

## **COMMITTEE OF THE WHOLE – APRIL 7, 2003**

### **PROFESSIONAL SERVICES AGREEMENTS FOR ENVIRONMENTAL SITE ASSESSMENT PEER REVIEWERS**

#### **Recommendation**

The Commissioner of Engineering and Public Works recommends:

That the Mayor and Clerk be authorized to execute professional services agreements with Decommissioning Services Limited and Terrapex Environmental Limited with respect to Environmental Site Assessment peer reviews.

#### **Purpose**

In order to formalize the relationship between the City of Vaughan and the City's two peer review consultants, namely, Decommissioning Services Limited and Terrapex Environmental Limited. The agreements for professional services has been drafted and executed by the City's peer review consultants. These agreements now requires the City of Vaughan execution.

#### **Background – Analysis and Options**

The MOE issuance of the Guideline for Use at Contaminated Sites in Ontario, dated June 1986, amended February 1997, has had the effect of shifting responsibilities concerning clean up of contaminated sites to the property owners, their consultants and the municipalities. To ensure that the City of Vaughan deals effectively with the changes proposed by the MOE, the City adopted the Policy and Procedures for Dealing With Contaminated or Potentially Contaminated Sites (Policy and Procedures) on May 14, 2001. The Policy and Procedures outlines the procedures necessary to ensure that the municipality is not accepting contaminated lands and the potential future liabilities associated with any clean up.

One of the recommendations in the Policy is to have all Environmental Site Assessment reports, submitted in conjunction with development applications, peer reviewed. The peer reviewers provide the City the necessary expertise to assess the completeness, accuracy and compliance of the reports with the City and MOE Guidelines. This knowledge currently does not reside within the City Engineering Department. Draft plan approvals and clearance of ESA clauses within agreements, is contingent upon the recommendation of the City's peer review consultant.

The applicant is also required to pre-pay the City for the estimated cost of the peer review. If the peer reviewer anticipates their cost will exceed the initial estimate, additional funds will be secured from the applicant prior to the continuation of the peer review. Essentially, the City has no financial obligation in this matter.

The Policy and Procedures further recommends that the City of Vaughan enter into a consulting agreement with the peer reviewers and that the peer reviewers carry sufficient limits of professional Errors & Omissions and General Liability coverage to protect the City. Upon completion of an extensive selection process the City of Vaughan Engineering Department has selected Decommissioning Services Limited and Terrapex Environmental Limited as the City's peer reviewers.

**Attachments**

N/A

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Respectfully submitted,

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