



Bill No.
2014

By-law No. A.-

A by-law to approve an Amending Agreement for an Agreement between The Corporation of the City of London (the City) and Extencicare (Canada) Inc. (Extencicare) for the provision of Administrator and Management Consulting Services at the Dearness Home; and to authorize the Mayor and the City Clerk to execute the Amending Agreement.

WHEREAS section 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 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 The Corporation of the City of London entered into an Agreement dated the 1st day of November, 1, 2013 with Extencicare (Canada) Inc. for the provision of Administrator and Management Consulting services at the Dearness Home and now wishes to make certain changes to the original Agreement;

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

1. The Amending Agreement attached as Schedule 1 to this by-law is hereby approved.
2. The Mayor and the City Clerk are hereby authorized to execute the Amending Agreement approved in section 1, above.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on December 3, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

[] []

REVISED

Schedule 1

AMENDING AGREEMENT

THIS AMENDING AGREEMENT (hereinafter referred to as "amending agreement") is made as of the ___ day of _____, 2013.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON (the "City")

-and-

EXTENDICARE (CANADA) INC. ("Extendicare")

WHEREAS the parties entered into an agreement approved by By-law ___ of The Corporation of the City of London;

AND WHEREAS the parties wish to provide for greater certainty in relation to the roles of Extendicare, the Administrator and the Licensee under that Agreement;

In consideration of the mutual covenants and agreements contained in this Amending Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Section 2.1 is hereby amended by adding the following paragraph (5) thereto:

"(5) In addition to the roles and responsibilities under this agreement as set out in Appendix A, the Administrator shall, at all times, be responsible to the Licensee and provide reports to and shall receive direction from the Licensee, the Committee of Management or its City Representative in accordance with their respective roles and responsibilities as set out in the Long Term Care Homes Act. "

2. Except for the amendments provided for in this Amending Agreement, all provisions in the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

SIGNED, SEALED AND DELIVERED

THE CORPORATION OF THE CITY OF LONDON

Joe Fontana
Mayor

Catharine Saunders
City Clerk

EXTENDICARE (CANADA) INC.

I/We have the authority to bind the corporation.