar in nature, the consultants possess the skills necessary to undertake this type of work and efficiencies are realized by the City. ~~The Grouped Consultant Selection process is described in detail in the Engineering Consultant Working Relationship Procedure, 2012.~~ The process for undertaking grouped consultant selections is further described in the latest version of the council adopted City of London Grouped Consultant Selection Process.
- e. Assignments for complex projects, or projects with estimated consulting fees greater than ~~\$500,000~~ \$365,700 shall be awarded based on a two (2) stage process with the first stage being an open, publicly advertised expression of interest/pre-qualification stage (REOI/RFQUAL), and the second being a RFP of the short-listed firms, of which there shall be a minimum of three (3) qualified firms stating their approach to the proposed project and their experience and knowledge of projects similar in nature.
- f. The assignments outlined in parts d) and e) above and their related budget shall be subject to the approval of City Council. Prior to award by City Council, City staff will negotiate with the recommended consultant to establish estimated personnel costs and other charges required for these assignments. It is anticipated that an upset fee will be established for the first phase of the project as directed by the Managing Director. City Council approval will be for the entire project noting that the consultant shall obtain the approval of the appropriate Managing Director to proceed with subsequent phases to upset limits as appropriate to the work within the limit of the budget.
- g. A consulting firm which has satisfactorily partially completed a project may be recommended for award of the balance of a project without competition subject to satisfying all financial, reporting and other conditions contained within this Policy. This should be to the financial advantage of the City due to the fact that such a consultant has specific knowledge of the project and has undertaken work for which duplication would be required if another firm were to be selected.

15.3 Other Professional Consulting Services

The selection of Professional Consulting Services which are not included under Section 15.2 will follow the requirements of Section 15.1 and;

- a. Projects which have estimated fees of less than \$100,000 may be awarded by the Managing Director in consultation with the Manager of Purchasing and Supply under the following circumstances:

15.3 Other Professional Consulting Services...cont'd

- i. the project requires special knowledge, skills, expertise or experience; or
 - ii. another organization is funding or substantially funding the project and has already selected a preferred firm and/or strict timelines have been placed on the funding; or
 - iii. the confidential nature of the project is such that it would not be in the public interest to solicit competitive bids; or
 - iv. the preferred firm has already been selected through a formal procurement process by another public body to provide same or similar services; or
 - v. the project requirement meets the definition of Sole Source, Section 14.3.
- b. The Managing Director is responsible for detailing the rationale supporting their decision to award the recommended firm.
- c. Under this section, all professional consultant proposals must include, at minimum:
- i. Schedule of fees; and
 - ii. Methodology and timeline to complete project; and
 - iii. Demonstrated experience and qualifications required to perform project; and
 - iv. List of personnel who will be directly involved in the completion of the project.
- d. All requirements for Other Professional Consulting Services (section 15.3) not meeting the selection requirements of section 15.3 a. shall follow the RFP process outlined in section 12.0.

16.0 **Blanket Purchase Contracts**

16.1 A Request for a Blanket Purchase Contract may be used where:

- a. One (1) or more clients repetitively order the same goods or services and the actual demand is not known in advance; and
- b. A need is anticipated for a range of goods and/or services for a specific purpose, but the actual demand is not known at the outset, and delivery is to be made when a requirement arises.

16.2 Purchasing and Supply shall establish and maintain Blanket Purchase Contracts that define source and price with selected suppliers for all frequently used goods or services.

16.3 To establish prices and select sources, Purchasing and Supply shall employ the provisions contained in this Policy for the acquisition of goods and/or services and construction labour and materials.

16.4 More than one (1) supplier may be selected for the supply of goods or services where it is in the best interests of the City.

16.5 Where procurement action is initiated by a Service Area for frequently used goods or services, it is to be made with the supplier or suppliers listed in the Blanket Purchase Contract.

16.6 In a Request for Blanket Purchase Contract, the expected quantity of the specified goods or services to be purchased over the time period of the agreement will be as accurate an estimate as practical and be based, to the extent possible, on previous usage adjusted for any known factors that may change usage.

17.0 **Requirement for Approved Funds**

17.1 The exercise of authority to award a contract is subject to the identification and availability of sufficient funds in appropriate accounts within City Council approved budget.

17.2 Where goods and/or services are routinely purchased or leased on a multi-year basis, the exercise of authority to award a contract is subject to:

- a. The identification and availability of sufficient funds in appropriate accounts for the current year within City Council approved budget;
- b. The requirement for the goods or services will continue to exist in subsequent years and, in the opinion of the City Treasurer, the required funding can reasonably be expected to be made available; and
- c. The contract containing a provision that the supply of goods or services in subsequent years is subject to the approval by Committee and City Council of the Service Area estimates to meet the proposed expenditures.

17.3 **Construction Tender Call Before and After Approvals**

- a. Following the adoption of the capital budget by City Council, the Manager of Purchasing and Supply is authorized to call tenders for municipal construction projects and the acquisition of equipment.
- b. Notwithstanding Section 17.3.a, the Manager of Purchasing and Supply is authorized to obtain, prior to the adoption of the capital budget by City Council, sealed bids for material construction projects and equipment, provided that the documents include a clause specifically stating that the acceptance of a bid and placing of the order is subject to budget approval by Committee and City Council and the items specified are subject to change in quantity and/or deletion.

18.0 **Purchasing Cards**

18.1 **General**

- a. Service Area approved employees will be issued Purchasing Cards to use for low-dollar goods and/or services in support of sound business practices. Purchasing Card provision is based on the need to purchase goods and services for the City and the card may be revoked based on change of assignment or location. The provision of a Purchasing Card is not an entitlement nor reflective of title or position.
- b. Benefits of the Corporate Purchasing Card program accrue at the Corporate Finance level by reducing the number of invoices and cheques processed and at the supplier level by reducing their invoicing to the City and the turnaround time for payment.

18.1 General...cont'd

- c. No employee shall use a Purchasing Card to purchase goods and/or services unless appointed and authorized by the employee's Managing Director (or delegate). Any use of a Purchasing Card shall be in accordance with the Procurement of Goods and Services Policy and all other applicable City by-laws and policies. The requirements for low dollar purchases are specifically covered under Section 9 of the Procurement of Goods and Services Policy. Managing Directors are ultimately responsible for ensuring that purchases within their Service Area are made in accordance with the applicable by-laws and policies.
- d. A Purchasing Card will be issued once the employee has read, signed and submitted the Cardholder Agreement Form to the Program Administrator, which sets out in writing the employee's responsibilities and restrictions regarding the use of the Purchasing Card.
- e. All Purchasing Cards issued will have a predetermined 'single transaction limit', a 'monthly credit limit' and 'blocked commodities' as determined and authorized by the applicable Managing Director (or delegate) and City Treasurer. All Purchasing Cards will be blocked from obtaining cash advances.
- f. The dollar limit for individual purchases and monthly spending limit for each employee will be determined by the Managing Director (or delegate) of their Service Area based on their expected level of procurement and type of procurement. Cardholder limits for single or monthly transactions exceeding \$15,000 must be approved in writing by the Manager of Purchasing and Supply.
- g. Suppliers will not be rejected for refusing to accept the Purchasing Card.
- h. The City assumes liability for all authorized charges on the Purchasing Cards, not the individual cardholder.

18.2 Program Administration, Audit and Monthly Reconciliation

- a. Oversight and administration of the Purchasing Card program is the responsibility of Financial Services and a Program Administrator has been identified in this area. The Program Administrator will maintain a master list of all Purchasing Cards and their limits. In addition, the Program Administrator will establish reporting mechanisms for monthly reconciliation of accounts.
- b. All transactions are subject to review by internal and/or external audit groups. Quarterly reviews to ensure compliance with the Procurement of Goods and Services Policy will be performed by the Manager of Purchasing and Supply. Periodic reviews to ensure compliance with other approved Council by-laws and policies will be performed by Financial Services. All serious compliance issues will be reported to the City Treasurer and Internal Auditor. Less significant compliance issues will be directed to the cardholder's supervisor/manager. A record of all compliance issues will be maintained by the Program Administrator.

18.2 Program Administration, Audit and Monthly Reconciliation...cont'd

- c. All requests for Purchasing Cards, maintenance forms and other documents are to be submitted to the Program Administrator for review and processing. Cardholder or cardholder representatives are not permitted to submit forms directly to the bank. All original cardholder agreements and other cardholder maintenance forms are to be maintained by the Program Administrator.
- d. Payment will automatically be withdrawn from the General Operating Bank Account following the monthly statement date. If individual cards have not been reconciled and approved for payment by the deadline each month, expenditures will be charged directly to the default cost center attached to the card. Service Area representatives are responsible to ensure that the statement is submitted and the expenditures are allocated to the correct general ledger accounts.
- e. Reconciled and authorized monthly statements are to be submitted to Corporate Finance no later than the last working day of the month. Each transaction must include an explanation or purpose of the expenditure.
- f. Cardholders shall provide original detailed and itemized receipts for each transaction with the monthly cardholder statement. If circumstances arise where a detailed receipt cannot be obtained, a Declaration Form may be submitted in place of a detailed receipt. Declaration Form limits and procedures shall be determined by the City Treasurer or delegate.

18.3 Responsibilities and Restrictions

- a. The Purchasing Card shall not be used:
 - i for any purchase of goods and/or services that are prohibited under the Procurement of Goods and Services Policy any other City by-law or policy;
 - ii for personal use other than incidental personal use as part of a business expense, which must be reimbursed at the time of the monthly reconciliation;
 - iii when the total purchase price exceeds the single purchase limit on the card;
 - iv when an exclusive contract with another vendor is in effect for the goods and/or service (unless pre-authorized in writing by the Manager of Purchasing and Supply);
 - v for items which are stocked at City Stores except under extenuating circumstances; and,
 - vi for any computer software, hardware and/or telecommunications equipment such as telephones, cellular phones, tablets and mobile radios except by designated staff in Information Technology Division authorized by the Director, Information Technology Services or designate.
- b. The following items require pre-authorized written approval by the cardholder's Expense Review Officer:
 - i The purchase of prepaid gift cards, prepaid gift certificates, prepaid grocery cards, or any other prepaid merchant cards; or,

18.3 Responsibilities and Restrictions...cont'd

- ii The purchase of alcohol while on City business, team building, employee appreciation, or otherwise. Note: alcohol purchased for resale to the public at City facilities (e.g. Golf Courses) is exempted from this specific restriction.

A copy of the written approval must be included with the monthly statement when submitted to Financial Services.

- c. Individual transactions are not to be subject to splitting or stringing, which is the practice of committing multiple purchasing card transactions to circumvent delegated authority levels and thus bypassing the City's competitive bidding process, nor are Purchasing Cards to be used on a repetitive basis to circumvent prescribed approval authority limits. With the appropriate approvals, cardholder limits may be increased either temporarily or permanently based on need by contacting the Program Administrator or submitting an authorized Cardholder Maintenance Form.
- d. All refunds and credits must be applied to the original Purchasing Card. Where vendor return policies allow, cardholders are not to return products for refunds in the form of gift cards or other prepaid cards.
- e. Permanent full-time employment status is required to obtain a Purchasing Card. Students, contractors, consultants or seasonal employees will not be granted a card except under special circumstances and approved in writing by the City Manager.
- f. The Purchasing Card is user-specific and therefore no employee shall attempt to purchase an item using a card issued to another employee. Delegation of authority is not permitted in making transactions.
- g. The cardholder's supervisor/manager is responsible for notifying the Program Administrator immediately upon any change in the cardholder's employment status. This includes, but is not limited to termination, layoff, leave of absence and long term disability. If applicable, the plastic card should also be returned to the Program Administrator.
- h. Employees will adhere to the Corporation's Code of Ethics, Section (a), which states 'an employee will use his/her position with the Corporation solely for the gain and service of the Corporation and not to secure advantage, benefit, favour, or service for self, relatives, friends or associates. This includes the selection of a vendor based upon 'air miles' or 'reward points' that reward customers for purchases.
- i. When a Purchasing Card is used to procure goods and/or services (including meals or items that would be considered personal in nature) and two (2) or more City employees are present, the most senior person in organizational authority must pay for the expenditure and prepare the respective monthly cardholder statement. If this is not feasible, the cardholder statement listing the expenditure shall be approved by the manager or Expense Review Officer, as outlined in the Corporate Travel and Business Expense Policy of the most senior person in authority present.

18.4 Misuse and/or Failure to Meet Cardholder's Responsibilities

Misuse of the Purchasing Card and/or failure to meet any of the Cardholder's responsibilities may result in cancellation of the employee's authority to use a Purchasing Card and/or further disciplinary action up to and including termination of employment.

19.0 **Bid Administration**

19.1 **Submission of Bids**

The City uses an electronic bidding system. The bidding rules are contained within the system.

- a. ~~Unless otherwise specified in the competitive bid document, bids shall be accepted in paper form to Purchasing and Supply at the time and date specified by the competitive bid.~~
- b. ~~The closing time shall be clearly stated in the competitive bid documents.~~
- c. ~~The opening of bids shall commence shortly after the bid closing time, unless the Manager of Purchasing and Supply acting reasonably postpones the start to some later time, but the opening shall continue, once started, until the last bid is opened.~~
- d. ~~Bids received by Purchasing and Supply later than the specified closing time shall be returned unopened to the bidder. The official time is the time clock located inside the service counter at Purchasing and Supply.~~
- e. ~~A bidder who has already submitted a bid may submit a further bid at any time up to the official closing time and date specified by the competitive bid document. The last bid received shall supersede and invalidate all bids previously submitted by the same bidder.~~
- f. ~~A bid may be withdrawn at any time up to the official closing time by letter bearing the same signature as in the bid submitted to Purchasing and Supply.~~
- g. ~~A competitive bid document requiring an appropriate bid deposit shall be void if such security is not received, and if no other bid is valid, the Manager of Purchasing and Supply shall direct the action to be taken with respect to the reissuing of bids.~~
- h. ~~All bidders shall supply a list of all subcontractors to be employed on a project. Any changes to the list of subcontractors or addition thereto after the closing time must be approved by the Manager of Purchasing and Supply.~~

19.2 **Bid Irregularities**

Where a bid is received that includes irregularities, the City will follow the protocol as appropriate for the particular irregularity. The protocol for bid irregularities and their associated responses are detailed in Schedule "C". Mandatory Requirements MUST be met or there will be an Automatic rejection.

19.3 **No Acceptable or Equal Bids**

- a. Where bids are received that exceed budget, are not responsive to the requirement, or do not represent fair market value, a revised competitive bid shall be issued in an effort to obtain an acceptable bid unless Section 19.3.b applies.
- b. The Managing Director and the Manager of Purchasing and Supply jointly may waive the need for a revised competitive bid and enter into negotiations with the lowest responsive bidder, emanating from a competitive bid, under the following circumstances:
 - i. the total cost of the lowest responsive bid is in excess of the funds appropriated by City Council for the project; and,

19.3 No Acceptable or Equal Bids...cont'd

- ii the Managing Director and the Manager of Purchasing and Supply agree that the changes required to achieve an acceptable bid will not change the general nature of the requirement described in the competitive bid.
- c. The method of negotiation shall be those accepted as standard negotiating procedures that employ ethical public procurement practices in consultation with the Manager of Purchasing and Supply.
- d. In the case of building construction contracts, where the total cost of the lowest responsive bid is in excess of the appropriation made by City Council, negotiations shall be made in accordance with the guidelines established by the Canadian Construction Documents Committee and in consultation with the Manager of Purchasing and Supply.
- e. The City reserves the right in its absolute and sole discretion to cease negotiations and reject any offer.
- f. In the unlikely event that two (2) or more compliant equal bids are submitted during a competitive bid process, Purchasing and Supply will offer an opportunity for bidders to re-bid. Should a tie persist, the following factors will be considered:
 - i payment discount;
 - ii when delivery is an important factor, the bidder offering the best delivery date is given preference;
 - iii a bidder in a position to offer better after sales service, with a good record in this regard shall be given preference;
 - iv a bidder with an overall satisfactory performance record shall be given preference over a bidder known to have an unsatisfactory performance record or no previous experience with the City; and,
 - v if the considerations above do not break the tie, equal bidders shall draw straws in no preferential order held by the Manager of Purchasing and Supply or delegate and witnessed by a member of the Purchasing and Supply Team. The bidder who draws the longest straw will be the winner, and thus breaking the tie.

19.4 Only One Bid Received

- a. In the event only one bid is received in response to a competitive bid, the Manager of Purchasing and Supply may return the unopened bid to the bidder when, in the opinion of the Managing Director (or delegate) and the Manager of Purchasing and Supply, using criteria, based on the number of bids which might reasonably be expected on a given type of bid, additional bids could be secured. In returning the unopened bid, the Manager of Purchasing and Supply shall inform the bidder that the City may be re-issuing the competitive bid at a later date.
- b. In the event that only one bid is received in response to a request for competitive bid, the bid may be opened and evaluated in accordance with the City's usual procedures when, in the opinion of the Managing Director (or delegate) and the Manager of Purchasing and Supply, the bid should be considered by the City. If, after evaluation by the Managing Director (or delegate) and the Manager of Purchasing and Supply, the bid is found not to be acceptable, they may follow the procedures set out in Section 19.3.a., with necessary modifications.

