

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Phone: (519)255-6211

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E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 245/2020

Approved: October 29, 2020

- I. THAT **APPROVAL BE GIVEN** pursuant to Delegation of Authority Bylaw 208-2008, Section 1.30 (b) “City as Grantor” Licenses, Easements (permanent and temporary) and Consents to Enter (Appendix A), to the granting of the following Consent to Enter:
- a) That the Consent to Enter is provided to Dillion Consulting Limited (“**Dillon**”) and its employees, contractors, agents, and assigns to enter the lands municipally known as 1573 McDougall Avenue, legally described as Part Lot 85 Concession 1, designated as Part 1 on 12R-19364, and as shown on the aerial image attached as Appendix B (the “**Lands**”);
 - b) Dillon and/or its contractors, subcontractors, agents, employees and assigns will enter the Lands for the purpose of accessing 1587 McDougall (the “**Site**”), as well as to survey the location of the existing monitoring wells and to collect water levels from the existing monitoring wells located on the Lands (the “**Works**”), and that such granting includes permission to bring all devices, machinery, vehicles and equipment necessary for the carrying out of the Works;
 - c) The term of this agreement shall commence on November 5, 2020 and terminate on April 30, 2021;
 - d) Access to the Lands will be from the McDougall Avenue;
 - e) Dillon agrees that they will only survey the wells and collect water level measurements from the wells within the Lands to determine groundwater flow and direction, no additional testing will be conducted from these wells;

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f) Dillon agrees that the survey information and water level measurements collected from the wells within the Lands will be provided to the City and will not be shared with any third party without the prior consent of the City;

g) Dillon agrees that, upon the termination of this agreement, any disturbance of the Lands, resulting from the carrying out of the Works, will be restored by Dillon at its own cost to the satisfaction of the City Engineer, or designate, acting reasonably;

h) Dillon will comply with the most up to date regulations in place under the *Emergency Management and Civil Protection Act*, as amended from time to time, regardless of the frequency of such amendments. Dillon will also comply with any guidelines and best practices issued by the Province of Ontario and any other governing body in relation to limiting the spread of COVID-19;

i) Dillon will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City:

- \$5,000,000 Commercial General Liability coverage with "The Corporation of the City of Windsor" listed as an additional insured and cross-liability coverage and 30 days notice of cancellation
- Each vehicle entering upon the Lands must be insured with an Automobile Policy, with liability limits of no less than \$2,000,000 per occurrence

Or as such requirements that may be amended, restated and/or supplemented by the City's Risk and Insurance Department from time to time; and,

II. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a Consent to Enter Agreement with Dillon for access to the Lands, approved as to form by the City Solicitor or designate and as to content by the City Engineer or designate.

Report Number: CAO 245/2020

Clerk's File: AL/13661

Steve Vlachodimos

Deputy City Clerk/Senior Manager of Council Services

November 2, 2020



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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