

Municipalité de | Municipality of

Pontiac

**PROVINCE OF QUEBEC
PONTIAC COUNTY**

MINUTES of the regular Council meeting of the Municipality of Pontiac held on Tuesday, July 6, 2021, at 7:30 p.m. by videoconference, in which participated:

Joanne Labadie, Mayor, Leslie-Anne Barber, Pro-Mayor and Councillors, Susan McKay, Thomas Howard, Scott McDonald, and Isabelle Patry.

Also present, Pierre Said, Director General and a few ratepayers.

1. OPENING OF THE MEETING

Joanne Labadie, President, notes the quorum and opens the meeting. The meeting starts at 7:30 p.m.

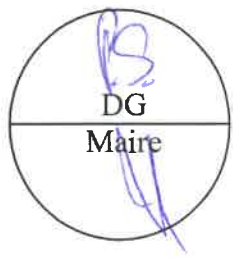
2. FLOOR TO THE PUBLIC AND QUESTIONS

Mayor, Joanne Labadie, answers all questions received.

3. ADOPTION OF THE AGENDA

- 1. Opening of the meeting**
- 2. Floor to the public and questions**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of the meeting of June 8, 2021**
- 5. Administration**
 - 5.1 Tabling of the resignation of Mrs. Nancy Draper-Maxsom, Councillor of Ward #1
 - 5.2 Budgetary transfers
 - 5.3 NCC agreement
 - 5.4 Temporary funding - borrowing bylaw #03-19 - road work
 - 5.5 Adoption of bylaw #03-21 to abrogate and replace bylaw #05-19 concerning contract management
 - 5.6 Maintaining the bilingual status of the Municipality of Pontiac
- 6. Public Works**
 - 6.1 Resignation of employee #02-0080
 - 6.2 Purchase of a 1800mm culvert for the intersection of Tremblay et Papineau Roads

21-07-4368-1



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- 6.3 Adjustment of the amount of the surveillance mandate for Montagne Road project, phase 2, lot 2
- 6.4 Awarding of mandate for the ecological study - Bronson-Bryant culvert
- 6.5 Awarding of contract 21-TP-007 - repair of Tremblay Road
- 7. **Urban Planning and zoning**
- 7.1 CPTAQ - for an authorization to use lots #2 756 013, #3 558 719 and #2 684 141 for purposes other than agricultural
- 7.2 CPTAQ - for an authorization to use lot #5 114 302 for purposes other than agricultural
- 7.3 CPTAQ - for an authorization to use part of lot #6 079 188 for purposes other than agricultural
- 8. **Recreation and culture**
- 8.1 Call for tenders for the installation of the lighting system at the Luskville Recreational Park
- 8.2 Hiring - 2021 summer camp
- 8.3 Hiring - janitor and maintenance
- 9. **Tabling of documents**
- 9.1 Tabling of the report on the delegation of authorization of expenses
- 10. **Public question period**
- 11. **Closing of meeting**

IT IS MOVED BY the Mayor Joanne Labadie and seconded by Councillor Leslie-Anne Barber.

AND RESOLVED to adopt the agenda as prepared and read.

Carried

21-07-4368-2

4. ADOPTION OF THE MINUTES OF THE MEETING OF JUNE 8, 2021

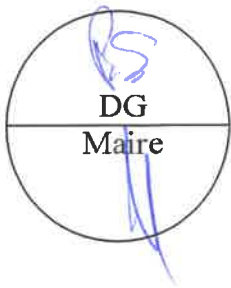
IT IS MOVED BY the Mayor Joanne Labadie and seconded by Councillor Leslie-Anne Barber.

AND RESOLVED to adopt the minutes of the meeting of June 8, 2021.

Carried

5. ADMINISTRATION

**5.1 Tabling of the resignation of Mrs. Nancy Draper-Maxsom,
Councillor of Ward #1**



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21-07-4369

5.2 Budgetary transfers

IT IS MOVED BY Councillor Isabelle Patry and seconded by Councillor Leslie-Anne Barber.

AND RESOLVED THAT the Municipality carries out the budgetary transfers in the amount of \$24, 045.01.

Carried

21-07-4370

5.3 NCC agreement

WHEREAS the National Capital Commission (NCC) owns several properties on the territory of the Municipality, including lots #5 813 972, #5 813 957, #5 813 939 and #5 813 913 of the Quebec cadastre, which are located in what is known as « Gatineau Park »;

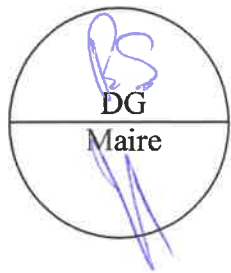
WHEREAS lots #5 813 938, #5 813 958, #5 813 942 and #5 813 912 of the Quebec cadastre are located in the territory of the Municipality of Pontiac and in Gatineau Park and are covered by the Agreement relating to the transfer of the authority and management of certain public lands in the Quebec sector of the National Capital Region entered into on August 1, 1973;

WHEREAS the above-designated land is crossed by a trail as shown on the map attached to this transaction;

WHEREAS the segments of the trail located on lots #5 813 939, #5 813 938, #5 813 912 and #5 813 913 were designated as settlement roads pursuant to Order in Council number 1711-42 of the Government of Quebec and thus became the property of the Government of Quebec;

WHEREAS on April 1, 1993, with the coming into force of the Roads Act, these segments ceased to be settlement roads and were incorporated into the lots on which they are located, inasmuch as they were no longer maintained by the Municipality and the Government of Quebec and were no longer used as public roads;

WHEREAS, at least since April 1, 1993, the trail is no longer used by the public and has only been used seasonally for snowmobiling, certain portions no longer being passable;



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WHEREAS on May 16, 2018, the Government of Quebec proceeded with a cadastral renovation of the lots listed herein;

WHEREAS the title searches carried out by the Municipality at that time showed that there is no cadastre on the path, which indicates the non-existence of Curley Lake Road;

WHEREAS since the coming into force of the new Gatineau Park Master Plan on January 21, 2021, the practice of any activity, motorized or not, is now prohibited on the trail;

WHEREAS it is in the interest of the parties to recognize that the Municipality is not the owner of the pathway in order to prevent any dispute or litigation between the parties and thus avoid the costs, troubles and inconveniences related to holding a trial;

WHEREAS an agreement has been established between the parties to clarify the disagreement that existed concerning the ownership and administration of Curley Lake Road;

WHEREAS, pursuant to section 3.11 of the *LMCE*, a municipal body may not enter into an agreement with another government in Canada, a department or agency of that government, or a federal public body without the prior approval of the government;

WHEREAS the Municipality must obtain the authorization of the government through a decree of authorization to enter into the said agreement and that it becomes valid;

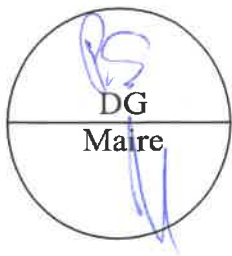
WHEREAS the Ministry of Municipal Affairs and Housing (MAMH) has been consulted;

THEREFORE, it is moved by Mayor Joanne Labadie and seconded by Councillor Leslie-Anne Barber.

