

1. **C-2025-087**
Correspondence received March 13, 2025 from the Niagara Construction Association respecting public sector procurement policies related to tariffs.

2. **C-2025-088**
Correspondence dated March 14, 2025 from the City of Port Colborne to Office of the Regional Clerk respecting a resolution of support for Regional Council's Motion Regarding Supporting Niagara's Business Community and Advocating for Economic Resilience Measures.

3. **C-2025-089**
Correspondence received March 19, 2025 from the Town of Pelham respecting a notice of Public Meeting – Town of Pelham Official Plan.



To Public Sector Owners: For Immediate Consideration and Action

With ongoing tariff volatility and economic uncertainty, it is essential that public sector procurement policies address the fair allocation of tariff-related risks in your construction contracts.

Contractors and subcontractors should not be unfairly burdened with unpredictable tariff increases, as this can lead to inflated bid pricing, contract disputes, and financial strain on the industry.

Key Considerations on Tariff Risk Allocation:

- **Tariff Risk Should Be a Public Owner's Responsibility:** Public sector owners are best positioned to manage tariff-related risks as they have greater control over procurement timelines, funding sources, and policy advocacy.
- **Unfair Risk Allocation Leads to Higher Costs:** If contractors and subcontractors are forced to assume tariff risks, they must either increase bid prices to hedge against potential cost spikes or absorb losses, potentially jeopardizing business stability and project completion.
- **Tariff Costs Are Beyond Contractors' Control:** Unlike material and labor costs, tariffs are imposed by government policy, making them unforeseeable and unmanageable for bidders who are already operating on fixed-price contracts.

- **Equitable Contract Terms Promote Competitive Bidding:** When public sector owners retain tariff risk, more contractors are likely to submit bids, leading to greater competition and better value for taxpayers.

Best Practices in Bid Requirements:

- to the extent that your standard form contracts (including any entity using the CCDC 2 lump-sum contract) and supplementary general conditions already include ***change in law*** provisions and/or a ***price escalation clauses***, **please leave them as is** because they are serving the very purpose they were intended to address for this situation.
- If you do not have such change in law provisions or price escalation clauses, please clearly define how tariff fluctuations will be handled within your contract terms.
- Provide a mechanism for tariff adjustments based on documented cost increases.
- Avoid broad 'no-cost' clauses that shift all risks to contractors and subcontractors.
- Engage in early and open dialogue with industry stakeholders to develop fair procurement policies.

Industry Advocacy & Next Steps: The Niagara Construction Association (NCA) urges public sector owners to adopt contract provisions that ensure tariffs remain a public sector responsibility. We encourage an industry-wide discussion on fair risk allocation and invite members to share their experiences and concerns.

**Niagara Construction Association
34 Scott Street West
St. Catharines, ON
L2R 1C9**



PORT COLBORNE

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Received March 17, 2025
C-2025-088

March 14, 2025

Via email: Ann-Marie.Norio@niagararegion.ca

Ann-Marie Norio
Office of the Regional Clerk, Niagara Region
1815 Sir Isaac Brock Way,
P.O. Box 1042
Thorold, ON L2V 4T7

Dear Ms. Norio:

**Re: City of Port Colborne Support Regional Council's Motion Regarding Supporting
Niagara's Business Community and Advocating for Economic Resilience
Measures**