19.4 Only One Bid Received...cont'd

- c. In the event that the bid received is found acceptable, it will be awarded as an Irregular Result under Schedule "A" of this Policy.

19.5 Exclusion of Bidders Due to Poor Performance

- a. The City Treasurer may, in consultation with the City Solicitor, prohibit unsatisfactory suppliers and contractors from bidding on **ANY** future competitive bids for a time period appropriate with the results of the performance evaluation process as outlined in Section 20.5.
- b. Suppliers may also be prohibited from bidding on **ANY** future contract if they maintain officers, Managing Directors, or employees who are also officers, Managing Directors, or employers of suppliers who have already been prohibited from bidding based on the results of the performance evaluation process as outlined in Section 20.5 of this Policy.

19.6 Exclusion of Bidders in Litigation and disputes or appeals of contract awards

- a. The City may, in its absolute sole discretion, reject a bid submitted if the bidder, or any officer or Managing Director of the bidder is or has been engaged, either directly or indirectly through another Corporation or personally, in a legal action against the City, its elected or appointed officers and employees in relation to:
 - i any other contract or services; or,
 - ii any matter arising from the City's exercise of its powers, duties, or functions; or,
 - iii a dispute and/or an appeal of contract awards as per section 2.9
- b. In determining whether or not to reject a bid under this clause, the City will consider whether the litigation is likely to affect the bidder's ability to work with the City, its consultants and representatives, and whether the City's experience with the bidder indicates that the City is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the bidder.

20.0 **Contract Administration**

20.1 Contractual Agreement

- a. The award of a contract may be made by way of an Agreement, Contract Record or Purchase Order.
- b. A Purchase Order or Contract Record is to be used when the resulting contract is straightforward and will contain the City's standard terms and conditions.
- c. Agreement is to be used when the resulting contract is complex and will contain terms and conditions other than the City's standard terms and conditions.
- d. It shall be the responsibility of the Managing Director (or delegate) with the Manager of Purchasing and Supply and/or the City Solicitor to determine if it is in the best interest of the City to establish an agreement with the supplier.

20.1 Contractual Agreement...cont'd

- e. Where it is determined that Section 20.1.d is to apply, the agreement shall be reviewed for execution by the City Solicitor.
- f. Where an agreement is required, as a result of the award of a contract by delegated authority, the Mayor and City Clerk shall execute the agreement in the name of the City.
- g. Where an agreement is issued, Purchasing and Supply may issue a Purchase Order or Contract Record incorporating the formal agreement.
- h. Where an agreement is not required, Purchasing and Supply shall issue an authorized Purchase Order or Contract Record incorporating the terms and conditions relevant to the award of contract.

20.2 Exercise of Contract Renewal Options

- a. Where a contract contains an option for renewal, the Managing Director may authorize Purchasing and Supply to exercise such option provided that all of the following apply:
 - i the supplier's performance in supplying the goods and/or services or construction is considered to have met the requirements of the contract;
 - ii any price increases are consistent with the prevailing market conditions for the goods or services being purchased;
 - iii the facts justifying the decision to award this supplier previously are still relevant at the time of contract renewal;
 - iv funds are available or will be available in appropriate accounts within City Council approved budget, including authorized revisions, to meet the proposed expenditure;
 - v The Committee report, if applicable, clearly identified the options to extend;
 - vi the Managing Director and the Manager of Purchasing and Supply agree that the exercise of the option is in the best interest of the City; and,
 - vii compliance with Sections i) through v) is documented, authorized by the Managing Director and forwarded to Purchasing and Supply.
- b. Approval for contract renewals and extensions shall be governed by Section 8.5 and Schedule "A".

20.3 Contract Amendments

- a. No amendment to a contract shall be made unless the amendment is in the best interest of the City.
- b. No amendment that changes the price of a contract shall be agreed to without a corresponding change in requirement or scope of work.
- c. Amendments to contracts are subject to the identification and availability of sufficient funds in appropriate accounts within City Council approved budgets including authorized amendments.

20.3 Contract Amendments...cont'd

- d. Managing Directors may authorize amendments when:
 - i the total amended value of the contract (original contract plus amendment) is within the approval limit as noted in Schedule "A"; or
 - ii the contract amendment will not exceed the Council approved source of financing by an amount greater than \$50,000 or 3% of contract value, whichever is greater, and there are funds available.
- e. City Council must authorize contract amendments when:
 - i the total amended value of the contract will be greater than the administrative (Managing Director) approval threshold; or
 - ii the total amended value of the contract will exceed the Council approved source of financing by an amount greater than \$50,000 or 3% of contract value, whichever is greater, and there are funds available.

20.4 Execution and Custody of Documents

- a. The Mayor and City Clerk are authorized as per By-law A-1 or resolution by Council to execute formal agreements in the name of the City for which the award was made by delegated authority.
- b. Purchasing and Supply shall have the authority to execute Purchase Orders and/or Contract Records issued in accordance with this Policy.
- c. Purchasing and Supply shall be responsible for the safeguarding of all original procurement and contract documents/records for the contracting of goods, services or construction for which the award is made by delegated authority.
- d. Managing Directors are responsible for executing and retaining all documents in accordance with Section 10.3.e of this Policy.

20.5 Performance Evaluation

- a. At the outset of a project, the client Service Area manager shall institute a performance evaluation process in contracts where the Manager and/or Purchasing and Supply determine that a performance evaluation would be appropriate.
- b. The performance evaluation shall rate the performance of the supplier, contractor or consultant on standard criteria adopted from time to time (i.e. failure to meet contract specifications, terms and conditions, health and safety violations, etc.). A copy of the introductory letter and performance evaluations shall be provided to the supplier, contractor or consultant in advance of the contract, and shall remain constant for the duration of the contract. Performance issues must be noted in writing with a copy to the supplier, Purchasing and Supply and a copy to the Service Area project file. Performance issues must also be noted in any project meeting minutes.
- c. On completion of the project, the client Service Area manager will meet with Purchasing and Supply to review the evaluation. All supporting documents pertaining to any substandard performance and comments must be attached to the evaluation document. Purchasing and Supply will forward a copy of the completed evaluation to the supplier,

20.5 Performance Evaluation...cont'd

contractor or consultant for their records. The supplier, contractor or consultant may request a meeting with the client Service Area manager and a representative from Purchasing and Supply to discuss the evaluation and shall have twenty (20) calendar days following delivery of the evaluation to request an appeal. This appeal shall be forwarded to Purchasing and Supply.

- d. The appeal shall be conducted by a dispute committee which will hear from both City staff or its consultants and the supplier at a time and place appointed in writing by the Committee. The decision of the Dispute Committee shall be in writing and it shall be final.
- e. The performance evaluation shall determine whether a supplier, contractor or consultant will:
 - i be allowed to renew a contract with the City;
 - ii be placed on a probationary list for a minimum of two (2) years during which time they shall be permitted to bid or propose work for the City with the understanding that the work will be closely monitored; or
 - iii be prohibited from bidding on any contracts with the City during a three (3) year period, followed by a one (1) year probationary period after re-instatement as provided for in Section 19.5.
- f. In reaching a decision, the Dispute Committee shall rely upon the evaluation criteria determined in advance of the project and the results of prior performance evaluations relating to other contracts performed by the same supplier.
- g. No tender, proposal or quotation will be accepted from any supplier during the term of the suspension.

21.0 **General**

21.1 Cooperative Purchasing

- a. The City may participate with other government agencies or public authorities in cooperative purchasing where it is in the best interests of the City to do so.
- b. The decision to participate in cooperative purchasing agreements will be made by the Manager of Purchasing and Supply.
- c. The individual policies of the government agencies or public authorities participating in the cooperative competitive bid are to be the accepted by-law for that particular competitive bid.

21.2 Direct Solicitation

- a. Unsolicited proposals received by the City shall be referred to the Manager of Purchasing and Supply for review.
- b. Any procurement activity resulting from the receipt of an unsolicited proposal shall comply with the provisions of this Policy.

21.2 Direct Solicitation...cont'd

- c. A contract resulting from an unsolicited proposal shall be awarded on a non-competitive basis only when the procurement complies with the requirements of a non-competitive procurement, as detailed in Section 14.

21.3 Resolution of Questions

Any question involving the meaning or application of this Policy is to be submitted to the City Treasurer who will resolve the question.

21.4 Access to Information

- a. The disclosure of information received relevant to the issue of competitive bids or the award of contracts emanating from competitive bids shall be made by the appropriate officers in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended.
- b. All records and information pertaining to competitive bids, which reveal a trade secret or scientific, technical, commercial, financial or other labour relations information, supplied in confidence implicitly or explicitly, shall remain confidential if the disclosure could reasonably be expected to:
 - i significantly prejudice the competitive position or significantly interfere with the contractual or other negotiations of a person, corporation or other entity that responds, or intends to respond to a request for bids;
 - ii result in similar information no longer being supplied to the City where it is in the public interest that similar information continues to be so supplied;
 - iii result in undue loss or gain to any person, group, committee or financial institution or agency; or,
 - iv result in information whose disclosure could reasonably be expected to be injurious to the financial interests of the City.

21.5 Local or Geographical Preference

The City shall not give any local or geographical preference during the competitive bid process. The City may mandate certain bona fide on-site response time requirements for specific situations.

21.6 Terms and Conditions

All standard City Terms and Conditions for **ALL** procurement activities will govern **UNLESS** there is written approval for the proposed changes from the Client Managing Director and the City Solicitor.

21.7 Receipt of Goods

- a. Managing Directors or any employee exercising delegated authority approval shall:
 - i. arrange for the prompt inspection of goods on receipt to confirm conformance with the terms of the contract; and
 - ii. inform Purchasing and Supply of discrepancies immediately.
- b. Purchasing and Supply shall coordinate an appropriate course of action with the Managing Director for any non-performance or discrepancies.

21.8 City of London Regional Water Supply Division

This Policy will apply to all City of London Regional Water Supply Division procurement up to the approvals required by Committee and City Council. Approvals beyond these dollar value thresholds will be made by the Joint Boards of Management for the Lake Huron and Elgin Area Water Supply Systems.

21.9 Comprehensive Economic Application of Trade Agreements (CETA)

This Policy is subject to the Comprehensive Economic applicable Trade Agreements (CETA).

SCHEDULE "A" – Levels of Contract Approval Authority

Sales taxes, excise taxes, goods and service taxes and duties shall be excluded in determining the price of a contract for the supply of goods or services for the purpose of the relationship of the price to the preauthorized expenditure limit. In the case of multi-year supply and/or service contracts, the preauthorized expenditure limit shall refer to the estimated annual expenditure under the contract. Emergencies as defined in Section 14.2 are exempt from this Approval Authority.

Dollar Value (excluding taxes, duty or shipping)	Tool / Procurement Process	Approval Authority	Policy Section
Under \$15,000	Purchasing Card or Purchase Order	Managing Director * or any employee exercising delegated authority approval	9
Greater than \$15,000 to \$50,000***	IRFQ (Informal Request for Quotation) – three written quotes**	Managing Director * or any employee exercising delegated authority approval	10
Greater than \$50,000 to \$100,000***	RFQ	Managing Director * or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)	11
Up to \$100,000***	RFP	Managing Director * or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)	12
Greater than \$100,000 to \$3,000,000	RFT without an Irregular Result	Managing Director * or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)	13
Greater than \$3,000,000***	RFT	Committee and City Council	13
Greater than \$100,000***	All RFQ and RFP RFT with an Irregular Result	Committee and City Council	11,12,13 & 8.10
Up to \$50,000	Single Source or Sole Source	Managing Director * and Manager of Purchasing and Supply (jointly) – requires documented rationale	14.3 & 14.4
Greater than \$50,000	Single Source or Sole Source	Committee and City Council	14.3 & 14.4
Less than \$3,000,000	Contract Extensions – previously approved by City Council	Managing Director * and Manager of Purchasing and Supply (jointly) – requires documented rationale	20.2
Greater than \$3,000,000	Contract Extensions – previously approved by City Council	Committee and City Council	20.2
Up to \$50,000 or 3% of the Contract Value	Contract Amendments – subject to availability of sufficient funds in appropriate accounts and budget	Managing Director * or any employee exercising delegated authority approval OR Committee and City Council	20.3

SCHEDULE "A" Continued – Levels of Contract Approval Authority

For the Appointment of Professional Consulting Services			
Dollar Value (excluding taxes, duty or shipping)	Tool / Procurement Process	Approval Authority	Policy Section
Less than \$100,000	Appointment from Pre-approved List	Managing Director *	15
\$100,000 to \$500,000 \$365,700	Proposals invited from 3 Firms on Pre-approved List	City Council	15
Greater than \$500,000 \$365,700	Two stages: REOI/RFQUAL and RFP	City Council	15

* The City Manager may also exercise the approval authority of a Managing Director.

** A copy of the quotes must be provided to Purchasing and Supply for their records.

*** The criteria and analysis to determine best value must be clearly documented if not the lowest bid.

SCHEDULE "B" – Goods and/or Services NOT Subject to this Policy

1. Training and Education including:
 - i Conferences, Seminars, Courses and Conventions
 - ii Magazines, Subscriptions, Periodicals
 - iii Memberships
 - iv Staff Development
 - v Staff Workshops
 - vi Staff Relations

2. Refundable Employee Expenses in accordance with the Travel and Business Expense Policy.

3. Corporate General Expenses including:
 - i Payroll and Payroll Deductions
 - ii Medicals
 - iii Insurance Premiums, Claim Settlements and Adjuster Services
 - iv Tax Remittances, GST/HST Cost Recovery Reviews and WSIB Remittances
 - v Charges to and from Other Government Agencies
 - vi Development Charges
 - vii Postage
 - viii Newspaper Advertising
 - ix Retirement Recognition Awards
 - x Investment Management Services
 - xi Employee Group Benefits, Compensation, Programs, Consulting and Reviews

4. Licenses, certificates and other approvals required.

5. Election materials - The City Clerk has the authority to purchase goods, services and equipment considered necessary or advisable to carry out the requirements of the Municipal Elections Act, R.S.O. 1996, as amended. The City Clerk shall wherever possible be guided by the provisions of this Policy.

6. Ongoing maintenance and actions to maintain present functionality of existing computer hardware and software. All requests for purchases of computer systems (hardware and software that will be connected to the corporate network) must be reviewed by Information Technology Services and expressly authorized, in writing, by the Director, Information Technology Services or designate.

7. Professional and skilled services provided to individuals as part of approved programs within Corporate or Community Services including but not limited to medical services, home care services, counseling services and child care.

SCHEDULE "B" Continued – Goods and/or Services NOT Subject to this Policy cont'd

8. Professional and special services up to \$100,000, or defined more specifically in another City by-law or Council Policy, including, but not limited to:
- i Additional Non-recurring Accounting and Auditing Services
 - ~~ii Banking Services (where covered by agreements)~~
 - iii Public Debenture Sales
 - iv Realty Services for Lease, Acquisition, Demolition, Sale and Appraisal of Land and Property, including Appraisal and Consulting Services relating to matters of Expropriation
 - v Performance / Artist's Fees
 - vi Property Tax Bill Printing and Mailing Services
 - vii Integrity Commissioner Services

Professional and special services exceeding \$100,000 must follow the approval process outlined on Schedule "A".

9. Utilities - Water and Waste Water, Electricity, Electrical Inspection Services, Phone and Natural Gas.
10. Construction work completed by Railways (CN and CP) and billed to the City.
11. Urgent Facilities Maintenance/Repairs/Renovations as deemed appropriate by the City Treasurer and/or City Engineer with the concurrence of the City Manager.
12. Legal Services and Labour Relations Services as deemed appropriate by the City Solicitor and/or the Chief Human Resources Officer up to \$ 250,000.
13. Construction relocations as approved by the City Utilities Co-ordination Committee.
14. Services provided for City construction projects within a railway right-of-way as required by the rail authority having jurisdiction.
15. Revenue Generation Services provided to or by the City of London with the intent to generate revenue for the City.
16. Planning and Development or Re-development Projects to purchase, sell or repurpose property or other City assets.
17. Banking Services where covered by agreements and provided either directly by the City's contracted Banking Services provider or by one of the contracted Banking Services provider's strategic partners, affiliates or holdings as deemed appropriate by the City Treasurer and with the concurrence of the City Manager.

