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December 1, 2006

To: The Board of Governors of Exhibition Place

From: Dianne Young  
General Manager & CEO

Subject: **Agreement for Rental of High Reach Equipment**

Purpose:

To submit for approval the terms and conditions for an agreement to provide high reach equipment on a rental basis to Exhibition Place.

Financial Implications and Impact Statement :

The projected annual expenditure for high reach equipment rentals is \$101,000, of which more than \$71,000 is recoverable from clients of the Board and the remaining \$30,000 is provided for in the 2007 Operating Budget.

Recommendation:

**It is recommended that the Board enter into agreement with United Rentals of Canada Inc. ("United") for the rental of various types of high reach equipment to Exhibition Place on such terms and conditions as contained in this report, the Request for Quotations or as required by the General Manager & CEO and the City Solicitor.**

Background:

In January 2005, a request for quotation (RFQ) was awarded by the Board to United Rentals of Canada Inc. for the rental of various types of high reach equipment for one year with an optional second year term from January 1, 2005 to December 31, 2005.

Comments:

Exhibition Place utilizes these various types of high reach equipment on an "as required basis" to fulfill both internal maintenance service requirements and client driven needs, which include also the needs of the Direct Energy Centre and the Canadian National Exhibition.

In November 2006, Exhibition Place through the City of Toronto Finance Department's Purchasing and Materials Management Division issued an RFQ for rental of various types of high reach equipment to 14 listed suppliers. Three quotations were received from United Rentals of Canada Inc., The Venetor Group and Hertz Equipment Rental.

The RFQ was structured in a manner that required bidders to provide daily, weekly and monthly rental rates including cartage costs for provision of various specific types of high reach equipment to meet both short and long term needs. These rates, applied for evaluation purposes to projected requirements resulted in pricing as follows:

|                               |                                 |
|-------------------------------|---------------------------------|
| United Rentals of Canada Inc. | \$81,216.00 plus GST per annum  |
| The Venetor Group             | \$105,792.48 plus GST per annum |
| Hertz Equipment Rental        | \$107,793.11 plus GST per annum |

Accordingly, staff are recommending that the Board enter into an agreement with United on the following terms and conditions and such other terms and conditions required by the General Manager & CEO and City Solicitor.

- (a) Term: One year commencing January 1, 2007 with the option to extend for an additional one-year period subject to satisfactory performance review.
- (b) Pricing: Pricing be fixed during the term of the Agreement.
- (c) Union Agreements: United shall comply with all agreements in force between the Board and any union or association with respect to Exhibition Place.
- (d) Assignment: The agreement between the Board and United shall not be assigned by United without the consent of the Board.
- (e) Insurance/Indemnity: United shall provide proof of insurance in a form and amount satisfactory to the Board and containing provisions including the Board, CNEA and the City of Toronto as additional insured with a cross liability/severability of interest clause of standard wording. Insurance shall be primary before any insurance held by the additional insured and the Board shall be entitled to thirty days notice of any intention to cancel or not to renew the policy. United shall indemnify the Board, the CNEA and the City of Toronto with respect to any and all liability arising from any damage or injury as a result of the negligent acts or omissions of United, or its employees or any other person for whom it is in law responsible, in the supply and quality of the equipment.
- (f) Warranty: United shall supply equipment in a state of repair satisfactory to the Board and shall warrant the fitness of the equipment for its intended use by the Board.
- (g) Other Terms: Such other terms and conditions as contained in the Request for Quotations or as required by the General Manager & CEO and the City Solicitor.

#### Conclusions:

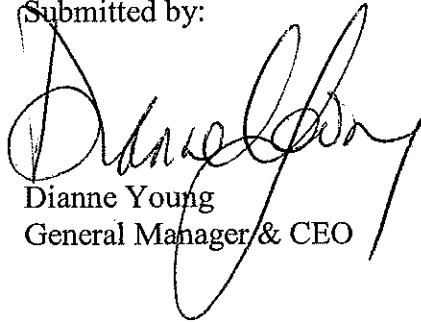
This report recommends the Board enter into agreement with *United* for the rental of high reach equipment in accordance with this report, the terms of the RFQ and such other terms and

conditions required by the General Manager & CEO and the City Solicitor. Ms. Arlene Campbell is in agreement with the terms and conditions outlined in this report.

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Submitted by:



Dianne Young  
General Manager & CEO

