
General Committee

Date: September 3, 2025
Time: 9:30 AM
Location: Council Chambers, Civic Centre, 2nd Floor
300 City Centre Drive, Mississauga, Ontario, L5B 3C1
and Online Video Conference

Members

| | |
|--|---------|
| Deputy Mayor and Chair Matt Mahoney | Ward 8 |
| Deputy Mayor and Vice-Chair John Kovac | Ward 4 |
| Mayor Carolyn Parrish | Mayor |
| Councillor Stephen Dasko | Ward 1 |
| Councillor Alvin Tedjo | Ward 2 |
| Councillor Chris Fonseca | Ward 3 |
| Councillor Natalie Hart | Ward 5 |
| Councillor Joe Horneck | Ward 6 |
| Councillor Dipika Damerla | Ward 7 |
| Councillor Martin Reid | Ward 9 |
| Councillor Sue McFadden | Ward 10 |
| Councillor Brad Butt | Ward 11 |

To Request to Speak on Agenda Items - Advance registration is required. To make a Deputation please email Angie Melo, Legislative Coordinator at angie.melo@mississauga.ca or call 905-615-3200 ext. 5423 no later than **September 2, 2025 before 10:00 AM**.

Questions for Public Question Period – To pre-register for Public Question Period, questions may be provided to the Legislative Coordinator at least 24 hours in advance of the meeting. Following the preregistered questions, if time permits, the public may be given the opportunity to ask a question on an agenda item. Virtual participants must pre-register.

Virtual Participation - All meetings of Council are streamed live and archived at Mississauga.ca/videos. To speak during the virtual meeting or if you do not have access to the internet, contact the Legislative Coordinator and you will be provided with directions on how to participate. Comments submitted will be considered as public information and entered into the public record.

Contact

Angie Melo, Legislative Coordinator, Legislative Services
905-615-3200 ext. 5423 | Email: angie.melo@mississauga.ca

Find it Online

<http://www.mississauga.ca/portal/cityhall/councilcommittees>

An asterisk (*) symbol indicates an Item that has been either Revised or Added

1. **CALL TO ORDER**

2. **INDIGENOUS LAND STATEMENT**

“We acknowledge the lands which constitute the present-day City of Mississauga as being part of the Treaty and Traditional Territory of the Mississaugas of the Credit First Nation, The Haudenosaunee Confederacy the Huron-Wendat and Wyandotte Nations. We recognize these peoples and their ancestors as peoples who inhabited these lands since time immemorial. The City of Mississauga is home to many global Indigenous Peoples.

As a municipality, the City of Mississauga is actively working towards reconciliation by confronting our past and our present, providing space for Indigenous peoples within their territory, to recognize and uphold their Treaty Rights and to support Indigenous Peoples. We formally recognize the Anishinaabe origins of our name and continue to make Mississauga a safe space for all Indigenous peoples.”

3. **APPROVAL OF AGENDA**

4. **DECLARATION OF CONFLICT OF INTEREST**

5. **MINUTES OF PREVIOUS MEETING**

5.1 General Committee Minutes - June 18, 2025

6. **PRESENTATIONS - Nil**

7. **DEPUTATIONS**

Any member of the public interested in making a deputation to an item listed on the agenda must register by calling 905-615-3200 ext. 5423 or by emailing angie.melo@mississauga.ca by **September 2, 2025** at 10:00 AM

Each Deputation to Committee is limited to speaking not more than 10 minutes.

Pursuant to Section 57.1 of the Council Procedure By-law 0044-2022, as amended:

Deputations shall be received and the matter shall be referred to staff for a report, unless there is a resolution or recommendation passed to “receive” the Deputation. After a Deputation is completed, Members shall each have one opportunity to make a preamble statement and ask questions to the Deputant(s) or staff for clarification purposes only, and without debate.

7.1 Rob Trewartha, Director, Strategic Communications and Initiatives, Ibrahim Dia, Consultant Business Improvements and Strategic Initiatives, Parandis Abdi, Professor, Sheridan College, and Darren Shum, Student, Sheridan College, with respect to How Sheridan College Architecture Students Are Shaping the Future of Mississauga’s Neighbourhoods

- 7.2 Hasan Karabegovic, Member of the Institute for Research of Genocide Canada from Mississauga and Ahmed Salihovic with respect to the 30th Anniversary of the Srebrenica Genocide
- 7.3 Quinto Lijoi, Resident regarding Property Tax Increase
- 7.4 Ron Duquette, Founder, Legends Row, Mississauga's Walk of Fame, with respect to the announcement of the Inductees for 2025

8. PUBLIC QUESTION PERIOD - 15 Minute Limit

Public Comments: Members of the Public that have a question about an item listed on the agenda may pre-register by contacting the Legislative Coordinator at least 24 hours in advance of the meeting . Following the registered speakers, if time permits the Chair will acknowledge members of the public who wish to ask a question about an item listed on the agenda. Virtual participants must pre-register.

Pursuant to Section 58 of the Council Procedure By-law 0044-2022, as amended:

General Committee may grant permission to a member of the public to ask a question of General Committee, with the following provisions:

1. Questions may be submitted to the Clerk at least 24 hours prior to the meeting;
2. A person is limited to two (2) questions and must pertain specific item on the current agenda and the speaker will state which item the question is related to;
3. The total speaking time shall be five (5) minutes maximum, per speaker, unless extended by the Mayor or Chair; and
4. Any response not provided at the meeting will be provided in the format of a written response.

9. CONSENT AGENDA

10. MATTERS TO BE CONSIDERED

- 10.1 Fire and Emergency Services 2025 Apparatus Procurement
- 10.2 Amendment to Procurement By-law 0013-2022
- 10.3 Revised Corporate Policy - Development Securities 04-08-01

11. ADVISORY COMMITTEE REPORTS - Nil

12. CORRESPONDENCE - Nil

13. MATTERS PERTAINING TO REGION OF PEEL COUNCIL

14. COUNCILLORS' ENQUIRIES

15. OTHER BUSINESS/ANNOUNCEMENTS

16. CLOSED SESSION

(Pursuant to Section 239(2) of the *Municipal Act, 2001*)

- 16.1 An educational or training session for the member of Council, committee or local board provided that no member discusses or otherwise deals with the matter in a way that materially advances the business or decision making of the Council, the committee or local board: **Peel Transition (verbal)**

17. **ADJOURNMENT**

Sheridan



FOURPLEX

1 House 4 Homes

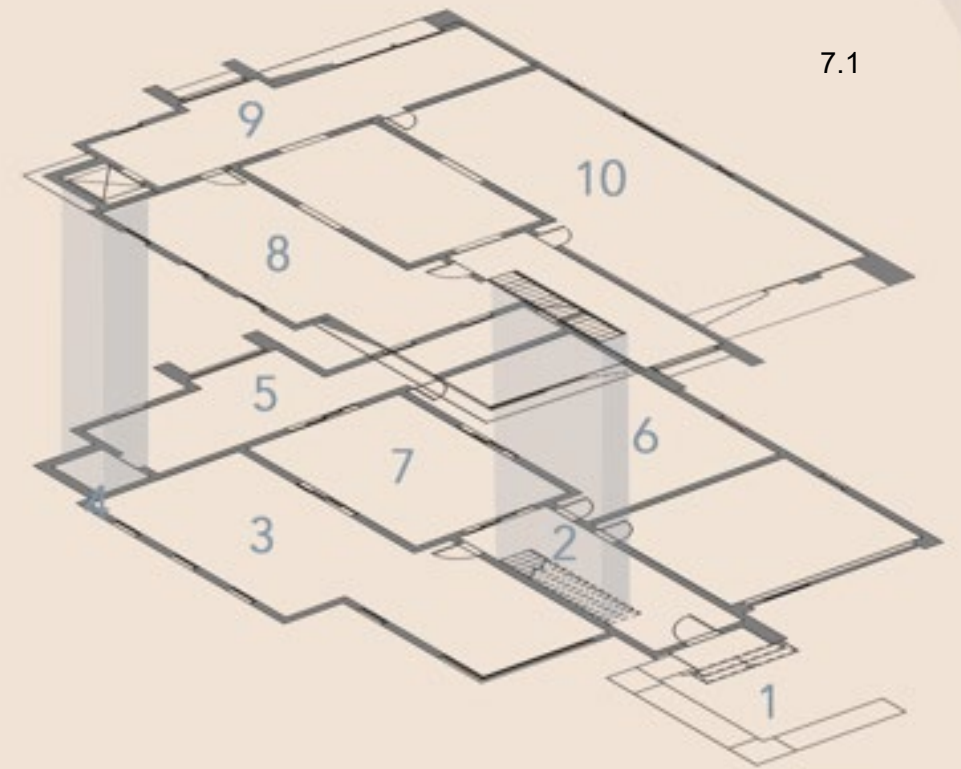
GRAND OPENING

Date: Sep. 5, 2025

Time: 3:00 p.m. – 7:00 p.m.

Location: Hazel McCallion Campus – Creative Campus Gallery
4180 Duke of York Blvd

Exhibit is free and runs till September 12, everyday from 9am-5pm

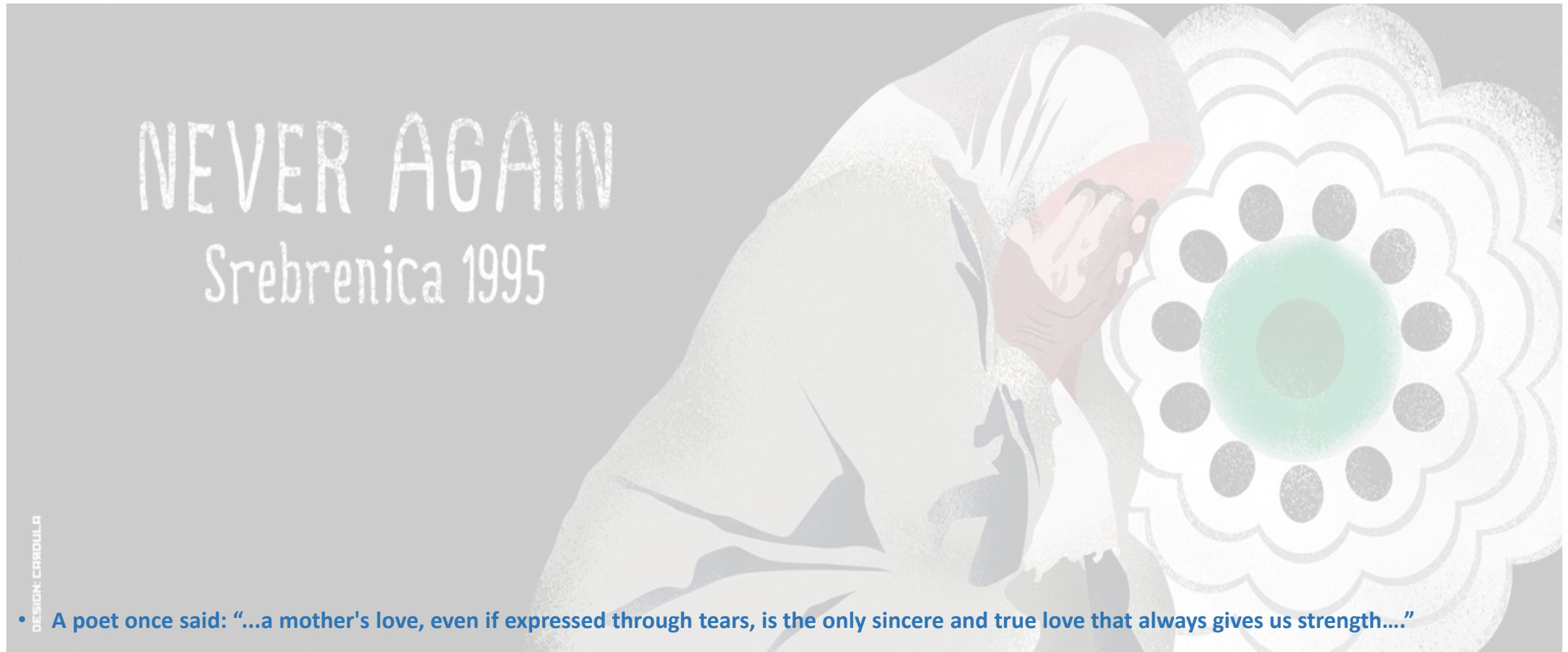


- | | | | |
|---|-----------------|----|-------------|
| 1 | Accessible Ramp | 6 | Unit 2 |
| 2 | Stairs | 7 | Courtyard |
| 3 | Unit 1 | 8 | Unit 3 |
| 4 | Elevator | 9 | Common Area |
| 5 | Shared Kitchen | 10 | Unit 4 |

Sheridan

Faculty of Applied Science
and Technology

Mother and flower of Srebrenica



- A poet once said: "...a mother's love, even if expressed through tears, is the only sincere and true love that always gives us strength...."

Introduction

- Madam Mayor Parrish, Members of Council and others present here, good morning. My name is Ahmed Salihovic, I am a resident of Mississauga, and I am a direct descendant of Srebrenica, Bosnia and Herzegovina. I am honoured to be here today to talk about the Srebrenica Genocide.
- Thank you for your kindness, allowing us to speak at City Hall, as well as for sparing your time from your busy schedule to join us today. We consider this event as kind of commemorating victims of the Srebrenica Genocide, which took place 30 years ago.
- This year the commemoration of the 30th anniversary of that tragic event started on July 5th in the city of Windsor, ON and continued across Canada

Purpose of the meeting

- As this year marks the 30th anniversary of the Srebrenica Genocide (July 11, 1995), the Bosnian Canadian Community, particularly survivors respectfully request that government of Mississauga city stands in solidarity with us by issuing a public Proclamation to mark this solemn event in the recent history of Bosnia and Herzegovina.
- The Bosnians in Mississauga expect that the government of Mississauga city through educational system proactively supports the process of learning and preserving the truth about the Srebrenica Genocide.
- The Bosnians in Mississauga would appreciate it, if Mississauga city would allow designated park area where a monument would allow the annual gathering of Bosnians and others to show deserved respect to all who perished in the Srebrenica Genocide. The project design for such monument will be submitted for approval by following current established procedures for it.

