

CITY OF PRINCE GEORGE

BYLAW NO. 8017

A bylaw of the City of Prince George, enacted pursuant to the British Columbia Transit Act, authorizing the entering into an Annual Operating Agreement for Custom Transit Services.

WHEREAS the City of Prince George has been authorized to undertake a transit function pursuant to the British Columbia Transit Act, and British Columbia Transit (the Authority) has established a transit service area being an area including the whole of the City of Prince George;

AND WHEREAS the City of Prince George has entered into a Transit Service Agreement with the Authority;

AND WHEREAS the British Columbia Transit Act provides that where the Authority contracts for a custom transit service it shall negotiate with the Carefree Society, or its successor, and an affected municipality with a view to entering into an operating agreement respecting the provision of transit services;

NOW THEREFORE the Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. The City of Prince George is hereby authorized to enter into an Annual Operating Agreement with the Authority and the Carefree Society for Custom Transit Services. A copy of said Agreement is attached to, and forms part of, this Bylaw as Schedule "A".
2. The Mayor and Clerk are hereby authorized to sign said Agreement and affix the City Seal thereto and deliver the same as acts and deeds of the City of Prince George, and do all things necessary to give effect to this Bylaw.
3. This Bylaw may be cited for all purposes as "Custom Transit Service Annual Operating Agreement Bylaw No. 8017, 2007".

READ A FIRST TIME THIS THE **28th** DAY OF **MAY** , **2007.**

READ A SECOND TIME THIS THE **28th** DAY OF **MAY** , **2007.**

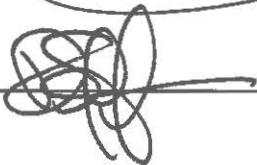
READ A THIRD TIME THIS THE **28th** DAY OF **MAY** , **2007.**

All three readings passed by a **unanimous** decision of Members of City Council present and eligible to vote.

ADOPTED THIS THE 11TH DAY OF JUNE, 2007, BY A UNANIMOUS
DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO
VOTE.



MAYOR



CLERK

Schedule "A" to Bylaw No. 8017

PRINCE GEORGE

(Custom Transit)

ANNUAL OPERATING AGREEMENT

Among

THE CITY OF PRINCE GEORGE

BRITISH COLUMBIA TRANSIT

And

CAREFREE SOCIETY

(as agreed to in the MOA)

APRIL 1, 2007 TO MARCH 31, 2008

**INFORMATION CONTAINED IN SCHEDULE "C" - BUDGET AND SCHEDULE "D" - PAYMENT
SCHEDULE IS SUBJECT TO FREEDOM OF INFORMATION & PROTECTION OF PRIVACY ACT.**

**CONSULT WITH BC TRANSIT PRIOR TO RELEASING INFORMATION IN THESE SCHEDULES TO
INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.**

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ANNUAL OPERATING AGREEMENT

BETWEEN: THE CITY OF PRINCE GEORGE
(the "**Municipality**")

AND: BRITISH COLUMBIA TRANSIT
(the "**Authority**")

AND: CAREFREE SOCIETY
(the "**Operating Company**")

WHEREAS the Municipality and the Authority are authorized to contract for the provision of a Public Passenger Transportation System and share in the costs of providing same pursuant to the British Columbia Transit Act.

WHEREAS the Operating Company is authorized to operate, manage and maintain a Public Passenger Transportation System within the Prince George Custom Transit Service Area.

WHEREAS the parties hereto have entered into a Master Operating Agreement effective which sets out the general rights and responsibilities of the parties hereto.

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Master Agreement, the specific terms and conditions for the operation of the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants herein contained, the parties covenant and agree with each other as follows:

SECTION 1 – DEFINITION OF TERMS

- 1.1 **Definitions:** Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Master Agreement shall apply to this Annual Operating Agreement including:
- (a) "**Annual Operating Agreement**" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendment negotiated and entered into by the parties subsequent hereto;
 - (b) "**Master Agreement**" shall mean the Master Operating Agreement, including any amendments made thereto;

SECTION 2 – INCORPORATION OF MASTER AGREEMENT

- 2.1 **Incorporation of Master Agreement into Annual Operating Agreement:** Upon execution, this Annual Operating Agreement shall be deemed integrated into the Master Agreement and thereafter the Master Agreement and the current Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the British Columbia Transit Act, as amended from time to time.

SECTION 3 – TERM AND RENEWAL

- 3.1 **Term and Renewal:** The term of this Agreement shall be from April 1, 2007 to March 31, 2008 except as otherwise provided herein. An option for two (2), twelve-month extensions may also be made upon the approval of BC Transit and the Municipality. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Master Agreement shall likewise be so terminated or not renewed, as the case may be.

SECTION 4 – SCHEDULES

4.1 Schedules: The schedules attached hereto shall form part of the Annual Operating Agreement and be binding upon the parties hereto as though they were incorporated into the body of this Agreement.