AND RESOLVED THAT Council approves the full terms of the agreement entitled "Transaction and Release".

IT IS ALSO RESOLVED that Council requests the authorization from the Government of Quebec to enter into the "Transaction and Release" agreement.

IT IS ALSO RESOLVED that Council hereby authorizes the Mayor and the Director General to sign for and in the name of the Municipality, the agreement entitled "Transaction and Release" or any other document giving effect to this agreement.



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FINALLY, IT IS RESOLVED THAT Council allocate the amount of \$300,000 to be paid by the NCC under this agreement into a new recreational trails fund.

Carried

Councillors Thomas Howard and Scott McDonald vote against the resolution. Mayor, Joanne Labadie, votes in favour of the resolution.

21-07-4371

5.4 Temporary funding - borrowing bylaw #03-19 - road work

WHEREAS the borrowing bylaw #03-19 for capital expenditures;

WHEREAS it is necessary to proceed with a temporary loan pending the disbursement of the loan;

THEREFORE, it is moved by Councillor Isabelle Patry and seconded by Councillor Leslie-Anne Barber.

AND RESOLVED THAT Council authorizes the Director General to sign the necessary documents for a temporary loan with the Caisse Populaire des Collines-de-l'Outaouais up to the amount of \$2,000.000 as approved by the Ministry of Municipal Affairs and Housing.

Carried

21-07-4372

5.5 Adoption of bylaw #03-21 to abrogate and replace bylaw #05-19 concerning contract management

WHEREAS the adoption of Bill 67 and its coming into force on March 25, 2021;

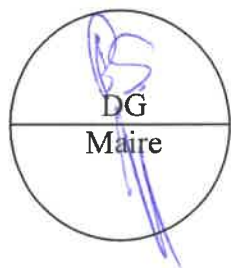
WHEREAS section 124 of Bill 67 called for an amendment to the regulation pertaining to contract management;

WHEREAS there is a need to make minor amendments to bylaw #05-19;

WHEREAS a notice of motion was given, and a draft bylaw was tabled at the Council meeting of June 8, 2021;

THEREFORE, it is moved by Councillor Leslie-Anne Barber and seconded by Councillor Isabelle Patry.

AND RESOLVED to repeal and replace bylaw #05-19 with bylaw #03-21 as follows:



CHAPTER I

DECLARATORY AND INTERPRETATIVE PROVISIONS

SECTION I

DECLARATORY PROVISIONS

1. Purpose of the bylaw

The purpose of this bylaw is:

- a) to provide for measures for the award and management of contracts awarded by the Municipality, in accordance with section 938.1.2 *C.M.*
- b) to provide contracting rules that involve an expenditure of at least \$25,000, but less than the threshold set by the Minister.

2. Scope of application

This bylaw applies to any contract concluded by the Municipality.

This bylaw applies regardless of the authority granting the contract, whether it is the Council or any person to whom the Council has delegated spending and contracting authority on behalf of the Municipality.

SECTION II

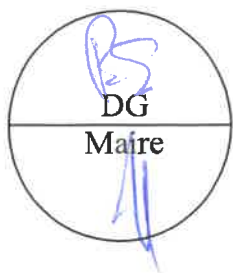
INTERPRETATIVE PROVISIONS

3. Interpretation of the text

The present bylaw shall be interpreted in accordance with the principles of the Interpretation Act (RLRQ, c. I-16).

It shall not be interpreted as allowing derogations from the mandatory provisions of the laws governing municipal contracts, unless these laws expressly allow derogations to be made by this bylaw, including, for example, some of the measures provided for in Chapter II of this bylaw.

In the event of any discrepancy between the French and English versions, the French version shall prevail for the purposes of the Regulation.



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4. Other bodies or organizations

The Municipality recognizes the importance, role and powers granted to other authorities that may investigate and act with respect to the matters covered by certain measures provided for in this bylaw. This includes measures to prevent acts of intimidation, influence peddling, corruption, bid rigging, as well as measures to ensure compliance with the Lobbying Transparency and Ethics Act and the Code of Conduct for Lobbyists adopted under that Act.

5. Special rules of interpretation

This bylaw shall not be interpreted:

- a) in a restrictive or literal manner;
- b) as restricting the possibility for the Municipality to contract by mutual agreement, in cases where the law allows it to do so.

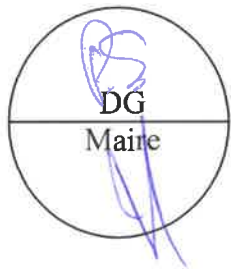
The measures provided for in this bylaw must be interpreted:

- in accordance with the principles set out in the preamble of the Act aimed mainly at recognizing that municipalities are local governments and thus increasing their autonomy and powers (2017, c. 13) (Bill 122), which recognizes municipalities as local governments and gives elected officials the legitimacy they need to govern according to their powers;
- in order to respect the principle of proportionality and thus ensure that the steps related to the measures imposed are proportionate to the nature and amount of the contract expenditure to be incurred, considering the costs, time required and size of the Municipality.

6. Terminology

Unless the context indicates otherwise, the words and expressions used in this bylaw have the following meanings:

- | | |
|----------------------|---|
| "Call for Interest": | Call procedures to suppliers to obtain the characteristics and external factors of the targeted market. |
| "Call for tenders": | Means a public call for tenders or by invitation, required by sections 935 and following, <i>C.M.</i> or the bylaw adopted under section 938.0.1 <i>C.M.</i> The expression "call for |



tenders" does not include estimates that are made when no call for tenders is required by law or by this bylaw.

"Estimate":

A written document determining the value of a good or service estimated by a supplier and by which a candidate commits to the Municipality to ensure its conformity and accuracy. This estimate is submitted in response to a written request for a price quote from the Municipality.

"Bid"

Means a written act by which a person or company, in response to a public call for tenders or by invitation, offers his/its services for the execution of work and indicates the price for which he/it is prepared to do so.

