

The Corporation of the Town of Essex

By-Law Number 2101

Being a by-law to authorize the execution of an agreement to appoint Local Authority Services (LAS) to act as an agent in respect to all matters relating to the supply of natural gas

WHEREAS LAS was created in 1992 by the Association of Municipalities of Ontario (AMO) as a not-for-profit organization with a mandate to work with Ontario municipalities to help realize lower costs, higher revenues, and enhanced staff capacity, through co-operative procurement efforts and innovative training, programs, and services.

AND WHEREAS pursuant to By-law 864 the Town does currently retain LAS to act as its exclusive agent and as agent for its other member municipalities relating to the obtaining of competitive pricing for the procurement of natural gas and to further act as its agent in taking certain actions related to such natural gas purchasing activity as set forth herein;

AND WHEREAS the Town acknowledges that such actions may include but are not limited to (i) entering into natural gas purchase and sale agreements and transactions with commodity suppliers for a quantities of natural gas and/or (ii) entering into financial agreements to fix the price or range of prices to be paid by the Member for the future delivery of some or all of the natural gas required by the Member (iii) entering into agreements with third party service providers such as utility companies, local distribution companies, pipeline companies and storage operators for the transportation and delivery of natural gas ("Third Party Service Providers") and/or (iv) entering into agreements which are customary to the natural gas industry such as assignment and assumption agreements, letters of authorization, agency appointment agreements, confidentiality agreements and IT user related agreements (all of which agreements or transactions referred to as "Natural Gas Agreements").

AND WHEREAS LAS is now desirous of updating its standard Natural Gas Appointment and Retainer Agreement to reflect HST and such further and minor updating amendments and the Town accordingly is desirous of extending such appointment and retainer in the form and manner of the Agreement attached hereto as Schedule 'A' to this By-law.

Now, therefore, the Municipal Council of the Corporation of the Town of Essex enacts as follows:

1. That the Mayor and Clerk are hereby authorized to execute the Natural gas Appointment and Retainer Agreement between the Corporation of the Town of Essex and LAS pursuant to the terms and conditions of said Agreement as outlined in Schedule "A" attached hereto.
2. This By-Law shall come into force and take effect immediately upon the final passing thereof.
3. That By-law 864 be repealed upon passage of this By-law.

Read a first and a second, and a third time and finally passed on December 6, 2021.

Mayor

Clerk