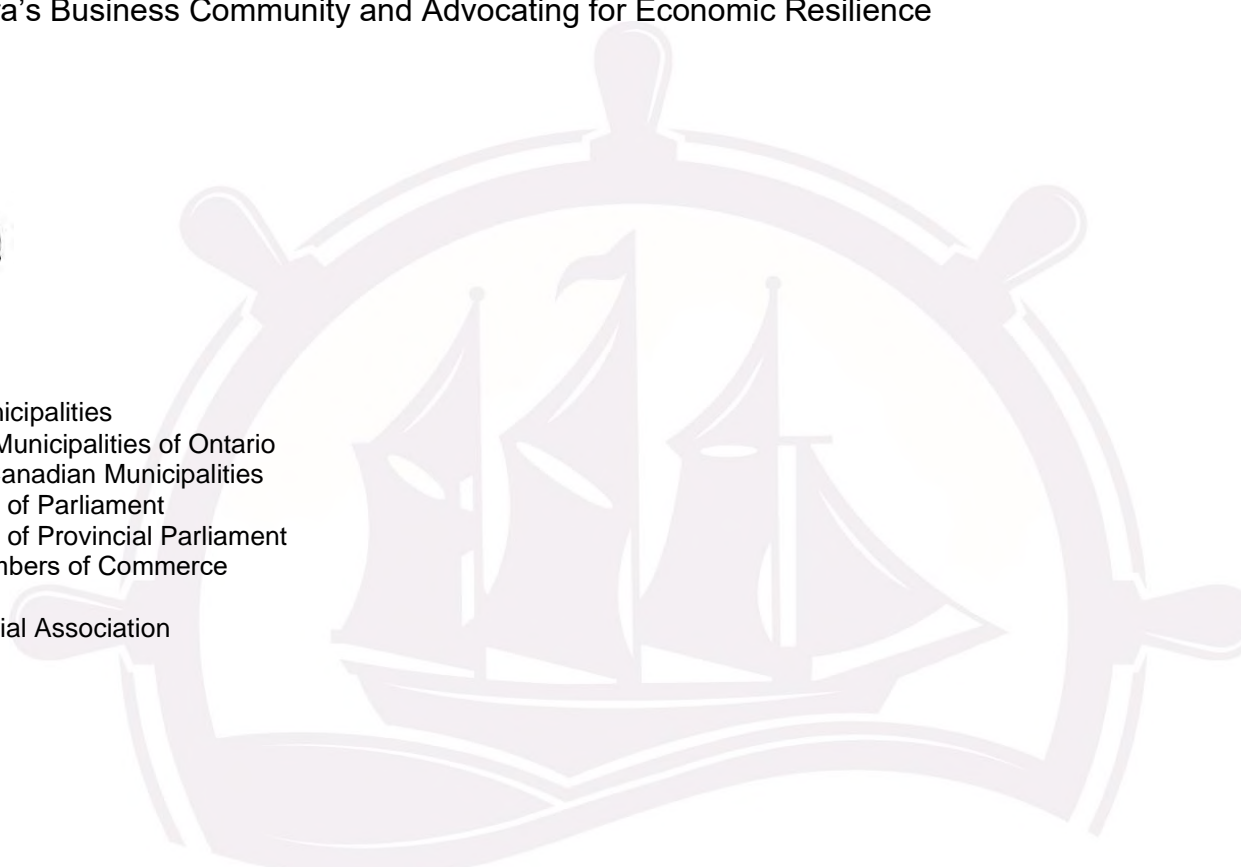
Please be advised that, at its meeting of March 11, 2025 the Council of The Corporation of the City of Port Colborne endorsed the resolution from the Niagara Region with respect to Supporting Niagara's Business Community and Advocating for Economic Resilience Measures.

Sincerely,

A handwritten signature in black ink that reads "C. Madden". The signature is written in a cursive style.

Charlotte Madden
City Clerk

Ec: Local Area Municipalities
Association of Municipalities of Ontario
Federation of Canadian Municipalities
Local Members of Parliament
Local Members of Provincial Parliament
Niagara's Chambers of Commerce
Niagara's BIAs
Niagara Industrial Association



February 25, 2025

CL 3- 2025, February 20, 2025

DISTRIBUTION LIST

SENT ELECTRONICALLY

Motion Respecting Supporting Niagara's Business Community and Advocating for Economic Resilience Measures

Regional Council, at its meeting held on February 20, 2025, passed the following motion:

WHEREAS Niagara is a critical hub for trade between the United States and Canada with our economy benefitting greatly from an historically positive trade relationship with the United States;

WHEREAS Niagara's business community has repeatedly shown its strength and resiliency navigating extreme economic uncertainty;

WHEREAS the U.S. market accounts for 72 per cent of total exports from Niagara businesses, with export trade directly supporting over 30,000 jobs in Niagara;

WHEREAS in 2023, 532 Niagara businesses exported \$5.9 billion in goods to the United States; and

WHEREAS Niagara's identity as a border community places the region at particular economic risk during periods of trade uncertainty.

NOW THEREFORE BE IT RESOLVED:

1. That Regional Council **AFFIRMS** its strong support for the local Niagara businesses that rely on positive trade relationships with the United States to contribute to our local economy;
2. That Regional Council **DIRECT** the Regional Chair to work alongside staff to undertake advocacy efforts calling on the Federal and Provincial governments to enhance the economic strength and resiliency of Niagara and other communities by:
 - a) Reducing barriers to interprovincial trade, enhancing internal trade and economic flow within Canada;
 - b) Encouraging the formation of local trade alliances to strengthen regional supply chains and ensure greater self-reliance;

- c) Supporting export market diversification by promoting the intensification of foreign market development and opportunities in places such as the United Kingdom and European Union or other favourable markets;
 - d) Increasing investment to support economic resiliency, including Foreign Direct Investment (FDI) promotion, workforce development support and expedited development of strategic growth sectors;
 - e) Reinforcing the necessity of a strong and integrated Canada-U.S. trade relationship, emphasizing mutual benefits;
 - f) Exploring the need for a border community economic alliance and trade strategy for the benefits of border communities across Canada;
 - g) Removing any impediments for municipalities to buy Canadian for capital projects; and
3. That this motion **BE CIRCULATED** to Niagara's Area Municipalities, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, local Members of Parliament, local Members of Provincial Parliament, Niagara's Chambers of Commerce and Business Improvement Areas and the Niagara Industrial Association.