CHAPTER II

CONTRACTING RULES AND ROTATION

7. General information

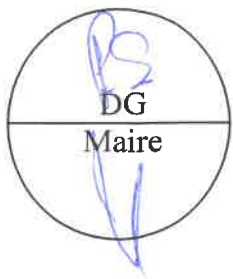
The Municipality complies with the contracting rules provided for in the laws governing it, including the *C.M.* In particular:

- a) it shall proceed by invitation to tender when the law or the bylaw adopted pursuant to section 938.0.1 *C.M.* requires such a call for tenders, unless otherwise specifically provided in this bylaw;
- b) it shall proceed by public tender in all cases where a public call for tenders is required by law or by the bylaw adopted under section 938.0.1 *C.M.*;
- c) it may proceed by mutual agreement in cases where the law or this bylaw allows it to do so.

Nothing in this bylaw may have the effect of limiting the possibility for the Municipality to use any method of competitive bidding for the award of a contract, whether by public tender, invitation, or estimate, even if it may legally proceed by a mutual agreement contract.

8. Contracts less than the threshold set by the Minister

Subject to section 13, any contract for supply, construction, services (including professional services) and insurance involving an expense of at least \$25,000, but less



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than the threshold set by the Minister, may be entered into by mutual agreement or by any other contract award process chosen by the Municipality.

If it involves an expense equal to or greater than the threshold set by the Minister, the contract may only be awarded after a request for public tender pursuant to section 935 C.M.

Any official of the Municipality must obtain a resolution from Council before committing the Municipality to any obligation that may bind it, unless the official is delegated the authority to spend and enter into contracts on behalf of the Municipality under bylaw n° 08-15 in accordance with bylaw n° 06-08 enacting budgetary control and monitoring rules.

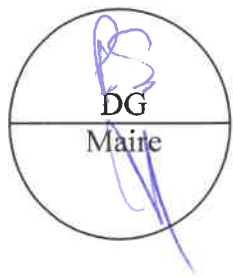
The amount of the expenditure related to the contract involving an expenditure of at least \$25,000, but less than the threshold set by the Minister, includes all applicable taxes.

9. Rotation - Principles

The Municipality shall promote, if possible, rotation among potential suppliers with respect to contracts that may be entered into by mutual agreement pursuant to section 8. In making its decision in this regard, the Municipality particularly considers the following principles:

- a) the degree of expertise required;
- b) the quality of previous work, services or materials provided or delivered to the Municipality;
- c) the time required to carry out the work, to supply the equipment or materials or to provide services;
- d) the quality of the goods, services or works sought;
- e) the terms of delivery;
- f) the maintenance services;
- g) the required experience and financial capacity;
- h) price competitiveness, considering all market conditions;
- i) the fact that the supplier has an establishment on the Municipality's territory;
- j) any other criteria directly related to the contract.

With the objective of wanting to contribute to the economic recovery following the health crisis, the Municipality favours the purchase of Quebec goods and services, suppliers, insurers, and contractors with an establishment in Quebec, until as of June 25, 2024 (3 years).



The Municipality reserves the right to exclude any company or supplier that has demonstrated unsatisfactory performance, fault or deficiency under a previous contract.

10. Rotation - Measures

To ensure the implementation of the rotation provided for in section 9, the Municipality shall apply, as far as possible and unless there are special circumstances, the following measures:

- a) potential suppliers are identified before awarding the contract. If the Municipality's territory has more than one supplier, this identification may be limited to the latter territory or, where applicable, the territory of the MRC or any other geographic region that will be deemed relevant given the nature of the contract to be given;
- b) once suppliers have been identified and considering the principles set out in section 9, rotation between them shall be promoted, unless for reasons of sound administration;
- c) unless there are special circumstances, the person in charge of managing the contract shall, as far as possible, complete the analysis form set out in Appendix 4;
- d) For the purpose of identifying potential suppliers, the Municipality shall establish a list of suppliers for the categories of contracts it determines. Rotation between the suppliers on this list, if any, shall be promoted, subject to the provisions of paragraph (b) of this section. This list shall constitute a public document and any supplier may register on request if it complies with the eligibility criteria within the meaning of section 11.

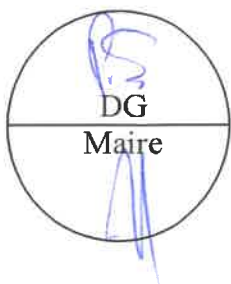
11. Eligibility of companies

To obtain a contract with the Municipality, the company must:

- a) possess the qualifications, authorizations, permits, licences, registrations, certificates, accreditations, and attestations necessary or required by Law;
- b) not be registered in the Register of Persons Not Eligible for Public Contracts (RENA);
- c) if there has been a previous contractual relationship, maintain a business relationship based on respect and the principle of good faith.

12. Competitive mechanism

The Municipality favours the following competitive bidding mechanism for any contract referred to in section 8 when the nature of the contract allows it:



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- a) the Municipality may issue a call for interest to identify suppliers likely to meet its needs;
- b) the Municipality shall request estimates from two (2) suppliers, verbally or in writing, except in an emergency or with the authorization of the Director General;
- c) the normal time for the receipt of estimates is at least two (2) working days and may vary depending on the nature of the contract and the circumstances of its award;
- d) the period of validity of the estimates shall expire after a reasonable period and may vary depending on the nature of the contract and the circumstances of its award.

CHAPTER III

MEASURES

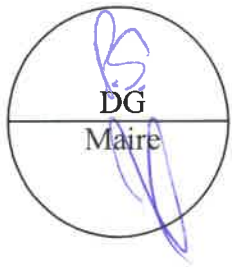
SECTION I

CONTRACT BY MUTUAL AGREEMENT

13. General information

For some contracts, the Municipality is not subjected to any specific competitive bidding procedure (public call for tenders or by invitation). This bylaw cannot have the effect of restricting the possibility for the Municipality to proceed by mutual agreement for these contracts. These include, more specifically, contracts:

- which, by their nature, are not subject to any tendering process (contracts other than insurance contracts, supply of equipment or materials, services, and performance of works);
- expressly exempted from the tendering process (including those listed in section 938 C.M.) and contracts for professional services which are necessary for proceeding before a court, an agency or a person exercising judicial or jurisdictional functions;
- insurance, for the performance of work, for the supply of equipment or materials or services (including professional services) that involve an expense of more than \$10,000, but less than \$25,000. In the latter case, the Municipality must request an estimate in writing, except under the authorization of the Director General;



14. Transparency, integrity and impartiality measures

When the Municipality chooses to award, by mutual agreement, any of the contracts referred to in section 8, the following measures aimed at transparency, integrity and impartiality shall apply, unless the latter are incompatible with the nature of the contract:

- a) Measures provided for in sections 18 (Duty to inform elected officials and employees) and 19 (Training) - LOBBYISM;
- b) Measure provided for in section 21 (Denunciation)-INTIMIDATION, INFLUENCE PEDDLING OR CORRUPTION;
- c) Measure provided for in section 23 (Denunciation) - CONFLICT OF INTEREST;
- d) Measure provided for in SECTION 29 -AMENDMENT OF A CONTRACT.

