

Committee of the Whole (1) Report

DATE: Tuesday, January 21, 2025

WARD(S): ALL

TITLE: ENTERING INTO AGREEMENTS WITH ALECTRA UTILITIES CORPORATION

FROM:

Vince Musacchio, Deputy City Manager, Infrastructure Development

Haiqing Xu, Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To provide administrative authority to staff regarding agreements with Alectra Utilities Corporation required as a result of the City's infrastructure projects.

Report Highlights

- From time to time, as a result of City infrastructure projects, the City requires that Alectra perform certain works and/or the City requires connections to Alectra infrastructure.
- City staff and Alectra have determined that certain agreements are required to be entered into between the parties to determine the roles and responsibilities as between the City and Alectra, each party's proportionate share of costs, as well as other various administrative matters, such as insurance and indemnification.
- Staff are recommending that they be provided administrative authority to enter into such agreements (where budget funds had previously been approved for the infrastructure project), in order to avoid project delays.

Recommendations

1. That the Deputy City Manager, Infrastructure Development, the Deputy City Manager, Planning, Growth Management and Housing Delivery, or the Deputy City Manager, Public Works, as the case may be, of the relevant department, be authorized, on behalf of the City, to enter into, execute, renew, amend and

terminate agreements with Alectra Utilities Corporation as further described within this report with respect to City infrastructure projects, on terms and conditions satisfactory to the relevant Deputy City Manager, and in a form satisfactory to Legal Services, and to take any necessary action and sign any documentation related to those agreements; and

2. That any necessary by-laws be enacted.

Background

From time to time, as a result of City infrastructure projects, the City either requires Alectra to perform certain works or requires connection to Alectra's infrastructure. To date, these works are governed by a collection of various agreements, depending on the circumstance, such as the City's road occupancy permit, purchase orders, or an Offer to Connect agreement.

Alectra has proposed three standard, templated agreements governing three common types of working relationships between the City and Alectra with respect to City infrastructure projects, and have also indicated that there may be other applicable agreements. Staff are recommending that they be provided administrative authority with respect to all of these agreements where budget funding had previously been allocated, in order to prevent delays to the relevant infrastructure project.

Previous Reports/Authority

N/a

Analysis and Options

The three standard agreements proposed by Alectra are summarized below.

Infrastructure Installation Agreement

This agreement is entered into when the City requests that Alectra undertake certain work (whether it is the installation of new infrastructure or the removal and relocation of existing infrastructure). It sets out the description of the work, the allocation of costs between the two parties, anticipated completion date and other provisions, including amendments, insurance and indemnity.

Licensed Attachment Agreement

Alectra has advised that this agreement is required with any entity that wants to attach its own infrastructure/hardware to Alectra's poles, for example. The City currently has approximately 1600 of its streetlights on Alectra poles. This agreement addresses a number of items including permit applications, installation and maintenance, removal, replacement or relocation of poles or attachments.

Offer to Connect Agreement

Alectra has advised that this is another standard form agreement that it enters into with any entity that requires a connection to its distribution system. It sets out the work that needs to be done in order for the electrical connection installation to take place, the cost involved, and the other terms and conditions related to the connection.

Easements

From time to time, these agreements, may also require the conveyance of easements to Alectra so it can access and maintain/repair any of its infrastructure that it may have on or adjacent to City property.

Other Agreements

Alectra has also noted that there may be other applicable agreements (e.g. Joint Use Agreements), depending on the nature of the City infrastructure project. While several of the terms in these agreements are boilerplate and are unlikely to change with each project, the City will strive to negotiate whatever it can to ensure that the agreements are fair, clear, consistent and continue to facilitate a predictable and productive relationship between the two parties.

Financial Impact

Entering into these agreements can, and usually do, result in the City incurring costs. These costs will vary with each project/agreement. These costs will be covered by the budget for the relevant project, failing which, staff will return to Council for authority.

Operational Impact

Providing staff authority for these agreements improves business efficiency and limits the risk that infrastructure projects will be delayed as a result of staff having to obtain authority for each individual agreement, as required by Alectra.

Broader Regional Impacts/Considerations

N/A

Conclusion

Staff are recommending that they be authorized to enter into agreements with Alectra and to take any necessary action and sign any documentation related to those agreements for the reasons provided above.

For more information, please contact Roberto Sguassero, Director, Infrastructure Delivery, extension 8749.

Attachments

None

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