

Memo

To: Mayor Junkin and Members of Council

From: Jason Marr, Director of Public Works

Date: March 7, 2022

RE: Amended Cost Sharing Agreement with the Niagara Region for the Quaker Road Reconstruction Project

On February 7, 2022 Council authorized the execution of a cost sharing agreement between the Region of Niagara and the Town of Pelham with respect to the Quaker Road Reconstruction Project between Pelham Road and Line Avenue.

An amended cost sharing agreement has been provided by the Region of Niagara. The minor amendments, which are additions to provisions two (2) and four (4), are noted below:

"2. The Town ... provided that, if the Town's share of the actual construction costs attributed to the Project, once known, exceed the total Estimated Construction Costs set out in Section 2, above, Niagara Region's obligation to proceed with the construction of the Town Works shall be conditional on and subject to the Town obtaining budgetary approval for such additional costs from its Council and providing evidence of same to Niagara Region."

"4. Notwithstanding anything in this Agreement to the contrary, Niagara Region's obligation to proceed with the Tender is conditional on and subject to Niagara Region obtaining any necessary authorizations and approvals required in connection with the Project, including, for certainty, budgetary approval from Regional Council and as well as approval of any other relevant government authority. Provided that Niagara Region receives all necessary approvals it agrees to proceed with issuing the Tender and, provided the Tender is awarded, further agrees to be responsible for the management of the construction works contemplated thereby. In all cases, the Town shall only be responsible for paying its proportionate share of those design and construction services relating to the Project actually completed."

Amending By-law No. 4434(2022) is presented for your consideration.

Jason Marr, P. Eng.
Director of Public Works