15. Information document

The Municipality must publish, on its website, the information document relating to contract management to inform the public and potential contractors of the measures taken by the Municipality under this bylaw (Appendix 1).

SECTION II

BID RIGGING

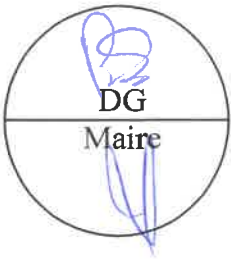
16. Sanctioning if collusion

The Municipality will reject any estimate if it is established that there has been collusion with any person in violation of any law aimed at combating bid rigging.

A provision must be included in the tender documents providing for the possibility for the Municipality to reject a bid if it is clearly established that there has been collusion with any person in contravention of any law aimed at combating bid rigging.

17. Declaration

Every supplier must attach to his estimate or to his tender, or at the latest before the award of the contract, a declaration stating solemnly that his estimate has been prepared and filed without collusion, communication, agreement or arrangement with any person in contravention of any law against bid rigging (Appendix 2).



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SECTION III

LOBBYISM

18. Duty to inform elected officials and employees

Any member of the Council or any official or employee must remind anyone who takes the initiative to contact him or her in order to obtain a contract, of the existence of the Lobbying Transparency and Ethics Act, when he or she considers that there has been a contravention of that Act.

19. Training

The Municipality favours the participation of council members, public servants and employees for training which aims at getting information on the legislative and regulatory provisions applicable to lobbying.

20. Declaration

Every supplier must attach to his estimate or to his tender, at the latest before the award of the contract, a declaration stating solemnly that neither he nor any of his collaborators, representatives or employees engaged in a communication of influence for the purpose of obtaining the contract in contravention of the Lobbying Transparency and Ethics Act or, if such communication of influence took place, that it was made after any registration has been made in the registry of lobbyists where it is required under the Act (Appendix 2).

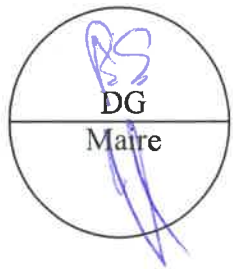
SECTION IV

INTIMIDATION, INFLUENCE PEDDLING OR CORRUPTION

21. Denunciation

Any member of Council, public servant or employee, as well as any other person working for the Municipality, must report, as soon as possible, any attempt at intimidation, influence peddling or corruption that he or she has witnessed in the course of his or her duties. This measure should not be interpreted as limiting the right of the concerned individual to lodge a complaint with a police force or other public authority.

A member of Council shall make this denunciation to the Director General; the Director General to the Mayor; other officials and employees as well as any person working for the Municipality, to the Director General. When the denunciation directly or indirectly



involves the Mayor or the Director General, the denunciation is made to the person who is not involved. The Director General or Mayor shall treat the denunciation promptly and take appropriate measures depending on the nature of the situation reported, including reporting the situation to any other competent authority.

22. Declaration

Every supplier must attach to his estimate or to his tender, or at the latest before the award of the contract, a solemn declaration that neither he nor any of his collaborators, representatives or employees have engaged, in the contractual process, in acts of intimidation, influence peddling or corruption against a member of the Council, an official, an employee or any other person working for the Municipality (Appendix 2).

SECTION V

CONFLICTS OF INTEREST

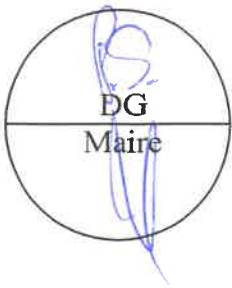
23. Denunciation

Any Council member, any public servant, any employee, as well as any other person working for the Municipality, involved in preparing contract documents or in the awarding of contracts, must report as soon as possible, the existence of any pecuniary interest of a legal person, corporation, or company likely to conclude a contract with the Municipality.

A member of Council reports this to the Director General; the Director General to the Mayor; other public servants and employees as well as any other person working for the Municipality, reports this to the Director General. When the denunciation directly or indirectly involves the Mayor or the Director General, it is reported to the one that is not involved. If they are both involved, the denunciation is made to the acting mayor or to another Municipal Council member who is not involved. The person who receives the denunciation must treat it with diligence and take the appropriate measures according to the nature of the situation denounced.

24. Declaration

When the Municipality uses weighting and evaluation system of tenders, any member of the selection committee must solemnly declare in writing, before starting the evaluation, that he/she has no particular pecuniary interest, neither directly nor indirectly, with respect to the contract being evaluated. He/she must also agree to not disclosing the mandate he/she has been entrusted by the Municipality, as well as not to use, communicate, attempt to use or communicate the information obtained in the course of,



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or in connection with the performance of his/her duties as a member of the selection committee (Appendix 3), both during his/her term of office and after.

25. Minimal pecuniary interest

The minimum pecuniary interest is not affected by the measures described in sections 23 and 24.

SECTION VI

IMPARTIALITY AND OBJECTIVITY OF THE CALL FOR TENDERS

26. Person responsible for the call for tenders

Any call for tenders specifies of a person in charge and foresees that any (potential or real) bidder must contact that sole contact person to obtain any information or clarification regarding the call for tenders.

The person requesting the estimate is, by default, the person responsible and may delegate this responsibility to any person working for the Municipality.

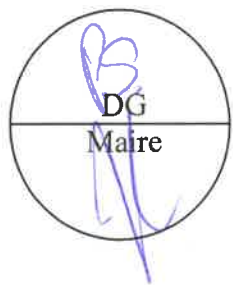
27. Questions from tenderers

The person responsible for the call for tenders compiles the questions that are asked by each of the tenderers during the tendering process and submits an addendum if he/she deems it necessary, so that all bidders receive answers to the questions asked by others.