What happened in Srebrenica

- The Srebrenica Genocide happened on July 11th 1995 and it is the most severe genocide on European soil since the Holocaust
- The Srebrenica Genocide, is perpetrated by Bosnian Serb forces in July 1995 within the "United Nations protected area" of Srebrenica, Bosnia and Herzegovina.
- As a reminder, in 1993, the UN passed Resolution 819, declaring Srebrenica a "safe zone." Thousands of Bosnians fled there seeking protection, placing their trust in the UN and its 200 stationed Dutch peacekeepers

How it happened

- However, the resolution that authorized their deployment did **not** permit the use of force to defend civilians. In July 1995, Serbian occupying forces led by criminal general Ratko Mladić captured the city while UN troops stood by.
- What followed was a **cold, calculated**, and systematic genocide. Unarmed men and boys were separated from their families and brutally executed within days. Women and girls were placed in camps, where many were raped and tortured.

Number killed in Srebrenica

- To conceal the crimes, bodies were buried in mass graves, then later exhumed and reburied in secondary and tertiary graves in an attempt to destroy the evidence.
- There are currently 8,372 names on the preliminary list of murdered Srebrenica residents, and over 12,000 people are still listed as missing. New mass graves are still being discovered to this day.
- Every year on July 11, newly identified victims are laid to rest at the memorial cemetery in Potočari, near Srebrenica city.

International community activities^{7.2} during the end of 20th century

- Srebrenica remains one of the darkest and most shameful chapters of the 20th century - a symbol of the international community's failure, and a lasting reminder of the need to stand firmly against genocide, wherever it may occur.
- UN made "serious errors of judgment" in Srebrenica and that highlighted the UN's inadequacy in peacekeeping during wars.
- The international community needs to learn from Srebrenica to improve the UN's ability to prevent genocides in the future.
- Today the phrase "never again" is perceived as "not working" because of ongoing genocides and mass atrocities in the world.

Canadian role

- Further, Canada has taken commendable steps to recognize the Srebrenica Genocide and to lead efforts in preserving the memory of its victims, both domestically and internationally.
- Notably, in 2010, the Canadian Parliament established Srebrenica Genocide Remembrance Day, and in May 2024, Canada co-sponsored the Resolution A/RES/78/282 at the UN General Assembly.
- Canada has consistently demonstrated its friendship and alliance with Bosnia and Herzegovina and its people. This is reflected in the significant Bosnian diaspora residing across Canada, many of whom are survivors of the Srebrenica Genocide.

International community activities^{7.2} at the beginning of 21st century

- On 23 May 2024, the United Nations General Assembly adopted **Resolution A/RES/78/282**, officially designating **11 July** as the **International Day of Reflection and Commemoration of the 1995 Genocide in Srebrenica**, to be observed annually. The resolution also established the **UN Outreach Programme on the Srebrenica Genocide**, reinforcing global commitment to memory, education, and prevention.
- This resolution stands as proof that the world has not forgotten Srebrenica. It is a clear message to survivors, families, and future generations that the victims will be remembered, their suffering acknowledged, justice pursued, and the truth to be preserved.

Conclusion #1

- Observing July 11, affirms the importance of acknowledging the rulings of international tribunals as an essential step toward justice, reconciliation, and the prevention of future crimes such as **genocide, war crimes, and crimes against humanity**.
- The **Srebrenica flower** is a symbol of this remembrance. Its **eleven white petals** represent the innocence of the victims and the date of the genocide - **11 July 1995** - while the **green centre** symbolizes hope for a better future.

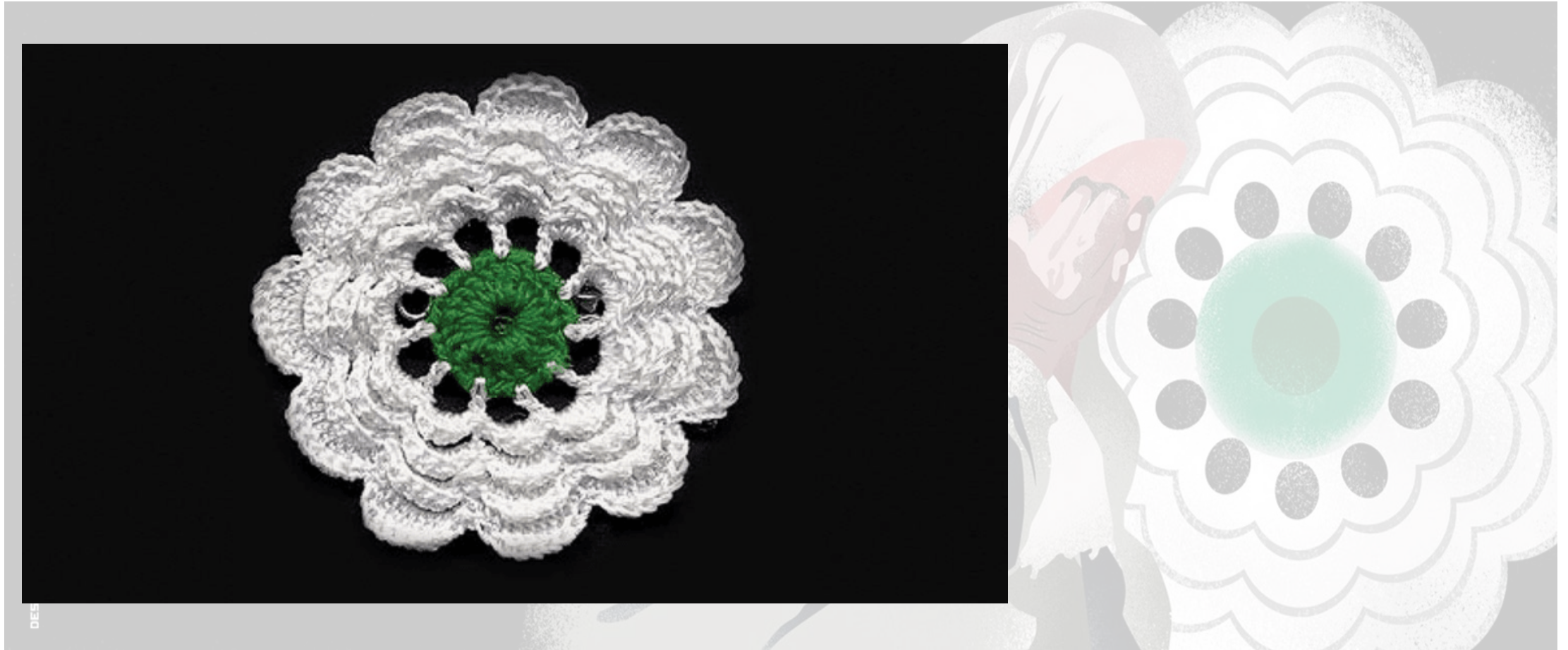
Conclusion #2

- By remembering and honouring the victims of Srebrenica, we become their voice. In doing so, we reject denial, uphold truth, and stand firmly against hatred and genocide. Our remembrance is not just an act of mourning - it is a commitment to justice and a call to protect future generations from similar atrocities
- We would be grateful if your government could consider **issuing the mentioned Proclamation and preliminary approves building a small monument in a designated park area.**
- Now, please pay attention to the **short video collage about the genocide in Srebrenica** that was prepared by Mirza Durak.

Conclusion #3

- Your presence here today means a lot to us. I thank you for your time and efforts to come to this gathering.
- On behalf of the Bosnian Community in Mississauga, we extend our heartfelt gratitude for your unwavering support and look forward to continued cooperation.
- Thank you very much indeed!
- If you have any comments or question, please let us know. We would be more than happy to answer.

Srebrenica flower



City of Mississauga Corporate Report



| | |
|--|--|
| <p>Date: August 12, 2025</p> <p>To: Chair and Members of General Committee</p> | <p>Originator's files:</p> |
| <p>From: Geoff Wright, P.Eng, MBA, City Manager and Chief Administrative Officer</p> | <p>Meeting date: September 3, 2025</p> |

Subject

Fire and Emergency Services 2025 Apparatus Procurement

Recommendation

1. That the funding in the amount of \$10,291,000 be pre-authorized ahead of the 2026 budget approval to facilitate the 2025 procurement commitment of several fire apparatus in a previously approved 5-year procurement contract by competitive procurement as outlined in the Corporate Report dated August 12, 2025, entitled "Fire and Emergency Services 2025 Apparatus Procurement" from the City Manager and Chief Administrative Officer.
2. That all necessary by-laws be enacted.

Executive Summary

- Mississauga Fire and Emergency Services (MFES) completed a 5-year competitive procurement for fire apparatus in 2023.
- Apparatus build times have substantially increased, currently ranging from 32 to 52 months. The tender included fixed pricing for the first three years with a 5% year over year price increase thereafter.
- As part of MFES' apparatus lifecycle procurement plan, between 2026 and 2027, MFES is expected to replace five apparatus, three of which will exceed the planned 15-year useful life by the expected delivery date, and two are new apparatus required to facilitate new fire station opening.
- MFES is seeking pre-authorization of funds in the amount of \$10,291,000 to purchase fire apparatus in 2025, with deliveries in future years.
- The total cost avoidance will be \$2,034,000 which comprises of \$828,000 savings due to avoiding year over year price increases and another \$1,206,000 by simplifying the complexity of the units.
- The Truck Design and Advisory Committee reviewed and simplified MFES apparatus specifications which reduced lead times by up to 20 months.
- There is no impact on the MFES overall 10-year capital budget.

Background

Apparatus Procurement

Mississauga Fire and Emergency Services (MFES) has completed a five-year competitive procurement for fire apparatus. MFES is committed to implementing a rigorous lifecycle replacement strategy for its fire fleet. Timely replacement of apparatus is a cornerstone of this approach. With current build times for new units significantly extended, proactive planning is essential to ensure continuity of service at the lowest possible cost.

Apparatus build times have substantially increased, currently ranging from 32 to 52 months. The tender includes fixed pricing for the first three years, 2023-2025. A year over year price escalation of 5% applies beyond the fixed term.

The MFES Truck Design and Advisory Committee conducted a comprehensive review of the MFES's apparatus specification. The objective was to identify opportunities to simplify the specification in a way that would both reduce cost and shorten lead times without impacting performance or reliability. This initiative successfully reduced the build time for pumpers from 52 months to 32 months, and for aerials from 50 months to 40 months. In addition, this effort resulted in a cost savings of \$1,206,000.

MFES Apparatus Replacement Schedule

As part of the two-year apparatus lifecycle procurement plan, between 2026 and 2027, MFES plans to replace three apparatus, each of which will have exceeded the planned 15-year useful life by the expected delivery date. Two additional pumpers are planned to support the opening of new Fire Stations 127 (Lorne Park) and 128 (Lakeview) in 2028. The chart below details the apparatus due for replacement:

| Unit Description | Planned Replacement Year | |
|------------------|--------------------------|------|
| | 2026 | 2027 |
| 2010 Pumper | x | |
| New Pumper | | x |
| New Pumper | x | |
| 2009 Aerial | x | |
| 2009 Aerial | | x |

Comments

The extended manufacturing and delivery timelines for fire apparatus requires early planning. By securing funds in 2025 in advance of the 2026 budget process, MFES can ensure the timely replacement of aging equipment, maintain operational readiness, equip new stations, and enhance public safety.

The pre-authorization of funds in 2025 will provide the following benefits:

Effective Lifecycle Management: The current fleet of fire apparatus is aging, leading to increased maintenance costs and potential operational inefficiencies. By authorizing funds in advance, MFES can ensure that new, reliable apparatus will be available when needed, reducing downtime and increasing operational preparedness.

Budget Optimization: Authorizing funds in advance provides financial predictability and stability. This proactive approach enables MFES to effectively manage budgetary constraints and allocate resources efficiently over the planning period. Delaying the pre-authorization of funds could lead to budgetary challenges in the future, potentially impacting service quality and safety.

Fiscal Responsibility: By committing to the purchase now, MFES can secure current prices and avoid price increases due to inflation or changes in market conditions.

Financial Impact

MFES seeks to pre-authorize funding of \$10,291,000 ahead of 2026 budget approval to facilitate the purchase of emergency apparatus.

- By placing all identified orders in 2025, the City will avoid approximately \$828,000 in year over year price escalation.
- Through the work of the Truck Design and Advisory Committee, \$1,206,000 in additional savings were realized by simplifying apparatus specification.
- This results in a total cost avoidance of approximately \$2,034,000.

Although deliveries are not expected until 2028, early commitment is necessary to securing pricing and production capacity. There is no impact on the overall 10-year capital budget.

Conclusion

Authorizing funds in advance for fire apparatus procurement is a proactive strategy that aligns with the operational needs of Mississauga Fire and Emergency Services. By securing funds now for delivery in 2028, MFES will enhance its operational capabilities, strengthen public safety, and demonstrate responsible financial planning. This approach will ensure that MFES remains well-equipped to respond effectively to emergencies and fulfill its mission of protecting the community.



Geoff Wright, P.Eng, MBA, City Manager and Chief Administrative Officer

Prepared by: John Crozier, Deputy Chief, Capital Assets

City of Mississauga Corporate Report



| | |
|---|------------------------------------|
| Date: August 15, 2025 To: Chair and Members of General Committee | Originator's files: |
| From: Marisa Chiu, CPA, CA, Commissioner of Corporate Services, Chief Financial Officer and Treasurer | Meeting date: September 3, 2025 |

Subject

Amendment to Procurement By-law 0013-2022

Recommendation

That a by-law be enacted to amend the Procurement By-law 0013-2022, to implement the recommended revisions outlined in the report from the Commissioner of Corporate Services, dated August 15, 2025, entitled "Amendment to Procurement By-law 0013-2022".

