



## REPORT

**TO:** Mayor Avis & Council  
**FROM:** Jason Kabel, Manager of Community Services  
**DATE:** March 2, 2017  
**RE:** Public Transit Infrastructure Fund (PTIF) Agreement

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### Background

In October 2016, Council approved an application to the Public Transit Infrastructure Fund (PTIF) that supports 50% of capital purchases. The application was for the purchase of a new Handivan bus, estimated at \$92,518 (\$46,259 municipal funding required). This amount has been included in the preliminary 2017 capital budget.

The Town has received correspondence to advise that Infrastructure Canada (INFC) has approved the application submitted, and has provided the draft Transfer Payment Agreement (TPA) between the Ministry of Transportation (MTO) and the Town of Fort Frances to be executed. The TPA has provisions that address both provincial and federal requirements, specifically section A.34.1 (a)(i) "Special Conditions"; MTO requires a copy of the by-law and, if applicable, any council resolution(s) authorizing the Agreement and naming the authorized representatives of the Recipient for the Agreement.

Attached are two forms that require completion and email return by March 7, 2016:

- 1) The Request for Recipient Information Form, which MTO needs in order to finalize the TPA process; and
- 2) A high-level progress report, which INFC has requested.

### Recommendation

The Community Services Executive Committee recommends to Mayor and Council to authorize the form submission by March 7, 2017, agreement execution, and forthcoming by-law.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "J. Kabel".

Jason Kabel

<p><b>Council approval of this report will</b> authorize the form submission to MTO, agreement execution, and forthcoming by-law for the purchase of a 2<sup>nd</sup> Handivan bus as per the 2017 Capital Budget.</p>
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Ministry of Transportation    Ministère des Transports

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Policy and Planning Division  
777 Bay Street, 30th Floor  
Toronto, Ontario  
M7A 2J8  
Tel: 416 585-7347  
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February 21, 2017

Doug Brown  
Chief Administrative Officer  
The Corporation of the Town of Fort Frances  
320 Portage Ave.  
Fort Frances, ON, P9A 3P9

Dear Mr. Doug Brown,

As you may know, the Ministry of Transportation (MTO) is administering the federal Public Transit Infrastructure Fund (PTIF) Phase One, on behalf of Infrastructure Canada (INFC).

The purpose of this correspondence is to advise you that INFC has approved projects submitted by your municipality, and to provide you with the draft Transfer Payment Agreement (TPA) between MTO and your municipality.

Please note the TPA provisions that address both provincial and federal requirements, specifically section A.34.1(a)(i) "Special Conditions"; MTO requires a copy of the by-law and, if applicable, any council resolution(s) authorizing the Agreement and naming the authorized representatives of the Recipient for the Agreement.

Also attached are two forms that require your municipality's completion:

- 1) The Request for Recipient Information Form, which MTO needs in order to finalize the TPA process; and
- 2) A high-level progress report, which INFC has requested.

Please email the completed forms to Tasneem Essaji, Manager of the Municipal Transit Policy Office, by March 7, 2017. If you have any questions, please feel free to contact Tasneem at [Tasneem.Essaji@ontario.ca](mailto:Tasneem.Essaji@ontario.ca) or at (416) 585-6312.

I wish you every success in the implementation of your project(s) and look forward to the results.

Sincerely,

A handwritten signature in black ink, appearing to be 'Vinay Sharda', with a stylized flourish at the end.

Vinay Sharda  
Director  
Attachments

c. Tasneem Essaji, Manager, Municipal Transit Policy Office

# Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement

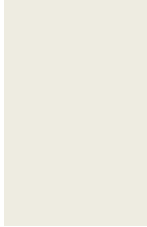
## Request for Recipient Information Form

Please complete the following information for the purpose of creating the Transfer Payment Agreement (TPA) for the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) between the Her Majesty the Queen in right of Ontario, as represented by the Ministry of Transportation for the Province of Ontario, and the Recipient/Municipality.

Page # of TPA	Description	Specific Field	Insert Missing Information
<b>Name of Recipient/Municipality and Execution of Agreement</b>			
Page 1	Name of TPA Recipient	Full legal name of the Municipality:	<i>Corporation of the Town of Fort Frances</i>
Page 4	Name and title of representative executing the TPA	Name:	<i>Roy Avis</i>
		Title:	<i>Mayor</i>
	Name and title of representative executing the TPA	Name:	<i>Elizabeth Slomke</i>
		Title:	<i>Clerk</i>
<b>Schedule "B" Project Specific Information</b>			
Page 30	Contact information for the purposes of Notice to the Recipient	Position:	<i>CAO, Doug Brown</i>
		Address:	<i>320 Portage Avenue Fort Frances Ontario P9A 3P9</i>
		Street:	
		City:	
		Province:	
		Postal Code:	
		Phone:	<i>807-274-5323</i>
		Fax:	<i>807-274-8479</i>
		Email:	<i>dbrown@fortfrances.ca</i>
Page 31	Authorized Representative designated by the Recipient for the purpose of sections C.2.2 (Amending Agreement for Minor Changes to the Project Description, Budget and Timelines) and D.7.2 (Amending Agreement for Minor Changes to the Reporting)	Position:	<i>Manager of Community Services</i>
	Contact Information for the authorized	Position:	<i>Jason Kabel</i>
		Address:	<i>740 Scott Street</i>

# Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement

	representative of the Recipient to respond to requests from the Province related to the Agreement	Street:	<i>Fort Frances Ontario P9A 1H8</i>
		City:	
		Province:	
		Postal Code:	
		Phone:	<i>807-274-4561 x-1719</i>
		Fax:	<i>807-274-3799</i>
		Email:	<i>jkabel@fortfrances.ca</i>



**PUBLIC TRANSIT INFRASTRUCTURE FUND (PTIF) PHASE ONE (ONTARIO)  
TRANSFER PAYMENT AGREEMENT**

**THIS TRANSFER PAYMENT AGREEMENT** for the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) (the “Agreement”), made in quadruplicate, is effective as of the Effective Date (both “Agreement” and “Effective Date” as defined in section A.1.2 (Definitions)).