The person responsible for the call for tenders has the sole discretion of judging the relevance of the questions asked and of those that require an answer, and he/she may consolidate and rephrase certain questions for the purpose of providing answers to the tenderers.

28. Denunciation

Any Council member, any public servant, any employee, as well as any other person working for the Municipality, must, as soon as they have been informed, report the existence of any situation, other than a conflict of interest, susceptible of compromising the impartiality and objectivity of the contract process and management of any resulting contract.



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A member of Council reports this to the Director General; the Director General to the Mayor; other public servants and employees as well as any other person working for the Municipality, reports this to the Director General. When the denunciation directly or indirectly involves the Mayor or the Director General, it is reported to the one that is not involved. If they are both involved, the denunciation is made to the acting mayor or to another Municipal Council member who is not involved. The person who receives the denunciation must treat it with diligence and take the appropriate measures according to the nature of the situation denounced.

SECTION VII

MODIFICATION OF A CONTRACT

29. Modification of a contract

Any amendment to a contract resulting from a call for tenders or an estimate which has the effect of increasing the price must be justified by the person responsible for managing the contract, by considering the rules applicable to authorize such an amendment. This person must also obtain the authorization of the Council or the Director General according to the threshold conferred on him by virtue of his delegation of authority, in accordance with article 8 para. 2 of this bylaw.

The Municipality cannot amend a contract that has been awarded following a call for tenders, except when the amendment constitutes an add-on to the contract and does not change its nature.

CHAPTER IV

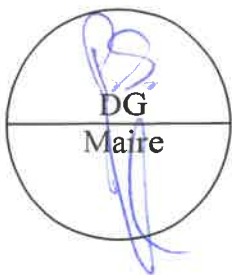
ADMINISTRATIVE AND FINAL PROVISIONS

30. Enforcement of the bylaw

The enforcement of the present bylaw falls under the responsibility of the Municipality's Director General. He is responsible for preparing the report concerning the enforcement of the present bylaw, to be tabled to Council annually, in accordance with section 938.1.2 C.M.

31. Promotion of French

The Municipality promotes the use of French and is not required to produce a document in a language other than that of French within the framework of the application of this bylaw.



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32. Repeal and amendments to policies and bylaws regarding contract management

The present bylaw replaces and repeals bylaw 05-19, the Policy on contract management adopted by Council on December 14, 2010, the Procurement policy adopted by Council on May 21, 2013, the Purchasing policy under resolution #11-05-677, as well as any other provision that is not in accordance with this bylaw.

This bylaw amends section 4.2 of bylaw #08-15 delegating to municipal officials the power to authorize expenditures and to award contracts accordingly, as follows:

4.2 The Municipality of Pontiac's bylaw concerning contract management.

Notwithstanding the above, the present authorization does not exempt public servants who are subject to an authorization, from complying with the bylaw concerning the contract management of the Municipality of Pontiac.

33. Complaints in connection with the awarding of a contract

Any contract resulting from a call for tenders is subject to the *Procedure regarding the reception and examination of filed* complaints made in connection with the adjudication or the award of a contract adopted on August 13, 2019, by resolution #19-08-3844.

34. Coming into effect and publication

The present bylaw comes into effect in compliance with the Law and is published on the Municipality's website. In addition, a copy of this bylaw is sent to the MAMH.

Carried

APPENDIX 1

INFORMATION DOCUMENT (Contract management)

The Municipality has adopted a bylaw on contract management providing measures aiming to :

- Promote compliance with applicable laws to oppose bid rigging;
- Ensure that the *Lobbying Transparency and Ethics Act* and *Lobbyists Code of Conduct* adopted under this law are respected
- Prevent acts of intimidation, influence peddling or corruption



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- Prevent situations of conflict of interest;
- Prevent any other situation likely to compromise the impartiality and objectivity of the estimation request or tender process and the resulting management of the contract;
- Supervise the taking of any decision that has the effect of authorizing the amendment of any contract.
- Promote, as much as possible, the rotation of potential counterparties with respect to contracts involving an expenditure of at least \$25,000, but less than the threshold decreed by the Minister and that may be concluded by mutual agreement with the Municipality, according to the criteria and principles provided for in the bylaw.

Anyone who intends to enter a contract with the Municipality is invited to read the bylaw concerning contract management and to enquire with the Director General and Secretary-Treasurer if they have any questions in this regard.

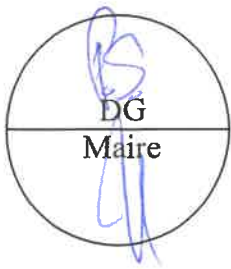
Furthermore, anyone who has information regarding the non-compliance with any of the measures contained herein is invited to share it with the Director General and Secretary-Treasurer or the Mayor. They will, if necessary, see that useful measures are taken or will refer the complaint and documentation to the competent authorities.

APPENDIX 2

SUPPLIER'S DECLARATION (Contract management)

I, the undersigned, supplier or the supplier's representative _____, solemnly declare to the best of my knowledge:

- a) that the present estimate or the present tender was prepared and submitted without any collusion, communication, agreement or arrangement with any other person, in violation of any law designed to oppose bid rigging;
- b) that neither myself nor any collaborators, suppliers' representatives, or employees, did we engage in any communication of influence, for the purpose of obtaining the contract in breach of the *Lobbying Transparency and Ethics Act*, or, if such communication of influence has taken place, I declare that this communication was made after any registration in the lobbyists' register was made, required by law;
- c) that neither myself nor any collaborators, suppliers' representatives or employees, did we engage in any acts of intimidation, influence or bribery, against a member of the council, any public servant, any employee, as well as any other person working for the Municipality as part of this request for estimates.



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AND I HAVE SIGNED :

Solemnly affirmed before me at _____
this _____ day of _____

Commissioner of Oaths for Quebec

APPENDIX 3

DECLARATION OF A MEMBER OF A SELECTION COMMITTEE

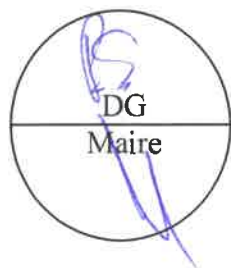
I, the undersigned, member of the selection committee pertaining to (identify contract), solemnly declare that I do not have particular pecuniary interest, directly or indirectly, in regard to this contract.

I promise not to disclose the mandate entrusted to me by the Municipality, as well as not use, communicate, attempt to use or communicate, both during and after my term, the information obtained in the course of, or in connection with, the performance of my duties as a member of the selection committee.