SCHEDULE "C" – Irregularities Contained in Bids

IRREGULARITY	RESPONSE
1. Late bids.	Automatic rejection, not read publicly and returned unopened to the bidder.
2. Unsealed envelopes.	Automatic rejection
3. Insufficient financial security (no bid deposit or insufficient bid deposit).	Automatic rejection
4. Failure to insert the name of the bonding company in the space provided for in the bid documents.	Automatic rejection
5. Failure to provide a letter of agreement to bond/ letter of guarantee where required.	Automatic rejection
6. Incomplete, illegible or obscure bids or bids which contain additions not called for, erasures, alterations, errors or irregularities of any kind.	May be rejected as informal – Mandatory Requirements MUST be met or Automatic rejection
7. Documents, in which all addenda have not been acknowledged.	Automatic rejection
8. Failure to attend mandatory site visit.	Automatic rejection
9. Bids received on documents other than those provided by the City.	Automatic rejection
10. Failure to insert the bidder's business name in one of the two spaces provided in the bid documents.	Automatic rejection
11. Failure to include an original signature of the person authorized to bind the bidder in the space provided in the bid documents.	Automatic rejection
12. Conditions placed by the bidder on the total contract price.	Automatic rejection

SCHEDULE "C" Continued – Irregularities Contained in Bids

IRREGULARITY	RESPONSE
<p>13. Bids containing minor mathematical errors</p>	<p>a) If the amount bid for a unit price item does not agree with the extension of the estimated quantity and the bid unit price, or if the extension has not been made, the unit price shall govern and the total price shall be corrected accordingly.</p> <p>b) If both the unit price and the total price are left blank, then both shall be considered as zero.</p> <p>c) If the unit price is left blank but a total price is shown for the item, the unit price shall be established by dividing the total price by the estimated quantity.</p> <p>d) If the total price is left blank for a lump sum item, it shall be considered as zero.</p> <p>e) If the bid documents contain an error in addition and/or subtraction and/or transcription <u>in the approved competitive bid documentation format requested (i.e. not the additional supporting documentation supplied)</u>, the error shall be corrected and the corrected total contract price shall govern.</p> <p>f) Bid documents containing prices which appear to be so unbalanced as to likely affect the interests of the City adversely may be rejected.</p>

SCHEDULE "D" - Statement of Ethics for Public Purchasers

The Ontario Public Buyers Association's Code of Ethics is based upon the following tenets and all employees who are authorized to purchase goods and/or services on behalf of the City are to adhere to the following.

1. **Open and Honest Dealings with Everyone who is Involved in the Purchasing Process.** This includes all businesses with which this City contracts or from which it purchases goods and/or services, as well as all members of our staff and of the public who utilize the services of the Purchasing and Supply Team.
2. **Fair and Impartial Award Recommendations for All Contracts and Tenders.** This means that we do not extend preferential treatment to any supplier, including local companies. Not only is it **against the law**, it is not good business practice, since it limits fair and open competition for all potential suppliers and is therefore a detriment to obtaining the best possible value for each tax dollar.
3. **An Irreproachable Standard of Personal Integrity on the Part of All Those Delegated as Purchasing Representatives for This City.** Absolutely no gifts or favours are accepted by the purchasing representatives of this City in return for business or the consideration of business. Also, the purchasing representatives of this City do not publicly endorse one company in order to give that company an advantage over others.
4. **Cooperation with Other Public Agencies in Order to Obtain the Best Possible Value for Every Tax Dollar.** The City is a member of a cooperative purchasing group. Made up of several public agencies, this group pools its expertise and resources in order to practice good Value Analysis and to purchase goods and/or services in volume and save tax dollars.
5. **Continuous Development of Purchasing Skills and Knowledge.** All members of the Purchasing and Supply Team take advantage of the many opportunities provided by the Ontario Public Buyers Association to further their knowledge of good public purchasing principles and to maintain excellent skills.

SCHEDULE "E" – Materials Management Guidelines

1. Materials Management and Inventory Control

The Manager of Purchasing and Supply or delegate shall be solely responsible for the operation of all inventory and warehouse operations at Greenway Pollution Control Plant, A.J. Tyler and Exeter Road Operations centers. A system of materials management and inventory control methods shall be used to maintain an adequate level of commodities to support and supply all Service Areas.

2. Inventory Control System

- a. A physical inventory of stock items shall be taken on a periodic basis.
- b. An adequate allowance for inventory obsolescence shall be maintained.

3. Control of Goods in Use

The Manager of Purchasing and Supply or delegate may periodically perform a physical count and inventory of all goods that are not in inventory but are used and stored by various Service Areas. The Managing Director shall provide any necessary assistance required. As a result of such a review, goods may be placed into inventory, transferred, declared surplus or otherwise disposed.

4. No Separate Procurement of Commodities in Inventory

Commodities which are available from Purchasing Stores inventory and which are suitable for the intended end use shall not be requisitioned or purchased on a direct charge basis.

5. Disposal of Materials and Equipment Considered to be Obsolete and/or Surplus

- a. All Service Areas shall notify the Manager of Purchasing and Supply or delegate when items become obsolete or surplus to their requirements. Options to allow for trade-in allowance will be considered when purchasing new equipment.
- b. The Manager of Purchasing and Supply shall be responsible for ascertaining if the items can be of use to another civic Service Area rather than disposed of.
- c. Items that are not claimed for use by another Service Area may be offered for sealed bids, public auction or other public sale, depending in the opinion of the Manager of Purchasing and Supply on which method is most suitable for the equipment or material involved.
- d. Auctions are held as required dependent upon individual circumstances such as delivery of replacement items and storage capacity.
- e. The revenue from the sale of obsolete material shall be credited to the appropriate account(s).

6. Periodic Bids for Auctioneer Services

The Manager of Purchasing and Supply is authorized to obtain sealed bids for auctioneer services on a periodic basis from qualified auctioneers.

SCHEDULE "E" Continued – Materials Management Guidelines

7. Disposal of Materials and Equipment Considered to be Scrap

- a. Where scrap material is available for disposal, the relevant area Manager shall inform the Manager of Purchasing and Supply who shall be responsible for the disposal of all scrap material belonging to the City.
- b. The Manager of Purchasing and Supply, after determining the value and possible alternate uses of the scrap material, may dispose of the material by:
 - i. general advertising to secure sealed bids;
 - ii. direct contact with the appropriate dealers to view the scrap and submit offers to purchase;
 - iii. public auction; or
 - iv. other methods as deemed appropriate.
- c. The revenue from the sale of scrap material shall be credited to the appropriate account(s).

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JUNE 19, 2018
FROM:	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	TAXATION OF RAILWAY RIGHTS OF WAY – HIGH TONNAGE

RECOMMENDATION

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, Council **PASS A RESOLUTION** requesting that the Minister of Finance impose a high tonnage rate for railway rights of way in the City of London where such a rate is appropriately based on the data available to the Minister and that the resolution passed by Council **BE FORWARDED** to the Minister of Finance by the City Clerk on or before June 29th, 2018.

BACKGROUND

On April 3, 2018, the Ministry of Finance sent out letters to Municipal Treasurers in Ontario regarding various tax matters. One of the topics covered in the letter was changes to the taxation of railway rights of way to be effective in 2018 and future years. The letter indicated that standard rates would be increased in 2018 and future years. The letter also indicated that the Province would implement a higher rate for high tonnage rail lines but did not specify what that rate would be or where the high tonnage routes existed. The letter indicated that the Province would provide additional information to municipalities that it anticipated may have high-tonnage rail lines for which the higher tax rate would be appropriate based on preliminary data.

On May 7, 2018, the City Treasurer received an e-mail from the Province indicating that a regulation had been filed to set the standard tax rate for railway rights of way for 2018. The letter also indicated that the Province would be doing another regulation later in the year to set a rate for high tonnage routes but did not provide any information as to where in Ontario high tonnage rates would be applicable. The letter identified a contact for further information and indicated that if a municipality was interested in imposing a high tonnage rate for 2018 it “must submit a formal Council resolution on or before June 29, 2018.”

On May 9, 2018, City Finance staff contacted the Ministry of Finance to clarify whether or not the high tonnage rate was applicable in the City of London and if so, what was the high tonnage rate. The Ministry of Finance responded that the Province does not have the information to determine whether or not the high tonnage rate would be applicable in the City of London. Nonetheless, the high tonnage rate would be \$300 per acre compared to the standard rate of \$110 applicable in 2018. Finance staff were also advised that in order for the Province to proceed to determine whether or not the high tonnage rate was applicable in the City of London it would be necessary for Council to pass a resolution requesting that the high tonnage rate be applied in the City of London if and where applicable and the resolution would have to be submitted on or before June 29th, 2018.

The City of London has approximately 462 acres (308 acres at CN and 154 acres at CP) of railway rights of way where a high tonnage rate may or may not be applicable. If the rate were applicable to all the right of way property the increase in revenue in 2018 would be approximately \$190 per acre and would amount to approximately \$88,000. If the high tonnage rate were applicable, then a similar annual rate differential should continue into the future.

SUMMARY

A high tonnage rate may or may not be applicable for railway rights of way in the City of London. In order to determine the applicability of a high tonnage rate, Council must submit a formal resolution on or before June 29th, 2018 to the Minister of Finance requesting that a high tonnage rate be imposed where applicable. If a high tonnage rate were applicable to all the right of way property in London, it could increase revenue in 2018 by approximately \$88,000. If the high tonnage rate were applicable it would also provide increased revenue on an annual basis.

PREPARED BY:	CONCURRED BY:
JIM LOGAN, CPA, CA DIVISION MANAGER, TAXATION AND REVENUE	IAN COLLINS, CPA, CMA DIRECTOR, FINANCIAL SERVICES
RECOMMENDED BY:	
ANNA LISA BARBON, CPA, CGA MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER	

TO:	CHAIR AND MEMBERS OF CORPORATE SERVICES COMMITTEE MEETING ON JUNE 19, 2018
FROM:	WILLIAM C. COXHEAD MANAGING DIRECTOR, CORPORATE SERVICES & CHIEF HUMAN RESOURCES OFFICER
SUBJECT:	UPDATE: WORKPLACE DIVERSITY AND INCLUSION

RECOMMENDATION

That, on the recommendation of the Managing Director, Corporate Services and Chief Human Resources Officer, this report BE RECEIVED for information purposes.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Various verbal and written reports regarding the Workplace Diversity & Inclusion Plan, including:

- May 9, 2017 – Report to Members of Corporate Services Committee titled “Workplace Diversity and Inclusion Activities”
- November 21, 2017 – Report to Members of Corporate Services Committee titled “Data Collection for New Hires”
- January 23, 2018—Report to Members of Corporate Services Committee titled “ Update: Workplace Diversity and Inclusion”

BACKGROUND

This Report provides an update on metrics and activities associated with workforce diversity/demographics and the implementation of the Workplace Diversity and Inclusion Plan (hereinafter referred to as the “Plan”).

Metrics are quantifiable measures that are used to track and assess the status of a specific business process.

Activities identified represent the actions taken to support creating inclusion in the organization. The outcomes from these activities would be measured with a long term goal to result in an increase in the quantifiable metrics.

Metrics: Data Collection for New Employees:

Civic Administration introduced the Employee Demographic Profile Survey after the completion of the 2017 Workforce Census as an ongoing metric assessment for the Focus Area 1. All new and returning employees attending the orientation program are asked to voluntarily complete the Employee Demographic Profile Survey. This data will allow us to track where we are underrepresented and evaluate if our efforts are making a difference.

According to the data releases from the Federal Census of 2016, it is recognized by the staff that the population of London is becoming increasingly diverse:^a

- 21% of the city's population was born outside of Canada (76,585), with almost 15% of the city's immigrant population (11,410) coming to Canada between 2006 and 2011
- 17% of Londoners are visible minorities, with Latin Americans and Arabs being the top visible minority groups, closely followed by Blacks and South Asians
- Londoners report speaking almost 100 different languages
- One-eighth of the population speaks neither English nor French at home, with Spanish and Arabic being the top non-official languages spoken at home
- Less than 2% of the population reported being Aboriginal
- Community organizations estimate that 10% of the adult population belong to the LGBTQ^b communities
- In 2006, approximately 16% of the provincial population had a disability.^c

Between the time frame of **Feb 19, 2017 and April 30, 2018**, the total number of new hires that participated in the process of collecting employee demographic profile voluntarily was **644**.

EMPLOYEE DEMOGRAPHIC PROFILE BREAKDOWN				
Group	Feb 2017 - Oct 2017		Nov 2017 - April 2018	
	# of responses	% of total responses	# of responses	% of total responses
Women	195	42.0	106	58.9
LGBTQ+	34	7.3	9	5.0
Indigenous People	3.0	0.6	0	0.0
Racialized People	74	15.9	44	24.4
People with Disabilities	39	8.4	17	9.4
Immigrant	38	8.2	39	21.7
Immigrant (2011-2017) ^{***}	5.0	1.1	14	5.6
TOTAL	464		180	

^{***} Immigrant (2011-2017): the question asks about the length of their immigration status in Canada so we can ascertain if we are hiring from the category of the immigrants/newcomers that have historically have difficulty finding meaningful employment in their chosen fields.

^a City of London. (2013). *London Census Fact Sheet: Sheet 4. Immigration and Ethno-Cultural Diversity*. Retrieved from <https://www.london.ca/About-London/community-statistics/population-characteristics/Documents/4-%20ethnoculturalJune21.pdf>

^b This is a shortened acronym meant to refer to the entire lesbian, gay, bisexual, trans, queer, questioning, intersex, pansexual, two-spirit, asexual communities and their allies, otherwise referred to as LGBTQIP2SAA

^c Statistics Canada, Participation and Activity Limitation Survey

Please see Appendix A attached for the breakdown of the respondents based on permanent and temporary status.

The following section contains the highlights of activities captured during the Nov 1, 2018 to May 31, 2018 reporting period, grouped by the two main focus areas as described in the Plan.

FOCUS AREA 1 - Activities that support creating a more diverse workforce, reflective of our community:

Community Partners & Stakeholders Engagement

This Period

- Conducted a free of cost to attendees four day training program with support from Parks and Recreation and Ontario Parks Association to train newcomers to London for casual and temporary employment opportunities with the City of London. This was a pilot offering and we will make the necessary changes to the next year training program to ensure hiring from the co-hort. At the end of the 2018 training, we were unable to hire from the trainees. However, that training itself could open up employment opportunities in other sectors.
- Established a series of sessions with agencies serving Indigenous communities in the city and region to network and to work with the HR recruitment specialists and discuss barriers to employment. Four agencies attended representing Namerind, Chippewa on the Thames, Muncey-Delaware and Oneida Nation of the Thames. Focus group to follow for furthering collaboration and development of protocols and processes to work with the First Nations and the Urban Indigenous Population.
- Established a series of sessions the agencies serving newcomer/immigrants to Canada as well as Foreign Trained Professionals were invited to network and to work in collaboration with the HR recruitment specialists and hiring managers from across the Service Areas. Ten agencies attended. A focus group will be conducted for furthering collaboration and development of protocols and processes to work with the Newcomer/Immigrant Population as well as the Foreign Trained Professionals.
- Established a series of sessions where the agencies serving persons with disabilities (visible and invisible, physical and intellectual) were invited to discuss the needs of their clients and possible barriers to employment at the City with the HR recruitment specialists and hiring managers from the across the Service Areas. Seven agencies attended. A focus group will be conducted for furthering collaboration and development of protocols and processes to work with the clients of the above stakeholders as well as other agencies supporting the employment of persons with disabilities.

Looking Forward

- Follow up focus groups are planned between July and September, 2018 to assist with review and update of the next version of the five-year Workplace Diversity & Inclusion Plan (2020-2024).
- Civic Administration will be meeting with members of the Black Community, September, 2018 to discuss employment barriers and challenges that the Black Community in London experience with respect to employment at the Corporation of the City of London.
- An open house is planned for October, 2018 for clients of the agencies serving persons with disabilities in order to meet and greet with HR representatives and hiring managers. This will allow clients to understand our organization better and allows hiring managers to see the talents of persons with disabilities.

Recruitment & Business Solutions

- Attendance at eighteen (18) recruitment events.
- Ongoing sharing of job postings with forty-five (45) community agencies.
- Attendance at five (5) job fairs specifically aimed at the under-represented groups.
- City of London recruitment webpage has been updated and continues to be reviewed to ensure we are not inadvertently creating barriers for the community. The webpage now includes links to agencies and resources that can support job seekers who are Foreign Trained Professionals. Information will be added to support Newcomers to Canada, Persons with Disabilities, International Students looking for employment opportunities. The webpage has been designed to be more inclusive to all dimensions of diversity.
- Hosted eight (8) student placements across the organization.
- All temporary positions with a duration of 15 weeks or less are first sent out to our partnered agencies. We reach out to Leads, March of Dimes, Community Living London, N'Amerind Friendship Centre and Specialisterne Autism.
- As jobs come forward for posting we are assessing if the qualifications are bona fide.
- Hosted five (5) paid 6-month and two (2) paid 1-year internships under the City of London's Internship Program for Foreign Trained Professionals.
- Plans are underway to recruit the 2018 interns.