Executive Summary

- Procurement Services, Legal Services and Audit have developed an amendment to Procurement By-law 0013-2022.
- Added three (3) exemptions to the Procurement By-law, for certain real estate professional services, certain financial services and training and education.
- Updated Definitions to align with best practices, including the addition of a new procurement method: Advanced Contract Award Notice (ACAN).
- Added Innovation Procurement to Section 13 to allow staff to engage in proof of concept and innovation, where applicable and authorized.
- Updated several sections and terms to align with industry standard language.
- Updated Section 24 - Bid Protests to be general with procedural details moved to policy.
- Updated Section 25 - Supplier Performance and Suspension to be general with procedural details moved to policy.
- With Council approval, the amended by-law will become effective October 1, 2025, and will be communicated to staff through various methods.
- A summary of the proposed amendments to Procurement By-law 0013-2022 is found in Appendix 1 of this report.

Background

The City's By-law aligns with procurement law and best practices for public procurement and procurement of goods and services. Several relevant policies support the by-law and together,

these documents are important to ensure good governance, best value and compliance with legislation and trade agreements.

The current by-law was implemented in 2022. Procurement Services, Legal Services and Audit reviewed the current by-law with the objectives of updating and modernizing it, using plain language, and avoiding duplication of information. Emphasis remained on keeping the by-law general, with procedural details removed to separate policies, where possible. A summary of the proposed amendments to the Procurement By-law is found in Appendix 1.

An increase to the threshold for Medium Value Acquisitions was approved by Council in March 2025 and implemented by way of a by-law amendment at that time.

Comments

Highlights of the amendments include:

Updates to Definitions

Various updates to Definitions, as outlined in Appendix 1, to align with industry best practices.

Updates to Sections

Various updates to Sections, as outlined in Appendix 1, to align with industry best practices.

By-law Applicability

Updated the applicability of the By-law to exclude:

- a) Realty brokers and negotiators.
- b) Financial services respecting the management of government financial assets and liabilities (i.e. treasury operations), including ancillary advisory and information services, whether or not delivered by a financial institution; and
- c) training and education, including conferences, seminars, courses, conventions, workshops, staff training and staff development.

New Concepts

“Advanced Contract Award Notice (ACAN)” has been added to the by-law. The purpose of an ACAN is to conduct additional due diligence when a procurement is being recommended for single source. By issuing an ACAN to the market, it signals that the City intends to award a single source procurement to a specific supplier and invites bidders to submit their statement of capabilities proving there is competition for the same good and/or service or justifying the reasoning for a single source by proving there is no other alternative.

“Innovation Procurement” has been added to the by-law and refers to the Procurement of solutions that do not exist in the market or need to be adapted or improved to meet specified

needs and create value for users and the City. The purpose of Innovation Procurement is to allow staff to engage in proof of concept and innovation, where applicable and authorized.

Financial Impact

There is no financial impact resulting from the recommendation of this report.

Conclusion

Procurement Services, Legal Services and Audit have developed an amendment to the Procurement By-law.

A summary of the proposed amendments to the Procurement By-law is found in Appendix 1.

Attachments

Appendix 1: Summary of proposed amendments to the Procurement By-law



Marisa Chiu, CPA, CA, Commissioner of Corporate Services, Chief Financial Officer and Treasurer

Prepared by: Victoria Mirlocca, Manager, Procurement Services, Corporate Business Services