AND I HAVE SIGNED :

Solemnly affirmed before me at _____
this _____ day of _____

Commissioner of Oaths for Quebec



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APPENDIX 4

ANALYSIS FORM FOR CHOOSING A CONTRACTING METHOD

1 NEEDS OF THE MUNICIPALITY

Object of the contract

Specific objectives (desired savings, quality, environment, etc.)

Estimated value of the expense (including renewal options)

Duration of the contract

2 TARGETED MARKET

Targeted region

Number of known companies

Is the participation of all known companies desirable?

Yes ☐ No ☐

If not, please justify.

Estimated cost of preparing the estimate or tender

Other pertinent information

3 CONTRACTING METHOD CHOSEN

Mutual agreement ☐

Call for tenders by invitation ☐

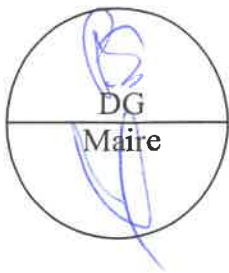
Regional public tender ☐

Public invitation to tender open to all ☐

In the case of a contract entered by mutual agreement, are the measures of the bylaw concerning the contractual management of the Municipality of Pontiac to promote rotation respected?

Yes ☐ No ☐

If yes, which measures are concerned?



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If not, why is the rotation not possible?

4

SIGNATURE OF THE PERSON RESPONSIBLE

First name, last name

Signature

Date

21-07-4373

5.6 Maintaining the bilingual status of the Municipality of Pontiac

WHEREAS in the history of the Municipality of Pontiac, French and English have always been spoken;

WHEREAS bilingualism is now a fundamental value of the Municipality of Pontiac in all aspects of municipal life;

WHEREAS the Municipality of Pontiac recognizes the importance of ensuring the continuity of services to the population in both French and English;

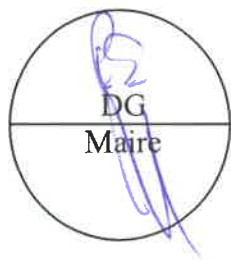
WHEREAS Bill 96 "An Act respecting French, the official and common language of Quebec" presented to the National Assembly of Quebec on May 13, 2021, provides for the possible withdrawal of the bilingual status thus recognized to certain municipalities, including the Municipality of Pontiac;

WHEREAS, in accordance with the provisions of Bill 96, the Municipality of Pontiac wants to confirm by resolution of its Municipal Council, its desire to retain the recognition of its bilingual status under the Charter of the French Language;

THEREFORE, it is moved by Councillor Thomas Howard and seconded by Councillor Susan McKay.

AND RESOLVED that the Municipality of Pontiac wishes to maintain its bilingual status as recognized by Section 29.1 of the Charter of the French Language and refuses to have this status removed.

IT IS ALSO RESOLVED that the Council members wish that municipal services continue to be offered in both official languages and to be part of the daily life of the Municipality of Pontiac.



Carried

6. PUBLIC WORKS

21-07-4374

6.1 Resignation of employee #02-0080

WHEREAS employee #02-0080, in a letter dated June 7, 2021, and addressed to the Director General, submitted his resignation as Acting Director of Infrastructure and Public Works, effective June 25, 2021;

THEREFORE, it is moved by Councillor Leslie-Anne Barber and seconded by Councillor Isabelle Patry.

AND RESOLVED THAT this Council accepts the resignation of employee #02-0080 as of June 25, 2021.

IT IS ALSO RESOLVED that the administration prepare a posting to fill the position vacated by employee #02-0080.

FINALLY, IT IS RESOLVED THAT the Municipality wishes to thank employee #10-0049 for his years of dedicated services.

Carried

21-07-4375

6.2 Purchase of an 1800 mm culvert for the intersection of Tremblay and Papineau Roads

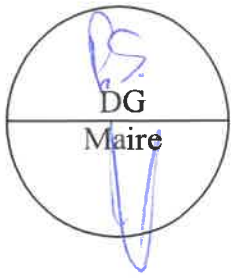
WHEREAS the Municipality has mandated Équipe Laurence to design the culvert at the intersection of Tremblay and Papineau Roads;

WHEREAS Équipe Laurence recommends a 24 m long, 1800 mm galvanized steel, polymer coated culvert;

WHEREAS the Municipality proceeded with a price request for the supply of this culvert and received two compliant offers:

Tenderer	Price before taxes
Armtec	\$25, 017.11
Marcel Baril	\$26, 442.78

WHEREAS Armtec's proposal complies to our specification and is the most advantageous;



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THEREFORE, it is moved by Councillor Scott McDonald and seconded by Councillor Thomas Howard.

AND RESOLVED THAT the Municipality proceed with the purchase of a 24 m long, 1800 mm galvanized steel, polymer coated culvert from Armtec for an amount of \$25, 017.11 before taxes.

IT IS ALSO RESOLVED THAT this expenditure be financed with the borrowing bylaw #02-21.

Carried

21-07-4376

6.3 Adjustment of the amount of the monitoring mandate for Montagne Road project phase 2, lot 2

WHEREAS the Municipality has mandated QDI to supervise the work on Montagne Road phase 2, lot 2;

WHEREAS additional efforts in supervision and site management were required at the beginning of the work, particularly for the management of invasive species and for coordination with the designer, and that the fees were calculated at an hourly rate;

WHEREAS, at the request of the Municipality, QDI has prepared an estimate of the additional costs which were necessary for the realization of the project for the site supervision and office follow-up;

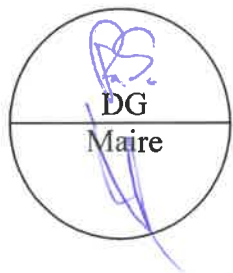
WHEREAS the estimate of additional costs to complete the supervision of the work of the project of Montagne Road phase 2, lot 2 is at a maximum lump sum of \$19,000 plus taxes;

THEREFORE, it is moved by Councillor Scott McDonald and seconded by Councillor Isabelle Patry.

AND RESOLVED THAT the Municipal Council adjusts upwards by \$19,000 plus taxes, the original mandate of QDI for the supervision of the work as it was granted by resolution #20-09-4158, in 2020.

IT IS ALSO RESOLVED THAT the expense be financed by borrowing bylaw #03-19.

