**Minute No. 573**
**Report – Standing Policy Committee on Protection, Community Services and Parks – October 2, 2019**

**Item No. 4 Renewal of Fire Protection Services Agreement with Manitoba Public Insurance for Fire Protection Services at 1981 Plessis Road**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Protection, Community Services and Parks and adopted the following:

1. That the City enter into, execute and deliver an agreement with the Manitoba Public Insurance Corporation ("MPI") for fire protection services for the property located at 1981 Plessis Road in the Rural Municipality of Springfield, and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

2. That authority be delegated to the Chief of the City's Fire and Paramedic Service (the "Chief") to negotiate and approve the terms and conditions of the service provision agreement, in accordance with the terms and conditions set forth in this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That authority be delegated to the Chief to negotiate and approve the terms and conditions of all future similar agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

4. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

**Report – Standing Policy Committee on Protection, Community Services and Parks – October 2, 2019**

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Protection, Community Services and Parks be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 15, 2019, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection, Community Services and Parks and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On October 2, 2019, the Standing Policy Committee on Protection, Community Services and Parks concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

# ADMINISTRATIVE REPORT

**Title:** Renewal of Fire Protection Services Agreement with Manitoba Public Insurance for Fire Protection Services at 1981 Plessis Road

**Critical Path:** Standing Policy Committee on Protection, Community Services and Parks – Executive Policy Committee – Council

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| M. Reshaur | J. Lane | P. Olafson, Interim CFO | M. Ruta, Interim CAO |

## EXECUTIVE SUMMARY

The most recent Fire Protection Services Agreement between the Manitoba Public Insurance Corporation ("MPI") and The City of Winnipeg (the "City") expired January 28, 2019. This agreement covered the provision of fire protection services by the City to the MPI facility located at 1981 Plessis Rd (the "Plessis Facility"), in the RM of Springfield. Fire protection services are still being provided by the City to the Plessis Facility in accordance with the terms of the expired agreement pending negotiation of a new agreement.

MPI has indicated a desire to enter into a new agreement.

## RECOMMENDATIONS

1. That the City enter into, execute and deliver an agreement with the Manitoba Public Insurance Corporation ("MPI") for fire protection services for the property located at 1981 Plessis Road in the Rural Municipality of Springfield, and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

2. That authority be delegated to the Chief of the City's Fire and Paramedic Service (the "Chief") to negotiate and approve the terms and conditions of the service provision agreement, in accordance with the terms and conditions set forth in this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That authority be delegated to the Chief to negotiate and approve the terms and conditions of all future similar agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

4. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

5.

## REASON FOR THE REPORT

Council approval is required for the multi-year contract between the City of Winnipeg and Manitoba Public Insurance for the provision of fire protection services outside City limits.

## IMPLICATIONS OF THE RECOMMENDATIONS

1. No interruption in provision of fire protection services under existing contract.
2. No additional changes to response profile or resource deployment.
3. No financial implications for WFPS or the City of Winnipeg.
4. Terms of agreement represent full cost recovery.

There would be no appreciable increase in departmental costs to provide this service as WFPS has been providing fire protection services in respect of the subject property since 2002 and estimates that these services can continue to be provided with existing resources. Additional revenue would be received in the amount of the negotiated contract.

**HISTORY/DISCUSSION**

On March 22, 2000 Council directed the Public Service to divest itself of contracts for the provision of fire protection services outside the boundaries of the City of Winnipeg.

On November 21, 2001 Council amended the above policy direction and approved a formal agreement for fire protection services with the Manitoba Public Insurance Corporation ("MPI") for the property located at 1981 Plessis Road in the Rural Municipality of Springfield (the "Plessis Facility").

On October 23, 2002 the City of Winnipeg (the "City") entered into an agreement with MPI to provide fire protection services to the Plessis Facility for a term of 72 months (the "Initial Agreement").

On October 23, 2008, the expiration of the Initial Agreement, a subsequent agreement was entered into for a term of 72 months (the "Second Agreement"), which expired on October 22, 2014.

A letter dated October 23, 2014, signed by the Acting Chief Administrative Officer of the City and the Premises Manager of MPI, extended the Second Agreement for an "Interim Term" ending on December 10, 2014.

A letter dated December 9, 2014, signed by the Acting Chief Administrative Officer of the City and the Premises Manager of MPI, extended the Second Agreement for an additional "Interim Term" ending on January 28, 2015.

On January 28, 2015, the expiration of the Second Agreement, a subsequent agreement was entered into for a term of 72 months, which expired on January 28, 2019.

Terms and conditions for a new agreement, whereby the City would continue to provide fire protection services to the Plessis Facility, have been negotiated by the parties.