**B E T W E E N:**

**Her Majesty the Queen in right of Ontario**  
as represented by the Minister of Transportation for the Province of  
Ontario

(the “Province”)

- and -

**The Corporation of the Town of Fort Frances**

(the “Recipient”)

**BACKGROUND**

The Government of Canada announced in its Budget 2016 an investment of \$120 billion in infrastructure over 10 years, including \$60 billion in new funding for public transit, green infrastructure, and social infrastructure, to better meet the needs of Canadians and better position Canada’s economy for the future.

The 2016 Federal Budget proposes to provide \$11.9 billion in transit infrastructure over five years, which includes funding under a new federal program entitled Public Transit Infrastructure Fund (“PTIF”, as defined in section A.1.2 (Definitions)), to upgrade and improve public transit systems. Phase One of the PTIF commits approximately \$3.4 billion across Canada, to be distributed on the basis of transit ridership.

Canada (as defined in section A.1.2 (Definitions)) has agreed, under the PTIF and corresponding Bilateral Agreement (as defined in section A.1.2 (Definitions)) between Canada and Ontario, to provide up to \$1,486,680,000 for projects to help accelerate short term investments while supporting the rehabilitation of transit systems and fund studies to support longer term transit expansion plans in Ontario.

Under the Bilateral Agreement, the Province has agreed to identify projects, municipal and provincial, and be responsible for the transfer of PTIF funds to eligible municipalities pursuant to transfer payment agreements.

The Recipient has been allocated Maximum Funds (as defined in section A.1.2 (Definitions)).

The Recipient has applied to the Province for PTIF funds to assist the Recipient in carrying out the Project (as defined in section A.1.2 (Definitions) and further described in Schedule “C” (Project Description, Budget and Timelines)), a public transit infrastructure project.

The Province has submitted, in accordance with the terms and conditions set out in the Bilateral Agreement, the Project to Canada for approval.

Canada has approved the Project and agreed to provide PTIF funds for the Project.

The Agreement sets out the terms and conditions upon which PTIF funds, up to the Maximum Funds, will be provided to the Recipient for the purpose of carrying out the Project and the Recipient has agreed to carry out the Project.

## **CONSIDERATION**

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged, the Parties (as defined in section A.1.2 (Definitions)) agree as follows:

### **1.0 ENTIRE AGREEMENT**

- 1.1 The Agreement, comprising of:
- Schedule “A” - General Terms and Conditions
  - Schedule “B” - Project Specific Information
  - Schedule “C” - Project Description, Budget and Timelines
    - Sub-schedule “C.1” - Program Funding Request
  - Schedule “D” - Reporting
  - Schedule “E” - Eligible Expenditures and Ineligible Expenditures
  - Schedule “F” - Evaluation
  - Schedule “G” - Communications Protocol
  - Schedule “H” - Disposal of and Revenues from Assets
  - Schedule “I” - Aboriginal Consultation Protocol
  - Schedule “J” - Requests for Payment and Payment Procedures
    - Sub-schedule “J.1” - Form of Request for Payment Form
    - Sub-schedule “J.2” - Form of Certificate from Recipient
    - Sub-schedule “J.3” - Form of Declaration of Sub-project Completion
    - Sub-schedule “J.4” - Form of Certificate from Professional Engineer
  - Schedule “K” - Committee
  - Schedule “L” - Public Transit Infrastructure Fund (PTIF) Attestation Form, and any amending agreement entered into as provided for in Article 3.0 (Amending the Agreement),

constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

## **2.0 COUNTERPARTS**

- 2.1 The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

## **3.0 AMENDING THE AGREEMENT**

- 3.1 Subject to sections C.2.2 (Amending Agreement for Minor Changes to the Project Description, Budget and Timelines) and D.7.2 (Amending Agreement for Minor Changes to the Reporting), the Agreement may only be amended by a written agreement duly executed by the representatives of the Parties listed below.

## **4.0 ACKNOWLEDGEMENT**

- 4.1 The Recipient acknowledges that:

- (a) by receiving Funds (as defined in section A.1.2 (Definitions)) it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *Public Sector Salary Disclosure Act, 1996* (Ontario) and the *Auditor General Act* (Ontario);
- (b) the Funds are:
  - (i) to assist the Recipient to carry out the Project and not to provide goods or services to the Province or Canada; and
  - (ii) funding for the purposes of the *Public Sector Salary Disclosure Act, 1996* (Ontario); and
- (c) although the Agreement is between the Province and the Recipient, Canada is, in respect of the rights, covenants, remedies, obligations, indemnities and benefits (together referred to as “Rights”) undertaken or given to Canada in the Agreement, a third-party beneficiary under the Agreement and is entitled to rely upon and directly enforce those Rights as if Canada were a party to the Agreement; and
- (d) the Province and Canada, respectively, are not responsible for carrying out the Project.

The Parties have executed the Agreement on the dates set out below.



**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO** as  
represented by the Minister of Transportation for the  
Province of Ontario

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Date

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Name: Steven Del Duca  
Title: Minister

**The Corporation of the Town of Fort Frances**

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Date

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Name: [insert the name]  
Title: [insert the title, e.g., Mayor or Regional Chair]

I have authority to bind the Recipient.

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Date

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Name: [insert the name]  
Title: [insert the title, e.g., Clerk]

I have authority to bind the Recipient.