Appendix 1: Comparison of Current and Proposed By-law

| Current Bylaw, with tracked changes for Amended Bylaw | Rationale |
|--|--|
| The current, approved Bylaw content includes blue text to demonstrate proposed Bylaw content | Why changes (deletions and/or insertions) are being proposed |
| <p>Section 1 – Definitions</p> <p>In this By-law, the following terms shall have the meanings indicated:</p> <p>(1) “Advanced Contract Award Notice” or “ACAN” means a public notice, posted on the City’s e-bidding website, indicating to the supplier community that the City intends to award a Contract for specific Goods and/or Services to a pre-identified Supplier, believed to be the only one capable of providing the Goods and/or Services, thereby allowing other suppliers to signal their interest in bidding by submitting a statement of capabilities.</p> <p>(2) “Applicable Law” means any applicable federal, provincial or municipal law, statutes, by- laws, regulations, rules, lawful orders or lawful directives applicable in Ontario.</p> <p>(3) “Award” means the selection of the Bidder and the Bidder’s Goods and/or Services, as accepted by the City.</p> <p>(4) “Best Value” means the optimal balance of evaluated factors and cost to achieve the City’s objectives for the Procurement.</p> <p>(5) “Bid” means a proposal, offer or submission from a Bidder received in response to a Bid Request.</p> <p>(6) “Bid Request” means a solicitation from the City to potential Bidders to submit a Bid.</p> <p>(7) “Bidder” means any legal entity submitting a Bid.</p> <p>(8) “Buyer” means a Staff in Procurement Services with the title of Manager, Procurement Services; Manager, Procurement Business Partner; Manager, Procurement Business Process; or Procurement Specialist; who is assigned responsibility for a</p> | <p>Added a definition for Advanced Contract Award Notice (“ACAN”)</p> <p>Chief Procurement Officer definition revised</p> <p>City Standard definition revised</p> <p>Added a definition for Innovation Procurement</p> <p>Low Value Acquisition definition revised</p> <p>Request for Expression of Interest definition revised</p> <p>Request for Prequalification definition revised</p> |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>particular Procurement and who has delegated authority to approve Awards and execute Contracts in accordance with Schedule “B” attached hereto.</p> <p>(9) “Buying Group” means a group of two or more members that combine the purchasing requirements and activities of the members of the group into one joint procurement process. Buying Groups include cooperative arrangements in which individual members administer the procurement function for specific contracts for the group, and more formal corporate arrangements in which the buying group administers procurement for group members. Buying Groups may consist of a variety of entities, including any combination of procuring entities, or not-for-profit organizations.</p> <p>(10) “By-law” or “Procurement By-law” means the City’s By-law 0013-2022, as amended, which pertains to the Procurement of Goods and Services.</p> <p>(11) “Chief Procurement Officer” means a Staff with the title of Director of Corporate Business Services whose responsibility it is to supervise and carry out the Procurement function on behalf of the City In the absence of the Director of Corporate Business Services, the responsibility shall be carried out by the Commissioner appointed by Council with administrative responsibility for Procurement Services. and includes any person who has been authorized, in writing, to temporarily act during absence or vacancy in that office.</p> <p>(12) “City” means The Corporation of the City of Mississauga.</p> <p>(13) “City Manager” means a Staff with the title of City Manager and any person to whom the authority of the City Manager is subsequently delegated by Council and includes any person who has been authorized, in writing, to temporarily act as City Manager during absence or vacancy in that office.</p> | |
|--|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>(14) “City-wide Contracts” means contracts for Goods and/or Services that are used by several or all City departments and for which Procurement Services conducts the procurement processes and manages the contracts.</p> <p>(15) “City Standard” means specific HVA Goods established competitively or as approved by Council that best fill a long-term Departmental or City-wide requirement. A supplier cannot be deemed a City Standard. A supplier cannot be deemed a City Standard.</p> <p>(16) “Contract” means an agreement between the City and a Supplier for the supply of Goods and/or Services.</p> <p>(17) “Contract Manager” means a City employee to whom the Departmental Director has delegated Procurement process responsibility and/or Contract management responsibility.</p> <p>(18) “Co-operative Procurement” means a competitive Procurement process conducted by the City and/or through one or more Buying Groups or Public Bodies.</p> <p>(19) “Council” means the elected members of council of the City, comprised of the Mayor and ward councillors or their designates.</p> <p>(20) “Department” or “Departmental” means an organizational unit of the City headed by a Department Head.</p> <p>(21) “Department Head” means the City Manager and any of the Commissioners appointed by Council with administrative responsibility for a Department and includes any person who has been authorized, in writing, to temporarily act during absence or vacancy in that office.</p> <p>(22) “Departmental Director” means a Divisional director in a Department and includes any person who has been authorized, in writing, to temporarily act during absence or</p> | |
|--|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>vacancy in that office.</p> <p>(23) “Departmental Manager” means a sectional manager in a Department who has been delegated with cost centre approval up to \$50,000 by the Department Head and includes any person who has been authorized, in writing, to temporarily act during absence or vacancy in that office.</p> <p>(24) “Division” or “Divisional” means a division within a Department.</p> <p>(25) “Emergency” means a situation where it has been determined that a threat to public health, or life, or property or the environment exists such that the immediate Procurement of Goods and/or Services is essential to prevent serious delays, or damage to persons or property, or to restore or maintain essential City services.</p> <p>(26) “Fixed Term” means the specific term applied to a Contract for regularly required Goods and/or Services, such as maintenance services, office supplies and other commonly used Goods.</p> <p>(27) “Goods” means tangible and intangible goods of all kinds, including but not limited to supplies, materials, equipment, structures and fixtures to be delivered, installed and/ or constructed, and licences and subscriptions.</p> <p>(28) “High Value Acquisition” (HVA) means a Procurement of Goods and/or Services having a value ascribed to it in accordance with Schedule “B”.</p> <p>(29) “Innovation Procurement” means the Procurement of solutions that do not exist in the market or need to be adapted or improved to meet specified needs and create value for users and the City.</p> <p>(30) “Legal Services Division” means the City’s Legal Services</p> | |
|--|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|--|
| <p>Division.</p> <p>(31) “Low Value Acquisition” (LVA) means a Procurement of Goods and/or Services having a value of \$25,000 or less and does not include Information Technology applications, software and software solutions, including applications, software, subscriptions and services, which require Information Technology approval.</p> <p>(32) “Manager” means a Staff in Procurement Services with the title of Manager, Procurement Services and includes any person who has been authorized, in writing, to temporarily act during absence or vacancy in that office.</p> <p>(33) “Medium Value Acquisition” (MVA) means a Procurement of Goods and/or Services that has a value ascribed to it in accordance with Schedule “B”.</p> <p>(34) “Original Contract” means the Contract issued following an Award, including contingency if contingency was approved on the original PAR Form, and does not include any amendments or interim extensions, or renewals made to the Contract.</p> <p>(35) “Procurement” means the acquisition of Goods and/or Services by purchase, lease, rental or exchange transaction.</p> <p>(36) “Procurement Authorization Request Form” (PAR Form) means an internal electronic form that is available through Procurement Services. A PAR Form is required to obtain authority to Award, amend or terminate a Contract.</p> <p>(37) “Procurement Request Form” (PRF) means an internal electronic requisition form used by Departments to initiate a Procurement process.</p> <p>(38) “Procurement Services” means an organizational unit of the</p> | |
|---|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|--|
| <p>Corporate Services Department responsible for the Procurement of Goods and Services for the City.</p> <p>(39) “Public Body” means the municipalities, academic, schools and hospitals sector and any local board, commission, non-profit corporation or government entity and shall include any corporation of which the City is a shareholder or any one of them alone or in any combination of them acting together.</p> <p>(40) “Request for Expression of Interest” (RFEI) means a request used to determine market interest to provide Goods and/or Services that the City is contemplating purchasing and may result in the determination of a short list of Bidders to respond to a Bid Request.</p> <p>(41) “Request for Information” (RFI) means a request used as a general market research tool to determine the availability of Goods and/or Services that will meet business or operational requirements and Procurement strategies and/or to estimate costs for the purpose of developing a Bid Request.</p> <p>(42) “Request for Prequalification” (RFPQ) means a request with specific qualification criteria used to identify and pre-select qualified Bidders and/or Goods for participation in multiple-step HVA Procurement processes or to establish a multi-use list of Bidders and/or Goods for a set term to be used for Procurement processes or to establish a multi-use list of Bidders and/or Goods for a set term to be used for Procurement processes.</p> <p>(43) “Request for Proposal” (RFP) means a request used to obtain a Bid or Bids for Goods and or Services in cases where the City states the performance requirements and/or business objectives but Bidders recommend the optimal approach for consideration and evaluation by the City. Awards resulting from RFP processes are made to the</p> | |
|---|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|--|
| <p>highest scoring Bidder(s).</p> <p>(44) “Request for Quotation” (RFQ) means a request used to obtain a Bid or Bids in cases where the City has determined the quantity and quality of the Goods and/or Services for Low or Medium Value Acquisitions or Single Source Procurements of any value.</p> <p>(45) “Request for Tender” (RFT) means a request used for High Value Acquisitions to obtain irrevocable Bids in cases where the City has specified the quantity and quality of the Goods and/or Services. Awards resulting from RFT processes are to the lowest priced, compliant Bidder(s).</p> <p>(46) “Services” means services of all kinds, including labour, construction, maintenance and professional and consulting services.</p> <p>(47) “Single Source” means Procurement permitted under the specific circumstances set out in Schedule “A”.</p> <p>(48) “Staff” means an employee of the City or their designate, to whom Council has delegated authority to approve Awards and/or execute Contracts and Contract amendments on behalf of the City, in accordance with this By-law.</p> <p>(49) “Supplier” means a legal entity with whom the City has entered into a Contract.</p> <p>(50) “Unforeseen Site Condition” means a pre-existing condition of the site (in which construction or maintenance work is to take place or is taking place in accordance with a Contract) that was not anticipated despite reasonable efforts in planning for the Procurement and that would require additional work to be conducted on the site.</p> | |
|---|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|---|
| <p>Section 2 – Monetary References</p> <p>(1) All references to dollar amounts in this By-law are to be in Canadian or US dollars and do not include applicable taxes.</p> <p>(2) For the purpose of Bid evaluation, where Bids are submitted in more than one currency, all Bids will be converted to the same currency and at the rate of exchange to convert the currency posted by the Bank of Canada on the day of Bid closing.</p> <p>(3) For the purposes of obtaining authority to Award a Contract to be paid in US dollars a currency other than Canadian currency, the Award amount will be stated in Canadian dollars estimated at the rate of exchange or average of rates of exchange posted by the Bank of Canada at the time of Award.</p> | <p>Updated currency requirements to incorporate any other currency than Canadian</p> |
| <p>Section 3 – Applicability</p> <p>(1) The provisions of this By-law shall apply to the Procurement of all Goods and/or Services undertaken by or on behalf of Departments, excluding:</p> <p>(a) Real estate</p> <p>(b) Financial services respecting the management of government financial assets and liabilities (i.e. treasury operations), including ancillary advisory and information services, whether or not delivered by a financial institution</p> <p>(c) Consulting or professional services that are delivered in a manner which constitutes an employer/employee relationship, in accordance with City policies and procedures;</p> <p>(d) Purchases related to reimbursable expenses incurred by employees or Council in accordance with City policies and procedures;</p> | <p>Added provision for realty brokers and negotiators</p> <p>Added provision for financial services</p> <p>Added provision for training and education, including conferences, seminars, courses, conventions, workshops, staff training and staff development</p> |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| (e) Professional and other services limited to: | |
| (i) legal services and other professional services required for the provision of legal services, including the defence of insurance claims, as required by the City Solicitor or designate; | |
| (ii) arbitrators; | |
| (iii) realty appraisers, brokers and negotiators ; | |
| (iv) court reporters and interpreters; | |
| (v) honoraria; | |
| (vi) committee fees; | |
| (vii) performers for public events hosted and/or produced and/or sponsored by the City at its public event venues; | |
| (viii) Procurement, installation, inventory, maintenance, de-accessioning and disposal of City acquired art, including interactive, artistic and/or place making installations; | |
| (ix) Procurement of objects and items for the Museums of Mississauga collections; | |
| (x) lodging and associated meals and services from hotels or similar providers of accommodations for members of the public who are participating in City hosted and/or sponsored sporting and/or tourism events, such as the Ontario Summer Games, as required under the terms and conditions of the agreement between the City and the event owner; | |
| (xi) services provided by representatives from Indigenous communities to attend on City project sites for observation purposes during invasive site testing or construction; and | |
| (xii) training and education, including conferences, seminars, courses, conventions, workshops, staff training and staff development. | |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|---|
| <p>(f) General City expenses limited to:</p> <ul style="list-style-type: none"> (i) postal charges; (ii) any payments made by the City under statutory authority (for example licences); (iii) insurance premiums, and related program expenses, for insurance procured through the City's insurance broker; (iv) legal and insurance settlements. <p>(2) No Contract shall be entered into, no debt shall be incurred and no money shall be paid for Goods and/or Services except in accordance with the provisions of this By-law.</p> <p>(3) City Procurement shall be conducted in accordance with this By-law and City policies.</p> <p>(4) Delegation of responsibility under this By-law shall only occur as specifically provided.</p> | |
| <p>Section 4 – Ethics in Procurement</p> <p>(1) The Chief Procurement Officer and Procurement Services Staff shall comply with the codes of purchasing ethics established by the National Institute of Governmental Purchasing, Inc. and Supply Chain Canada for all Procurement activities and processes.</p> | Removed the inclusion of Supply Chain Canada |
| <p>Section 5 – Ethical Conduct of Bidders and Suppliers</p> <p>(1) Bidders shall certify that they prepared and submitted their Bids independently without any connection, knowledge, comparison of figures or arrangements with any other company, firm or person making a Bid for the same work and that the Bid is in all respects fair and without collusion, bid-rigging, price-fixing, bribery, fraud or other similar behaviours or practices prohibited under the Criminal Code, the Competition Act or other Applicable Law.</p> <p>(2) Bidders shall not misrepresent their qualifications and</p> | Updated term 'disqualification' to 'suspension' |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>experience, or the qualifications and experience of their sub-contractors, where applicable, in relation to any Bid Request.</p> <p>(3) Bidders shall not misrepresent the quality, performance or technical attributes of their products or the products of the sub-contractors, where applicable, in relation to any Bid Request.</p> <p>(4) Bidders must declare and fully disclose with their Bid any actual or potential conflicts of interest or unfair advantage related to the preparation of their Bid or where the Bidder foresees an actual or potential conflict of interest in the performance of the Contract, should they be awarded the Contract.</p> <p>(5) Suppliers awarded a Contract must declare and fully disclose to the Contract Manager any actual or potential conflicts of interest or unfair advantage related to the performance of the Contract or where the Supplier foresees an actual or potential conflict of interest in the performance of the Contract.</p> <p>(6) Bidder and Suppliers shall disclose to the Chief Procurement Officer any affiliations or other relationships with other suppliers that might be seen to compromise the principle of fair competition, including any proposed or existing subcontracting relationships.</p> <p>(7) No Bidder or Supplier shall offer anything of any value, tangible or intangible including but not limited to rebates, gifts, meals, money or special privileges of any kind to City employees, or otherwise attempt to influence or interfere with the duties of City employees in relation to a Procurement process or management of a Contract.</p> <p>(8) No Bidder or Supplier shall offer anything of any value, tangible or intangible including but not limited to rebates, gifts, meals, money or special privileges of any kind to Council, or otherwise attempt to influence or interfere with a Procurement</p> | |
|--|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>process or Contract.</p> <p>(9) Bidders and Suppliers shall at all times comply with City policies for ethical conduct, including the Supplier Code of Conduct and the Respectful Workplace Policy.</p> <p>(10) Bidders and Suppliers shall at all times maintain confidentiality of any confidential City information disclosed during a Procurement process or in the performance of any Contract.</p> <p>(11) Any Bidder or Supplier found to be in breach of this Section 5 is subject to disqualification suspension from bidding and/or termination of any Contracts they may have with the City, in accordance with Section 25.</p> | |
| <p>Section 6 – Conflicts of Interest</p> <p>(1) Council shall comply with the <i>Municipal Conflict of Interest Act</i>.</p> <p>(2) Employees of the City shall comply with City policies on conflict of interest.</p> <p>(3) At no time during a Procurement process, beginning with the planning stage, through to the Award and Contract stage, shall any City employees accept, directly or indirectly, from any Bidder or Supplier to which any Contract is, or might be awarded, anything of any value, tangible or intangible including but not limited to rebates, gifts, meals, money or special privileges.</p> <p>(4) No preference will be given in a competitive Procurement process to Suppliers who provided unsolicited goods, services or samples to the City or who demonstrated the operation of such goods, services or samples outside of the Procurement process.</p> <p>(5) City employees must immediately declare to their manager any real or perceived conflicts of interest they may have arising</p> | <p>Update to align with implementation of Unsolicited Bid Policy previously approved by LT</p> |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|-----------------------------|
| <p>from interacting with, managing, supervising or overseeing the work of family members and/or former employees of the City and/or anyone with whom they have a close personal relationship or have a personal interest with who are working for Suppliers in any capacity.</p> <p>(6) City employees must immediately declare to their manager any financial interests they may have with any Bidder or Supplier.</p> <p>(7) City employees in the role of Contract Manager must be and be seen to be impartial in their treatment of all Bidders and Suppliers, and in managing Contracts and approving payments.</p> | |
| Section 7 – Procurement Principles | No change |
| Section 8 – Funding <p>(1) No Contract for Goods and/or Services shall be entered into unless:</p> <p>(a) Funding for the Procurement has been authorized by Council in the requisitioning Department's operating or capital budget; or</p> <p>(b) Special funding for the Procurement has been approved by Council; or</p> <p>(c) The Contract is made conditional upon funding approval by Council.</p> <p>(2) Where Procurements are contingent upon funding from external parties, the funding arrangement shall be verified, in writing, prior to any Award, and Finance shall be consulted in accordance with Schedule "D" accordingly.</p> | Section revised for clarity |
| Section 9 – Authorities, Responsibilities and Duties | No change |
| Section 10 – Planning for Procurement | No change |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|------------------------------------|
| <p>Section 11 – Procurement from Internal Sources and City-Wide Contracts</p> <p>(1) Goods and Services which are available internally from the City's print shop, Tech Hub or stores, if applicable, shall not be obtained from other suppliers unless there is a compelling requirement for an alternate source Procurement.</p> <p>(2) Goods and Services which are available from existing City-Wide Contracts, such as office supplies, courier services, etc. shall not be obtained from other suppliers unless there is a compelling requirement for an alternate source Procurement.</p> | <p>Section revised for clarity</p> |
| <p>Section 12 – Competitive Procurement Above \$25,000</p> <p>(1) Medium Value Acquisitions:</p> <p>(a) A Procurement Request Form must be submitted by the Contract Manager;</p> <p>(b) The Contract Manager is responsible for determining the requirements and specifications or statement of work on behalf of their Department;</p> <p>(c) The Contract Manager may conduct Medium Value Acquisitions using the forms and instructions provided by the Buyer, and with assistance by the Buyer if required;</p> <p>(d) A written Bid Request (Request for Quotation) should be issued unless otherwise approved by Procurement Services;</p> <p>(e) A minimum of three compliant Bids should be obtained;</p> <p>(f) Following Bid evaluation and/or review and determination of the recommended Bidder(s), approval to Award the Contract(s) is required in accordance with Section 14.</p> <p>(2) High Value Acquisitions:</p> <p>(a) A Procurement Request Form must be submitted by the Contract Manager;</p> | <p>Section revised for clarity</p> |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>(b) Where required, all competitive High Value Acquisitions must be publicly advertised on the Internet City's e-bidding website. The methods for requesting Bids include, but are not limited to:</p> <ul style="list-style-type: none"> (i) Request for Expression of Interest; (ii) Request for Information; (iii) Request for Prequalification; (iv) Request for Proposal; (v) Request for Tender; (vi) A multi-step process which may involve a combination of the above; (vii) Any other procurement process which is approved in advance by the Manager. <p>(c) The Buyer is responsible for determining the Procurement method and conducting and managing the Procurement process for all High Value Acquisitions including the evaluation process and the maintenance of Bids, Bidder information and Bid results;</p> <p>(d) The Contract Manager is responsible for determining the requirements and preparing detailed specifications or statements of work and quantity requirements on behalf of their Department;</p> <p>(e) The Manager or Buyer is responsible for reviewing the specifications or statements of work and quantity requirements, developing an appropriate Bid Request and evaluation method and criteria ensuring that the principles outlined in Section 7 are followed;</p> <p>(f) Following Bid review and/or evaluation and determination of the recommended Bidder(s), approval to Award the Contract(s) is required in accordance with Section 14.</p> | |
|--|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|--|
| <p>Section 13 – Single Source, And Emergency Procurement, And Innovation</p> <p>(1) Single Source Procurement:</p> <ul style="list-style-type: none"> (a) A Procurement Request Form must be completed by the Contract Manager; (b) A Single Source Procurement may be conducted only if it meets the specific criteria set out in Schedule “A”; (c) The Contract Manager must prepare a justification and shall obtain approval from the Manager or Senior Buyer that the proposed Procurement meets the Schedule “A” criteria; (d) The Chief Procurement Officer shall have the final right of determination as to whether the relevant Schedule “A” criteria are met; (e) Written proposals bids should be obtained from Single Source Suppliers, in response to a City issued request or procedure, where applicable. If it is not applicable to obtain a written proposal-bid, justification is required; (f) This section applies to Medium Value Acquisitions and High Value Acquisitions only. Low Value Acquisitions are not required to meet the Schedule “A” criteria; (g) Approval to Award a Contract is required in accordance with Section 14. <p>(2) Emergency Procurement:</p> <ul style="list-style-type: none"> (a) In an Emergency, the Procurement of Goods and/or Services may be authorized without a competitive | <p>Section revised for clarity</p> <p>Added (3) Innovation Procurement to allow for proof of concepts and to establish framework for authority to proceed with an innovation or proof of concept procurement</p> |
|---|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>process. The Contract Manager shall, if possible, contact the Manager or Buyer for direction on an appropriate Procurement process and possible sources of supply;</p> <p>(b) As promptly as possible, the Contract Manager shall prepare a Procurement Request Form to initiate the Award and Contract execution requirements;</p> <p>(c) Approval of an Emergency Procurement shall be in accordance with Schedule "B". Contract execution, also in accordance with Schedule "B", may occur after the Procurement has taken place.</p> <p>(3) Innovation Procurement:</p> <p>(a) The Procurement of Goods and/or Services may be deemed and authorized as a competitive process in accordance with Schedule "B", without Council approval, provided the following conditions are met:</p> <p>(i) a Procurement Request Form is completed by the Contract Manager;</p> <p>(ii) the Procurement is for innovative Goods and/or Services that reasonably propose to improve existing City services;</p> <p>(iii) the Procurement is being undertaken as a pilot or proof of concept;</p> <p>(iv) an ACAN is issued that results in no other alternate Bidders providing an acceptable statement of capabilities for the Goods and/or Services; and</p> <p>(v) the term of the Contract does not exceed twelve (12) months;</p> <p>(b) If the criteria in Section 13(3)(a) are not met,</p> | |
|--|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|------------------------------------|
| <p>the Procurement shall not proceed unless approved as a Single Source Procurement in accordance with Schedule "A";</p> <p>(c) This section applies to Medium Value Acquisitions and High Value Acquisitions only. Low Value Acquisitions are not required to meet the criteria in Section 13(3)(a);</p> <p>(d) Approval to Award a Contract is required in accordance with Section 14.</p> | |
| <p>Section 14 – Authority to Approve Awards</p> <p>(1) Award approval shall be executed on a Procurement Authorization Request Form and in accordance with Schedule "B" and the following:</p> <p>(a) Departmental approval of an Award shall provide confirmation that:</p> <ul style="list-style-type: none"> (i) Funds are available; (ii) The available funds are for the purpose of the subject Procurement; (iii) The Goods and/or Services are legitimately required for City purposes; (iv) The specifications or scope of work and requirements meet the Department's objectives for the Procurement; (v) The recommended Award(s) is/are fully substantially compliant with the specifications or statement of work and requirements as stated in the Bid Request; (vi) The operational terms and conditions are satisfactory; and (vii) The recommended Supplier(s) is/are satisfactory. | <p>Section revised for clarity</p> |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>(b) Procurement Services approval of the Award shall provide confirmation that:</p> <ul style="list-style-type: none"> (i) Departmental and/or Council approval of the Award, as applicable under Schedule “B”, has been obtained; (ii) There are no unresolved Bid protests; (iii) The Procurement process was conducted in accordance with this By-law; (iv) The recommended Award is for the Best Value Bid or the lowest priced compliant Bid from among the Bids received; (v) The recommended Award is consistent with the Award methodology stated in the Bid Request; (vi) An upset limit or total expenditure has been identified; and (vii) In the case of Single Source Awards, verification that the Award is justified and appropriate in accordance with the criteria set out in Schedule “A”. <p>(c) Council approval of an Award is required in the event of one or more of the conditions listed below:</p> <ul style="list-style-type: none"> (i) Funds are not available; (ii) The Bid is not the Best Value Bid from among the Bids received; (iii) There are no unresolved Bidder protests: (iv) The Award is for a Special Relationship as described in Section 23; (v) The Contract term, including any renewals exceeds ten (10) years, except where an interim extension has been approved in accordance with policy; (vi) The recommended Award is not provided for in this By-law but there are compelling reasons for making the Award; | |
|--|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|-----------------------------|
| <p>(vii) At the discretion of the Chief Procurement Officer.</p> <p>(d) Where Council approval for an Award is required, the Department Head shall report to Council. The Chief Procurement Officer may specify the form and shall require the inclusion of appropriate Procurement content, including the recommendation(s), in any report.</p> <p>(a) Despite paragraph (1)(c), Council approval of the Award is not required and approval shall be by the Chief Procurement Officer if the Award is:</p> <p>(i) In the specific instances stipulated in Section (1) (d) (f) or (k) of Schedule "A"; or</p> <p>(ii) For construction services, including design, provided by utilities, railway companies, or adjacent property owners required by the City as a result of City road or building construction.</p> <p>(2) Upon approval to Award as required in this Section 14, Contract execution may take place in accordance with Section 15.</p> | |
| Section 15 – Authority to Execute Contracts | No change |
| Section 16 – Cancelling and Reissuing Bid Requests | No change |
| Section 17 – Bidder Enquiries, Complaints and Protests | No change |
| <p>Section 18 – Point of Contact</p> <p>(1) Point of Contact refers to the Staff responsible for managing communications to and from Bidders, City employees and Council during a Procurement process.</p> <p>(2) For Medium Value Acquisitions, unless otherwise specified by the Buyer, the Contract Manager is the Point of Contact and</p> | Section revised for clarity |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>shall respond to all communications, including issuing addenda as required, from the date a Bid Request is issued until an Award is announced. Bidder complaints or protests shall be forwarded to the Buyer.</p> <p>(3) For High Value Acquisitions, the Manager or the Buyer is the official Point of Contact and shall respond to all communications, working in consultation with the Contract Manager, and issuing addenda as required.</p> <p>(4) Any Bidder found to be in breach of this section is subject to disqualification from participating in the current Bid Request.</p> | |
| Section 19 – Receipt and Opening of Bids | No change |
| Section 20 – Amendments, Interim Extensions, Renewals & Terminations <p>(1) Contracts may be amended, extended on an interim basis for a period of up to one (1) year, renewed or terminated in accordance with applicable City policy and procedures.</p> | Section revised for clarity |
| Section 21 – Unsolicited Proposals Bids <p>(2) If it is determined that there is a legitimate need for the Goods and/or Services offered by way of an unsolicited proposal bid, then a Procurement process shall be conducted in accordance with this By-law and applicable City policy and procedures.</p> | Section revised for clarity |
| Section 22 – Co-Operative Procurement | No change |
| Section 23 – Special Relationships | No change |
| Section 24 – Supplier Disputes and Supplier Performance Bid Protests <p>(1) The Contract Manager shall be responsible for responding to Supplier issues and resolving Supplier disputes.</p> | Updated language to move procedural language to policy |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>(2) The Manager or the Buyer shall in consultation with the Legal Services Division and appropriate Departmental staff resolve Supplier disputes not otherwise resolved by the Contract Manager.</p> <p>(3) The Contract Manager and Buyer shall maintain records of poor Supplier performance on all Contracts which shall be used to ensure Contract compliance, to supplement a prequalification process review or to justify rejecting a Bid or disqualifying a Bidder</p> <p>(1) Bid protests shall be submitted and managed in accordance with applicable City policy and procedures.</p> | |
| <p>Section 25 – Disqualification of Bidders Supplier Performance and Suspension</p> <p>(1) Contracts with Suppliers shall be managed, and the performance of Suppliers shall be monitored and evaluated, in accordance with applicable City policy and procedures. The Chief Procurement Officer may disqualify a Bidder from eligibility to submit Bids where there is documented evidence of poor performance or non performance under a Contract, or there is documented evidence that the Bidder either violated a provision of this By-law or a Bid Request or submitted an improper Bid or has brought a frivolous and vexatious lawsuit against the City as determined by the Chief Procurement Officer. The disqualification period will be for up to five years from written notification to the Bidder.</p> <p>(2) The Chief Procurement Officer may suspend a Bidder or Supplier from participating in future procurements in accordance with applicable City policy and procedures. The suspension period shall be for up to five (5) years from written notification to the Bidder.</p> <p>(3) The Chief Procurement Officer may disqualify suspend a Bidder from the Bid Request process for which the Bidder is</p> | <p>Updated language to move procedural language to policy and to align with policy framework</p> |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|--|
| <p>found to be in violation of Section 18 (Point of Contact).</p> <p>(4) Disqualified Suspended Bidders will be notified of their ineligibility and shall have the right to protest in accordance with applicable City policy and procedures.</p> | |
| Section 26 – Disposition of Surplus Goods | No change |
| <p>Section 27 – Information Reports</p> <p>(1) The Chief Procurement Officer shall provide information reports, on a monthly basis, to the Mayor and members of Council for all High Value Acquisition Contracts awarded or amended in the previous month. The information reports shall include the name of the Supplier(s) and the Contract amount or the amended Contract amount.</p> <p>(2) The Manager shall post information reports, on a monthly basis, on the City's external website for all High Value Acquisition Contracts awarded in the previous month, including the name of the Supplier(s) and the Contract amount.</p> | Updated to align with practice. All HVA contracts awarded are published publicly on the City's website so formal reporting to the Mayor and Members of Council are not required. |
| Section 28 – Records | No change |
| Section 29 – Review Committees | No change |
| Section 30 – Severing | No change |
| Section 31 – Interpretation | No change |
| <p>Schedule 'A'</p> <p>(1) Pursuant to Section 13 Single Source and Emergency Procurement (Medium Value Acquisitions and High Value Acquisitions), of the By-law, Single Source and Emergency Procurements for Medium Value and High Value Acquisitions may be conducted using a Single Source Supplier only if one or more of the conditions listed below apply, the Chief Procurement Officer or Manager having the right of final determination, and a process is undertaken to obtain the Best Value under the circumstances:</p> | Updated to align with changes to Section 13 |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|---|--|
| <ul style="list-style-type: none"> (a) The Goods and/or Services are only available from one Supplier due to a statutory or market based monopoly; (b) There is a scarcity of supply in the market; (c) The Goods and/or Services are unique to one particular supplier and no reasonable alternative or substitute exists due to exclusive rights such as patent, copyright or licence; (d) No Bids were submitted; (e) No acceptable Bids were submitted; (f) The Goods and/or Services are required as a result of an Emergency which would not reasonably permit the solicitation of competitive Bids; (g) There is a need to limit the distribution of confidential or security related information; (h) For additional Goods and/or Services from the original Supplier that were not included in the original Procurement, if the change of Supplier for such additional Goods and/or Services cannot be made for: <ul style="list-style-type: none"> (i) Economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial Procurement; and (ii) Would cause significant inconvenience or substantial duplication of costs for the City. (i) The Goods and/or Services are purchased under circumstances which are exceptionally advantageous to the City, that arise in the short term such as in the case of a bankruptcy, liquidation or receivership but not for routine purchases from regular suppliers; (j) Deleted by By-law 0145-2023; (k) It is advantageous to the City to acquire the Goods and/or Services directly from another Public Body; (l) The Goods and/or Services are a particular brand that is intended solely for resale and/or use by the public and no other brand is desirable and the brand | |
|---|--|

