Bill No. 3
2018

By-law No. A._____

A by-law to approve the Contribution Agreement between Her Majesty the Queen in Right of Canada as represented by the Minister Responsible for the Federal Economic Development Agency for Southern Ontario and The Corporation of the City of London; and to authorize the Mayor and City Clerk to execute the agreement.

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;

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

1. The Amending Agreement attached as Schedule “A” to this by-law between Her Majesty the Queen in Right of Canada as represented by the Minister Responsible for the Federal Economic Development Agency for Southern Ontario and The Corporation of the City of London, regarding the Harris Park Pavilion, is hereby authorized and approved.

2. The Mayor and the City Clerk are hereby authorized to execute the Amending Agreement authorized and approved under 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 12, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk
Schedule “A”

Recipient Name: The Corporation of the City of London
Project Number: 808329, 808392, 808401

CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM

AMENDING AGREEMENT #4

This Amending Agreement made on ____________

BETWEEN: HER MAJESTY THE QUEEN IN RIGHT OF CANADA,
("Her Majesty") hereby represented by the Minister responsible for the
Federal Economic Development Agency for Southern Ontario
("Minister")

AND: The Corporation of the City of London ("Recipient") a municipal
government established under the laws of Ontario.

Each a “Party” and (collectively referred to as the “Parties”)

WHEREAS the Minister and the Recipient entered into a contribution agreement made
as of May 5, 2016, and amended by amending agreement #1 made on March 15, 2017,
amending agreement #2 made on March 27, 2017, and amending agreement #3 made on
September 5, 2017, under the Canada 150 Community Infrastructure Program,
("Contribution Agreement"), whereby the Minister has agreed to make a non-refundable
contribution to the Recipient up to the maximum amount of:

808389 - ninety eight thousand nine hundred one dollars ($98,901)
808392 - four hundred ninety five thousand dollars ($495,000)
808401 - one hundred fifty eight thousand two hundred forty two dollars (158,242)

WHEREAS the Parties wish to amend the Contribution Agreement in order to amend
Annex 1 - Statement of Work for project 808392,

NOW THEREFORE in consideration of their respective obligations contained herein,
the Parties agree to the following:

1. Interpretation

All capitalized terms used and not otherwise defined herein will have the meanings given
to them in the Contribution Agreement.

2. Execution

This Amending Agreement must be executed by the Recipient and received by the
Minister within thirty (30) days of its signature on behalf of the Minister, failing which
the Minister may declare it will be null and void.
3. Amendment

3.1 In the Contribution Agreement, Annex 1 – Statement of Work for project 808392 is hereby deleted and replaced by a new Annex 1 – Statement of Work attached hereto.

4. General

4.1 The Contribution Agreement and this Amending Agreement will henceforth be read together and will have the effect as if all the provision of such agreements were contained in one instrument.

4.2 Except for the amendments expressly set forth in this Amending Agreement, the other terms and provisions of the Contribution Agreement remain unchanged.

4.3 This Amending Agreement is governed by the laws of the Province of Ontario and the laws of Canada.

4.4 This Amending Agreement may be executed and delivered in any number of counterparts, each of which when executed and delivered is an original but all of which taken together constitutes one and the same instrument.

4.5 Each of the Parties shall, at the request of the other Party to this Amending Agreement, execute such documents and do such acts as may be reasonably required to carry out the terms of this Amending Agreement.

4.6 This Amending Agreement shall enure to the benefit of, and be binding upon, the Parties and their respective successors and permitted assigns.

4.7 No modification, supplement or amendment to this Amending Agreement shall be binding unless executed in writing by all of the Parties hereto.
IN WITNESS WHEREOF the Parties hereto have executed this Amending Agreement through duly authorized representatives.

HER MAJESTY THE QUEEN IN RIGHT OF CANADA.

Per: ____________________
Federal Economic Development Agency for Southern Ontario

Date: ____________________
October 4, 2017

The Corporation of the City of London,

Per: ____________________
Name: ____________________
Title: ____________________

Date: ____________________

I have authority to bind the corporation.

Per: ____________________
Name: ____________________
Title: ____________________

Date: ____________________

I have authority to bind the corporation.
Annex 1

CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM

808392

STATEMENT OF WORK

Recipient: Corporation of the City of London

Project Title: Improvements to Pavilion and Lighting in Harris Park

Project Location: Ridout Street North and Dufferin Ave. (along Thames River), London, N6A 2P6

PROJECT DESCRIPTION:

The project work includes:

- Renovating the pavilion:
  - Constructing a new roof structure;
  - Expanding the footprint of existing stage from approximately 2,000 square feet to 3,000 square feet, including the hard surfaces around the pavilion;
  - Installing a speaker array and public address system, and a security and control system that integrates with facility's existing building automation system; and,
  - Constructing a ramp to make the pavilion accessible.

- Reconstructing site features and hard surfaces at the pavilion:
  - Installing building and directional marking signs; and,
  - Constructing a concrete/stone assembly area for viewing of pavilion performances.

- Upgrading trails and landscaping:
  - Upgrading pathways for accessibility to the pavilion and adding pathway lighting from parking area to the pavilion; and,
  - Adding landscaping features and vegetation.

- Upgrading pathway lighting along the Thames River.

Estimated date of commencement: April 1, 2016

Estimated date of Substantial Completion: January 31, 2018

FEDDEV ONTARIO CONTRIBUTION BY FISCAL YEAR

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<th>2016/2017</th>
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## PROJECT COSTS AND FINANCING:

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<td>Other Federal Contributions</td>
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<td>Recipient Contribution</td>
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<td>Other Property Interest</td>
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<td><strong>Total Estimated Costs</strong></td>
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### RATE LIMITATION

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Please Note:
1. Eligible Costs include the amount of the harmonized sales tax (HST), net of any refund or eligible credits due from the Canada Revenue Agency.
2. The list of ineligible components shown is not exhaustive. For more information on ineligible costs, see Annex 2.
3. The Recipient shall not redirect funding between cost categories without prior written consent of the Minister.
4. Incremental costs (i.e., employees and/or materials and/or equipment) have been approved up to the following maximum amounts, which are included in the Total Eligible Costs indicated above:
   - Employees: $0
   - Materials: $0
   - Equipment: $0