Professional Development & Training

- "Introduction to Bias Free Hiring" Session was conducted May 4, 2018 for HR Recruitment Specialists.
- Tools & Strategies to Support Bias Free Hiring Practices: another session is scheduled for Fall 2018, hiring managers in addition to the HR recruitment specialists will be invited to attend.

Metrics identified for this focus area:

- Hosted eight (8) student placements across the organization.
- Hosted five (5) paid 6-month and two (2) paid 1-year internships under the City of London's Internship Program for Foreign Trained Professionals. There was representation from gender diverse, racialized, creed and culturally diverse persons within these internships.

FOCUS AREA 2 - Activities that foster a more inclusive organizational culture:

Professional Development & Training

- Across the organization, 132 employees received "Introduction to Workplace Diversity and Inclusion" and "It Starts With Me" training.
- Across the organization, 36 managers and 24 employees received "Workplace Mental Health" training.
- Intercultural competency training development was created and piloted with 51 employees completed in Jan- Feb, 2018. Roll out of full sessions will begin in Summer, 2018.
- Conducting Blanket Exercise with the Senior Leadership Team (SLT), Senior Management Team (SMT) and Operations Management Team (OMT) on July 9, 2018 in preparation for Intercultural Competency Development Training. Blanket Exercise will also be offered as part of iLearn and will be open to all employees four times a year. The Blanket Exercise is a workshop that explores the relationship between Indigenous and non-Indigenous peoples in Canada. Blankets arranged on the floor represent land and participants are invited to step into the roles of First Nations, Inuit and later Métis peoples. The workshop helps people to understand how the colonization of this land impacts those who were here long before settlers arrived. It engages people's minds and hearts in understanding why the relationship between Indigenous and non-Indigenous peoples is often broken and how we can take action together.

Intercultural Competency Development Training Plan attached as Appendix B.

Equity & Inclusion Lens

- Developing the Equity & Inclusion Lens; completion is expected for August, 2018.
- Continuing to use the Gender Equity Lens for policy and practices review currently.

Policy Review & Update

- Review and update of all policies with the gender lens has been completed.
- New policies under development include Anti-Racism Policy, Indigenous Relations Policy and Gender Transitioning Policy.

Employee Resource Groups (ERG)

Employee Resource Groups (ERGs) are a formal connecting structure for employees who share a common diversity dimension and their allies.

- 110 Employee Resources Group members.
- U5 – Difficult Conversations Training provided.
- UP! – Women’s Day Event hosted in March, 2018 & White Ribbon Campaign planned for Winter 2018.
- PRISM – 13 Positive Space Champions Trainings conducted and there are 115 Champions across 19 locations in the Corporation.
- New ERG: ABC: African, Black & Caribbean identifying persons and their allies are finalizing the formulation of an ERG at the Corporation.
- New ERG: 55+ Employees at the City of London, under development, to be formalized by Fall, 2018.
- New ERG: access-Abilities: Employees identifying as persons with disabilities or having loved ones identifying with having disabilities and their allies is under development, to be formalized by Fall 2018.

Workplace Diversity & Inclusion Committee (WDIC)

- WDIC will review the strategies recommended through the Community Diversity & Inclusion Strategy (CDIS) to review, update and formulate the next 5-year Workplace Diversity & Inclusion Plan (2020-2024).

Recruitment Outreach Ambassadors

- A Recruitment Outreach Ambassador Program was created which is intended for City of London employees to be a resource in order to support recruitment efforts with the demographic communities they identify with. Their role is to review and discuss ways in which the organization can increase its representation of the demographic group the ambassadors identify with. There are 17 ambassadors from across the organization.

Awareness Efforts for Diversity & Inclusion

- Diversity and Multicultural Calendar with days of significance identified was distributed to all senior leaders. A monthly email listing the days of significance and information about each day is shared with leaders. The expectation is that the information shared on these dates/events will support the managers with direct reports to help create a welcoming and inclusive environment at work.
- Black History Month Event hosted in February 2018 by WDIC (Workplace Diversity & Inclusion Committee).
- June 21st, 2018 National Indigenous Solidarity Day: City of London will take part in the London Pow Wow hosted by the 3 neighbouring First Nations and Agencies serving the Indigenous Population in the city.
- Session on Truth & Reconciliation Efforts for a group of staff from Social Services to be hosted in June, 2018 to commemorate Indigenous History Month.
- City of London will once again have a float at the annual Pride Parade, July 29, 2018.

Metrics Identified for focus area:

- Formation of three (3) new Employee Resource Groups
- Increase in requests for educational and professional development activities across the divisions
- Recruitment Outreach Ambassador Program

Conclusion:

For future data collection and data analytics, we will look at the Employee Demographic Profile for the Casual employees. Further breakdown of data will also look at the returning employees and where they are situated from one year to the next. The analysis will be made part of the annual report when it is submitted.

Civic Administration continues to recognize that culture shift and change towards a more inclusive workplace requires consistent effort, continuous learning and continued work through partnerships with community agencies.

Civic Administration is recommending that we utilize the momentum we have gained and that we use the data collected as we continue to develop programs aimed at creating an inclusive workplace that is reflective of our community.

PREPARED BY:	PREPARED BY:
SALEHA KHAN, DIVERSITY & INCLUSION SPECIALIST, HUMAN RESOURCES AND CORPORATE SERVICES	PAT FOTO MANAGER, HUMAN RESOURCES AND CORPORATE SERVICES
RECOMMENDED BY:	
WILLIAM C. COXHEAD MANAGING DIRECTOR, CORPORATE SERVICES AND CHIEF HUMAN RESOURCES OFFICER	

APPENDIX A

The Workforce Census was conducted from Feb 3 to Feb 17, 2017. The data collected from after the Census was completed, is reflected through the Employee Demographic Profile Between the time frame of Feb 19, 2017 and April 30, 2018, the number of new hires that participated in the process of collecting employee demographic profile voluntarily was 644.

Breakdown based on Permanent status and Temporary Status of the Respondents

PERMANENT				
Group	Feb 2017 - Oct 2017		Nov 2017 - April 2018	
	# of total responses	% of total responses	# of total responses	% of total responses
Women	35	43.8	20	38.5
LGBTQ+	10	12.5	2	3.8
Indigenous People	2	2.5	0	0.0
Racialized People	21	26.3	9	17.3
People with Disabilities	9	11.3	4	7.7
Immigrant	15	18.8	6	11.5
Immigrant (2011-2017)***	2	2.5	0	0.0
TOTAL	72		52	

TEMPORARY				
Group	Feb 2017 - Oct 2017		Nov 2017 - April 2018	
	# of total responses	% of total responses	# of total responses	% of total responses
Women	160	41.7	86	67.2
LGBTQ+	24	6.3	7	5.5
Indigenous People	1	0.3	0	0.0
Racialized People	53	13.8	35	27.3
People with Disabilities	30	7.8	13	10.2
Immigrant	23	6.0	33	25.8
Immigrant (2011-2017)***	3	0.8	10	7.8
TOTAL	265		128	

*** Immigrant (2011-2017): the question asks about the length of their immigration status in Canada so we can ascertain if we are hiring from the category of the immigrants/newcomers that have historically have difficulty finding meaningful employment in their chosen fields.

APPENDIX B

City of London
Intercultural Competency Plan Overview

	Audience	Training	Timeline
<i>Skills</i>	<i>SLT, OMT, Senior Managers, Union Executives</i>	1. <i>Blanket Exercise</i> 2. <i>Fundamentals of Intercultural Competency for Senior Leaders</i>	May to Aug 2018
	<i>Managers/Supervisors</i>	3. <i>Fundamentals of Intercultural Competency for Manager/Supervisors with Direct Reports</i>	Sept to Dec 2018
	<i>Front line Service Providers</i>	4. <i>Fundamentals of Intercultural Competency for Front line Service Providers</i>	Jan 2019 to Dec 2020
<i>Knowledge</i>	<i>All Employees</i>	5. <i>Blended/Online training and workshop on “Indigenous Communities”</i>	Dec 2020 to Dec 2021
	<i>All Employees</i>	6. <i>Online training support on “Persons with disabilities”</i>	Dec 2020 to Dec 2021
	<i>All Employees</i>	7. <i>Online training support on “Racialized persons/visible minorities”</i>	Dec 2020 to Dec 2021
	<i>All Employees</i>	8. <i>Online training support on “immigrant experience”</i>	Dec 2020 to Dec 2021

*Blanket Exercise will be provided on a quarterly basis to all employees interested in attending.

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JUNE 19, 2018
FROM:	MARTIN HAYWARD, CITY MANAGER AND WILLIAM C. COXHEAD, MANAGING DIRECTOR, CORPORATE SERVICES AND CHIEF HUMAN RESOURCES OFFICER
SUBJECT:	UPDATE: HARASSMENT AND DISCRIMINATION – THIRD PARTY REVIEW

RECOMMENDATION

That, on the recommendation of the City Manager and Managing Director, Corporate Services and Chief Human Resources Officer, this Report **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None

BACKGROUND

On March 27, 2018 Council resolved that the City Manager BE REQUESTED to provide updates to the Corporate Services Committee regarding the harassment and discrimination policy and process review and changes, at the appropriate points in time, with the first update to be received by June 2018.

The purpose of this report is to provide the requested update.

Since March of 2018, the City Manager and the Chief Human Resources Officer have written to employees indicating our commitment to a workplace that is free from harassment and discrimination. To date, there have been eight communications to employees keeping them informed of the steps that are being taken.

The following is a summary of the work that is being done and will be done to honour this commitment:

Third Party Consultant Engaged:

On April 5th we advised employees we had taken a key step in the process of ensuring our workplace is free of harassment and discrimination: Rubin Thomlinson LLP was identified as the third party we have engaged to review City policies and practices related to harassment and discrimination, bullying, intimidation and /or reprisal in the workplace, and to provide an interim intake and investigation process for those who may be uncomfortable using the existing processes. Rubin Thomlinson LLP is a firm with national presence. Their experience in investigations, workplace harassment, and workplace rehabilitation is diverse and reflects decades of work. We believe they have the expertise to lead this critical work for the City.

Their work is focused in two key areas:

1. Conducting an intake of complaints and, where appropriate, conducting investigations of individual harassment and/or discrimination allegations.
2. Conducting an assessment of the City of London's program and practices relating to harassment and discrimination. This includes obtaining feedback in a variety of ways from employees on their experiences relating to the program and a top to bottom review of our policies.

Phase 1 - Interim Intake and investigation process established:

On May 1st. Rubin Thomlinson created an interim third party intake and investigation option for those who are uncomfortable using the existing processes regarding complaints of harassment and discrimination. A dedicated confidential email address was created for this purpose through which City of London employees may directly contact Rubin Thomlinson to make a complaint of harassment and/or discrimination.

Upon receipt of an email, representatives at Rubin Thomlinson LLP confirm the submission and initiate contact to arrange an intake interview. The initial interview helps determine the nature of the complaint and whether it contains allegations of harassment and/or discrimination.

Permission was sought from employees and former employees who previously shared concerns with the Mayor and/or City Manager to forward their concerns to the third party for initial intake in accordance with this process.

Based on the information provided during the intake interview, Rubin Thomlinson LLP assesses whether the complaint contains allegations of harassment and/or discrimination which may include allegations of bullying, intimidation or reprisals that require investigation. If so, Rubin Thomlinson LLP will conduct an investigation into the complaint, including identifying circumstances where interim measures may be necessary.

At the conclusion of any investigation, Rubin Thomlinson LLP will prepare a written report that summarizes the evidence gathered during the investigation, makes factual findings, and concludes whether harassment and/or discrimination has occurred for consideration and appropriate action by the City.

Anonymous complaints submitted to the intake email address will be investigated where appropriate in accordance with the process outlined above.

At the time of writing of this report, Rubin Thomlinson has confirmed 29 contacts as part of Phase 1. All 29 have been responded to and 23 intake calls have been conducted with the balance in process. Of the 23 intakes conducted, 5 were with former employees.

Rubin Thomlinson currently anticipates conducting approximately 12 investigations, although more are possible in cases where the intake call has yet to be scheduled or additional information/clarification is being sought.

The remaining intake calls either provided information to be considered in Phase Two described below, or did not involve allegations of harassment, discrimination, bullying, intimidation or reprisal and were therefore outside the scope of this process.

As noted the intake process timeline was extended by two weeks.

Phase Two – Workplace Assessment:

In addition to the intake and investigation process outlined above, Rubin Thomlinson LLP will also conduct an assessment of the City of London's program relating to harassment and discrimination. This will include a workplace review of the City of London's culture, practices, policies and procedures as they relate to workplace harassment and discrimination in order to identify any systemic issues and gaps that may exist. The results of the assessment will inform Rubin Tomlinson's recommendations with respect to best practices to address any issues and gaps identified. This assessment process is just commencing.

As part of the assessment process, employees will be invited to complete a survey in which they can provide feedback on the City of London's harassment and discrimination related policies and procedures, as well as comment generally on any experiences they have had relating to raising concerns to the City of London under these policies.

On June 4th we communicated with employees suggesting that we want to know where there are gaps and where there may be systemic problems in the organization and inviting them to participate in the survey that will be conducted by Rubin Thomlinson later. The survey will be short, consisting of a few open ended questions to allow employees to respond with specific examples or general observations and feelings. Employees may choose to complete the survey

anonymously or self-identify. Those who choose to self-identify may also be asked to participate in an in-person meeting with Rubin Thomlinson to gather additional information.

Participation will be voluntary, but we strongly encourage employees to take part and to share experiences with candor to help ensure as full an understanding of the issues as possible.

Former employees who have complaints or concerns about harassment or discrimination or wish to participate in the assessment phase by sharing their experiences while employed with the City can and have contacted Rubin Thomlinson LLP.

The assessment phase will also include review of:

- all relevant policies and procedures;
- training materials; and
- previous complaints received and dealt with by the City.

One on one interviews will be conducted with a selection of persons who:

- self-identify in the survey;
- create or implement relevant policies; and
- other relevant internal stakeholders.

Rubin Tomlinson will also seek input from relevant external stakeholders, including those working with women who have experienced harassment, abuse and gender based violence.

The assessment surveys and interviews will be conducted on a confidential basis in that the source of any specific feedback will not be provided by Rubin Tomlinson to the City.

Reporting:

At the conclusion of the assessment process and informed by the intake and investigations that will have occurred in Phase I, Rubin Thomlinson will prepare a report that summarizes the experiences of City of London employees and identifies shared themes, identifies gaps between existing policies and procedures, and will make recommendations with respect to best practices designed to help close those gaps.

Timing:

Phase 1 - Intake of complaints is still ongoing until June 15th. Investigations have commenced and are being conducted on a priority basis. The time to conclude these investigations is unknown at this time.

Phase 2 - The workplace assessment phase is just commencing and we anticipate that this work will be completed over the summer months.

We anticipate that our next update report will be provided in September.

FINANCIAL IMPACT

The total cost of the project is unknown at this time due to the unknown nature of the scope of the investigation and assessment processes. The consultant is required to provide regular and detailed invoices to support payment for work performed.

Suitable sources of funding have been identified in the operating budget and contingency reserve funds to support this work.

CONCLUSION

Rubin Thomlinson, as experts in the area of workplace harassment and discrimination, have been engaged to conduct investigations and carry out a third party review of the City Of London's workplace culture, policies and practices to assist the Corporation to build and sustain a workplace that is free of harassment and discrimination, bullying, intimidation, and reprisal.

We are pleased this work is underway and that the learnings from this review will allow for the City of London to better understand the organization in this regard, determine where improvements are needed, and take the steps necessary to implement change.

PREPARED AND RECOMMENDED BY:	RECOMMENDED BY:
WILLIAM C. COXHEAD MANAGING DIRECTOR, CORPORATE SERVICES AND CHIEF HUMAN RESOURCES OFFICER	MARTIN HAYWARD, CITY MANAGER

cc Rubin Thomlinson LLP

AGENDA TAX ADJUSTMENT APPLICATIONS

The Tax Adjustment Agenda is regarding Tax Adjustment Applications made to the City under Sections 357 and 358 of the *Ontario Municipal Act*.

Under Section 357 the municipality may cancel, reduce, or refund all or part of the taxes levied in the year in respect of which the application is made. Applications under Section 357 may include:

- a change in tax class as a result of a change event;
- land that has become exempt from taxation;
- a building on the land that has been razed or damaged by fire, demolition, or otherwise;
- an overcharge due to a clerical or factual error;
- repairs or renovations to non-residential properties preventing the normal use of the land for at least three months.

