

(2) by replacing “The Assistant Director General for Human, Financial and Information Resources and the Director of the Direction des projets routiers et de transport collectif” in the second paragraph by “An assistant director general who does not hold any of the positions listed in the first paragraph, the Director of the Direction des projets de transport collectif et de la planification métropolitaine and the Director of the Direction des projets routiers stratégiques”.

**3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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## **M.O., 2014**

### **Order of the Minister of Municipal Affairs and Land Occupancy dated 19 June 2014**

Cities and Towns Act  
(chapter C-19)

Municipal Code of Québec  
(chapter C-27.1)

Granting of a general authorization to allow all municipalities and intermunicipal management boards to amend, until 31 December 2014, certain contracts entered into with an enterprise operating a recycling plant

WHEREAS, under the first paragraph of section 573.3.1 of the Cities and Towns Act (chapter C-19) and section 938.1 of the Municipal Code of Québec (chapter C-27.1), the Minister of Municipal Affairs and Land Occupancy may authorize a municipality to award a contract without calling for tenders and the Minister may, on his own initiative, exercise that power in respect of all municipalities for a contract or any class thereof;

WHEREAS section 468.51 of the Cities and Towns Act and section 620 of the Municipal Code of Québec provide that section 573.3.1 of the Cities and Towns Act applies to an intermunicipal management board;

WHEREAS the Minister may use the power provided for in the first paragraph of section 573.3.1 of the Cities and Towns Act and section 938.1 of the Municipal Code of Québec to authorize a municipality or an intermunicipal management board to make amendments to a contract already awarded without having to call for tenders;

WHEREAS, under the second paragraph of those sections, the exercise of such a power by the Minister is not applicable where calls for tenders are required to be public under an intergovernmental trade liberalization agreement applicable to municipalities and intermunicipal management boards;

WHEREAS the Trade and Cooperation Agreement between Québec and Ontario, the Agreement on the Opening of Public Procurement for New Brunswick and Québec (2008) and Annex 502.4 of the Agreement on Internal Trade are applicable;

WHEREAS the three agreements provide exceptions from the public tender process where an unforeseeable emergency situation arises then allowing the amendment of existing contracts in order to mitigate the negative impact resulting from such a situation;

WHEREAS the extraordinary situation of the market for recyclable mixed glass, due to the closing of the main conditioner in Québec for glass from selective collection and to the drop in the resale price of that material, constitutes an unforeseeable emergency situation;

CONSIDERING the possible interest in authorizing municipalities and intermunicipal management boards to amend certain contracts entered into with an enterprise operating a recycling plant in order to mitigate the negative impact resulting from that situation;

THEREFORE, the Minister of Municipal Affairs and Land Occupancy orders as follows:

1. Every municipality or intermunicipal management board that, before the date of coming into force of this Order, has entered into a contract with an enterprise that operates a recycling plant, whose activities are compromised by the closing of the main glass conditioner in Québec and by the drop in the resale price of mixed glass, may until 31 December 2014 enter into an agreement with the enterprise to make amendments to the contract insofar as the amendments

(1) do not operate to extend the term of the contract, be retroactive or compromise the principle of equal treatment of tenderers;

(2) provide that an additional amount will be added to the price set in the contract where the value per tonne of mixed glass is below the financial threshold of \$-7.00 (negative price) per tonne;

(3) provide that the following elements will be taken into consideration to set the additional amount:

(a) the quantity of mixed glass to which the additional amount applies;

(b) the value per tonne of mixed glass, which must be the highest amount between the most up-to-date value determined by the monthly price index for the mixed glass category established by RECYC-QUÉBEC and the monthly revenue from the sale of the glass by the recycling plant in the period to which the index used applies;

(4) may not cause the additional amount to be higher than the difference between the financial threshold and the value per tonne of mixed glass used for the purposes of paragraphs 2 and 3;

(5) provide a monthly or quarterly procedure to adjust the additional amount to which the preceding paragraphs apply, with the necessary modifications;

(6) provide a procedure to determine the compensation that the municipality or intermunicipal management board, as the case may be, is entitled to receive from the recycling plant if, in relation to the average monthly price index for the mixed glass category established by RECYC-QUÉBEC, the market takes an upswing during the term of the contract.

2. The municipality or intermunicipal management board, as the case may be, is to send to the Ministère des Affaires municipales et de l'Occupation du territoire a copy of the amended contract.

3. The municipality or intermunicipal management board, as the case may be, is to publish in the electronic tendering system approved by the Gouvernement du Québec a note of the amendment to the contract based on the information already published on the said contract.

4. This Minister's Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

PIERRE MOREAU,  
*Minister of Municipal Affairs and Land Occupancy*

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## **M.O., 2014**

### **Order number 2014-07 of the Minister of Transport dated 18 June 2014**

Highway Safety Code  
(chapter C-24.2)

Pilot project on the transportation of bicycles on a rack installed on the front of buses and minibuses

THE MINISTER OF TRANSPORT,

CONSIDERING the second paragraph of section 633.1 of the Highway Safety Code (chapter C-24.2), which provides that, the Minister of Transport may, by order, after consultation with the Société de l'assurance automobile du Québec, authorize pilot projects to test the use of vehicles or to study, improve or develop traffic rules or standards applicable to safety equipment and may, in the context of such a pilot project, prescribe rules relating to the use of a vehicle on a public highway and authorize any person or body to use a vehicle in compliance with standards and rules prescribed by the Minister that are different from those provided in the Code and the regulations;

CONSIDERING the third paragraph of that section, which provides that pilot projects are conducted for a period of up to three years, which the Minister may extend by up to two years if the Minister considers it necessary;

CONSIDERING the fourth paragraph of that section, which provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under section 633.1 of the Code and an order under the second or third paragraph of section 633.1 of the Code is published in the *Gazette officielle du Québec*;

CONSIDERING that the Pilot project on the transportation of bicycles on a rack installed on the front of buses and minibuses (chapter C-24.2, r. 39.1) was implemented for the following purposes:

(1) gather information on the transportation of bicycles on a rack installed on the front of buses and minibuses and its effects, in particular on the intensity of the lights of buses and minibuses;

(2) test solutions, through the development of traffic rules and the study of standards applicable to the lights, intended to ensure adequate vision of a driver and visibility of buses and minibuses;