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|--|
| <p>is not available from any other source;</p> <p>(m) A need exists for compatibility with, or for the maintenance and support of, a City Standard;</p> <p>(n) A need exists to avoid violating warranties and guarantees where support or Service is required for a City Standard;</p> <p>(o) Instructors, coaches, trainers and other specialized services for recreation programs for which Bids cannot readily be called.</p> | |
| <p>Schedule 'B'</p> <p>Footnote 5: The role of the Chief Procurement Officer can only be delegated to the Commissioner appointed by Council with administrative responsibility for Procurement Services. Where the City has made the decision to use a procurement process for a Contract under which the City will receive revenue from a Supplier, the authority limits set out in this Schedule "B" shall apply to the total revenue payable under the Contract. In this section, "total revenue" means the total revenue payable to the City during the full term of the Contract including any optional extensions, excluding the Harmonized Sales Tax.</p> | <p>Updated to reflect new definition of Chief Procurement Officer and to address revenue generating contracts.</p> |
| <p>Schedule 'C'</p> <p>The following types of Procurements shall be conducted with legal advice provided by the Legal Services Division and the Contracts (including any amendments, if required) executed for these types of Procurements shall be prepared in concert with the Legal Services Division:</p> <p>(1) Any Procurement with a value of \$500,000.00 or more;</p> <p>(2) Co-operative Procurements, in accordance with section 22 of the By-law;</p> <p>(3) Procurements for a Contract with a term of more than 5 years;</p> <p>(4) Procurements in relation to money handling and financial services;</p> <p>(5) High Value Procurements involving technology;</p> <p>(6) Special relationship arrangements under section 23 of the By-law;</p> | <p>Updated to reflect changes to Section 13 of Bylaw outlined above.</p> |

Appendix 1: Comparison of Current and Proposed By-law

| | |
|--|---|
| <p>(7) Procurements where personal information will be collected, accessed or maintained by the City, or by a Supplier on behalf of the City;</p> <p>(8) Any other Procurements at the discretion of the Manager or designate, or the Departmental Director or designate;</p> <p>(9) Procurements involving Goods/Services acquired by Public Bodies through their own competitive process. Innovative Goods and/or Services under section 13(3) of the By-law;</p> <p>(10) For work requested and paid for by property owners adjacent to construction or maintenance periods performed by Suppliers under Contract with the City.</p> | |
| <p>Schedule 'D' Manager, Procurement Services Each <u>The</u> Manager, in Procurement Services is responsible for...</p> | <p>Updated to reflect changes to position titles.</p> |

City of Mississauga

Corporate Report



Date: August 1, 2025

To: Chair and Members of General Committee

From: Marisa Chiu, CPA, CA, Commissioner of Corporate Services, Chief Financial Officer and Treasurer

Originator's files:

Meeting date:
September 3, 2025

Subject

Revised Corporate Policy - Development Securities 04-08-01

Recommendation

That the Revised Development Securities Policy, attached as Appendix 1 to the report dated August 1, 2025, entitled "Revised Corporate Policy – Development Securities (04-08-01)" from the Commissioner of Corporate Services, Chief Financial Officer and Treasurer be approved.

Background

The City of Mississauga requires development securities from applicants (developers, builders or landowners providing the security) as a condition of proposed developments to ensure that the obligations under the various approval processes are met. Once the applicant has fulfilled its obligations, the City returns the security to the applicant.

Present Status

The current Development Securities policy includes a section which outlines the process to dispose of securities where the applicant has fulfilled its obligations but cannot be located. However, the policy does not address the handling of older, unclaimed cash securities where the applicant has not fulfilled their obligations.

As a result, some old securities, including securities dating back over 25 years, are still being held by the City, where the applicants have not fulfilled their obligations.

Comments

Each year, City staff conduct a review of active and unclaimed development securities, and identify those that are six years old or older from the date of the security.

For the six years old or older unclaimed securities where the obligations have been fulfilled, staff make efforts to return the securities by contacting the applicant. If the applicant cannot be located, the process outlined in the current Development Securities policy is followed.

Over the years, some obligations related to unclaimed securities have not been fulfilled. In some of these cases, the applicant can not be found and in other cases the applicant does not intend to fulfill its obligations despite the City's attempts to engage them. The current Development Securities policy does not provide any direction for handling these unclaimed securities.

To address this gap, the Development Securities policy has been revised to include a new sub-section dealing specifically with unclaimed securities where obligations remain unfulfilled and the applicant is either cannot be located or unwilling to fulfill their obligations. This sub-section outlines the relevant process, roles, authorizations and reporting requirements. Following this process will enable City staff, where appropriate, to transfer the funds to the City's general funds.

Financial Impact

There is no financial impact resulting from the recommendations in this report.

Conclusion

The revised Development Securities policy will enable staff to evaluate old unclaimed development securities where the applicant has not fulfilled its obligations. After evaluating and following the process outlined in the new sub-section, City staff can transfer the money into the City's general funds.