Carried



21-07-4377

6.4 Awarding of contract 21-tp-007 – rehabilitation of Tremblay Road

WHEREAS the Municipality wishes to repair the paving on Tremblay Road;

WHEREAS the Municipality has launched a call for tenders on the SÉAO for the work, and has received the following proposals:

Tenderers	Price including taxes
Pavage COCO	\$1, 604, 904.41
Eurovia Quebec	\$1, 920, 304.06
Équinoxe JMP	\$1, 864, 433.97
Pavage Inter-Cité	\$1, 982, 835.86

WHEREAS this work is part of a request for financial assistance under the "Recovery" component of the local road assistance program of the Ministry of Transport;

WHEREAS Pavage COCO's proposal is the most advantageous compliant bid;

THEREFORE, it is moved by Councillor Scott McDonald and seconded by Councillor Thomas Howard.

AND RESOLVED THAT Council awards the mandate to Pavage COCO for the completion of the work, for a total amount of \$ 1,604,904.41, taxes included.

IT IS ALSO RESOLVED THAT the expense be financed by the borrowing bylaw # 02-21.

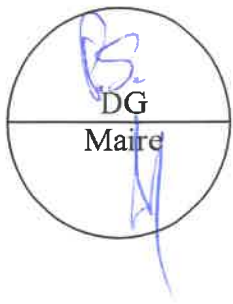
Carried

7. URBAN PLANNING AND ZONING

21-07-4378

7.1 Application to the CPTAQ to alienate lots #2 756 013 and #3 558 719, at 481 Lelièvre Crescent, and lot #2 684 141, located at 411 Lelièvre Crescent

WHEREAS this request is part of a citizen's application to the CPTAQ for the authorization to alienate lots #2 756 013, #3 558 719 and #2 684 141 for other than agricultural purposes, that is for residential use, which is in the agricultural zone decreed in the Act respecting the protection of the territory and agricultural activities of Quebec (RSQ, c. P -41.1);



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WHEREAS pursuant to section 58.2 of the Act respecting the protection of land and agricultural activities, the present notice sent by the Municipality of Pontiac to the CPTAQ is motivated considering the criteria established in article 62 of the LPTAA;

WHEREAS, according to the classification of soils in the Canada Land Inventory, the soil where the residences will be built is class 2-X, which is a soil with moderate limitations, and which has a cumulative effect of several minor disadvantages;

WHEREAS the authorization that may be granted could have some consequences on the potential to use neighbouring lots for agricultural purposes;

WHEREAS lots #2 756 013, #3 558 719 and #2 684 141 are located near the limit of the City of Gatineau in the Luskville sector but are not located in the village centre according to the development plan and that they are located both in a residential and an agricultural zone of the Municipality of Pontiac;

WHEREAS this application for authorization is not incompatible with agriculture in the sector where it is located and does not create a constraint regarding the application of laws and regulations aimed at reducing the inconveniences related to odours inherent in agricultural activities , because the sector is little exploited in breeding or in environmental matters and more specifically, for the establishments of animal production. The closest active farm buildings to the affected areas appear to be over 400 metres away;

WHEREAS there are on the territory of the Municipality of Pontiac other vacant lots that can accommodate the use located outside the permanent agricultural zone;

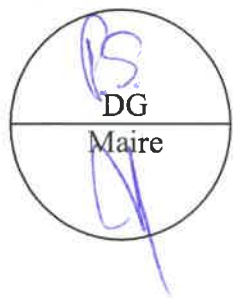
WHEREAS this is a new use of the premises, and the site is not currently in use;

WHEREAS this same project was refused in 1987 and 2005 by the CPTAQ;

WHEREAS lots #2 756 013, #3 558 719 and #2 684 141 have a surface area of 971 620, 60 square metres in total and are located in an unstructured block;

WHEREAS the Urban Planning Department recommends that the application not be supported;

THEREFORE, it is moved by Councillor Leslie-Anne Barber and seconded by Councillor Susan McKay.



AND RESOLVED THAT Council still wishes to support the application to the CPTAQ to authorize the disposal of lots #2 756 013, #3 558 719 and #2 684 141 for non-agricultural purposes, i.e., for residential purposes.

Carried

21-07-4379

7.2 Application to the CPTAQ to use part of lot #5 114 302 located at 1, Chamberland Road, for other than agricultural purposes

WHEREAS this application is part of a corporate approach to the CPTAQ for an authorization to use part of lot #5 114 302 for other than agricultural purpose, that is for the installation of a telecommunication tower located in the agricultural zone decreed in the Act respecting the protection of the territory and agricultural activities of Quebec (RSQ, c. P -41.1);

WHEREAS pursuant to section 58.2 of the Act respecting the protection of land and agricultural activities, the present notice sent by the Municipality of Pontiac to the CPTAQ is motivated considering the criteria established in article 62 of the LPTAA;

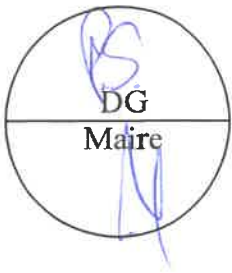
WHEREAS, according to the classification of soils in the Canada Land Inventory, the soil where the tower will be built is of class 2-8W 3-2DW, that is to say a soil with moderate to fairly significant limitations and which has either an overabundance of water or an undesirable structure and / or slow permeability of the soil;

WHEREAS the authorization that may be granted may have certain consequences on the potential to use neighbouring lots for agricultural purposes;

WHEREAS this application for an authorization is not incompatible with agriculture in the sector where it is located and does not create a constraint regarding the application of laws and regulations aimed at reducing the inconveniences related to odours inherent in agricultural activities, because the sector is little exploited in breeding or in environmental matters and more specifically, for the establishments of animal production. The closest active farm buildings to the target areas appear to be over 150 metres away;

WHEREAS this application is for the construction of a telecommunications tower;

WHEREAS there are on the territory of the Municipality of Pontiac other vacant lots that can accommodate the use located outside the permanent agricultural zone;



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WHEREAS the use is authorized under the zoning regulation of the Municipality of Pontiac;

THEREFORE, it is moved by Councillor Leslie-Anne Barber and seconded by Councillor Thomas Howard.

AND RESOLVED THAT this Council supports the corporation's application in its approach to the CPTAQ for the authorization for the construction of a 45-metre-high tower on lot #5 114 302 located at 1 Chamberland Road, for purposes other than agricultural, namely for telecommunication service purposes.

Carried

Councillor Scott McDonald votes against the resolution.