Under Section 358 the municipality may cancel, reduce, or refund all or part of the taxes levied on the land in one or both of the two years preceding the year in which the application is made. Applications under Section 358 are made for any overcharge caused by an error in the preparation of the assessment roll that is clerical or factual in nature, but not an error in judgment in assessing the property.

As per *Ontario Municipal Act* Sections 357.(5) and 358.(9), Council is required to hold a meeting to address Tax Adjustment Applications.

A G E N D A
TAX ADJUSTMENT APPLICATIONS

Corporate Services Committee
Tuesday, February 26th, 2013, commencing at 1:30 p.m.,
Committee Room 5, 2nd Floor, City Hall

APPLICATION NUMBER:	2017-97	TAX YEAR: 2017
ROLL NUMBER:	3936.010.080.12300.0000	
APPLICANT(S):	Mitsis, Constantinos	
PROPERTY:	172 Central Ave	
ASSESSED PERSON(S):	Mitsis, Peter	
BASIS FOR APPEAL:	Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)	
DECISION:	Cancel 29 days of 2017 realty taxes on an assessment of \$24,870 RT– Residential Full Taxable	
TAX REDUCTION:	\$ 26.89	
<hr/>		
APPLICATION NUMBER:	2018-2	TAX YEAR: 2018
ROLL NUMBER:	3936.010.120.00100.0000	
APPLICANT(S):	Knezic, Radoslava	
PROPERTY:	187 Wharncliffe Rd N	
ASSESSED PERSON(S):	Knezic, Radoslava	
BASIS FOR APPEAL:	Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)	
DECISION:	No Recommendation	
TAX REDUCTION:	Zero	
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APPLICATION NUMBER:	2017-38	TAX YEAR: 2017
ROLL NUMBER:	3936.010.150.09200.0000	
APPLICANT(S):	Wyman, Roger	
PROPERTY:	53 Cavendish Cres	
ASSESSED PERSON(S):	Wyman, Roger	
BASIS FOR APPEAL:	Section 358, Gross or manifest error, factual or clerical - 358(1)	
DECISION:	Cancel 365 days of 2017 realty taxes on an assessment of \$118,500 RT– Residential Full Taxable	
TAX REDUCTION:	\$1,612.13	
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APPLICATION NUMBER:	2017-106	TAX YEAR: 2017
ROLL NUMBER:	3936.010.220.03600.0000	
APPLICANT(S):	Nagle, Chris	
PROPERTY:	66 Upper Ave	
ASSESSED PERSON(S):	Nagle, Chris	
BASIS FOR APPEAL:	Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)	
DECISION:	Cancel 365 days of 2017 realty taxes on an assessment of \$72,000 RT– Residential Full Taxable	
TAX REDUCTION:	\$ 979.52	
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APPLICATION NUMBER:	2018-1	TAX YEAR: 2018
ROLL NUMBER:	3936.010.390.11000.0000	
APPLICANT(S):	Sebastiany, Donald	
PROPERTY:	1155 Royal York Rd	
ASSESSED PERSON(S):	Sebastiany, Donald	
BASIS FOR APPEAL:	Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)	

DECISION: Cancel 365 days of 2018 realty taxes on an assessment of \$50,900 CT–Commercial Full Taxable. Add on 365 days realty taxes on an assessment of \$50,860 RT–Residential Full Taxable

TAX REDUCTION: \$1,155.04

APPLICATION NUMBER: 2017-101 **TAX YEAR:** 2017

ROLL NUMBER: 3936.010.440.37500.0000

APPLICANT(S): DuCharme, McMillen & Associates Inc
Attn: Matt Cunningham

PROPERTY: 744 Proudfoot Lane

ASSESSED PERSON(S): Summit Properties Inc

BASIS FOR APPEAL: Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)

DECISION: Cancel 327 days of 2017 realty taxes on an assessment of \$20,366,750 MT–Multi-Residential Full Taxable. Add on 327 days realty taxes on an assessment of \$21,845,480 RT–Residential Full Taxable

TAX REDUCTION: \$164,565.49

APPLICATION NUMBER: 2017-108 **TAX YEAR:** 2017

ROLL NUMBER: 3936.010.480.07400.0000

APPLICANT(S): Elrafih, Jihad

PROPERTY: 25 Summit Ave

ASSESSED PERSON(S): London Muslim Mosque

BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)

DECISION: No Recommendation

TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-71 **TAX YEAR:** 2017

ROLL NUMBER: 3936.010.480.11500.0000

APPLICANT(S): City of London
Attn: Colin McClure

PROPERTY: 0 Grace W/S St

ASSESSED PERSON(S): City of London

BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)

DECISION: Cancel 365 days of 2017 realty taxes on an assessment of \$114,250 CT–Commercial Full Taxable

TAX REDUCTION: \$4,220.19

APPLICATION NUMBER: 2015-233 **TAX YEAR:** 2015

ROLL NUMBER: 3936.020.020.00200.0000

APPLICANT(S): Heisz, Mark

PROPERTY: 353 Dufferin Ave

ASSESSED PERSON(S): Heisz, Mark

BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)

DECISION: Cancel 365 days of 2015 realty taxes on an assessment of \$166,525 CT–Commercial Full Taxable. Add on 365 days realty taxes on an assessment of \$166,416 RT–Residential Full Taxable

TAX REDUCTION: \$3,911.71

APPLICATION NUMBER: 2016-190 **TAX YEAR:** 2016

ROLL NUMBER: 3936.020.020.00200.0000

APPLICANT(S): Heisz, Mark

PROPERTY: 353 Dufferin Ave

ASSESSED PERSON(S):	Heisz, Mark	
BASIS FOR APPEAL:	Section 358, Gross or manifest error, factual or clerical - 358(1)	
DECISION:	Cancel 366 days of 2016 realty taxes on an assessment of \$174,100 CT–Commercial Full Taxable. Add on 366 days realty taxes on an assessment of \$174,100 RT–Residential Full Taxable.	
TAX REDUCTION:	\$4,052.83	
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APPLICATION NUMBER:	2017-83	TAX YEAR: 2017
ROLL NUMBER:	3936.020.020.00200.0000	
APPLICANT(S):	Heisz, Mark	
PROPERTY:	535 Dufferin Ave	
ASSESSED PERSON(S):	Heisz, Mark	
BASIS FOR APPEAL:	Section 358, Gross or manifest error, factual or clerical - 358(1)	
DECISION:	Cancel 365 days of 2017 realty taxes on an assessment of \$178,275 CT–Commercial Full Taxable Add on 365 days realty taxes on an assessment of \$178,275 RT–Residential Full Taxable	
TAX REDUCTION:	\$4,159.82	
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APPLICATION NUMBER:	2018-4	TAX YEAR: 2018
ROLL NUMBER:	3936.020.040.11500.0000	
APPLICANT(S):	461598 Ontario Ltd c/o Peter John Skentzos	
PROPERTY:	600 Dundas St	
ASSESSED PERSON(S):	461598 Ontario Ltd	
BASIS FOR APPEAL:	Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)	
DECISION:	Cancel 320 days of 2018 realty taxes on an assessment of \$182,058 CT–Commercial Full Taxable. Add on 320 days realty taxes on an assessment of \$134,105 CX–Commercial Vacant Land	
TAX REDUCTION:	\$2,797.93	
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APPLICATION NUMBER:	2017-90	TAX YEAR: 2017
ROLL NUMBER:	3936.020.041.03300.0000	
APPLICANT(S):	Kazimme, Hamid	
PROPERTY:	505 Adelaide St N	
ASSESSED PERSON(S):	Kazimme, Hamid	
BASIS FOR APPEAL:	Section 358, Gross or manifest error, factual or clerical - 358(1)	
DECISION:	Cancel 300 days of 2017 realty taxes on an assessment of \$65,685 CT–Commercial Full Taxable. Add on 300 days realty taxes on an assessment of \$59,400 RT–Residential Full Taxable	
TAX REDUCTION:	\$1,330.02	
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APPLICATION NUMBER:	2017-121	TAX YEAR: 2017
ROLL NUMBER:	3936.020.400.44200.0000	
APPLICANT(S):	Mayne, Marshall	
PROPERTY:	1576 Richmond St	
ASSESSED PERSON(S):	Lewvest Corp	
BASIS FOR APPEAL:	Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)	
DECISION:	Cancel 32 days of 2017 realty taxes on an assessment of \$3,643,146 MT–Multi-Residential Full Taxable. Add on 32 days realty taxes on an assessment of \$4,197,696 RT–Residential Full Taxable	

TAX REDUCTION:	\$2,534.74	
APPLICATION NUMBER:	2016-198	TAX YEAR: 2016
ROLL NUMBER:	3936.030.260.13600.0000	
APPLICANT(S):	Nick Enns Consulting	
PROPERTY:	500 First St	
ASSESSED PERSON(S):	Forest City Eagles	
BASIS FOR APPEAL:	Section 358, Gross or manifest error, factual or clerical - 358(1)	
DECISION:	Cancel 366 days of 2016 realty taxes on an assessment of \$309,000 CT–Commercial Full Taxable, plus a clawback adjustment of \$24.01. Add on 366 days realty taxes on an assessment of \$309,000 RT–Residential Full Taxable	
TAX REDUCTION:	\$7,217.16	
APPLICATION NUMBER:	2017-105	TAX YEAR: 2017
ROLL NUMBER:	3936.030.260.13600.0000	
APPLICANT(S):	Nick Enns Consulting	
PROPERTY:	500 First St	
ASSESSED PERSON(S):	Forest City Eagles	
BASIS FOR APPEAL:	Section 358, Ceases to be liable for tax at rate it was taxed - 357(1)(a)	
DECISION:	Cancel 365 days of 2017 realty taxes on an assessment of \$381,750 CT–Commercial Full Taxable. Add on 365 days realty taxes on an assessment of \$381,750 RT–Residential Full Taxable	
TAX REDUCTION:	\$8,907.66	
APPLICATION NUMBER:	2017-81	TAX YEAR: 2017
ROLL NUMBER:	3936.030.320.44990.0000	
APPLICANT(S):	City of London Atn: Colin McClure	
PROPERTY:	6 Cuddy Blvd	
ASSESSED PERSON(S):	City of London	
BASIS FOR APPEAL:	Section 357, Became Exempt - 357(1)(c)	
DECISION:	Cancel 184 days of 2017 realty taxes on an assessment of \$459,000 RT–Residential Full Taxable	
TAX REDUCTION:	\$3,147.08	
APPLICATION NUMBER:	2017-70	TAX YEAR: 2017
ROLL NUMBER:	3936.030.330.29800.0000	
APPLICANT(S):	City of Lonodn Atn: Colin McClure	
PROPERTY:	2150 Oxford St E	
ASSESSED PERSON(S):	City of London	
BASIS FOR APPEAL:	Section 357, Became Exempt - 357(1)(c)	
DECISION:	Cancel 365 days of 2017 realty taxes on an assessment of \$355,250 RT–Residential Full Taxable	
TAX REDUCTION:	\$4,832.98	
APPLICATION NUMBER:	2017-99	TAX YEAR: 2017
ROLL NUMBER:	3936.030.500.09000.0000	
APPLICANT(S):	Daigle, Patrick	
PROPERTY:	40 Balmoral Ave	

ASSESSED PERSON(S): Daigle, Elizabeth
Daigle, Patrick
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: Cancel 215 days of 2017 realty taxes on an assessment of \$40,187 RT–Residential Full Taxable
TAX REDUCTION: \$ 322.04

APPLICATION NUMBER: 2016-196 **TAX YEAR:** 2016
ROLL NUMBER: 3936.030.510.01701.0000
APPLICANT(S): Broere, Brian
PROPERTY: 81 Elliott St
ASSESSED PERSON(S): Broere, Brian
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 366 days of 2016 realty taxes on an assessment of \$14,200 RT–Residential Full Taxable.
TAX REDUCTION: \$ 193.49

APPLICATION NUMBER: 2017-132 **TAX YEAR:** 2017
ROLL NUMBER: 3936.030.780.08301.0000
APPLICANT(S): Yin, Narin
PROPERTY: 3 Tilipe Rd
ASSESSED PERSON(S): Yin, Narin
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 109 days of 2017 realty taxes on an assessment of \$13,575 CT–Commercial Full Taxable. Add on 109 days realty taxes on an assessment of \$13,575 RT–Residential Full Taxable
TAX REDUCTION: \$ 94.59

APPLICATION NUMBER: 2018-7 **TAX YEAR:** 2018
ROLL NUMBER: 3936.030.780.08301.0000
APPLICANT(S): Yin, Narin
PROPERTY: 3 Tilipe Rd
ASSESSED PERSON(S): Yin, Narin
BASIS FOR APPEAL: Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)
DECISION: Cancel 365 days of 2018 realty taxes on an assessment of \$13,850 CT–Commercial Full Taxable. Add on 365 days realty taxes on an assessment of \$13,850 RT–Residential Full Taxable
TAX REDUCTION: \$ 314.14

APPLICATION NUMBER: 2015-241 **TAX YEAR:** 2015
ROLL NUMBER: 3936.040.270.12500.0000
APPLICANT(S): Desrosiers, Gail
PROPERTY: 26 Cronyn Cres
ASSESSED PERSON(S): Desrosiers, Gail
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2016-202 **TAX YEAR:** 2016
ROLL NUMBER: 3936.040.270.12500.0000
APPLICANT(S): Desrosiers, Gail
PROPERTY: 26 Cronyn Cres

ASSESSED PERSON(S): Desrosiers, Gail
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-129 **TAX YEAR:** 2017
ROLL NUMBER: 3936.040.270.12500.0000
APPLICANT(S): Desrosiers, Gail
PROPERTY: 26 Cronyn Cres
ASSESSED PERSON(S): Desrosiers, Gail
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2018-10 **TAX YEAR:** 2018
ROLL NUMBER: 3936.040.320.13800.0000
APPLICANT(S): Dunne, Brain
PROPERTY: 193 Clarke Rd
ASSESSED PERSON(S): Participation House Support Services-London and Area
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: Cancel 325 days of 2018 realty taxes on an assessment of \$105,934 MT–Multi-Residential Full Taxable
TAX REDUCTION: \$2,160.52

APPLICATION NUMBER: 2017-103 **TAX YEAR:** 2017
ROLL NUMBER: 3936.040.370.13400.0000
APPLICANT(S): Bielak, Katherine
PROPERTY: 796 Hamilton Rd
ASSESSED PERSON(S): Bielak, Katherine
BASIS FOR APPEAL: Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)
DECISION: Cancel 246 days of 2017 realty taxes on an assessment of \$94,850 CT–Commercial Full Taxable. Add on 246 days realty taxes on an assessment of \$94,885 RT–Residential Full Taxable
TAX REDUCTION: \$1,491.32

APPLICATION NUMBER: 2017-131 **TAX YEAR:** 2017
ROLL NUMBER: 3936.040.380.09200.0000
APPLICANT(S): Coffin, Elizabeth
PROPERTY: 203 East St
ASSESSED PERSON(S): Coffin, Elizabeth
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: Cancel 145 days of 2017 realty taxes on an assessment of \$81,268 RT–Residential Full Taxable
TAX REDUCTION: \$ 439.21

APPLICATION NUMBER: 2017-136 **TAX YEAR:** 2017
ROLL NUMBER: 3936.040.460.13100.0000
APPLICANT(S): Gelin, M
Gelin, A
PROPERTY: 101 Fundy Ave
ASSESSED PERSON(S): Gelin, M & A

BASIS FOR APPEAL:	Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)	
DECISION:	Cancel 118 days of 2017 realty taxes on an assessment of \$11,450 CT–Commercial Full Taxable. Add on 118 days realty taxes on an assessment of \$11,450 RT–Residential Full Taxable	
TAX REDUCTION:	\$ 86.37	
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APPLICATION NUMBER:	2016-199	TAX YEAR: 2016
ROLL NUMBER:	3936.040.640.51512.0000	
APPLICANT(S):	City of London c/o Yasmin Jiwani	
PROPERTY:	0 Asima Dr	
ASSESSED PERSON(S):	City of London	
BASIS FOR APPEAL:	Section 357, Became Exempt - 357(1)(c)	
DECISION:	Cancel 219 days of 2016 realty taxes on an assessment of \$80,700 RT–Residential Full Taxable	
TAX REDUCTION:	\$ 657.97	
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APPLICATION NUMBER:	2017-85	TAX YEAR: 2017
ROLL NUMBER:	3936.040.700.03505.0000	
APPLICANT(S):	Ibriham, Fadi	
PROPERTY:	76 Clarke Rd	
ASSESSED PERSON(S):	Ibrahim, Fadi Ibrahim, Amal	
BASIS FOR APPEAL:	Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)	
DECISION:	Cancel 84 days of 2017 realty taxes on an assessment of \$28,066 CT–Commercial Full Taxable	
TAX REDUCTION:	\$ 238.58	
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APPLICATION NUMBER:	2016-167	TAX YEAR: 2016
ROLL NUMBER:	3936.050.010.00800.0000	
APPLICANT(S):	Colliers c/o Cholewa, M.	
PROPERTY:	325 Dundas St	
ASSESSED PERSON(S):	WW Hotels (London) Company	
BASIS FOR APPEAL:	Section 357, Repairs or renovations preventing normal use greater than 3 months 357(1)(g)	
DECISION:	Cancel 366 days of 2016 realty taxes at a rate of 30% on an assessment of \$2,861,811 CT–Commercial Full Taxable, plus a clawback adjustment of \$67.43, plus a Buisness Improvement Area (BIA) adjustment of \$2,202.16	
TAX REDUCTION:	\$33,954.05	
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APPLICATION NUMBER:	2017-112	TAX YEAR: 2017
ROLL NUMBER:	3936.050.010.03518.0000	
APPLICANT(S):	Pocrnic, Steve	
PROPERTY:	390 Dundas St	
ASSESSED PERSON(S):	The Court House Block Inc	
BASIS FOR APPEAL:	Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)	
DECISION:	No Recommendation	
TAX REDUCTION:	Zero	
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APPLICATION NUMBER:	2017-110	TAX YEAR: 2017