Attachments

Appendix 1: Revised Corporate Policy – Development Securities (04-08-01)

Appendix 2: Comparison and Rationale - Revised Development Securities Policy



Marisa Chiu, CPA, CA, Commissioner of Corporate Services, Chief Financial Officer and Treasurer

Prepared by: Angela Li, Manager, Strategic Financial Initiatives

DRAFT ONLY

Resources for Authors & Reviewers:

[Instructions](#)[Annotated Policy Template](#)**Policy Title: Development Securities****Policy Number: 04-08-01**Section: **Finance and Accounting**Effective Date: **October 3, 2016**

Approved by:

CouncilSubsection: **Securities**Last Review Date: **August, 2020**

Owner Division/Contact:

**Finance/ Treasury, Business Planning
and Financial Services****Policy Statement**

The City may require that development securities be submitted, including, but not limited to, securities required:

- In conjunction with new developments covered by development, subdivision or site plan agreements
- As a condition of approval of site plan, rezoning or land division applications
- As a condition of issuance of a building permit or a conditional building permit
- In conjunction with improvements to existing sites, where site plan approval or building permit approval is not required (such as pool installations, road occupancy permits, etc.)
- In conjunction with the issuance of an erosion and sediment control permit
- In conjunction with the issuance of a tree permit
- As a condition of condominium registration, and
- In conjunction to a development agreement, required as a result of an approval of a consent or minor variance

Purpose

Securities are required so that the City can ensure that the obligations of the developer, builder or landowner under the various approval processes are met. This policy:

- Identifies when securities are required by each department and the amount of each security
- Establishes responsibility for the custody and monitoring of securities
- Outlines procedures for acting on securities, and
- Identifies conditions under which unclaimed securities will be forfeited to the City

Scope

This policy addresses only those securities associated with the proposed development. For information on securities required in conjunction with contracts, including bid solicitations, refer to Corporate Policy and Procedure - 04-08-02 - Procurement Securities. For information on all other securities (such as damage deposits) refer to Corporate Policy and Procedure - 04-08-03 - Securities Other Than Development Securities or Procurement Securities.

Definitions

For the purposes of this policy:

“Applicant” means the party that has tendered a security, including but not limited to, letter of credit, cash security and surety bond, to the City to secure the obligations of an agreement or a permit with the City.

“Business Area Lead” means the department, division or service area person that represents the City during the development application process for development activities listed in the Policy Statement.

“City” means The Corporation of the City of Mississauga.

“Default Projects” means projects where the provided security is six years and older, where the Applicant has not fulfilled their obligations related to the works and the City is unable to contact the Applicant(s) and/or the Applicant(s) is not willing to fulfill their obligations and the City will not complete the applicable works.

“Department Head” means the employee heading any department or the staff designated in writing to act in the absence of a Department Head.

“Senior Manager” means the Senior Manager, Business Planning and Financial Services, Finance Division, or their designate.

“Treasurer” means the Chief Financial Officer and Treasurer, or the staff designated in writing as such to act in the absence of the Treasurer.

“Unclaimed Securities” means either securities which are no longer required by the City but which have not been released because the Applicant cannot be located or has not come forward, or securities that are related to Default Projects.

When Securities Are Required

The following charts show when securities are required by each department, the purpose of the security and the amount of the security required.

Calculation of Amount of Security

Individual departments are responsible for calculating the amount of security required. When the security is based on the value of the works to be completed, the value is determined in

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

3 of 19

accordance with industry standards. Any necessary administration and inspection costs (such as engineering inspections), applicable taxes and contingencies may also be included in the calculation of the amount of the security required.

Securities Required as a Condition of Site Plan, Rezoning and Land Division Approval

| Security Required By: | Purpose of Security: | Amount of Security: |
|--------------------------|---|---|
| Transportation and Works | To ensure satisfactory completion of works such as sidewalk construction, road improvements or modifications, storm sewer works, traffic signals, boulevard sodding, noise mitigation measures, etc. | 100 per cent of the value of works. |
| Transportation and Works | To ensure satisfactory completion of any works required in the remediation, management and/or monitoring of contaminated sites. | 100 per cent of the estimated cost of completing the works, plus 20 per cent contingency. |
| Planning and Building | To ensure satisfactory completion of site works in accordance with approved site and landscape plans, including rooftop amenity areas, and tree preservation. | 100 per cent of the value of the works. |
| Community Services | <p>To ensure satisfactory restoration, conservation or rehabilitation of heritage properties that may become damaged during on-site construction or during relocation of a heritage structure to another site.</p> <p>To ensure satisfactory completion of works related to preservation, protection and reinstatement of parkland/greenbelt/woodlots; installation of parkland/greenbelt fencing; tree preservation; hoarding installation/maintenance; buffer planting; streetscaping; street tree planting; and installation of future park/trail block signs, streetscape and amended boulevard treatments.</p> | <p>100 per cent of the value of works.</p> <p>Note: In addition to the financial security, protective hoarding must be installed around heritage structures or other heritage resources, parks, greenbelts/woodlots or other natural features where necessary. In the case of relocated heritage structures, all other development on the site will be withheld until the structure has been relocated on its new foundations, the hoarding is in place, and the structure has been given heritage designation in its new location.</p> |

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

4 of 19

| | | |
|---|---|--|
| Revenue and Taxation, Finance Division | To ensure full payment of land taxes and local improvement charges. | <p>Payment received from January 1 to October 31: 100 per cent of land taxes and local improvement charges apportioned to the property for the year of registration, including arrears for prior years (if applicable).</p> <p>Payment received from November 1 to December 31: 100 per cent of the land taxes and local improvement charges apportioned to the property for the year of registration plus 100 per cent of the estimated land taxes and local improvement charges apportioned to the property for the following year, including arrears for prior years (if applicable).</p> |
|---|---|--|

Securities Required as a Condition of Building Permit Issuance

| Security Required By: | Purpose of Security: | Amount of Security: |
|--|---|--|
| Transportation and Works (re: Lot Grading and Drainage Deposit, where no development or subdivision agreement exists) | To ensure satisfactory completion of lot grading and drainage works as outlined in approved Lot Grading Plan. | Based on the value of the works, including the costs of specific works (such as retaining walls or storm sewers and catch basins), if necessary, in the plan (refer to the Road Occupancy Permit By-law and Lot Grading and Municipal Services Protection By-law). |
| Transportation and Works (re: Municipal Services Protection Deposit, where no development or subdivision agreement exists) | To ensure restoration of damages to municipal services, and to control mud-tracking during construction (municipal services include roads, sidewalks, boulevards and underground services). | Refer to the Road Occupancy Permit By-law and Lot Grading and Municipal Services Protection By-law. |
| Transportation and Works | To ensure satisfactory completion of any works required in the remediation of contaminated sites. | 100 per cent of the estimated cost of completing the works, plus 20 per cent contingency. |
| Enforcement Division (re: building permits for sales trailers or model homes used to sell homes which will be exposed to airport noise) | To ensure the posting of appropriate noise warning signs to potential home buyers regarding airport noise. | As per the Aircraft Noise Warning Agreement (between the City of Mississauga and the Greater Toronto Airports Authority). |

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

5 of 19

| Security Required By: | Purpose of Security: | Amount of Security: |
|--|---|--|
| Community Services (re: where site plan approval is not required) | To ensure satisfactory restoration or rehabilitation of heritage properties that may become damaged during on-site construction or during relocation of a heritage structure to another site. To ensure satisfactory installation and maintenance of hoarding. | 100 per cent of the value of works. Note: In addition to the financial security, protective hoarding must be installed around heritage structures or other heritage resources. In the case of relocated heritage structures, all other development on the site will be withheld until the structure has been relocated on its new foundations, the hoarding is in place, and the structure has been given heritage designation in its new location. |
| Planning and Building (re: building permits for temporary structures as defined under the Development Charges By-law) | To ensure payment of development charges which will become payable if the temporary structure is not removed after 8 months. | 100 per cent of the development charges that would normally be payable prior to building permit issuance. |
| Planning and Building (re: conditional building permits) | To ensure restoration of the site to pre-construction state if builder fails to meet the terms of the conditional building permit. | Based on the estimated value of the works required to restore the site, depending on the type of construction. |
| Planning and Building (re: development charges for speculative industrial buildings) | To secure the difference between the industrial and non-industrial development charge rates for the City of Mississauga and the Region of Peel with respect to speculative industrial buildings. | 100 per cent of the difference between the City of Mississauga and the Region of Peel's industrial and non-industrial development charge rates, based on the proposed gross floor area. |

Securities Required in Conjunction with Development or Subdivision Agreements

| Security Required By: | Purpose of Security: | Amount of Security: |
|--------------------------|---|--|
| Transportation and Works | To ensure construction and maintenance of municipal infrastructure and services according to the terms of the development or subdivision agreement. | Based on value of works to be completed, as specified in development or subdivision agreement. |

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

6 of 19

| | | |
|--------------------|--|--|
| Community Services | To ensure satisfactory completion of works related to the preservation, protection and reinstatement of parkland/greenbelt/woodlots; installation of parkland/greenbelt fencing; tree preservation; hoarding installation/maintenance; buffer planting; streetscaping; street tree planting; and installation of future park/trail block signs according to the terms of the development or subdivision agreement. | Based on value of works to be completed, as specified in the development or subdivision agreement. |
|--------------------|--|--|

Securities Required in Conjunction with Improvements to Existing Sites which are Not Covered by Development or Subdivision Agreements, Site Plan Approval, or Building Permit Issuance

| Security Required By: | Purpose of Security: | Amount of Security: |
|--------------------------|---|---|
| Transportation and Works | To ensure completion/reinstatement of road, access, and traffic signal works. | Refer to the Lot Grading and Municipal Services Protection By-law and Road Occupancy Permit By-law |
| Transportation and Works | To ensure satisfactory completion of lot grading and drainage works associated with pool installations. | Based on the value of the works, including the costs of specific works such as retaining walls, storm sewers and catch basins. Refer to the Lot Grading and Municipal Services Protection By-law. |
| Community Services | To ensure satisfactory completion of works related to the preservation, protection and reinstatement of parkland/greenbelt/woodlots; installation of parkland/greenbelt fencing; tree preservation; hoarding installation/maintenance; buffer planting; streetscaping, street tree planting; and installation of park/trail block signs according to the terms of the development or subdivision agreement. | Based on value of works to be completed, as specified in the development or subdivision agreement. |

Security Required as a Condition of Erosion and Sediment Control Permit Issuance

| Security Required By: | Purpose of Security: | Amount of Security: |
|--------------------------|--|--|
| Transportation and Works | To cover the costs of installation, maintenance, and removal of erosion and sediment controls, should the developer fail to do so. | Refer to the Erosion and Sediment Control By-law; Road Occupancy Permit By-law and Lot Grading and Municipal Services Protection By-law. |

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

7 of 19

Security Required as a Condition of Tree Permit Issuance

| Security Required By: | Purpose of Security: | Amount of Security: |
|------------------------------|--|---|
| Community Services | To ensure the planting and maintenance of replacement trees. | Based on the value of the works to be completed. Refer to the Private Tree Protection By-law and Public Tree Protection By-law. |

Securities Required in Conjunction with Condominium Registration

| Security Required By: | Purpose of Security: | Amount of Security: |
|---|--|---|
| Transportation and Works | To ensure completion of works or repairs to works, subsequent to condominium registration. | 100 per cent of the value of the works to be completed. |
| Community Services | To ensure satisfactory completion of works related to the preservation, protection and reinstatement of parkland/greenbelt/woodlots; installation of parkland/greenbelt fencing; tree preservation; hoarding installation/maintenance; buffer planting; streetscaping; street tree planting; and installation of future park/trail block signs according to the terms of the development or subdivision agreement. | Based on value of works to be completed, as specified in the development or subdivision agreement. |
| Revenue and Taxation, Finance Division | To ensure full payment of land taxes, local improvement charges and supplementary taxes. | <p>Payment received from January 1 to October 31: 100 per cent of land taxes and local improvement charges apportioned to the property for the year of registration, plus 100 per cent of the anticipated supplementary taxes for the units, including arrears for prior years (if applicable).</p> <p>Payment received from November 1 to December 31: 100 per cent of land taxes and local improvement charges apportioned to the property for the year of registration, plus 100 per cent of the anticipated supplementary taxes for the units, plus 100 per cent of the estimated taxes for land and local improvement charges apportioned to the property for the following year, including arrears for prior years (if applicable).</p> |

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

8 of 19

Form and Custody of Security

Where an agreement exists, the form of the security is specified in the agreement and must be provided as specified. Where no agreement exists, the security may be provided in cash, by certified cheque, by bank draft, by letter of credit or by surety bond. Business Area Leads must refer to Appendix 1 to this Policy which contains a Surety Bond template, with Terms and Conditions therein. A Surety Bond Underwriter must include this template in its Bond for it to be accepted by the City as a Security Deposit. Necessary modifications to the template may be made for securing fees, charges, or taxes, including development charges, that may become payable, in consultation with Legal Services.

Where securities are required for taxes, the security for land taxes and local improvement charges must be provided in the form of a certified cheque, bank draft, wire or EFT payment. A letter of credit may be accepted as security only for supplementary taxes associated with a condominium registration.

If the security is in the form of a letter of credit, the receiver of the letter of credit must ensure that it meets the standard requirements established by Corporate Policy and Procedure - 08-04-08 - Letters of Credit.

Where an agreement exists, departments (in consultation with Legal Services) should include language in the agreement which addresses the treatment of unclaimed securities. The agreement should contain an acknowledgement by the Applicant that, in the event of Default Project or Unclaimed Securities greater than six years old, the security is forfeited to the City and the City's legal obligation to refund the money is terminated.

The Securities Administrator (Finance Division) is responsible for the physical custody and safe-keeping of all securities received by the City.

Draw on Security

The City may draw on the securities to complete the secured works, to acquire the services of a qualified contractor to complete the works or as payment to a subsequent developer for completion of the works, in accordance with the applicable agreement.

Inspection of Works

The City inspects all works during construction and/or on completion of the project. Prior to the final site inspection, the Planning and Building Department, Transportation and Works Department and/or the Community Services Department require certification from an accredited professional that the works have been completed.

Notice to Applicants

The Applicant who provided the original security is notified, in writing, of the City's requirements and given an opportunity to comply before the City draws on the securities. The current owner of the property may also be notified, if appropriate.

Authorization to Draw on, Release or Reduce Security

The department responsible for the secured works may authorize a draw on the security or a reduction/release of the security by forwarding written notification to the Treasurer.

Reduction/release memos must be accompanied by copies of original documentation which created the security (i.e. official receipt, existing/outstanding Letter of Credit, etc.). A By-law to Delegate Authority for Drawing on Development Securities - By-law 0278-1994, as amended, specifies which staff may authorize draws, reductions or releases of securities.