21-07-4380

7.3 Application to the CPTAQ to use part of lot #6 079 188, located at 3235 Route 148, for other than agricultural purposes

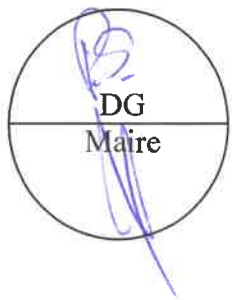
WHEREAS this application is part of a corporate approach to the CPTAQ for an authorization to use part of lot #6 079 188 for other than agricultural purpose, that is for the installation of a telecommunication tower located in the agricultural zone decreed in the Act respecting the protection of the territory and agricultural activities of Quebec (RSQ, c. P -41.1);

WHEREAS pursuant to section 58.2 of the Act respecting the protection of land and agricultural activities, the present notice sent by the Municipality of Pontiac to the CPTAQ is motivated considering the criteria established in article 62 of the LPTAA;

WHEREAS, according to the classification of soils in the Canada Land Inventory, the soil where the tower will be built is of class 4F, that is to say a soil with significant limitations, that is low fertility;

WHEREAS the authorization that may be granted may have certain consequences on the potential to use neighbouring lots for agricultural purposes;

WHEREAS this application for an authorization is not incompatible with agriculture in the sector where it is located and does not create a constraint regarding the application of laws and regulations aimed at reducing the inconveniences related to odours inherent in agricultural activities, because the sector is little exploited in breeding or in environmental matters and more specifically, for the establishments of animal production. The closest active farm buildings to the target areas appear to be over 300 metres away;



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WHEREAS this application is for the construction of a telecommunications tower;

WHEREAS there are on the territory of the Municipality of Pontiac other vacant lots that can accommodate the use located outside the permanent agricultural zone;

WHEREAS the use is authorized under the zoning regulation of the Municipality of Pontiac;

THEREFORE, it is moved by Councillor Leslie-Anne Barber and seconded by Councillor Thomas Howard.

AND RESOLVED THAT this Council supports the corporation's application in its approach to the CPTAQ for the authorization for the construction of telecommunication tower on lot #6 079 188, located at 3235 route 148, for purposes other than agricultural, namely for telecommunication service purposes.

Carried

Councillor Scott McDonald votes against the resolution.

8. RECREATION AND CULTURE

21-07-4381

8.1 Call for tenders for the installation of the lighting system at the Luskville Recreational Park

WHEREAS the estimate obtained from the firm Cima for the installation of lights for the ball field at the Luskville Recreation Park is more than expected;

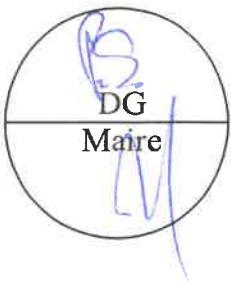
WHEREAS the amount of the estimate requires to proceed with a call for tenders on the Electronic Tendering System (ETS) as provided for in section 935 of the Quebec Municipal Code;

WHEREAS the installation of the poles and lights is the last step to finalize the project;

THEREFORE, it is moved by Councillor Scott McDonald and seconded by Councillor Thomas Howard.

AND RESOLVED THAT the Recreation and Community Life Department issue a call for tenders in accordance with applicable laws.

Carried



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21-07-4382

8.2 Call for tenders for the development of a tennis court at the Fortin Park in Breckenridge

WHEREAS in the three-year capital program, it was planned to build a tennis court in the Breckenridge sector;

WHEREAS after an inspection of the parks in this area, Fortin Park is the most suitable in terms of space for a tennis court;

WHEREAS no contractor in this field is available this season;

THEREFORE, it is moved by Councillor Leslie-Anne Barber and seconded by Councillor Isabelle Patry.

AND RESOLVED THAT the Recreation and Community Life Department issues a call for tenders for the construction of a tennis court at Fortin Park in Breckenridge in 2022 in accordance with applicable laws.

Carried

21-07-4383

8.3 Hiring - 2021 summer day camp

WHEREAS resolutions 21-04-4306 and 21-06-4362;

WHEREAS there were still two attendant positions to be filled for the day camp;

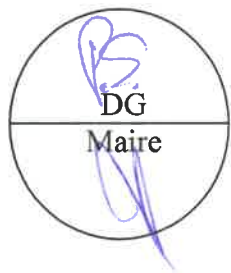
WHEREAS the recommendations of the Director of Recreation and Community Life;

THEREFORE, it is moved by Councillor Leslie-Anne Barber and seconded by Councillor Susan McKay.

AND RESOLVED THAT the Municipal Council proceed with the hiring of:

- Camp attendant: Zoé Audet - hourly rate \$14.50 (maximum 300 hours contract)
- Camp attendant: Hayley Dunlay - hourly rate \$14.50 (maximum 300 hours contract)

Carried



21-07-4384

8.4 Hiring - janitor and maintenance

WHEREAS the janitor's position has been vacant since June 1, 2021;

WHEREAS the janitor's position was created for a probationary period of two (2) years on March 9, 2020;

WHEREAS the janitor's position has enabled the Municipality to save money and facilitate the management of the maintenance and cleaning of its infrastructures;

WHEREAS halls' reservations and community activities will gradually resume with the relaxation of sanitary measures related to the COVID-19 pandemic;

WHEREAS interviews were carried out following the posting of the position;

WHEREAS the recommendations of the Director of Recreation and Community Life;

THEREFORE, it is moved by Councillor Isabelle Patry and seconded by Councillor Susan McKay.

AND RESOLVED THAT Council authorizes the permanent integration of the janitor's position in the collective agreement in accordance with the terms set out in Letter of Agreement # 7.

IT IS ALSO RESOLVED THAT Council proceed with the hiring of Sophie Duval at level 1 of the janitor position as of July 9, 2021.

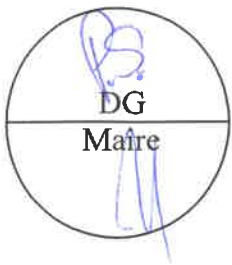
Carried

9. TABLING OF DOCUMENTS

9.1 Tabling of the report regarding the delegation of authorization of expenses from May 25 to June 16, 2021

10. PUBLIC QUESTION PERIOD

Joanne Labadie, President, asks if the people attending have any questions.



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21-07-4385

11. CLOSING OF MEETING

IT IS MOVED BY Councillor Susan McKay and seconded by Councillor Isabelle Patry.

AND RESOLVED to close the meeting at 8:52 p.m. having gone through the agenda.

Carried

Pierre Said
DIRECTOR GENERAL

Joanne Labadie
MAYOR

« I, Mayor Joanne Labadie, hereby certify that the signature on the present minutes is equivalent to my signature on each and every resolution herein, as specified in section 142 (2) of the Municipal Code».

