

## Regulations and other Acts

Gouvernement du Québec

### O.C. 533-2021, 7 April 2021

Conditions applicable to the making, by Ville de Québec, of any contract necessary to carry out the Réseau structurant de transport en commun de la Ville de Québec

WHEREAS, under the first paragraph of section 573.3.1.0.1 of the Cities and Towns Act (chapter C-19), as inserted by the Act to establish a new development regime for the flood zones of lakes and watercourses, to temporarily grant municipalities powers enabling them to respond to certain needs and to amend various provisions (2021, chapter 7), subject to compliance with intergovernmental agreements on the opening of public procurement, the Government may, on the recommendation of the Minister of Municipal Affairs and Housing, authorize a municipality that uses the system of bid weighting and evaluating provided for in section 573.1.0.1 of the Cities and Towns Act to make a contract related to a public transit infrastructure, despite sections 573.1.0.1 and 573.1.0.5 to 573.1.0.12 of the Act, in accordance with subparagraphs 1 to 6 of the first paragraph of section 573.3.1.0.1;

WHEREAS the purpose of the Act respecting the Réseau structurant de transport en commun de la Ville de Québec (chapter R-25.03) is to allow the carrying out of a shared transit project publicly announced by Ville de Québec as the “Réseau structurant de transport en commun de la Ville de Québec” (Network), which includes a tramway, in accordance with the first paragraph of section 1 of that Act;

WHEREAS it is expedient to authorize Ville de Québec, when using the system of bid weighting and evaluating provided for in section 573.1.0.1 of the Cities and Towns Act, to make any contract necessary to carry out the Network and to determine the conditions for the financial compensations it may pay, in accordance with subparagraphs 1 to 6 of the first paragraph of section 573.3.1.0.1 of the Act, as inserted by the Act to establish a new development regime for the flood zones of lakes and watercourses, to temporarily grant municipalities powers enabling them to respond to certain needs and to amend various provisions, and to determine the conditions for the financial compensations it may pay;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Housing:

THAT, for the purposes of the process for awarding any contract necessary to carry out the Réseau structurant de transport en commun referred to in the Act respecting the Réseau structurant de transport en commun de la Ville de Québec (chapter R-25.03), Ville de Québec, when using the system of bid weighting and evaluating provided for in section 573.1.0.1 of the Cities and Towns Act (chapter C-19), be authorized to make such contracts, despite sections 573.1.0.1 and 573.1.0.5 to 573.1.0.12 of the Act, in accordance with subparagraphs 1 to 6 of the first paragraph of section 573.3.1.0.1 of the Act, as inserted by the Act to establish a new development regime for the flood zones of lakes and watercourses, to temporarily grant municipalities powers enabling them to respond to certain needs and to amend various provisions (2021, chapter 7);

THAT, for the purposes of subparagraph 6 of the first paragraph of section 573.3.1.0.1 of the Cities and Towns Act, Ville de Québec be authorized to pay a financial compensation not exceeding \$15,000,000 to each certified or qualified supplier or contractor, subject to compliance with the following conditions:

(1) Ville de Québec must include in its call for tenders the terms necessary to calculate the amount of the compensation;

(2) if Ville de Québec interrupts the process, the starting point for the days that may be counted for calculating the compensation may not be set before the call for tenders is issued or after the time limit for submitting tenders;

(3) at the end of the process, the supplier or contractor has submitted a compliant tender and, if the contract is awarded, is not the successful tenderer.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

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