The Securities Administrator will process the request and notify the authorizer that processing has been completed. If such notice is not received, the authorizer of the request is responsible for following up with the Securities Administrator to ensure that the request has been processed.

Each Department Head must provide the Securities Administrator with specimen signatures of all staff with the authority to authorize draws, reductions or releases of securities and their specific signing authority limits. On an annual basis, the Securities Administrator will request that all signatures be updated.

Unclaimed Securities

Annually, the Securities Administrator will prepare an analysis identifying all active and unclaimed securities that are six years old or older. A list of outstanding securities will be forwarded to each division, requesting either authorization to release the security or notification that the security must continue to be held. Divisions shall respond within 60 days identifying securities related to Default Project(s).

Unclaimed Securities – Cash and Cash Equivalent, related to Default Projects

The departments will notify the Securities Administrator regarding all cash and cash equivalent securities that are related to Default Project(s). The relevant division of the City shall make attempts to contact the security provider, which will be documented, and the record of these attempts will be kept for the period outlined in the Records Retention Schedule By-law 0097-2017. Moreover, relevant divisional staff should assess each Default Project and document the decision (along with reasons) to not draw on the security to complete the remaining project obligations. This record should also be kept for the period outlined in the Records Retention Schedule By-law 0097-2017 (after the date on which the City provided public notice).

If the Applicant cannot be located or will not fulfill the project obligations, the security will be included in the list prepared by the Securities Administrator and published on the City's website.

The Treasurer, in consultation with the Manager, Treasury, is responsible for publishing a notice on the City's website on the Public Notice webpage advising that a list of cash and cash equivalent securities related to Default Projects is available for claim. The website listing of cash and cash equivalent securities relating to Default Projects will include only the business or individual's names and the amounts.

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

10 of 19

The notice must advise that all businesses/individuals having any claim to cash and cash equivalent securities related to Default Projects are required to prove their claims within 90 days of the publication of the notice. Upon the expiration of 90 days, a report shall be brought to Council to authorize the transfer of these securities into tax-funded reserves or the City's general funds. After the authorization of Council, the Treasurer, in consultation with the Manager, Treasury, may transfer all money for which there is no claim. A record of forfeited securities will be retained in the event that subsequent claims are made by the Applicant, and they have fulfilled their obligations related to the works.

Should a claim be brought forward after the 90 days and within the period outlined in the Records Retention Schedule By-law 0097-2017, a refund may be issued from the account the money was transferred to, subject to approval by the Manager, Treasury. Any other exceptions for refunds must be reviewed and approved by both the Senior Manager and the Treasurer. The authority to withdraw funds from the applicable reserve to satisfy eligible refunds is delegated to Finance staff through the provisions of this policy.

Unclaimed Securities, Obligation Fulfilled or Required Works Completed

Upon receipt of the department's authorization to release the security, a search of the Applicant is conducted by the relevant division. If the Applicant cannot be located, the security will be included in the list prepared by the Securities Administrator and published on the City's website.

The Treasurer, in consultation with the Manager, Treasury, is responsible for publishing a notice on the City's website on the Public Notice webpage advising that a list of unclaimed securities six years old or older is available for claim. The website listing of unclaimed securities will include only the business or individual's names and the amounts.

The notice must advise that all businesses/individuals having any claim to unclaimed securities are required to prove their claims within 90 days of the publication of the notice. Upon the expiration of 90 days, the Treasurer, in consultation with the Manager, Treasury, may transfer all money for which there is no claim to the City's general funds. A record of forfeited securities will be retained in the event that subsequent claims are made by the Applicant.

Should a claim be brought forward after the 90 days and within two (2) years of the notice, a refund may be issued from the account the money was transferred to, subject to approval by the Manager, Treasury. Any other exceptions for refunds must be reviewed and approved by both the Senior Manager and the Treasurer.

Interest

Interest is not paid on securities held.

Revision History

| Reference | Description |
|-----------|-------------|
|-----------|-------------|

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

11 of 19

| | |
|---------------------------|--|
| GC-331-94 - 1994-06-08 | |
| By-law 316-04, as amended | Development Charges By-law |
| By-law 24-06, as amended | Road Occupancy, Lot Grading and Municipal Services Protection Deposit By-law |
| By-law 512-91, as amended | Erosion and Sediment Control By-law |
| By-law 474-05, as amended | Tree Permit By-law |
| GC-0466-2000 - 2000 06 28 | |
| December 12, 2006 | Housekeeping amendments for clarification purposes; updates per relevant by-laws |
| GC-0607-2010 – 2010 09 29 | Credit card no longer accepted for securities |
| May 30, 2011 | Administrative update – notice of unclaimed securities will direct readers to City's website for details |
| October 28, 2013 | Scheduled review – admin revisions to reflect current practices and procedures approved by Finance |
| August, 2015 | Revised policy to reflect definition of Commissioner in By-law 0188-2015 |
| October 3, 2016 | Scheduled review. Removed requirement to notify elected officials on release or reduction of a security; updated current practices and responsibilities. |
| August 27, 2020 | Scheduled review. Updated When Securities are Required chart. |
| February 23, 2022 | Housekeeping to update by-law number, section names. |
| January 31, 2024 | Administrative revisions to reflect changes to organizational structure. Housekeeping revisions to improve accessibility of charts. |
| February 28, 2024 | Administrative revisions to clarify securities required and the form and custody of securities. |

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

12 of 19

| | |
|------------------|--|
| January 16, 2025 | Housekeeping revisions to reflect changes to organizational structure. |
| March 18, 2025 | Housekeeping revision. Policy revised to add surety bonds. |

DRAFT

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

13 of 19

APPENDIX 1 - Surety Bond Template**[INSERT DEV AGT REF#]****Development Agreement Pay-On-Demand Surety Bond Form****BOND NO.:** _____**AMOUNT: \$** _____**KNOW ALL PERSONS BY THESE PRESENTS**, that

_____,

as Principal, hereinafter called the "**Principal**", and

_____,

as Surety, hereinafter called the "**Surety**",

are held and firmly bound unto The Corporation of the City of Mississauga, as Obligee, hereinafter called "**Mississauga**", in the amount of (_____) Dollars (\$_____) lawful money of Canada, for the payment of which sum, well and truly to be made, the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents as a primary obligation.

WHEREAS the Principal and Mississauga have entered into, or will enter into, an agreement under file number _____, for (Note: Type of security e.g., Site works) which agreement is by reference made a part hereof and is hereinafter referred to as the "**Development Agreement**," with respect to lands known as (Project File Address) in the City of Mississauga (the "**Development Lands**"),

AND WHEREAS the Principal and the Surety confirm that the Surety meets the requirements of O.Reg. 461/24 – Surety Bonds, made pursuant to the *Planning Act*, R.S.O. 1990, c. P. 13,

NOW THEREFORE, the condition of this obligation is such that if the Principal shall, in the opinion of Mississauga do and perform all of the stipulations, conditions, covenants and terms of the Development Agreement, then this obligation shall be void and of no effect; otherwise, it shall remain in full force and effect,

PROVIDED, however, the foregoing obligation is subject to the following terms and conditions:

1. Whenever the Principal shall be declared in writing by Mississauga to be in default under the Development Agreement, and Mississauga intends to make a claim under this bond, Mississauga shall promptly notify the Principal and the Surety in writing of such default in the form of a Demand, the form of which is attached to this Bond as Schedule "A".
2. On determination by Mississauga, in its sole and absolute discretion, that the Principal is in default of its obligations under the Development Agreement, the Surety and Principal agree that the Surety will make payments to Mississauga for amounts demanded by Mississauga, up to an aggregate of the Bond Amount, within fifteen (15) business days after the Surety's receipt of a Demand from Mississauga at the address noted herein by hand or courier.
3. This Bond is irrevocable, unconditional and constitutes a primary obligation and guarantee. Payment will be made notwithstanding any objection by the Principal. Where a Demand in the prescribed form has been delivered to the Surety, it shall be accepted by the Surety as conclusive evidence of its obligation to make payment to Mississauga, and the Surety shall not assert any defence or grounds of any nature or description for not making payment to Mississauga, in whole or in part, pursuant to such Demand, including but not limited to, any of the following reasons:
 - a. that a Default has not occurred;
 - b. that the Principal committed any fraud or misrepresentation in its application for the Bond;
 - c. that the amount set out in the Demand is not appropriate, warranted or otherwise not in accordance with the Development Agreement;
 - d. any bankruptcy, reorganization, or insolvency of the Principal or any successor or assignee thereof; or,
 - e. that the Principal is no longer the registered owner of the Development Lands.
4. The Surety's liability under this Bond shall not be discharged or released or affected by any arrangements made between Mississauga and the Principal or by any dispute between the Surety and Principal, or the taking or receiving of security by Mississauga from the Principal, or by any alteration, change, addition, modification, or variation in the Principal's obligation under the Development Agreement, or by the exercise of Mississauga or any of the rights or remedies reserved to it under the Development Agreement or by any forbearance to exercise any such rights or remedies whether as to payment, time, performance or otherwise (whether or not by any arrangement, alteration or forbearance is

made without the Surety's knowledge or consent). All payments by the Surety shall be made free and clear without deduction, set-off or withholding.

5. Mississauga may make multiple Demands under this bond.
6. The Bond cannot be amended or terminated without the express approval of Mississauga.
7. The amount of the Bond may be reduced from time to time as advised by notice in writing by Mississauga to the Surety.
8. Each payment made by the Surety under this Bond shall reduce the amount of this Bond.
9. In no event shall the Surety be liable for a greater sum than the amount of this Bond.
10. No right of action shall accrue upon or by reason hereof to or for the use or benefit of any person other than Mississauga.
11. The Bond shall only apply to one (1) security requirement, for one (1) development agreement.
12. Upon completion of a portion of the works required by the Development Agreement to Mississauga's satisfaction, Mississauga may undertake a partial release of the Bond. A partial release may be made in an amount that does not exceed the value of the works that is outstanding. A partial release of the Bond will be approved and processed at Mississauga's sole discretion.
13. When the Principal has completed all works required by the Development Agreement to Mississauga's satisfaction, all maintenance and rectification periods contained within the Development Agreement have expired, and Mississauga has finally assumed all works in writing, Mississauga shall return this Bond to the Surety for termination or advise the Surety in writing that this Bond is terminated, in accordance with the terms of the Development Agreement.
14. If the Surety at any time delivers at least ninety (90) days prior written notice to Mississauga and to the Principal of its intention to terminate this obligation, the Principal shall deliver to Mississauga, not less than sixty (60) days of receiving notice of termination, financial security in the amount of this Bond in a form acceptable to Mississauga. If the replacement financial security is not provided by the Principal or is not accepted by Mississauga, this Bond shall remain in effect.

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

16 of 19

15. Nothing in this Bond shall limit the Principal's liability to Mississauga under the Development Agreement.

16. This Bond shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable thereto and shall be treated, in all respects, as a contract entered into in the Province of Ontario without regard to conflict of laws principles. The Principal and Surety hereby irrevocably and unconditionally attorn to the jurisdiction of the courts of the Province of Ontario.

17. All Demands and notices under this Bond shall be delivered by email to the Surety, copying the Principal at their email set out below, subject to any change of email in accordance with this Section. A change of email for the Surety is publicly available on the Financial Services Regulatory Authority of Ontario website ([Licensed Insurance Companies in Ontario](#)). The email for the Principal may be changed by giving notice to the other parties setting out the new email in accordance with this Section:

| The Surety: | The Principal: | Mississauga: |
|-------------|----------------|--------------|
| Name | Name | Name |
| Address | Address | Address |
| Email | Email | Email |
| Phone | Phone | Phone |

18. The Surety agrees to indemnify Mississauga from any claims related to the Bond, holding the Principal responsible for repaying any money paid by the surety to Mississauga in the process of settling a claim.

IN TESTIMONY WHEREOF, the Principal has hereto set its hand and affixed its seal and the Surety has caused these presents to be sealed with its corporate seal duly attested by the signature of its authorized signing authority.

SIGNED AND SEALED this ____ (DATE) day of ____ (MONTH)__, 20__xx__, in the presence of:

Per:

Name

Title:

Per:

Name

Title:

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

17 of 19

I / We have the authority to bind the Corporation.

_____, Attorney in Fact

DRAFT

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

18 of 19

Schedule A**DEMAND – NOTICE OF DEFAULT**

Date:

Surety:

Address:

Attention:

Re: Development Agreement

Bond No.: (the "Bond")

Principal: (the "Principal")

Obligee: (the "Obligee")

Agreement: (the "Development Agreement")

Dear ,

Pursuant to the above referenced Bond, The Corporation of the City of Mississauga hereby declares a default under the Development Agreement.

We hereby demand that the Surety honour its fifteen (15) day payment obligation as per the terms of the Bond and we hereby certify that we are entitled to draw on the Bond pursuant to the terms of the Development Agreement and demand payment of \$_____ under the terms of the Bond.

