

The Corporation of the Town of Tecumseh

By-Law Number 2023-120

Being a by-law to authorize the execution of an amendment to the Agreement between The Corporation of the Town of Tecumseh and First Canada ULC for transit delivery and maintenance services

Whereas the Corporation of the Town of Tecumseh and First Canada ULC entered into an agreement dated December 8, 2015, for the delivery of transit and maintenance services, as amended by agreement dated December 31, 2022, (collectively the “**Agreement**”);

And Whereas the current term of the Agreement expires on December 31, 2023, and the parties wish to extend the term so that it expires on December 31, 2024, subject to the amended terms and conditions contained therein;

Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:

1. **That** the Mayor and the Clerk be and they are hereby authorized and empowered on behalf of the Corporation of the Town of Tecumseh to execute an agreement with First Canada ULC amending the terms of the Agreement in the form attached hereto and to do such further and other acts which may be necessary to implement the said amending agreement.

Read a first, second, third time and finally passed this 12th day of December, 2023.

Gary McNamara, Mayor

Robert Auger, Clerk

This Agreement made as of the 31st day of December 2023,

Between:

The Corporation of the Town of Tecumseh
(hereinafter referred to as the “**Town**”)

- and -

First Canada ULC
(hereinafter referred to as the “**Operator**”)

WHEREAS the Town and the Operator entered into an agreement dated December 8, 2015, with respect to the terms and conditions for the operation of a transit system (the “**Agreement**”);

AND WHEREAS the term of the Agreement, as amended and previously extended, expires on December 31, 2023, and the Operator and the Town wish to extend the term of the Agreement subject to the certain amendments as more particularly detailed below;

NOW THEREFORE, the Town and the Operator have agreed to amend the terms of the Agreement as follows:

1. The term of the Agreement as outlined in paragraph 3 thereof is hereby extended from December 31, 2023, to and shall now end on December 31, 2024. The period from January 1, 2024, to December 31, 2024, shall be referred to as the “**Third Extension**”.
2. Schedule ‘D-1’ of the Agreement is hereby replaced with new Schedule ‘D-1’ attached hereto.

All other terms and conditions of the Agreement shall remain in full force and effect and time shall continue to be of the essence.

First Canada ULC

Per: _____
Troy Phinney, Senior Vice President
I have authority to bind.

The Corporation of the Town of Tecumseh

Per: _____
Gary McNamara, Mayor

Per: _____
Robert Auger, Director Legislative
Services & Clerk
We have authority to bind.

Schedule D-1

Payment Details 2021-2024

	2021	2022	2023	2024
Cost per Hour	\$62.03	\$63.27	\$65.80	\$68.43
Cost per Hour with Use of Contractor's Bus	\$83.03	\$84.27	\$87.64	\$91.15