

Date: December 16, 2022	Originator's files:
To: Chair and Members of General Committee	
From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works	Meeting date: January 11, 2023

Subject

Delegated Authority to Execute Dedicated Locator Agreements

Recommendation

That the Commissioner of Transportation and Works, or their designate, be authorized to negotiate and execute dedicated locate service provider agreements between The Corporation of the City of Mississauga and Dedicated Locators, as requests for such agreements are received from time to time, and as required under the *Ontario Underground Infrastructure Notification System Act*, including all necessary amendments, extensions, and/or documents ancillary thereto, in a form satisfactory to Legal Services.

Present Status

Under the *Ontario Underground Infrastructure Notification System Act* (the "Act"), the Province's Ontario One Call agency is responsible for notifying its members, such as the City, when a property owner plans to dig, and the City sends out staff to mark the location of buried underground lines and cables on the property so that digging is undertaken with consideration of existing infrastructure. However, as a result of recent amendments made to the Act under Bill 93, passed by the Ontario legislature in April 2022, a third-party Dedicated Locator ("DL") may now be requested by either a private project owner for their development project, by the owner of a designated broadband project, or by a project as designated by the Minister. If such a request is made, the City is now required to enter into a Dedicated Locator Service Provider (DLSP) agreement with the selected DL, within 10 business days of receiving the request.

Comments

Under the Act, a project owner may request a DL at any time. Ontario One Call is responsible for identifying and notifying Members of the proposed DL for a project within the Member's jurisdiction. As stated, there is a 10-day requirement under the Act, for the City to enter into DL Agreements once notice is received, which is enforced by Ontario One Call. The City's assets

may be affected depending on the vicinity of the work described. The City must therefore have the authority and be ready to review notice requests once received, and when such requests comply with the Act, negotiate and enter into agreements with the selected DLs within the 10 business day requirement.

Financial Impact

There are no financial impacts to the City by entering into a DL Agreement with the DLSP. The Project Owner is responsible to pay the Dedicated Locate Service Provider directly.

Conclusion

Due to recent changes to the *Ontario Underground Infrastructure Notification System Act*, the City will no longer be providing locates for City-owned buried infrastructure when a Dedicated Locator is requested on specific types of projects. Rather, the City is now required to enter into a Dedicated Locator Service Provider Agreement with a Dedicated Locator when requested. As a result, this report is to request authority for the Commissioner or their designates, to enter into such agreements when requests are received by the City, so that the City can meet its obligations under the Act.



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

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