Payment Instructions:

Policy Number: 04-08-01

Effective Date: October 3, 2016

Policy Title: Development Securities

Last Review Date: August, 2020

19 of 19

Yours truly,

THE CORPORATION OF THE CITY OF MISSISSAUGA

DRAFT



Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025

| Current Policy | Proposed Policy | Rationale |
|--|--|---|
| The current, approved policy content. | If the content is unchanged, the notation "No change" is used. | Why changes (deletions and/or insertions) are being proposed. |
| Definitions | Definitions | |
| | "Applicant" means the party that has tendered a security, including but not limited to, letter of credit, cash security and surety bond, to the City to secure the obligations of an agreement or a permit with the City. | Definition added for clarity. |
| | "Default Projects" means projects where the provided security is six years and older, where the Applicant has not fulfilled their obligations related to the works and the City is unable to contact the Applicant(s) and/or the Applicant(s) is not willing to fulfill their obligations and the City will not complete the applicable works. | Definition added for clarity. |
| "Manager" means the Manager, Business Planning and Financial Services, Finance Division, or their designate. | "Senior Manager" means the Senior Manager, Business Planning and Financial Services, Finance Division, or their designate. | Definition revised to reflect changes to titles. |
| | "Treasurer" means the Chief Financial Officer and Treasurer, or the staff designated in writing as such to act in the absence of the Treasurer. | Definition added for clarity. |
| | "Unclaimed Securities" means either securities which are no longer required by the City but which have not been released because the Applicant cannot be located or has not come forward, or securities that are related to Default Projects. | Definition added for clarity. |

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

10.3

Page 2 of 11

| Current Policy | Proposed Policy | Rationale |
|---|---|---|
| The current, approved policy content. | If the content is unchanged, the notation "No change" is used. | Why changes (deletions and/or insertions) are being proposed. |
| <p>Securities Required as a Condition of Site Plan, Rezoning, Land Division Approval Planning & Building (Purpose of Security)</p> <p>To ensure satisfactory completion of works required to satisfy site and landscape plans, tree preservation.</p> | <p>Securities Required as a Condition of Site Plan, Rezoning and Land Division Approval Planning and Building (Purpose of Security)</p> <p>To ensure satisfactory completion of site works in accordance with approved site and landscape plans, including rooftop amenity areas, and tree preservation.</p> | <p>Content revised in consultation with department.</p> |
| <p>City Manager's Department – Revenue and Taxation, Finance Division (Amount of Security)</p> <p>Payment received up to October 31st - 100% of land taxes and local improvement charges apportioned to the property for the year of registration Payment received after October 31st – 100% of the land taxes and local improvement charges apportioned to the property for the year of registration plus 100% of the estimated land taxes and local improvement charges apportioned to the property for the following year.</p> | <p>Revenue and Taxation, Finance Division (Amount of Security)</p> <p>Payment received from January 1 to October 31: 100 per cent of land taxes and local improvement charges apportioned to the property for the year of registration, including arrears for prior years (if applicable).</p> <p>Payment received from November 1 to December 31: 100 per cent of the land taxes and local improvement charges apportioned to the property for the year of registration plus 100 per cent of the estimated land taxes and local improvement charges apportioned to the property for the following year, including arrears for prior years (if applicable).</p> | <p>Paragraph revised to clarify date range</p> |

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

10.3

Page 3 of 11

| | | |
|--|---|---|
| <p>Securities Required in Conjunction with Condominium Registration</p> <p>City Manager's Department – Revenue and Taxation, Finance Division (Amount of Security)</p> <p>Payment received up to October 31st – 100% of the taxes for land and local improvement charges apportioned to the property for the year of registration plus 100% of the anticipated supplementary taxes for the units</p> <p>Payment received after October 31st – 100% of the taxes for land and local improvement charges apportioned to the property for the year of registration plus 100% of the estimated taxes for land and local improvement charges apportioned to the property for the following year plus 100% of the anticipated supplementary taxes for the units</p> | <p>Securities Required in Conjunction with Condominium Registration</p> <p>Revenue and Taxation, Finance Division (Amount of Security)</p> <p>Payment received from January 1 to October 31: 100 per cent of land taxes and local improvement charges apportioned to the property for the year of registration, plus 100 per cent of the anticipated supplementary taxes for the units, including arrears for prior years (if applicable).</p> <p>Payment received from November 1 to December 31: 100 per cent of land taxes and local improvement charges apportioned to the property for the year of registration, plus 100 per cent of the anticipated supplementary taxes for the units, plus 100 per cent of the estimated taxes for land and local improvement charges apportioned to the property for the following year, including arrears for prior years (if applicable).</p> | <p>Paragraph revised to clarify date range.</p> |
| <p>Form and Custody of Security</p> <p>Where a servicing agreement exists, the form of the security is specified in the servicing</p> | <p>Form and Custody of Security</p> <p>Where an agreement exists, the form of the security is specified in the agreement and must</p> | |

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

| | | |
|--|--|---|
| <p>agreement and must be provided in that form. Where no servicing agreement exists, the security may be provided in cash, by certified cheque, by bank draft, by letter of credit or by surety bond. Business Area Leads must refer to the Appendix 1 to this Policy which contains a Surety Bond template, with Terms and Conditions therein, that a Surety Bond Underwriter must include in its Bond, for the Bond to be accepted by the City as a Security Deposit.</p> <p>Where securities are required for taxes, the security for land taxes and local improvement charges must be provided in the form of a certified cheque, bank draft, wire or EFT payment. A letter of credit may be accepted as security only for supplementary taxes associated with a condominium registration. If the security is in the form of a letter of credit, the receiver of the letter of credit must ensure that it meets the standard requirements established by Corporate Policy and Procedure - Letters of Credit.</p> <p>The Securities Administrator, Treasury, Business Planning and Financial Services Section, Finance Division is responsible for the physical custody and safe-keeping of all securities received by the Corporation.</p> | <p>be provided as specified. Where no agreement exists, the security may be provided in cash, by certified cheque, by bank draft, by letter of credit or by surety bond. Business Area Leads must refer to Appendix 1 to this Policy which contains a Surety Bond template, with Terms and Conditions therein. A Surety Bond Underwriter must include this template in its Bond for it to be accepted by the City as a Security Deposit.</p> <p>Where securities are required for taxes, the security for land taxes and local improvement charges must be provided in the form of a certified cheque, bank draft, wire or EFT payment. A letter of credit may be accepted as security only for supplementary taxes associated with a condominium registration. If the security is in the form of a letter of credit, the receiver of the letter of credit must ensure that it meets the standard requirements established by Corporate Policy and Procedure - 08-04-08 - Letters of Credit.</p> <p>Where an agreement exists, Departments (in consultation with Legal Services) should include language in the agreement which addresses the treatment of unclaimed securities. The agreement should contain an acknowledgement by the Applicant that, in the event of Default Project or Unclaimed Securities greater than six</p> | <p>Section revised to include reference to unclaimed securities and to reflect change in organizational titles.</p> |
|--|--|---|

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

10.3

Page 5 of 11

| | | |
|--|---|--|
| | <p>years old, the security is forfeited to the City and the City's legal obligation to refund the money is terminated</p> <p>The Securities Administrator (Finance Division) is responsible for the physical custody and safe-keeping of all securities received by the City.</p> | |
|--|---|--|

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

10.3

Page 6 of 11

| | | |
|--|---|--|
| Draw On Security The City may draw on the securities to complete the secured works, to acquire the services of a qualified contractor to complete the works or as payment to a subsequent developer for completion of the work. | Draw on Security The City may draw on the securities to complete the secured works, to acquire the services of a qualified contractor to complete the works or as payment to a subsequent developer for completion of the works, in accordance with the applicable agreement. | Content revised for clarity. |
| Notice to Owners The individual who provided the original security is notified, in writing, of the City's requirements and given an opportunity to comply before the City draws on the securities. The current owner of the property may also be notified, if appropriate. | Notice to Applicants The Applicant who provided the original security is notified, in writing, of the City's requirements and given an opportunity to comply before the City draws on the securities. The current owner of the property may also be notified, if appropriate. | Content revised to reflect change in 'owner' to 'applicant.' |

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

| | | |
|--|---|--|
| <p>Authorization to Draw On, Release or Reduce Security</p> <p>The department responsible for the secured works may authorize a draw on the security or a reduction or release of the security by forwarding written notification to the Chief Financial Officer and Treasurer. By-law 0367-2004, as amended, specifies which staff may authorize draws, reductions or releases of securities.</p> <p>The Securities Administrator will process the request and notify the authorizer that processing has been completed. If such notice is not received, the authorizer of the request is responsible for following up with the Securities Administrator to ensure that the request has been processed.</p> <p>Each Department Head must provide the Securities Administrator with specimen signatures of all staff with the authority to authorize draws on securities, reductions or releases of securities and their specific signing authority limits. On an annual basis, the Securities Administrator will request that all signatures be updated.</p> | <p>Authorization to Draw on, Release or Reduce Security</p> <p>The department responsible for the secured works may authorize a draw on the security or a reduction/release of the security by forwarding written notification to the Treasurer. Reduction/release memos must be accompanied by copies of original documentation which created the security (i.e. official receipt, existing/outstanding Letter of Credit, etc.). A By-law to Delegate Authority for Drawing on Development Securities - By-law 0278-1994, as amended, specifies which staff may authorize draws, reductions or releases of securities.</p> <p>The Securities Administrator will process the request and notify the authorizer that processing has been completed. If such notice is not received, the authorizer of the request is responsible for following up with the Securities Administrator to ensure that the request has been processed.</p> <p>Each Department Head must provide the Securities Administrator with specimen signatures of all staff with the authority to authorize draws, reductions or releases of securities and their specific signing authority limits. On an annual basis, the Securities Administrator will request that all signatures be updated.</p> | <p>Content revised to reflect change in organizational and by-law titles and to clarify how to maintain integrity of transactions.</p> |
|--|---|--|

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

10.3

Page 8 of 11

| | | |
|--|--|---|
| <p>Unclaimed Securities</p> <p>Unclaimed securities are those which are no longer required by the City but which have not been released because the owner cannot be located or the owner has not come forward. Annually, the Securities Administrator will prepare an analysis identifying all active and unclaimed securities that are six years old and older. A list will be forwarded to each department, requesting either authorization to release the security or notification that the security must continue to be held. Upon receipt of the department's authorization to release the security, a search of the owner is conducted. If the owner cannot be located the security will be included in the list prepared by the Securities Administrator and published on the City's website.</p> <p>The Treasurer, in consultation with the Manager, Treasury, is responsible for publishing a notice on the City's portal on the Public Notice webpage advising that a list of unclaimed securities six years old or older is available on the City's website for claim. The website listing of unclaimed securities will include only the company names, or generic reference if an individual, and the amounts.</p> <p>The notice must advise that all persons/businesses having any claim to unclaimed securities are required to prove their</p> | <p>Unclaimed Securities</p> <p>Annually, the Securities Administrator will prepare an analysis identifying all active and unclaimed securities that are six years old or older. A list of outstanding securities will be forwarded to each division, requesting either authorization to release the security or notification that the security must continue to be held. Divisions shall respond within 60 days identifying securities related to Default Project(s).</p> <p>Unclaimed Securities – Cash and Cash Equivalent, related to Default Projects</p> <p>The departments will notify the Securities Administrator regarding all cash and cash equivalent securities that are related to Default Project(s) and that are six years old or older. The relevant division of the City shall make attempts to contact the security provider, which will be documented, and the record of these attempts will be kept for the period outlined in the Records Retention Schedule By-law 0097-2017. Moreover, relevant divisional staff should assess each Default Project and document the decision (along with reasons) to not draw on the security to complete the remaining project obligations. This record should also be kept for the period outlined in the Records Retention Schedule By-law 0097-2017 (after the date on which the City provided public notice).</p> | <p>Section revised to include further details on unclaimed securities. Section expanded to include subsections.</p> |
|--|--|---|

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

| | | |
|--|--|--|
| <p>claims within 90 days of the publication of the notice. Upon the expiration of 90 days, the Treasurer, in consultation with the Manager, Treasury, may transfer all money for which there is no claim to the City's general funds, free from any claims.</p> <p>Should a claim be brought forward after the 90 days and within two (2) years of the notice, a refund may be issued from the account the money was transferred to, subject to approval by the Manager, Treasury. Any other exceptions for refund must be reviewed and approved by the Manager and the Treasurer.</p> | <p>If the Applicant cannot be located or will not fulfill the project obligations, the security will be included in the list prepared by the Securities Administrator and published on the City's website.</p> <p>The Treasurer, in consultation with the Manager, Treasury, is responsible for publishing a notice on the City's website on the Public Notice webpage advising that a list of cash and cash equivalent securities related to Default Projects six years old or older is available for claim. The website listing of cash and cash equivalent securities relating to Default Projects will include only the business or individual's names and the amounts.</p> <p>The notice must advise that all businesses/individuals having any claim to cash and cash equivalent securities related to Default Projects are required to prove their claims within 90 days of the publication of the notice. Upon the expiration of 90 days, a report shall be brought to Council to authorize the transfer of these securities into tax-funded reserves or the City's general funds. After the authorization of Council, the Treasurer, in consultation with the Manager, Treasury, may transfer all money for which there is no claim. A record of forfeited securities will be retained in the event that subsequent claims are made by the Applicant, and they have fulfilled their obligations related to the works.</p> | |
|--|--|--|

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

Should a claim be brought forward after the 90 days and within the period outlined in the Records Retention Schedule By-law 0097-2017, a refund may be issued from the account the money was transferred to, subject to approval by the Manager, Treasury. Any other exceptions for refunds must be reviewed and approved by both the Senior Manager and the Treasurer. The authority to withdraw funds from the applicable reserve to satisfy eligible refunds is delegated to Finance staff through the provisions of this policy.

Unclaimed Securities, Obligation Fulfilled or Required Works Completed

Upon receipt of the department's authorization to release the security, a search of the Applicant is conducted by the relevant division. If the Applicant cannot be located, the security will be included in the list prepared by the Securities Administrator and published on the City's website.

The Treasurer, in consultation with the Manager, Treasury, is responsible for publishing a notice on the City's website on the Public Notice webpage advising that a list of unclaimed securities six years old or older is available for claim. The website listing of unclaimed securities will include only the business or individual's names and the amounts.

Comparison of Current and Proposed Policy

Draft Development Securities

5/15/2025



MISSISSAUGA

10.3

Page 11 of 11

The notice must advise that all businesses/individuals having any claim to unclaimed securities are required to prove their claims within 90 days of the publication of the notice. Upon the expiration of 90 days, the Treasurer, in consultation with the Manager, Treasury, may transfer all money for which there is no claim to the City's general funds. A record of forfeited securities will be retained in the event that subsequent claims are made by the Applicant.

Should a claim be brought forward after the 90 days and within two (2) years of the notice, a refund may be issued from the account the money was transferred to, subject to approval by the Manager, Treasury. Any other exceptions for refunds must be reviewed and approved by both the Senior Manager and the Treasurer.