ROLL NUMBER: 3936.050.010.03545.0000
APPLICANT(S): Pocrnic, Steve
PROPERTY: 379 Dundas St
ASSESSED PERSON(S): The Court House Block Inc
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-109 **TAX YEAR:** 2017
ROLL NUMBER: 3936.050.010.03547.0000
APPLICANT(S): Pocrnic, Steve
PROPERTY: 379 Dundas St
ASSESSED PERSON(S): The Court House Block Inc
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-111 **TAX YEAR:** 2017
ROLL NUMBER: 3936.050.010.03547.0000
APPLICANT(S): Pocrnic, Steve
PROPERTY: 379 Dundas St
ASSESSED PERSON(S): The Court House Block Inc
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-124 **TAX YEAR:** 2017
ROLL NUMBER: 3936.050.050.09100.0000
APPLICANT(S): 2547093 Ontario Ltd
PROPERTY: 350 Lyle St
ASSESSED PERSON(S): F5 Group Holdings
BASIS FOR APPEAL: Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)
DECISION: Cancel 167 days of 2017 realty taxes on an assessment of \$59,000 RT– Residential Full Taxable
TAX REDUCTION: \$ 367.25

APPLICATION NUMBER: 2017-123 **TAX YEAR:** 2017
ROLL NUMBER: 3936.050.050.09200.0000
APPLICANT(S): 2547093 Ontario Ltd
PROPERTY: 354 Lyle St
ASSESSED PERSON(S): F5 Group Holdings
BASIS FOR APPEAL: Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)
DECISION: Cancel 167 days of 2017 realty taxes on an assessment of \$76,082 RT– Residential Full Taxable
TAX REDUCTION: \$ 473.57

APPLICATION NUMBER: 2015-222 **TAX YEAR:** 2015
ROLL NUMBER: 3936.050.070.04818.0000
APPLICANT(S): Brittany Homes Ltd
c/o Phil Megaro

PROPERTY: 6 Lisa Court
ASSESSED PERSON(S): Brittany Homes Ltd
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2016-172 **TAX YEAR:** 2016
ROLL NUMBER: 3936.050.070.04818.0000
APPLICANT(S): Brittany Homes Ltd
c/o Phil Megaro
PROPERTY: 6 Lisa Court
ASSESSED PERSON(S): Brittany Homes Ltd
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-130 **TAX YEAR:** 2017
ROLL NUMBER: 3936.050.110.09300.0000
APPLICANT(S): Olkowski, Carole
PROPERTY: 405 Horton St E
ASSESSED PERSON(S): Olkowski, Carole
Olkowski, Mark
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 357(1)(f)
DECISION: Cancel 365 days of 2017 realty taxes on an assessment of \$15,203 RT–
Residential Full Taxable
TAX REDUCTION: \$ 206.82

APPLICATION NUMBER: 2017-82 **TAX YEAR:** 2017
ROLL NUMBER: 3936.050.260.08700.0000
APPLICANT(S): City of Lonodn
Atn: Yasmin Jiwani
PROPERTY: 26 Wellington Rd
ASSESSED PERSON(S): City of London
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: Cancel 82 days of 2017 realty taxes on an assessment of \$183,500 RT–
Residential Full Taxable
TAX REDUCTION: \$ 560.84

APPLICATION NUMBER: 2017-102 **TAX YEAR:** 2017
ROLL NUMBER: 3936.050.330.03800.0000
APPLICANT(S): Hillside Church of London
Attn: Jordan Klassen
PROPERTY: 138 Thompson Rd
ASSESSED PERSON(S): Hillside Church of London
BASIS FOR APPEAL: Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)
DECISION: Cancel 215 days of 2017 realty taxes on an assessment of \$560,000 CT–
Commercial Full Taxable. Add on 215 days realty taxes on an
assessment of \$841,8176 RT–Residential Full Taxable
TAX REDUCTION: \$5,438.57

APPLICATION NUMBER: 2014-175 **TAX YEAR:** 2014

ROLL NUMBER: 3936.050.520.11801.0000
APPLICANT(S): QSPN Holdings Ltd
Attn: Joanie Morra
PROPERTY: 760 Baseline Rd E
ASSESSED PERSON(S): QSPN Holdings Ltd
c/o FCR Management Services
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: Cancel 71 days of 2014 realty taxes on an assessment of \$62,275 RT–
Residential Full Taxable
TAX REDUCTION: \$ 165.69

APPLICATION NUMBER: 2014-176 **TAX YEAR:** 2014
ROLL NUMBER: 3936.050.520.11900.0000
APPLICANT(S): QSPN Holdings Ltd
Attn: Joanie Morra
PROPERTY: 758 Baseline Rd E
ASSESSED PERSON(S): QSPN Holdings Ltd
c/o FCR Management Services
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: Cancel 71 days of 2014 realty taxes on an assessment of \$70,403 RT–
Residential Full Taxable
TAX REDUCTION: \$ 187.32

APPLICATION NUMBER: 2014-177 **TAX YEAR:** 2014
ROLL NUMBER: 3936.050.520.12000.0000
APPLICANT(S): QSPN Holdings Ltd
Attn: Joanie Morra
PROPERTY: 756 Baseline Rd E
ASSESSED PERSON(S): QSPN Holdings Ltd
c/o FCR Management Services
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: Cancel 71 days of 2014 realty taxes on an assessment of \$135,243 RT–
Residential Full Taxable
TAX REDUCTION: \$ 359.83

APPLICATION NUMBER: 2015-236 **TAX YEAR:** 2015
ROLL NUMBER: 3936.050.660.06404.0000
APPLICANT(S): Circelli, Anthony
PROPERTY: 638-640 Newbold St
ASSESSED PERSON(S): Circelli, Vincenzo
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 365 days of 2015 realty taxes on an assessment of \$494,285 CT–
Commercial Full Taxable.
Add on 365 days realty taxes on an assessment of \$149,843 IT–Industrial
Full Taxable.
TAX REDUCTION: \$12,645.61

APPLICATION NUMBER: 2016-194 **TAX YEAR:** 2016
ROLL NUMBER: 3936.050.660.06404.0000
APPLICANT(S): Circelli, Anthony
PROPERTY: 638-640 Newbold St

ASSESSED PERSON(S): Circelli, Vincenzo
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 366 days of 2016 realty taxes on an assessment of \$505,000 CT–Commercial Full Taxable.
Add on 366 days realty taxes on an assessment of \$153,000 IT–Industrial Full Taxable.
TAX REDUCTION: \$12,837.53

APPLICATION NUMBER: 2016-201 **TAX YEAR:** 2016
ROLL NUMBER: 3936.060.010.02300.0000
APPLICANT(S): Russell, David
PROPERTY: 24 The Ridgeway
ASSESSED PERSON(S): Russell, David
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-117 **TAX YEAR:** 2017
ROLL NUMBER: 3936.060.010.02300.0000
APPLICANT(S): Russell, David
PROPERTY: 24 The Ridgeway
ASSESSED PERSON(S): Russell, David
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2018-5 **TAX YEAR:** 2018
ROLL NUMBER: 3936.060.020.11000.0000
APPLICANT(S): City of London
Attn: Yasmin Jiwani
PROPERTY: 330 Thames St
ASSESSED PERSON(S): City of London
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: Cancel 342 days of 2018 realty taxes on an assessment of \$196,500 RT–Residential Full Taxable
TAX REDUCTION: \$2,487.10

APPLICATION NUMBER: 2017-120 **TAX YEAR:** 2017
ROLL NUMBER: 3936.060.020.11700.0000
APPLICANT(S): AEC Paralegal Professional Corporation
c/o Accounting Dept. Info-Tech Research Group
PROPERTY: 355-361 Ridout St N
ASSESSED PERSON(S): 2013798 Ontario Inc
BASIS FOR APPEAL: Section 357, Damaged and substantially unusable - 357(1)(d)(ii)
DECISION: Cancel 365 days of 2017 realty taxes on an assessment of \$106,861 CT–Commercial Full Taxable. Cancel 365 days of 2017 realty taxes on an assessment of \$87,057 IT–Industrial Full Taxable, plus a Buisness Improvement Area (BIA) adjustment of \$481.89
TAX REDUCTION: \$7,644.86

APPLICATION NUMBER: 2017-118 **TAX YEAR:** 2017
ROLL NUMBER: 3936.060.020.11800.0000

APPLICANT(S): AEC Paralegal Professional Corporation
c/o Accounting Dept. Info-Tech Research Group

PROPERTY: 349-351 Ridout St N

ASSESSED PERSON(S): 2476699 Ontario Inc

BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)

DECISION: Cancel 56 days of 2017 realty taxes on an assessment of \$52,365 CT–Commercial Full Taxable. Cancel 56 days of 2017 realty taxes on an assessment of \$436,447 IT–Industrial Full Taxable

TAX REDUCTION: \$2,770.21

APPLICATION NUMBER: 2017-119 **TAX YEAR:** 2017

ROLL NUMBER: 3936.060.020.12500.0000

APPLICANT(S): AEC Paralegal Professional Corporation
c/o Accounting Dept. Info-Tech Research Group

PROPERTY: 52 York St

ASSESSED PERSON(S): 2013798 Ontario Inc

BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)

DECISION: No Recommendation

TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-107 **TAX YEAR:** 2017

ROLL NUMBER: 3936.060.040.01800.0000

APPLICANT(S): Coulter, David

PROPERTY: 197-199 Dundas St

ASSESSED PERSON(S): TNC 197-199 Dundas St Ltd

BASIS FOR APPEAL: Section 357, Damaged and substantially unusable - 357(1)(d)(ii)

DECISION: No Recommendation

TAX REDUCTION: Zero

APPLICATION NUMBER: 2016-152 **TAX YEAR:** 2016

ROLL NUMBER: 3936.060.080.09600.0000

APPLICANT(S): Jerome, Kathleen & Laurence

PROPERTY: 90 Wharnccliffe Rd S

ASSESSED PERSON(S): Jerome, Kathleen
Jerome, Laurence

BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)

DECISION: No Recommendation

TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-91 **TAX YEAR:** 2017

ROLL NUMBER: 3936.060.501.00300.0000

APPLICANT(S): Abu Ghalyoun, Younes Mahmoud

PROPERTY: 319 Wellington Rd

ASSESSED PERSON(S): Abu Ghalyoun, Younes Mahmoud

BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)

DECISION: Cancel 365 days of 2017 realty taxes on an assessment of \$134,121 CT–Commercial Full Taxable. Add on 365 days realty taxes on an assessment of \$119,438 RT–Residential Full Taxable

TAX REDUCTION: \$3,329.30

APPLICATION NUMBER: 2017-3 **TAX YEAR:** 2017

ROLL NUMBER: 3936.060.570.30610.0000
APPLICANT(S): Foster-Gosnell, Leila
PROPERTY: 675 Country Club Dr
ASSESSED PERSON(S): Foster-Gosnell, Leila
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: Cancel 364 days of 2017 realty taxes on an assessment of \$187,367 RT– Residential Full Taxable
TAX REDUCTION: \$2,542.04

APPLICATION NUMBER: 2016-136 **TAX YEAR:** 2016
ROLL NUMBER: 3936.060.570.51300.0000
APPLICANT(S): BMW London (Vito Lai)
PROPERTY: 766 Wharnccliffe Rd S
ASSESSED PERSON(S): BAVA Holdings Limited
BASIS FOR APPEAL: Section 357, Repairs or renovations preventing normal use greater than 3 months 357(1)(g)
DECISION: Cancel 153 days of 2016 realty taxes on an assessment of \$980,000 CT– Commercial Full Taxable
TAX REDUCTION: \$4,535.67

APPLICATION NUMBER: 2017-24 **TAX YEAR:** 2017
ROLL NUMBER: 3936.060.570.55500.0000
APPLICANT(S): Nick Enns Consulting
PROPERTY: 560 Wharnccliffe Rd S
ASSESSED PERSON(S): 2247635 Ontario Inc
BASIS FOR APPEAL: Section 357, Repairs or renovations preventing normal use greater than 3 months 357(1)(g)
DECISION: Cancel 91 days of 2017 realty taxes on an assessment of \$953,425 CT– Commercial Full Taxable
TAX REDUCTION: \$2,634.09

APPLICATION NUMBER: 2017-113 **TAX YEAR:** 2017
ROLL NUMBER: 3936.060.580.37104.0000
APPLICANT(S): Coulter, David
PROPERTY: 977-981 Wellington Rd
ASSESSED PERSON(S): Wellington Plaza Holdings Inc
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-73 **TAX YEAR:** 2017
ROLL NUMBER: 3936.070.010.01200.0000
APPLICANT(S): City of London
Attn: Reality Services
PROPERTY: 80 Evergreen Ave
ASSESSED PERSON(S): Conservation Authority Upper Thames River
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: Cancel 245 days of 2017 realty taxes on an assessment of \$95,031 RT– Residential Full Taxable
TAX REDUCTION: \$ 867.80

APPLICATION NUMBER: 2015-224 **TAX YEAR:** 2015

ROLL NUMBER: 3936.070.020.02301.0000
APPLICANT(S): Brittany Homes Ltd
c/o Phil Megaro
PROPERTY: 155 Springbank Dr
ASSESSED PERSON(S): Brittany Homes Ltd
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2016-174 **TAX YEAR:** 2016
ROLL NUMBER: 3936.070.020.02301.0000
APPLICANT(S): Brittany Homes Ltd
c/o Phil Megaro
PROPERTY: 155 Springbank Dr
ASSESSED PERSON(S): Brittany Homes Ltd
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2015-232 **TAX YEAR:** 2015
ROLL NUMBER: 3936.070.310.03300.0000
APPLICANT(S): Batteto, Desmond & Daniella
PROPERTY: 386 Griffith St
ASSESSED PERSON(S): Betteto, Desmond & Daniella
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 365 days of 2015 realty taxes on an assessment of \$18,587 RT– Residential Full Taxable
TAX REDUCTION: \$ 254.03

APPLICATION NUMBER: 2016-189 **TAX YEAR:** 2016
ROLL NUMBER: 3936.070.310.03300.0000
APPLICANT(S): Batteto, Desmond & Daniella
PROPERTY: 386 Griffith St
ASSESSED PERSON(S): Betteto, Desmond & Daniella
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 366 days of 2016 realty taxes on an assessment of \$19,000 RT– Residential Full Taxable
TAX REDUCTION: \$ 258.90

APPLICATION NUMBER: 2016-129 **TAX YEAR:** 2016
ROLL NUMBER: 3936.080.000.53200.0000
APPLICANT(S): Soufan, Dean
PROPERTY: 2500 Main St
ASSESSED PERSON(S): 9398562 Canada Inc
BASIS FOR APPEAL: Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-75 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.000.71200.0000

APPLICANT(S): City of Lonodn
Atn: Colin McClure
PROPERTY: 6712 James St
ASSESSED PERSON(S): City of London
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: Cancel 249 days of 2017 realty taxes on an assessment of \$331,000 RT–
Residential Full Taxable
TAX REDUCTION: \$3,071.96

APPLICATION NUMBER: 2017-68 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.020.13000.0000
APPLICANT(S): City of Lonodn
Atn: Colin McClure
PROPERTY: 5861 White Oak Rd
ASSESSED PERSON(S): City of London
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2018-16 **TAX YEAR:** 2018
ROLL NUMBER: 3936.080.020.13000.0000
APPLICANT(S): City of London
PROPERTY: 5861 White Oak Rd
ASSESSED PERSON(S): City of London
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: Cancel 266 days of 2017 realty taxes on an assessment of \$116,800 RT–
Residential Full Taxable. Cancel 266 days of 2017 realty taxes on an
assessment of \$395,700 FT–Farm Full Taxable
TAX REDUCTION: \$1,674.28

