

Bill No. 331
2013

By-law No. A.-_____

A by-law to approve an Amending Agreement between The Corporation of the City of London and the Arvan Rehab Group for the provision of physiotherapy services and occupational therapy 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 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 The Corporation of the City of London entered into an Agreement dated the 1st day of July, 2011 with Arvan Rehab Group for the provision of physiotherapy services and occupational therapy 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 authorized and approved.
2. The Mayor and the City Clerk are authorized to execute the Amending Agreement authorized and approved in section 1, of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 30, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – July 30, 2013
Second Reading – July 30, 2013
Third Reading – July 30, 2013

Schedule 1

THE AMENDING AGREEMENT made in triplicate this 29th day of July, 2013.

BETWEEN:

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

OF THE FIRST PART

-AND-

ARVAN REHAB GROUP.
(hereinafter called "Arvan")

OF THE SECOND PART

WHEREAS the parties entered into an agreement dated the 1st day of July, 2011 and wish to amend that agreement pursuant to section 6.0.4 of that Agreement/section

NOW THEREFORE THIS AGREEMENT WITNESSETH that in considerations of the mutual covenants herein contained, the parties hereto covenant and agree, each with the other, as follows:

1. This amending agreement is supplemental to the original agreement dated and all terms, conditions and provisions of the original agreement remain in full force and effect save as amended by this agreement.

2. Section 1.0.1 is hereby amended to read as follows:

1.0.1 The City hereby retains Arvan to provide Physiotherapy Services and Occupational Therapy Services at the Dearness Home and agrees to provide the services in accordance with the amended service proposal submission received July, 2013 which shall be deemed to form part of this Agreement.

3. Section 2.0.1 is hereby amended to read as follows:

2.0.1 The term of the Agreement will commence on August 1, 2013 for a six (6) month period terminating on January 31, 2014.

4. Section 3.0.1 is hereby amended to read as follows:

3.0.1 Arvan agrees to provide physiotherapy services and occupational therapy services to the residents of the Dearness Home in accordance with all applicable laws and regulation and policies and standards of the Dearness Home, as may be amended from time to time. Without limiting the foregoing, Arvan will provide the following:

One (1) full time Registered Physiotherapist	-	37.5 hours per week on-site.
One (1) Physiotherapy Assistant	-	35 hours week on site
An additional Physiotherapy Assistance	-	30 hours week on site
One Registered Occupational Therapist	-	8 hours week on site

Services are seven (7) days per week, but normal working hours are Monday to Friday – approximately between 8:00 a.m. to 6:00 p.m. Hours during the evening and weekends are available solely at the discretion of the consultant Physiotherapist. Each consultant professional is required to sign-in and sign-out of the home during their service visits.

Core Services will be provided through this amending contract as follows:

- Individual Physiotherapy Programs
- Individual Occupational Therapy/ADP authorizations
- Education, including RESTORE MAX Nursing Rehab Education In-Service
- Wound Management Protocol Support
- Exercise Protocol for Continence

Associated Services will be provided, on a fee for service basis (resident pay) as follows:

- Foot Care (Basic)

5. Section 4.0. is hereby amended to read as follows:

4.0 The City shall pay Arvan for the services are outlined in this contract as follows:

Physiotherapy services: (August 1, 2013 to January 31, 2014)

Registered Physiotherapist:	975 hours @ \$55 per hour	\$ 53,625
Physiotherapy Assistant:	1690 hours @ \$22 per hour	\$ 37,180

Total Physiotherapy Services: \$ 90,805

Occupational Therapy Services: (August 1, 2013 to January 31, 2014)

Occupational Therapist:	210 hours @ \$54 per hour	\$ 11,340
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Total Occupational Therapy services: \$ 11,340

TOTAL Contract: \$102,145

IN WITNESS WHEREOF, the parties hereto have entered into this Amending Agreement as of the date first signed or the first day of the Term, whichever is sooner.

THE CORPORATION OF THE CITY OF LONDON

By: _____
Joe Fontana, Mayor

By: _____
Catharine Saunders, City Clerk

ARVAN REHAB GROUP

By: _____
I/We have the authority to bind the company/corporation

By: _____
I/We have the authority to bind the company/corporation