

**TOWN OF LACOMBE
BYLAW 186**

A by-law of the Town of Lacombe, in the Province of Alberta, to authorize the Municipal Council to enter into an agreement with Her Majesty the Queen in the Right of Alberta as represented by Minister of Transportation and Utilities.

WHEREAS under the provisions of Section 116 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, a council may pass a by-law authorizing the making of an agreement with the Government of Alberta, or its agents, or the performance of any matter or thing considered by the Council and the Government of Alberta, or its agents, to be a benefit to both parties;

AND WHEREAS the Town of Lacombe is undertaking a Wastewater Treatment Project in upgrading the sewage treatment facilities;

AND WHEREAS the Province has approved funding under the Alberta Municipal Water/Wastewater Partnership for the wastewater treatment project in the Town of Lacombe;

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Town of Lacombe in open Council assembled enacts as follows:

1. The Mayor and the Municipal Secretary of the Town of Lacombe be and are hereby empowered to execute an agreement similar to the form attached and marked Exhibit "A" between the said Town and Her Majesty the Queen in the Right of Alberta as represented by the Minister of Transportation and Utilities.

INTRODUCED AND GIVEN FIRST READING this 21st day of June, A.D. 1993.

GIVEN SECOND READING this 21st day of June, A.D. 1993.

UPON UNANIMOUS CONSENT GIVEN third and final reading this 21st day of June, A.D. 1993.

_____Judy Gordon_____

Mayor

_____Robert Jenkins_____

Chief Administrative Officer

GOVERNMENT OF ALBERTA
DEPARTMENT OF TRANSPORTATION AND UTILITIES
AGREEMENT
ALBERTA MUNICIPAL WATER/WASTEWATER PARTNERSHIP

MEMORANDUM OF AGREEMENT MADE THIS *21st* DAY OF *June* A.D., 1993

HER MAJESTY THE QUEEN, in right of the Province
of Alberta herein represented by the Minister
of Transportation and Utilities (hereinafter referred
to as the "Province")

OF THE FIRST PART

- and -

TOWN OF LACOMBE, hereinafter referred to as
the "Municipality")

OF THE SECOND PART


WHEREAS, the Province desires to transfer funds to the Municipality in accordance with
the letter from the Minister of Transportation and Utilities, to the Municipality, a copy of which
is included in Schedule "A"; and

WHEREAS, under the provisions of the Utilities Grants Regulation, being Alberta
Regulation 317/86, the Minister is authorized to make grants and to enter into an agreement with
respect to any matter relating to the payment of a grant.

- (g) to assume all liability for all damages of any nature whatsoever caused by the Municipality, its servants, workmen, or agents, in the construction, use, operation, maintenance, repair and replacement of the Project, or any part thereof, and will indemnify and save harmless the Minister in respect of all claims or demands or actions of whatever kind and nature that may be made against the Minister or his employees, workmen, or agents by reason of the financial assistance given to the Municipality for the construction of the Project under this Agreement,
- (h) to invest all funds (in excess of current expenditures) advanced from this grant, or received from the Alberta Municipal Finance Corporation with respect to this Project. The interest earned therefrom shall be applied to reduce the costs of the Project,
- (i) to provide to the Minister, copies, certified in a manner satisfactory to the Minister, of any documents that the Minister may deem necessary for the purpose of this Agreement,
- (j) to submit a statement of costs incurred and revenues received with respect to the Project, and attest in writing that the expenditures and revenues so submitted for the Project are reasonable, are attributable to the Project, and that the accounting of same has been performed in a manner that complies with the intent and meaning of this Agreement,
- (k) to allow the Province or its agents access to the Project site, any engineering drawings or documents, any books of accounts relating to expenditures claimed under this Agreement, and other such project-related documents as deemed necessary by the Province in performing an audit of the Project,

IN WITNESS WHEREOF this Agreement has been duly executed by the parties hereto.