Yours truly,



Ann-Marie Norio
Regional Clerk

:kl
CLK-C 2025-013

Distribution List:

Local Area Municipalities
Association of Municipalities of Ontario
Federation of Canadian Municipalities
Local Members of Parliament
Local Members of Provincial Parliament
Niagara's Chambers of Commerce
Niagara's BIAs
Niagara Industrial Association

Notice of Public Meeting

Received March 19, 2025
C-2025-089

Town of Pelham Official Plan

Date: Wednesday, April 9, 2025 at 5:30 PM

Place: This hearing will be a hybrid (virtual/in-person) meeting.

Virtual Participation: Zoom Webinar/YouTube Livestream

In-person Participation: Town Hall, Council Chambers

20 Pelham Town Square, Fonthill

Town Council approved hybrid meetings via By-law No. 4507 (2022). The Town of Pelham live webcast of the Public Meeting will be streaming at:

<https://www.youtube.com/user/TownOfPelham>

Background

The Official Plan is a document that guides both short and long-term growth and development. The Town has worked on updating the Official Plan to ensure that growth in the community is appropriately accommodated in the context of the Town's unique history and character.

Key highlights of the new plan include:

- A new vision for the Town outlines strategic directions focused on creating vibrant, healthy communities, addressing climate change, and economic vitality.
- An updated growth management strategy to accommodate Pelham's projected growth.
- Policies that support protecting, maintaining and enhancing existing residential areas while promoting opportunities for intensification and encourage higher-density, transit-supportive and mixed-use developments.
- Preserving the agricultural area's diversification, integrity, and function to protect the sector's ongoing sustainability.
- A greater emphasis on the Town's natural environmental and water resource systems, green spaces, and tree protection.
- Policies to support the mitigation of impacts due to climate change, the reduction of air and water pollutants and the creation of natural and open spaces, supporting the efforts outlined in the Town's Corporate Climate Adaptation Plan.
- Integration of art, culture, and design considerations to enhance quality of life.

Your Input is Encouraged: The Town of Pelham would appreciate receiving your written and/or verbal comments regarding this application. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released. To provide input in writing or to request personal notice if the proposed applications are approved, please submit your correspondence or request by **12:00 PM on Monday, March 31, 2025**, for inclusion in the public meeting agenda package c/o Deputy Town Clerk Sarah Conidi, PO Box 400, 20 Pelham Town Square, Fonthill, Ontario L0S 1E0, or by email at SConidi@pelham.ca. Comments and requests received after this date will still be received by Council. However, they may not be published as part of the public meeting agenda. Verbal comments will be received by the Town at the public hearing via virtual or in-person participation.

To provide verbal comments virtually at the hearing, please pre-register with the Deputy Town Clerk by sending an email to SConidi@pelham.ca before **12:00 pm noon on Friday, April 4, 2025**.

Zoom webinar registration information and procedure will be provided.

Pre-registration is encouraged but not required to provide verbal comments in person at the Public Meeting. Registrants will be notified of Council's Decision. If you

have not submitted written comments and wish to submit a comment live during the meeting, you may live stream the meeting from the Town of Pelham's YouTube channel and e-mail comments to clerks@pelham.ca during the public portion of this application only. If your comments are not received during the public portion of the meeting, they will not be considered.

Need More Information: For more information, please contact Lindsay Richardson, MCIP, RPP, Policy Planner, by email at lrichardson@pelham.ca or at 905-980-6675 or 905-892-2607 ext. 335. A copy of the staff report regarding the proposed applications, as well as any additional information, may be obtained on Engaging Pelham at <https://engagingpelham.ca/town-of-pelham-official-plan> or Town Hall by appointment after 12:00 PM on Friday, April 4, 2025.

Important Information: If a person or public body would otherwise have the ability to appeal the decision of the Town of Pelham's Municipal Council to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written statements to the Town of Pelham before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Pelham before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Dated at the Town of Pelham, this 20th day of March 2025


Sarah Leach, BA
Acting Town Clerk