

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 77

BY-LAW NO. AG-0031-2003-075

To authorize the execution of a design-build agreement
for the Quick Start phase of the York Region Rapid Transit System

WHEREAS the Regional Corporation entered into an agreement with York Consortium 2002, dated June 27, 2002, (such agreement as it has been or may hereafter be amended herein called the "Stage One Agreement"), to undertake certain work with respect to a public transportation facility commonly referred to as the York Region Rapid Transit System (the "System");

AND WHEREAS certain work has been identified as the initial implementation phase of the System and is referred to as "Quick Start";

AND WHEREAS the work to be completed under Quick Start is as more particularly set out in the scope of work (the "Scope of Work");

AND WHEREAS Peter Kiewit Sons Co. Ltd. and EllisDon Corporation are members of York Consortium 2002;

AND WHEREAS the Regional Corporation and York Consortium 2002 have agreed that a design-build agreement be entered into between the Regional Corporation and Peter Kiewit Sons Co. Ltd. and EllisDon Corporation for completion of the Scope of Work for Quick Start;

AND WHEREAS it is anticipated that funding will be advanced to the Regional Corporation for Quick Start from the Government of Canada and the Province of Ontario

and that funding agreements will be executed by the Regional Corporation with the respective governments;

NOW THEREFORE the Council of The Regional Municipality of York
HEREBY ENACTS as follows:

1. The Regional Chair and Regional Clerk be authorized to execute a design-build agreement with Peter Kiewit Sons Co. Ltd. and EllisDon Corporation, with respect to Quick Start, in an amount not to exceed one hundred and forty million dollars (\$140,000,000.00).
2. The foregoing authorization shall be subject to prior compliance with the following requirements:
 - (a) execution of funding agreements with the Government of Canada and the Province of Ontario; and
 - (b) finalization of the Scope of Work and completion of the cost confidence process to the satisfaction of Regional staff and the Region's external consultants.

ENACTED AND PASSED this 18th day of September, 2003.

Regional Clerk

Regional Chair