

# City of Mississauga

## Corporate Report



<p>Date: November 25, 2021</p> <p>To: Mayor and Members of Council</p> <p>From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works</p>	<p>Originator's files:</p> <hr/> <p>Meeting date: December 8, 2021</p>
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## Subject

**The Regional Municipality of Peel Road Maintenance and Repair Agreement Extension**

## Recommendation

That a by-law be enacted to authorize the Commissioner of Transportation and Works and the City Clerk to execute, on behalf of The Corporation of the City of Mississauga, a Fourth Amending Road Maintenance and Repair Agreement with the Regional Municipality of Peel, in a form satisfactory to the City Solicitor, as outlined in the report from the Commissioner of Transportation and Works, dated November 23, 2021 and entitled "The Regional Municipality of Peel Road Maintenance and Repair Agreement Extension".

## Executive Summary

- The existing Road Maintenance and Repair Agreement between the City of Mississauga (the "City") and the Region of Peel (the "Region") will expire on December 31, 2021.
- The City is currently participating in the Road Access Control and Operational Efficiencies (RACOE) staff working group.
- An amending agreement is required to extend the term of the existing agreement for a one year period ending on December 31, 2022.
- The proposed amending agreement will automatically renew for consecutive periods of six months each on the same terms and conditions. Either party can give written notice 30 days before the end of a six month period or 30 days before December 31, 2022 to terminate the agreement.

## Background

The City and the Region of Peel previously entered into an agreement that was executed in January 2009, which expired in December 2013, for the maintenance and repair of three

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regional roads by the City (the "Agreement"). These roads included Regional Road 17 (Cawthra Road), Regional Road 20 (The Queensway), and Regional Road 19 (Winston Churchill Boulevard between Lakeshore Road and Dundas Street West). A map showing the locations of the roads listed above has been attached as Appendix 1.

The Agreement specifies that the City performs maintenance activities on behalf of the Region in accordance with Regional Road Standards on the above-noted roads. Typical maintenance activities include pothole patching, depression and settlement repairs, guiderail repairs, snow plowing, snow removal, salting, spring cleanup and traffic signage. The Agreement has served the City and the Region well and there are no issues in the continuation of this Agreement. A copy of the Region's levels of service has been attached as Appendix 2.

A first amending agreement was entered into on June 10, 2015, extending the term to December 31, 2017. The City and the Region entered into the second amending agreement, dated January 11, 2018 whereby the Agreement was extended and amended, with its extended term ending on December 31, 2019. Most recently, the City and the Region entered into the third amending agreement, dated March 22, 2020 whereby the term of the agreement was extended to December 31, 2021. The third amending agreement also replaced Schedule A and B of the Agreement and consolidated the Region of Peel Road Maintenance Standards in a chart.

## Present Status

The Agreement, as amended, will expire as of December 31, 2021. The City and the Region wish to enter into a fourth amending agreement to extend the term for a further one year period from January 1, 2022 to December 31, 2022 with an option to extend the term for consecutive periods of six months each. The Transportation and Works Department therefore recommends that the Fourth Amending Road Maintenance and Repair Agreement ("Fourth Amending Agreement") with the Region be approved to achieve this extension.

## Comments

The City and the Region wish to extend the term of the Agreement beyond December 31, 2021 as provided for in the Agreement and third amending agreement. The significant terms of the Fourth Amending Agreement are as follows:

- The Fourth Amending Agreement shall extend the term of the Agreement for a further one year term commencing on January 1, 2022 and ending on December 31, 2022 (the "Extended Term").
- The Fourth Amending Agreement shall automatically renew on the same terms and conditions for consecutive terms of 6 months each upon expiry of the Extended Term (each referred to as a "Renewal Period"). Either party may give written notice for termination of the Agreement no later than 30 days prior to the end of any Renewal period or the Extended Term.

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- Except as otherwise provided in the Fourth Amending Agreement, all other terms and conditions of the Agreement and its three previous amendments remain unchanged, unmodified and in full force.
- In the event the parties negotiate and finalize a new agreement through the Road Access Control and Operating Efficiencies Working Group during the Extended Term or any Renewal Period, the Fourth Amending Agreement shall terminate automatically upon execution of such new agreement.

Both the Transportation and Works Department and Legal Services Staff of the Corporate Services Department have reviewed the Fourth Amending Agreement and find the conditions acceptable.

The City is participating in the Road Access Control and Operational Efficiencies working group which consists of staff members from the Region of Peel, City of Brampton, Town of Caledon, and City of Mississauga. The working group is investigating opportunities to improve on the effective and efficient utilization of resources between municipalities while ensuring that a consistent level of service is maintained from a corridor perspective. The final outcomes from this working group may impact the details of the Agreement. As such, amending agreements are prepared to extend the term of the existing Agreement until the any final recommendations are received and approved.

## Financial Impact

The proposed Fourth Amending Agreement with the Region of Peel does not have a financial impact to the City. All activities performed by the City on behalf of the Region are 100 percent recoverable from the Region in accordance with the agreement.

## Conclusion

The City and the Region of Peel previously entered into an Agreement that was executed in January 2009, which expired in December 2013, for the maintenance and repair of three regional roads by the City. A first amending agreement extended the term to December 31, 2017. The City and the Region entered into a second amending agreement in 2018 which ended on December 31, 2019. The City and the Region entered into a third amending agreement, which extended the term for a further two-year period commencing on January 1, 2020 and ending on December 31, 2021. The City and the Region now wish to enter into the Fourth Amending Agreement to extend the term for a further one-year period commencing on January 1, 2020 and ending on December 31, 2021 with an option to renew for consecutive 6-month terms.

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## Attachments

Appendix 1: Road Surface Maintenance Map

Appendix 2: Region of Peel Road Maintenance Standards



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Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works

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