



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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### CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

**Report Number: CAO 62/2019**

**Approved: August 8, 2019**

1. That the Consent to Enter is provided to Amico Infrastructures Inc. ("**Amico**") and West Windsor Power, by its majority partner, Tractebel Windsor Power L.P., by its general partner, Tractebel Management Inc. ("**WWP**") for the purpose of granting access over part of the lands known municipally as 4255 Sandwich Street, being the driveway and access road along the western and southern boundary of said lands, as shown on the aerial diagram attached as Appendix B (the "**Lands**").
2. The term of the agreement shall be from August 1, 2019 and expiring not later than November 30, 2019 (the "**Term**" ), provided that the parties may mutually agree to extend the Term as necessary if direct access to the WWP Lands from Sandwich Street has not been fully restored by such date.
3. WWP, its employees, agents, and contractors, will enter the Lands for the purpose of access to the property known municipally as 4375 Sandwich Street (the "**WWP Lands**") during construction on Sandwich Street relating to the Gordie Howe International Bridge Plaza Early Works project.
4. Amico, its employees, agents, and contractors, will enter the Lands for the purpose of installing a temporary access route to connect the Lands to the WWP Lands and to perform any maintenance in respect thereof.
5. Access to the Lands will be from Sandwich Street.
6. WWP and Amico will each be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the Deputy City Solicitor, Purchasing, Risk Management & POA:



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- \$5,000,000 Commercial General Liability coverage
  - "The Corporation of the City of Windsor" listed as Additional insured
  - Cross liability coverage
  - 30 days' cancellation notice
7. Amico agrees to install and maintain temporary access to connect the Lands to the WWP Lands and to maintain the WWP fence and gate on the WWP Lands.
  8. Amico agrees to install and maintain any required signage relating to the temporary access granted hereunder for the duration of the Term.
  9. Amico agrees that, upon termination of the agreement, or upon abandonment of the Lands prior to the termination date, any disturbance of the Lands resulting from the access granted to WWP hereunder, will be restored at Amico's own costs to the satisfaction of the City Engineer or designate acting reasonably.
  10. That the Project Administrator, Development, Projects and ROW **BE DIRECTED** to attend at 4255 Sandwich prior to the commencement of the Term to review and document the current condition of the Lands.
  11. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the Agreement with WWP approved as to form by the City Solicitor or designate and content by the City Engineer or designate.

Report Number: CAO 62/2019  
Clerk's File: AL/13444

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services  
August 12, 2019

### Department Distribution

Lease Administrator
Manager of Real Estate Services
City Solicitor and Corporate Leader, Economic Development and Public Safety



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City Engineer and Corporate Leader Environmental Protection and Transportation Chief Administrative Officer
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