SIGNED, SEALED, AND DELIVERED
by the Province, in the
presence of:



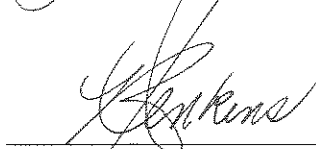
Assistant Deputy Minister
Support Programs Division
Transportation and Utilities

SIGNED, SEALED, AND DELIVERED
by the Municipality, in the
presence of:

TOWN OF LACOMBE

Witness



Mayor

Manager

SCHEDULE "A"



ALW

TRANSPORTATION AND UTILITIES

Office of the Minister

420 ~~288~~ Legislature Building, Edmonton, Alberta, Canada T5K 2B6 403/427-2080

May 5, 1993

Her Worship Mayor Judy Gordon
Town of Lacombe
P. O. Box 310
Lacombe, Alberta
T0C 1S0

Hullo

Dear Mayor Gordon:

I am pleased to advise that the wastewater treatment project in the Town of Lacombe has been approved for funding under the Alberta Municipal Water/Wastewater Partnership. Your M.L.A., Mr. Ron Moore, Lacombe Constituency, has been very supportive of your request for assistance under this program.

According to your submission, the estimated project costs are \$2,078,000. The total estimated eligible costs are \$2,078,000, and the total estimated grant would be \$813,953 based on the cost-sharing formula. The Town of Lacombe will be responsible for any Goods and Services Tax associated with this project. The final grant will be based on actual eligible project costs at the time of completion.

Department staff will be in touch with your administration shortly to make the necessary arrangements for processing the financial assistance for this project. If you have any questions, please contact Mr. Alec Waters at 422-4591.

"Thanks Ron"

Yours truly,

PETER TRYNCHY
Minister

cc: Mr. Ron Moore, M.L.A.
Mr. Alec Waters

SCHEDULE "B"

ALBERTA MUNICIPAL WATER/WASTEWATER PARTNERSHIP

PART A – IDENTIFICATION

LOCAL AUTHORITY: TOWN OF LACOMBE

LOCATION: _____ POPULATION: 7,056

PROJECT: WASTEWATER TREATMENT PROJECT

CALCULATION: ORIGINAL XX INTERIM FINAL

PART B – PROJECT COSTS

	<u>PROJECT COSTS</u>
ESTIMATED PROJECT COSTS	<u>\$2,078,000.00</u>
TOTAL ELIGIBLE PROJECT COSTS	<u><u>\$2,078,000.00</u></u>

PART C – CALCULATION OF COST-SHARING RATIO

The cost-sharing ratio is based on the current population and the following formula
(Note: P denotes population)

For populations 3,001–10,000, grant calculated as:

$$\frac{\{(0.25 \times P + 1000)/P\} \times 100}{\{(0.25 \times 7056 + 1000)/7056\} \times 100} \text{ GRANT \%} = \underline{\quad 39.17 \quad}$$

PART D – GRANT CALCULATION

GRANT % OF – 39.17

\$2,078,000.00 X 0.3917 = \$813,952.60

PART E – SUMMARY

TOTAL PROJECT COSTS	<u>\$2,078,000.00</u>
LESS – WATER/WASTEWATER GRANT	<u>\$813,952.60</u>
LOCAL AUTHORITY SHARE	<u><u>\$1,264,047.40</u></u>

PART F – CERTIFICATION

PREPARED BY: YA CERTIFIED BY: *M Fullmer* DATE: 26-Apr-93

SCHEDULE "C"

SCHEDULE C

SCHEDULE OF PAYMENTS

1. The Province hereby agrees to issue the following grant payments with respect to the Project:
 - (a) an initial payment prior to March 31, 1994 in the amount to coincide with the progress of the project.
 - (b) a payment representing the balance of the grant after receipt of the final statement of costs together with:
 - i) a certification that the Project is complete and that no additional costs will be submitted, and
 - ii) such other documentation as requested by the Province.
 - (c) notwithstanding (a) and (b) above, upon identifying available budget funds in any fiscal year, issue at its discretion, any payments, including advance payments and/or payment in full.