APPLICATION NUMBER: 2017-69 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.020.15600.0000
APPLICANT(S): City of Lonodn
Atn: Colin McClure
PROPERTY: 5615 Wellingotn Rd S
ASSESSED PERSON(S): City of London
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: Cancel 276 days of 2017 realty taxes on an assessment of \$233,500 RT–
Residential Full Taxable
TAX REDUCTION: \$2,402.06

APPLICATION NUMBER: 2017-74 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.020.16600.0000
APPLICANT(S): City of London
Attn: Colin McClure
PROPERTY: 3713 Scotland Dr
ASSESSED PERSON(S): City of London
BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)
DECISION: Cancel 275 days of 2017 realty taxes on an assessment of \$85,178 RT–
Residential Full Taxable

TAX REDUCTION: \$ 873.06

APPLICATION NUMBER: 2017-65 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.030.01110.0000
APPLICANT(S): City of Lonodn
Atn: Colin McClure
PROPERTY: 1577 Wilton Grove Rd
ASSESSED PERSON(S): City of London
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: Cancel 245 days of 2017 realty taxes on an assessment of \$668,000 RT–
Residential Full Taxable
TAX REDUCTION: \$6,100.01

APPLICATION NUMBER: 2017-54 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.040.17500.0000
APPLICANT(S): City of Lonodn
Atn: Yasmin Jiwani
PROPERTY: 0 Dingman Drive
ASSESSED PERSON(S): City of London
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: Cancel 180 days of 2017 realty taxes on an assessment of \$208,500 RT–
Residential Full Taxable
TAX REDUCTION: \$1,398.83

APPLICATION NUMBER: 2017-125 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.050.07920.0000
APPLICANT(S): Aird & Berlis LLP
Atn: David Neligan
PROPERTY: 4026-4096 Medowbrook Dr
ASSESSED PERSON(S): Bluestone Properties Inc Trustee
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2016-205 **TAX YEAR:** 2016
ROLL NUMBER: 3936.080.050.12670.0000
APPLICANT(S): Honeywood, Dara
PROPERTY: 146 Exeter Rd
ASSESSED PERSON(S): Zedcor Inc
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-134 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.050.12670.0000
APPLICANT(S): Honeywood, Dara
PROPERTY: 146 Exeter Rd
ASSESSED PERSON(S): Zedcor Inc
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation

TAX REDUCTION: Zero

APPLICATION NUMBER: 2018-8 **TAX YEAR:** 2018
ROLL NUMBER: 3936.080.050.12670.0000
APPLICANT(S): Honeywood, Dara
PROPERTY: 146 Exeter Rd
ASSESSED PERSON(S): Zedcor Inc
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 148 days of 2018 realty taxes on an assessment of \$68,650 CT–Commercial Full Taxable. Cancel 148 days of 2018 realty taxes on an assessment of \$410,850 IX–Industrial Vacant Land. Add on 148 days realty taxes on an assessment of \$734,191 RT–Resident
TAX REDUCTION: \$1,206.24

APPLICATION NUMBER: 2016-206 **TAX YEAR:** 2016
ROLL NUMBER: 3936.080.050.13400.0000
APPLICANT(S): Honeywood, Dara
PROPERTY: 146 Exeter Rd
ASSESSED PERSON(S): Zedcor Inc
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2017-135 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.050.13400.0000
APPLICANT(S): Honeywood, Dara
PROPERTY: 146 Exeter Rd
ASSESSED PERSON(S): Zedcor Inc
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: No Recommendation
TAX REDUCTION: Zero

APPLICATION NUMBER: 2018-9 **TAX YEAR:** 2018
ROLL NUMBER: 3936.080.050.13400.0000
APPLICANT(S): Honeywood, Dara
PROPERTY: 146 Exeter Rd
ASSESSED PERSON(S): Zedcor Inc
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 148 days of 2018 realty taxes on an assessment of \$2,097,100 CT–Commercial Full Taxable. Cancel 148 days of 2018 realty taxes on an assessment of \$136,602 FT–Farm Full Taxable. Add on 148 days realty taxes on an assessment of \$1,333,286 RT–Resident
TAX REDUCTION: \$23,571.26

APPLICATION NUMBER: 2017-100 **TAX YEAR:** 2017
ROLL NUMBER: 3936.080.050.14820.0000
APPLICANT(S): Carvest Properties Ltd
Attn: Adam Carapella
PROPERTY: 0 Singleton Ave
ASSESSED PERSON(S): Carvest Properties Ltd
BASIS FOR APPEAL: Section 357, Ceases to be liable for tax at rate it was taxed - 357(1)(a)

DECISION: Cancel 25 days of 2017 realty taxes on an assessment of \$27,532,808 MT–Multi-Residential Full Taxable. Add on 25 days realty taxes on an assessment of \$27,798,782 RT–Residential Full Taxable

TAX REDUCTION: \$18,623.13

APPLICATION NUMBER: 2017-94 **TAX YEAR:** 2017

ROLL NUMBER: 3936.080.050.20891.0000

APPLICANT(S): City of London
c/o Yasmin Jiwani

PROPERTY: 0 Singleton Ave

ASSESSED PERSON(S): City of London

BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)

DECISION: Cancel 38 days of 2017 realty taxes on an assessment of \$13,375 RT–Residential Full Taxable

TAX REDUCTION: \$ 18.94

APPLICATION NUMBER: 2017-77 **TAX YEAR:** 2017

ROLL NUMBER: 3936.080.060.20000.0000

APPLICANT(S): City of London
Atn: Colin McClure

PROPERTY: 5067 Cook Rd

ASSESSED PERSON(S): City of Londn

BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)

DECISION: Cancel 275 days of 2017 realty taxes on an assessment of \$185,770 RT–Residential Full Taxable

TAX REDUCTION: \$1,904.13

APPLICATION NUMBER: 2017-76 **TAX YEAR:** 2017

ROLL NUMBER: 3936.080.060.20100.0000

APPLICANT(S): City of London
Attn: Colin McClure

PROPERTY: 5221 Cook Rd

ASSESSED PERSON(S): City of London

BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)

DECISION: Cancel 275 days of 2017 realty taxes on an assessment of \$89,761 RT–Residential Full Taxable

TAX REDUCTION: \$ 920.04

APPLICATION NUMBER: 2017-80 **TAX YEAR:** 2017

ROLL NUMBER: 3936.080.080.13900.0000

APPLICANT(S): Dubois, Ryan

PROPERTY: 4 Aspen Pl

ASSESSED PERSON(S): Dubois, Ryan

BASIS FOR APPEAL: Section 357, Razed by fire, demolition or otherwise - 357(1)(d)(i)

DECISION: Cancel 144 days of 2017 realty taxes on an assessment of \$750,614 RT–Residential Full Taxable

TAX REDUCTION: \$4,028.72

APPLICATION NUMBER: 2018-6 **TAX YEAR:** 2018

ROLL NUMBER: 3936.090.309.09055.0000

APPLICANT(S): Canmant Cargo Centre Inc

PROPERTY: 2515 Blair Blvd

ASSESSED PERSON(S): Canmat Cargo Centre Inc
BASIS FOR APPEAL: Section 357, Became Exempt - 357(1)(c)
DECISION: Cancel 306 days of 2018 realty taxes on an assessment of \$874,400 CT–
Commercial Full Taxable
TAX REDUCTION: \$26,529.26

APPLICATION NUMBER: 2016-204 **TAX YEAR:** 2016
ROLL NUMBER: 3936.090.440.13863.0000
APPLICANT(S): City of London
c/o Jim Edmunds
PROPERTY: 0 Cedar Hollow Blvd E
ASSESSED PERSON(S): Thames Valley District School Board
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 366 days of 2016 realty taxes on an assessment of \$366,507 RT–
Residential Full Taxable
TAX REDUCTION: \$4,585.29

APPLICATION NUMBER: 2017-133 **TAX YEAR:** 2017
ROLL NUMBER: 3936.090.440.13863.0000
APPLICANT(S): City of London
c/o Jim Edmunds
PROPERTY: 0 Cedar Hollow Blvd E
ASSESSED PERSON(S): Thames Valley District
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 365 days of 2017 realty taxes on an assessment of \$966,885 RT–
Residential Full Taxable
TAX REDUCTION: \$13,153.92

APPLICATION NUMBER: 2016-191 **TAX YEAR:** 2016
ROLL NUMBER: 3936.090.440.26341.0000
APPLICANT(S): Cheam, Nayngim
Ly, Taing
PROPERTY: 1866 Reilly Walk
ASSESSED PERSON(S): Cheam, Nayngim
Ly, Taing
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 366 days of 2016 realty taxes on an assessment of \$26,000 RT–
Residential Full Taxable
TAX REDUCTION: \$ 354.28

APPLICATION NUMBER: 2017-86 **TAX YEAR:** 2017
ROLL NUMBER: 3936.090.440.26341.0000
APPLICANT(S): Cheam, Nayngim
Ly, Taing
PROPERTY: 1866 Reilly Walk
ASSESSED PERSON(S): Cheam, Nayngim
Ly, Taing
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 365 days of 2017 realty taxes on an assessment of \$49,500 RT–
Residential Full Taxable

TAX REDUCTION: \$ 673.42

APPLICATION NUMBER: 2016-197 **TAX YEAR:** 2016
ROLL NUMBER: 3936.090.465.19162.0000
APPLICANT(S): Goulet, Paul
PROPERTY: 705 Freeport St
ASSESSED PERSON(S): The Ironstone Building Company Inc
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 184 days of 2016 realty taxes on an assessment of \$11,779,000 MT–Multi-Residential Full Taxable. Add on 184 days realty taxes on an assessment of \$11,779,000 RT–Residential Full Taxable
TAX REDUCTION: \$61,766.41

APPLICATION NUMBER: 2016-197 **TAX YEAR:** 2016
ROLL NUMBER: 3936.090.465.19162.0000
APPLICANT(S): Goulet, Paul
PROPERTY: 705 Freeport St
ASSESSED PERSON(S): The Ironstone Building Company Inc
BASIS FOR APPEAL: Section 358, Gross or manifest error, factual or clerical - 358(1)
DECISION: Cancel 73 days of 2016 realty taxes on an assessment of \$5,235,000 MT–Multi-Residential Full Taxable. Add on 73 days realty taxes on an assessment of \$5,235,000 RT–Residential Full Taxable
TAX REDUCTION: \$10,890.94

**TAX ADJUSTMENT APPLICATIONS
INDEX BY ASSESSED PERSON (APPLICANT)**

Assessed Person <i>(Applicant)</i>	App'tn No.	Property
2013798 Ontario Inc <i>(AEC Paralegal Professional Corporation c/o Accounting Dept. Info-Tech Research Group)</i>	2017-120	355-361 Ridout St N
2013798 Ontario Inc <i>(AEC Paralegal Professional Corporation c/o Accounting Dept. Info-Tech Research Group)</i>	2017-119	52 York St
2247635 Ontario Inc <i>(Nick Enns Consulting)</i>	2017-24	560 Wharncliffe Rd S
2476699 Ontario Inc <i>(AEC Paralegal Professional Corporation c/o Accounting Dept. Info-Tech Research Group)</i>	2017-118	349-351 Ridout St N
461598 Ontario Ltd <i>(461598 Ontario Ltd c/o Peter John Skentzos)</i>	2018-4	600 Dundas St
9398562 Canada Inc <i>(Soufan, Dean)</i>	2016-129	2500 Main St
Abu Ghalyoun, Younes Mahmoud <i>(Abu Ghalyoun, Younes Mahmoud)</i>	2017-91	319 Wellington Rd
BAVA Holdings Limited <i>(BMW London (Vito Lai))</i>	2016-136	766 Wharncliffe Rd S
Betteto, Desmond & Daniella <i>(Batteto, Desmond & Daniella)</i>	2015-232	386 Griffith St
Betteto, Desmond & Daniella <i>(Batteto, Desmond & Daniella)</i>	2016-189	386 Griffith St
Bielak, Katherine <i>(Bielak, Katherine)</i>	2017-103	796 Hamilton Rd
Bluestone Properties Inc Trustee <i>(Aird & Berlis LLP Attn: David Neligan)</i>	2017-125	4026-4096 Meadowbrook Dr
Brittany Homes Ltd <i>(Brittany Homes Ltd c/o Phil Megaro)</i>	2015-222	6 Lisa Court
Brittany Homes Ltd <i>(Brittany Homes Ltd c/o Phil Megaro)</i>	2016-172	6 Lisa Court
Brittany Homes Ltd <i>(Brittany Homes Ltd c/o Phil Megaro)</i>	2015-224	155 Springbank Dr
Brittany Homes Ltd <i>(Brittany Homes Ltd c/o Phil Megaro)</i>	2016-174	155 Springbank Dr
Broere, Brian <i>(Broere, Brian)</i>	2016-196	81 Elliott St
Canmat Cargo Centre Inc <i>(Canmant Cargo Centre Inc)</i>	2018-6	2515 Blair Blvd
Carvest Properties Ltd <i>(Carvest Properties Ltd Attn: Adam Carapella)</i>	2017-100	0 Singleton Ave
Cheam, Nayngim Ly, Taing <i>(Cheam, Nayngim Ly, Taing)</i>	2016-191	1866 Reilly Walk
Cheam, Nayngim Ly, Taing <i>(Cheam, Nayngim Ly, Taing)</i>	2017-86	1866 Reilly Walk

Assessed Person <i>(Applicant)</i>	App'tn No.	Property
Circelli, Vincenzo <i>(Circelli, Anthony)</i>	2015-236	638-640 Newbold St
Circelli, Vincenzo <i>(Circelli, Anthony)</i>	2016-194	638-640 Newbold St
City of London <i>(City of London</i> <i>Atn: Colin McClure)</i>	2017-77	5067 Cook Rd
City of London <i>(City of London</i> <i>Attn: Colin McClure)</i>	2017-71	0 Grace W/S St
City of London <i>(City of London</i> <i>Atn: Colin McClure)</i>	2017-81	6 Cuddy Blvd
City of London <i>(City of London</i> <i>Atn: Colin McClure)</i>	2017-70	2150 Oxford St E
City of London <i>(City of London</i> <i>c/o Yasmin Jiwani)</i>	2016-199	0 Asima Dr
City of London <i>(City of London</i> <i>Atn: Yasmin Jiwani)</i>	2017-82	26 Wellington Rd
City of London <i>(City of London</i> <i>Attn: Yasmin Jiwani)</i>	2018-5	330 Thames St
City of London <i>(City of London</i> <i>Atn: Colin McClure)</i>	2017-75	6712 James St
City of London <i>(City of London</i> <i>Atn: Colin McClure)</i>	2017-68	5861 White Oak Rd
City of London <i>(City of London)</i>	2018-16	5861 White Oak Rd
City of London <i>(City of London</i> <i>Atn: Colin McClure)</i>	2017-69	5615 Wellington Rd S
City of London <i>(City of London</i> <i>Attn: Colin McClure)</i>	2017-74	3713 Scotland Dr
City of London <i>(City of London</i> <i>Atn: Colin McClure)</i>	2017-65	1577 Wilton Grove Rd
City of London <i>(City of London</i> <i>Atn: Yasmin Jiwani)</i>	2017-54	0 Dingman Drive
City of London <i>(City of London</i> <i>c/o Yasmin Jiwani)</i>	2017-94	0 Singleton Ave
City of London <i>(City of London</i> <i>Attn: Colin McClure)</i>	2017-76	5221 Cook Rd
Coffin, Elizabeth <i>(Coffin, Elizabeth)</i>	2017-131	203 East St
Conservation Authority Upper Thames River <i>(City of London</i> <i>Attn: Reality Services)</i>	2017-73	80 Evergreen Ave
Daigle, Elizabeth Daigle, Patrick <i>(Daigle, Patrick)</i>	2017-99	40 Balmoral Ave
Desrosiers, Gail <i>(Desrosiers, Gail)</i>	2015-241	26 Cronyn Cres