Following is a summary of key terms and conditions as negotiated between the City and MPI:

| | |
|---|---|
| Term | • January 28, 2019 (current contract expiry date) to December 31, 2021.<br>• The City may terminate the agreement upon one year's notice in writing should Council determine that the City should no longer provide fire protection services outside the boundaries of the City. |
| Services | WFPS shall provide emergency fire protection services to Manitoba Public Insurance related to all types of fires including vehicle fires and grass fires which threaten MPI property at the Plessis Road facility.<br><br>The WFPS Fire Prevention Branch shall inspect the MPI facility in accordance with the provisions of the Fire Prevention By-law No. 35/2017. |
| Payment | • MPI shall pay to the City an annual stand-by charge of $31,331.00, to be paid on or before January 1 each year of the agreement.<br>• Standard charges calculated from the time each call for service is received until the time all WFPS apparatus is back in service will be based on the following and shall be paid within 30 days of the date of invoice from the City:<br>o Engine Company $1,270.00 per hour<br>o Aerial Ladder Company $1,270.00 per hour<br>o Rescue Company $1,270.00 per hour<br>o District Chief & Driver $ 318.00 per hour<br>• Fire Inspections, 2019 Inspection rates (includes but not limited to)<br>o High Hazard Occupancy (F1) Industrial Inspection $196.00 per hour<br>o Medium Hazard Occupancy (F2) Industrial Inspection $165.00 per hour<br>o Low Hazard Occupancy (F3) Industrial Inspection $131.00 per hour<br>• The above standard charges are based on the submitted 2019 Fees and Charges Schedule. These charges will increase annually based on the Fees and Charges Schedule approved by Council annually.<br>• The reasonable cost of any supplies used by the City for the purpose of providing fire protection services to the Plessis Road facility.<br>• Any applicable GST. |
| Renewal | • Manitoba Public Insurance shall give notice in writing of its intention to renew not less than 12 months prior to the end of the term.<br>• Any renewal is subject to City approval. |
| Indemnity | • The City agrees to indemnify Manitoba Public Insurance from any and all losses, claims, damages, causes of action, demands or liabilities related to this agreement arising by virtue of<br>o The breach or default of the City of any term of the agreement<br>o The negligence or willful misconduct of the City<br>o Any claim resulting from any representative of the City, except as may be attributed to the negligence of willful misconduct of any representative of MPI<br>• MPI has agreed to a reciprocal indemnity for the City of Winnipeg. |

**FINANCIAL IMPACT**

## Financial Impact Statement

**Date:** August 30, 2019

**Project Name:**

**First Year of Program** **2019**

Renewal of Fire Protection Services Agreement with Manitoba Public Insurance for Fire Protection Services at 1981 Plessis Road

| | 2019 | 2020 | 2021 | 2022 | 2023 |
|---|---|---|---|---|---|
| **Capital** | | | | | |
| Capital Expenditures Required | $ - | $ - | $ - | $ - | $ - |
| Less: Existing Budgeted Costs | - | - | - | - | - |
| Additional Capital Budget Required | $ - | $ - | $ - | $ - | $ - |
| **Funding Sources:** | | | | | |
| Debt - Internal | $ - | $ - | $ - | $ - | $ - |
| Debt - External | - | - | - | - | - |
| Grants (Enter Description Here) | - | - | - | - | - |
| Reserves, Equity, Surplus | - | - | - | - | - |
| Other - Enter Description Here | - | - | - | - | - |
| Total Funding | $ - | $ - | $ - | $ - | $ - |
| Total Additional Capital Budget Required | $ - | | | | |
| Total Additional Debt Required | $ - | | | | |
| **Current Expenditures/Revenues** | | | | | |
| Direct Costs | $ - | $ - | $ - | $ - | $ - |
| Less: Incremental Revenue/Recovery | 31,331 | 31,331 | 31,331 | - | - |
| Net Cost/(Benefit) | $ (31,331) | $ (31,331) | $ (31,331) | $ - | $ - |
| Less: Existing Budget Amounts | (31,331) | (31,331) | (31,331) | - | - |
| Net Budget Adjustment Required | $ - | $ - | $ - | $ - | $ - |

**Additional Comments:**

original signed by

John Hall FCMA, CGMA
Financial Controller
Fire Paramedic Service

**CONSULTATION**

This Report has been prepared in consultation with:

FMA Facilities / MPI Premises Administrator
Legal Services (as to legal issues)

**OURWINNIPEG POLICY ALIGNMENT**

n/a

**SUBMITTED BY**

Department: Fire Paramedic Service
Division: Executive
Prepared by: Assistant Chief Mark Reshaur
Date: August 30, 2019