

**THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI**

BY-LAW NO. 10-974

Being a bylaw to amend by-law 10-952 and to authorize the execution of a revised agreement with Story Environmental Inc. to provide professional engineering services and project coordination of a dewatering trench in the subsurface of the trailer park area of the Temagami North subdivision.

WHEREAS under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS under Section 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS at the Regular Council Meeting on the 4th day of November 2010, Council passed by-law 10-952 to authorize the execution of an agreement with Story Environmental Inc. to provide professional engineering services and project coordination of a dewatering trench in the subsurface of the trailer park area of the Temagami North subdivision;

AND WHEREAS the Council of The Corporation of the Municipality of Temagami deems it necessary to enter into a revised agreement with Story Environmental Inc. for this work;

NOW THEREFORE the Council of The Corporation of the Municipality of Temagami hereby enacts the following as a by-law:

1. That By-law 10-952 is hereby amended.
2. That the Mayor and Clerk be authorized to execute the revised agreement 048-09 with Story Environmental Inc. to provide engineering services and project coordination of a dewatering trench in the subsurface of the trailer park area of the Temagami North subdivision for the approximate cost of \$38,500.00 plus applicable taxes, a copy of which is attached hereto as Schedule "A" and forms part of this by-law.
3. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law

and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

*

TAKEN AS READ A FIRST TIME this 13th day of January 2011.

READ A SECOND AND THIRD time and finally passed this 13th day of January 2011.


MAYOR


CLERK

Story Environmental Inc.

2010 Fee and Disbursement Schedule

Effective: 01/01/10 to 31/12/10

Fees	Standard Hourly Rate
Senior Engineer	\$ 108.00
Intermediate Engineer	\$ 97.50
Environmental Scientists	\$ 72.00
Junior Engineers	\$ 72.00
Engineers in Training	\$ 61.50
Drafting	\$ 61.50
Environmental Technicians	\$ 55.00
Administrative Assistants	\$ 45.00

Disbursements	
Disbursements (printing, photocopying, binding, faxes, telephone, cellular, etc.) will be billed as 8% of SES's monthly professional fees.	
Mileage	\$0.49/km
Travel	Invoiced at cost plus 5%
Rented or Purchased Field Equipment	Invoiced at cost plus 5%
Analyses	Invoiced at cost plus 5%
Required Sub-Contractors	Invoiced at cost plus 5%
Courier Invoices	Invoiced at cost plus 5%

SES Equipment	\$ per Use	\$ per Day	\$ per Month
pH Meter	25	50	
Conductivity/DO Meter	25	50	
Total Ammonia Meter	25	50	
Chlorine Meter (free/total)	25	75	
Turbidity Meter	25	50	
Survey Equipment (level, rod, tripod)		50	
Interface Probe		50	
Global Positioning Receiver		25	
Digital Camera		25	
Two-way Radios		25	
Draeger Sampler	25	50	
Lake Sampler	25	50	
Laptop	25	50	
Sludge Judge	10	25	
Canoe	30	50	
Data Logger			35

This schedule will be revised on an annual basis. If a contract extends from one year to the next, the new schedule will apply. At this time, a new schedule will be provided for your records.

Issued: December 21, 2009 MES

Mileage is not charged for round trips of less than 20 kilometres.



STORY ENVIRONMENTAL INC.

332 Main Street
P. O. Box 716
Haileybury, ON P0J1K0
Telephone: (705) 672 - 3324
Facsimile: (705) 672 - 3325

Contract No. 048-09

This contract, No. 048-09, is made this _____ day of December 2010, between Story Environmental Inc. ("SEI"), the first party, and The Corporation of the Municipality of Temagami. ("Temagami"), the second party, for the engineering and project coordination of the construction of a dewatering trench in the subsurface of the trailer park area in the Temagami North Subdivision.

The scope of work to be carried out by SEI will include but is not limited to the following tasks:

- site visit(s) to take field measurements for key dimensions and elevations;
- ◆ preparation of any required engineering and construction drawings or documents (such as scope of work, requests for quotations, etc);
- acquire all required permits and approvals from the Ontario Northland Railway, the Ministry of Natural Resources, the Ministry of the Environment and Fisheries and Oceans Canada;
- procurement of pricing for all construction works and comparison summary of received pricing complete with recommendations;
- procurement of pricing for the lifting station and comparison summary of received pricing complete with recommendations;
- involvement in the contractor selection process for all construction works prior to bid award to ensure the selected contractor is qualified to perform the work;
- provide project coordination services throughout construction;
- provide technical assistance for all construction works to ensure the work being carried out conforms with any plans, specifications, environmental legislation or other documentation related to the work;
- completion of the solemn declaration of substantial completion form (Schedule "K") to fulfil BCF requirements upon substantial completion of the project; and
- provide an "As Built" set of drawings.

SEI has estimated that the total cost to complete the tasks listed above not including tax (for GST or HST, whichever is applicable) is approximately \$38,500. Billing from equipment suppliers and the construction contractor(s) is to be submitted directly to Temagami.

SEI invoices monthly according to the attached fee and disbursement schedule. SEI only charges for hours necessarily and actually expended. Disbursements are charged at a rate of 8% of SEI's monthly professional fees.

Story Environmental Inc.

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Information obtained by SEI, during the course of this work will be for the exclusive use of SEI and will not be divulged to others without prior written consent from Temagami.

SEI is conducting this work in good faith and with the utmost of professional responsibility on behalf of its client. At no time, can SEI be held liable, as a result of work conducted as part of this service contract, in excess of the amount of this contract.


Payment for the work conducted by SEI is due upon receipt of invoice. If payment is not received within 30 days of the invoice date, interest will be charged at a rate of 3% per month.

If Temagami is in agreement with the contents of this contract, please sign below and return the duplicate signed copy to SEI.

Story Environmental Inc.

The Corporation of the Municipality of Temagami


Maria Story, P. Eng.
President



~~Patricia Gannell~~ John Hodgson
Chief Administrative Officer mayor

Date

January 13, 11
Date



Elaine Gannell
Clerk

January 14/2011

Story Environmental Inc.

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