Assessed Person <i>(Applicant)</i>	App'tn No.	Property
Desrosiers, Gail <i>(Desrosiers, Gail)</i>	2016-202	26 Cronyn Cres
Desrosiers, Gail <i>(Desrosiers, Gail)</i>	2017-129	26 Cronyn Cres
Dubois, Ryan <i>(Dubois, Ryan)</i>	2017-80	4 Aspen Pl
F5 Group Holdings <i>(2547093 Ontario Ltd)</i>	2017-124	350 Lyle St
F5 Group Holdings <i>(2547093 Ontario Ltd)</i>	2017-123	354 Lyle St
Forest City Eagles <i>(Nick Enns Consulting)</i>	2016-198	500 First St
Forest City Eagles <i>(Nick Enns Consulting)</i>	2017-105	500 First St
Foster-Gosnell, Leila <i>(Foster-Gosnell, Leila)</i>	2017-3	675 Country Club Dr
Gelinas, M & A <i>(Gelinas, M Gelinas, A)</i>	2017-136	101 Fundy Ave
Heisz, Mark <i>(Heisz, Mark)</i>	2015-233	353 Dufferin Ave
Heisz, Mark <i>(Heisz, Mark)</i>	2016-190	353 Dufferin Ave
Heisz, Mark <i>(Heisz, Mark)</i>	2017-83	535 Dufferin Ave
Hillside Church of London <i>(Hillside Church of London Attn: Jordan Klassen)</i>	2017-102	138 Thompson Rd
Ibrahim, Fadi Ibrahim, Amal <i>(Ibriham, Fadi)</i>	2017-85	76 Clarke Rd
Jerome, Kathleen Jerome, Laurence <i>(Jerome, Kathleen & Laurence)</i>	2016-152	90 Wharncliffe Rd S
Kazimme, Hamid <i>(Kazimme, Hamid)</i>	2017-90	505 Adelaide St N
Knezic, Radoslava <i>(Knezic, Radoslava)</i>	2018-2	187 Wharncliffe Rd N
Lewvest Corp <i>(Mayne, Marshall)</i>	2017-121	1576 Richmond St
London Muslim Mosque <i>(Elrafih, Jihad)</i>	2017-108	25 Summit Ave
Mitsis, Peter <i>(Mitsis, Constantinos)</i>	2017-97	172 Central Ave
Nagle, Chris <i>(Nagle, Chris)</i>	2017-106	66 Upper Ave
Olkowski, Carole Olkowski, Mark <i>(Olkowski, Carole)</i>	2017-130	405 Horton St E
Participation House Support Services- London and Area <i>(Dunne, Brain)</i>	2018-10	193 Clarke Rd
QSPN Holdings Ltd c/o FCR Management Services <i>(QSPN Holdings Ltd Attn: Joanie Morra)</i>	2014-175	760 Baseline Rd E
QSPN Holdings Ltd c/o FCR Management Services <i>(QSPN Holdings Ltd Attn: Joanie Morra)</i>	2014-176	758 Baseline Rd E

Assessed Person <i>(Applicant)</i>	App'tn No.	Property
QSPN Holdings Ltd c/o FCR Management Services <i>(QSPN Holdings Ltd</i> <i>Attn: Joanie Morra)</i>	2014-177	756 Baseline Rd E
Russell, David <i>(Russell, David)</i>	2016-201	24 The Ridgeway
Russell, David <i>(Russell, David)</i>	2017-117	24 The Ridgeway
Sebastiany, Donald <i>(Sebastiany, Donald)</i>	2018-1	1155 Royal York Rd
Summit Properties Inc <i>(DuCharme, McMillen & Associates Inc</i> <i>Attn: Matt Cunningham)</i>	2017-101	744 Proudfoot Lane
Thames Valley District <i>(City of London</i> <i>c/o Jim Edmunds)</i>	2017-133	0 Cedar Hollow Blvd E
Thames Valley District School Board <i>(City of London</i> <i>c/o Jim Edmunds)</i>	2016-204	0 Cedar Hollow Blvd E
The Court House Block Inc <i>(Pocrnic, Steve)</i>	2017-112	390 Dundas St
The Court House Block Inc <i>(Pocrnic, Steve)</i>	2017-110	379 Dundas St
The Court House Block Inc <i>(Pocrnic, Steve)</i>	2017-109	379 Dundas St
The Court House Block Inc <i>(Pocrnic, Steve)</i>	2017-111	379 Dundas St
The Ironstone Building Company Inc <i>(Goulet, Paul)</i>	2016-197	705 Freeport St
The Ironstone Building Company Inc <i>(Goulet, Paul)</i>	2016-197	705 Freeport St
TNC 197-199 Dundas St Ltd <i>(Coulter, David)</i>	2017-107	197-199 Dundas St
Wellington Plaza Holdings Inc <i>(Coulter, David)</i>	2017-113	977-981 Wellington Rd
WW Hotels (London) Company <i>(Colliers</i> <i>c/o Cholewa, M.)</i>	2016-167	325 Dundas St
Wyman, Roger <i>(Wyman, Roger)</i>	2017-38	53 Cavendish Cres
Yin, Narin <i>(Yin, Narin)</i>	2017-132	3 Tilipe Rd
Yin, Narin <i>(Yin, Narin)</i>	2018-7	3 Tilipe Rd
Zedcor Inc <i>(Honeywood, Dara)</i>	2016-205	146 Exeter Rd
Zedcor Inc <i>(Honeywood, Dara)</i>	2017-134	146 Exeter Rd
Zedcor Inc <i>(Honeywood, Dara)</i>	2018-8	146 Exeter Rd
Zedcor Inc <i>(Honeywood, Dara)</i>	2016-206	146 Exeter Rd
Zedcor Inc <i>(Honeywood, Dara)</i>	2017-135	146 Exeter Rd
Zedcor Inc <i>(Honeywood, Dara)</i>	2018-9	146 Exeter Rd

**TAX ADJUSTMENT APPLICATIONS
INDEX BY PROPERTY ADDRESS**

Property	App'tn No.	Assessed Person (Applicant)
505 Adelaide St N	2017-90	Kazimme, Hamid (Kazimme, Hamid)
0 Asima Dr	2016-199	City of London (City of London c/o Yasmin Jiwani)
4 Aspen Pl	2017-80	Dubois, Ryan (Dubois, Ryan)
40 Balmoral Ave	2017-99	Daigle, Elizabeth Daigle, Patrick (Daigle, Patrick)
756 Baseline Rd E	2014-177	QSPN Holdings Ltd c/o FCR Management Services (QSPN Holdings Ltd Attn: Joanie Morra)
758 Baseline Rd E	2014-176	QSPN Holdings Ltd c/o FCR Management Services (QSPN Holdings Ltd Attn: Joanie Morra)
760 Baseline Rd E	2014-175	QSPN Holdings Ltd c/o FCR Management Services (QSPN Holdings Ltd Attn: Joanie Morra)
2515 Blair Blvd	2018-6	Canmat Cargo Centre Inc (Canmant Cargo Centre Inc)
53 Cavendish Cres	2017-38	Wyman, Roger (Wyman, Roger)
0 Cedar Hollow Blvd E	2016-204	Thames Valley District School Board (City of London c/o Jim Edmunds)
0 Cedar Hollow Blvd E	2017-133	Thames Valley District (City of London c/o Jim Edmunds)
172 Central Ave	2017-97	Mitsis, Peter (Mitsis, Constantinos)
76 Clarke Rd	2017-85	Ibrahim, Fadi Ibrahim, Amal (Ibriham, Fadi)
193 Clarke Rd	2018-10	Participation House Support Services- London and Area (Dunne, Brain)
5067 Cook Rd	2017-77	City of Londn (City of London Atn: Colin McClure)
5221 Cook Rd	2017-76	City of London (City of London Attn: Colin McClure)
675 Country Club Dr	2017-3	Foster-Gosnell, Leila (Foster-Gosnell, Leila)
26 Cronyn Cres	2015-241	Desrosiers, Gail (Desrosiers, Gail)
26 Cronyn Cres	2016-202	Desrosiers, Gail (Desrosiers, Gail)
26 Cronyn Cres	2017-129	Desrosiers, Gail (Desrosiers, Gail)
6 Cuddy Blvd	2017-81	City of London (City of London Atn: Colin McClure)
0 Dingman Drive	2017-54	City of London (City of Lonodn Atn: Yasmin Jiwani)
353 Dufferin Ave	2015-233	Heisz, Mark (Heisz, Mark)

Property	App'tn No.	Assessed Person (Applicant)
353 Dufferin Ave	2016-190	Heisz, Mark (Heisz, Mark)
535 Dufferin Ave	2017-83	Heisz, Mark (Heisz, Mark)
325 Dundas St	2016-167	WW Hotels (London) Company (Colliers c/o Cholewa, M.)
379 Dundas St	2017-109	The Court House Block Inc (Pocrnic, Steve)
379 Dundas St	2017-110	The Court House Block Inc (Pocrnic, Steve)
379 Dundas St	2017-111	The Court House Block Inc (Pocrnic, Steve)
390 Dundas St	2017-112	The Court House Block Inc (Pocrnic, Steve)
600 Dundas St	2018-4	461598 Ontario Ltd (461598 Ontario Ltd c/o Peter John Skentzos)
197-199 Dundas St	2017-107	TNC 197-199 Dundas St Ltd (Coulter, David)
203 East St	2017-131	Coffin, Elizabeth (Coffin, Elizabeth)
81 Elliott St	2016-196	Broere, Brian (Broere, Brian)
80 Evergreen Ave	2017-73	Conservation Authority Upper Thames River (City of London Attn: Reality Services)
146 Exeter Rd	2016-205	Zedcor Inc (Honeywood, Dara)
146 Exeter Rd	2016-206	Zedcor Inc (Honeywood, Dara)
146 Exeter Rd	2017-134	Zedcor Inc (Honeywood, Dara)
146 Exeter Rd	2017-135	Zedcor Inc (Honeywood, Dara)
146 Exeter Rd	2018-8	Zedcor Inc (Honeywood, Dara)
146 Exeter Rd	2018-9	Zedcor Inc (Honeywood, Dara)
500 First St	2016-198	Forest City Eagles (Nick Enns Consulting)
500 First St	2017-105	Forest City Eagles (Nick Enns Consulting)
705 Freeport St	2016-197	The Ironstone Building Company Inc (Goulet, Paul)
705 Freeport St	2016-197	The Ironstone Building Company Inc (Goulet, Paul)
101 Fundy Ave	2017-136	Gelinas, M & A (Gelinas, M Gelinas, A)
0 Grace W/S St	2017-71	City of London (City of London Attn: Colin McClure)
386 Griffith St	2015-232	Betteto, Desmond & Daniella (Batteto, Desmond & Daniella)
386 Griffith St	2016-189	Betteto, Desmond & Daniella (Batteto, Desmond & Daniella)
796 Hamilton Rd	2017-103	Bielak, Katherine (Bielak, Katherine)
405 Horton St E	2017-130	Olkowski, Carole Olkowski, Mark (Olkowski, Carole)

Property	App'tn No.	Assessed Person (Applicant)
6712 James St	2017-75	City of London (City of London Attn: Colin McClure)
6 Lisa Court	2015-222	Brittany Homes Ltd (Brittany Homes Ltd c/o Phil Megaro)
6 Lisa Court	2016-172	Brittany Homes Ltd (Brittany Homes Ltd c/o Phil Megaro)
350 Lyle St	2017-124	F5 Group Holdings (2547093 Ontario Ltd)
354 Lyle St	2017-123	F5 Group Holdings (2547093 Ontario Ltd)
2500 Main St	2016-129	9398562 Canada Inc (Soufan, Dean)
4026-4096 Meadowbrook Dr	2017-125	Bluestone Properties Inc Trustee (Aird & Berlis LLP Attn: David Neligan)
638-640 Newbold St	2015-236	Circelli, Vincenzo (Circelli, Anthony)
638-640 Newbold St	2016-194	Circelli, Vincenzo (Circelli, Anthony)
2150 Oxford St E	2017-70	City of London (City of London Attn: Colin McClure)
744 Proudfoot Lane	2017-101	Summit Properties Inc (DuCharme, McMillen & Associates Inc Attn: Matt Cunningham)
1866 Reilly Walk	2016-191	Cheam, Nayngim Ly, Taing (Cheam, Nayngim Ly, Taing)
1866 Reilly Walk	2017-86	Cheam, Nayngim Ly, Taing (Cheam, Nayngim Ly, Taing)
1576 Richmond St	2017-121	Lewvest Corp (Mayne, Marshall)
349-351 Ridout St N	2017-118	2476699 Ontario Inc (AEC Paralegal Professional Corporation c/o Accounting Dept. Info-Tech Research Group)
355-361 Ridout St N	2017-120	2013798 Ontario Inc (AEC Paralegal Professional Corporation c/o Accounting Dept. Info-Tech Research Group)
1155 Royal York Rd	2018-1	Sebastiany, Donald (Sebastiany, Donald)
3713 Scotland Dr	2017-74	City of London (City of London Attn: Colin McClure)
0 Singleton Ave	2017-94	City of London (City of London c/o Yasmin Jiwani)
0 Singleton Ave	2017-100	Carvest Properties Ltd (Carvest Properties Ltd Attn: Adam Carapella)
155 Springbank Dr	2015-224	Brittany Homes Ltd (Brittany Homes Ltd c/o Phil Megaro)
155 Springbank Dr	2016-174	Brittany Homes Ltd (Brittany Homes Ltd c/o Phil Megaro)
25 Summit Ave	2017-108	London Muslim Mosque (Elrafih, Jihad)
330 Thames St	2018-5	City of London (City of London Attn: Yasmin Jiwani)

Property	App'tn No.	Assessed Person (Applicant)
24 The Ridgeway	2016-201	Russell, David (Russell, David)
24 The Ridgeway	2017-117	Russell, David (Russell, David)
138 Thompson Rd	2017-102	Hillside Church of London (Hillside Church of London Attn: Jordan Klassen)
3 Tilipe Rd	2017-132	Yin, Narin (Yin, Narin)
3 Tilipe Rd	2018-7	Yin, Narin (Yin, Narin)
66 Upper Ave	2017-106	Nagle, Chris (Nagle, Chris)
5615 Wellingotn Rd S	2017-69	City of London (City of Lonodn Atn: Colin McClure)
26 Wellington Rd	2017-82	City of London (City of Lonodn Atn: Yasmin Jiwani)
319 Wellington Rd	2017-91	Abu Ghalyoun, Younes Mahmoud (Abu Ghalyoun, Younes Mahmoud)
977-981 Wellington Rd	2017-113	Wellington Plaza Holdings Inc (Coulter, David)
187 Wharncliffe Rd N	2018-2	Knezic, Radoslava (Knezic, Radoslava)
90 Wharncliffe Rd S	2016-152	Jerome, Kathleen Jerome, Laurence (Jerome, Kathleen & Laurence)
560 Wharncliffe Rd S	2017-24	2247635 Ontario Inc (Nick Enns Consulting)
766 Wharncliffe Rd S	2016-136	BAVA Holdings Limited (BMW London (Vito Lai))
5861 White Oak Rd	2017-68	City of London (City of Lonodn Atn: Colin McClure)
5861 White Oak Rd	2018-16	City of London (City of London)
1577 Wilton Grove Rd	2017-65	City of London (City of Lonodn Atn: Colin McClure)
52 York St	2017-119	2013798 Ontario Inc (AEC Paralegal Professional Corporation c/o Accounting Dept. Info-Tech Research Group)



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

May 24, 2018

Chair and Members of the
Corporate Services Committee

Re: Covent Garden Market

I believe that there is opportunity for improvement for the delivery of goods and collection of garbage at the Covent Garden Market, and that the expertise of the City of London's Facilities staff would be very helpful in identifying where improvements could be made.

I therefore respectfully request that the following recommendation be supported:

"That representatives of the Covent Garden Market BE INVITED to work with the City of London's Facilities staff to investigate possible improvements to access points and procedures for garbage collection and the delivery of goods at the Covent Garden Market."

Respectfully submitted,

Jared Zaifman
Councillor, Ward 14

From: Danny Chang [<mailto:vicepresident@westernusc.ca>]

Sent: Monday, June 04, 2018 2:21 PM

To: Bunn, Jerri-Joanne <jbunn@London.ca>

Subject: Western University Representative

My name is Danny Chang, and I am the Vice President of the University Students' Council at Western University. I will be replacing Landon Tulk as representative of Western University on the Transportation Advisory Committee, as well as the Housing Advisory Committee.

Thanks,

Danny

--

Danny Chang

Vice-President | University Students' Council

University Community Centre, Room 340 | London, On N6A 3K7

westernusc.ca | [@Western_USC](https://www.instagram.com/Western_USC) | 519 661 2111 x 82617 | [@channydang](https://www.instagram.com/channydang)

To enhance the educational experience and quality of life for all undergraduates at Western University.

President

Ontario Undergraduate Student Alliance

345-26 Soho Street

Toronto, ON, Canada M5T 1A8

president@ousa.ca | www.ousa.ca | [@OUSA](https://www.instagram.com/OUSA)

Proposed Presentation To City of London Council

The thrust of the presentation would be the Ontario Federation of Agriculture platform of Producing Prosperity in Ontario.

This touches on extending Natural Gas lines, broadband internet, schools and improvements to transportation and its infrastructure. This would include the need for a broadbased approach to an Ontario wide transportation network, but specifically to Southwest Ontario.

As rail issues have been one of the dominant themes of the election, and no doubt will be during the municipal election, I would touch on this issue as well. I would be giving the OFA perspective and offer alternative solutions that would benefit the region.

This would be a PowerPoint presentation, however if there is another format that council would prefer, please let me know.

Thank you.
Crispin Colvin
Director
Ontario Federation of Agriculture