- a) Schedule "A" – Transit Service Area
- b) Schedule "B" - Service Specifications
- c) Schedule "C" - Budget
- d) Schedule "D" – Payment Schedule
- e) Schedule "E" – Tariff-Fares

SECTION 5 – MISCELLANEOUS PROVISIONS

- 5.1 Amendment: This Annual Operating Agreement and the Schedules attached hereto may be amended only with the prior written consent of all parties.
- 5.2 Assignment: This Annual Operating Agreement shall not be assignable without the prior written consent of the other parties.
- 5.3 Enurement: The Annual Operating Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- 5.4 Alternative Funding Arrangements: (Community Bus Only) For the period beginning on April 1, 2007 and ending on March 31, 2008, as authorized under section 18 of the British Columbia Transit Regulation, B.C. Reg. 30/91, the municipality shall contribute 100.00% and the authority shall contribute 0.00% of the amounts required to defray the classes of expenses prescribed in Section 8 (1) (b) (i), (iii) and (iv) of that regulation.

SECTION 6 - Notices and Communication

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a responsible officer of the party hereto to whom it is addressed or if mailed by prepaid registered mail, to:

CITY OF PRINCE GEORGE
c/o Manager-Transportation
1100 Patricia Boulevard
Prince George, BC V2L 3V9

and to:

BC Transit
c/o Senior VP, Municipal Systems Program
520 Gorge Road East
Victoria, BC V8W 2P3

and to:

Carefree Society
c/o Manager
2832 Queensway Street
Prince George, BC V2L 1M5

and, if so mailed during regular mail service, shall be deemed to have been received five (5) days following the date of such mailing.

THE CORPORATE SEAL OF **THE CITY OF PRINCE GEORGE** has been hereto affixed in the presence of:

THE COMMON SEAL OF **BRITISH COLUMBIA TRANSIT** has been hereto affixed in the presence of:

PRESIDENT AND CEO

CORPORATE SECRETARY

THE CORPORATE SEAL OF **CAREFREE SOCIETY** has been hereto affixed in the presence of:

SCHEDULE "A" - Transit Service Area Boundaries

The boundaries of the Municipal Transit Service Area shall be defined as follows:

The boundaries of the Prince George Transit Service Area shall be the municipal boundaries of the City of Prince George.

SCHEDULE "B" - Service Specifications

Prince George Custom Base Budget Official AOA 2007/2008

Schedule 'B'
Effective Apr 01, 2007

Scheduled Revenue Service

07/08 Spring/Summer/Fall (Apr 01, 2007 to Sep 30, 2007)							
	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Hrs/Day	31.00	35.00	36.00	41.00	36.00	12.00	0.00
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00

07/08 Late Winter (Oct 01, 2007 to Mar 31, 2008)							
	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Hrs/Day	46.00	43.00	42.00	47.00	43.00	12.00	8.00
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Extra Revenue Service

Apr. 2007	May 2007	Jun 2007	Jul 2007	Aug 2007	Sep 2007	Oct 2007	Nov 2007	Dec 2007	Jan 2008	Feb 2008	Mar 2008

Adjusted Revenue Service

Apr. 2007	May 2007	Jun 2007	Jul 2007	Aug 2007	Sep 2007	Oct 2007	Nov 2007	Dec 2007	Jan 2008	Feb 2008	Mar 2008

2007/2008 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2007 to Apr 30, 2007	4	4	4	4	3	4	5	2	30	Apr 06, 2007 Good Friday 2007 (Fri)
May 01, 2007 to May 31, 2007	3	3	5	5	4	4	4	1	31	Apr 09, 2007 Easter Monday 2007 (Mon)
Jun 01, 2007 to Jun 30, 2007	4	4	4	4	5	5	4	0	30	May 21, 2007 Victoria Day 2007 (Mon)
Jul 01, 2007 to Jul 31, 2007	4	5	4	4	4	4	4	2	31	Jul 01, 2007 Canada Day 2007 (Sun)
Aug 01, 2007 to Aug 31, 2007	3	4	5	5	4	4	4	1	31	Jul 02, 2007 Monday Service for Canada Day
Sep 01, 2007 to Sep 30, 2007	3	4	4	4	4	5	5	1	30	Aug 06, 2007 BC Day 2007 (Mon)
Oct 01, 2007 to Oct 31, 2007	4	4	4	4	4	4	4	1	31	Sep 03, 2007 Labour Day 2007 (Mon)
Nov 01, 2007 to Nov 30, 2007	4	4	4	3	5	4	3	1	30	Oct 08, 2007 Thanksgiving Day 2007 (Sun)
Dec 01, 2007 to Dec 31, 2007	5	3	3	4	4	5	6	2	31	Nov 11, 2007 Remembrance Day 2007 (Sun)
Jan 01, 2008 to Jan 31, 2008	4	4	5	5	4	4	4	1	31	Dec 26, 2007 Christmas Day 2007 (Tue)
Feb 01, 2008 to Feb 29, 2008	4	4	4	4	5	4	4	0	29	Dec 26, 2007 Boxing Day 2007 (Wed)
Mar 01, 2008 to Mar 31, 2008	4	4	4	4	3	5	5	2	31	Jan 01, 2008 New Years Day 2008 (Tue)
										Mar 21, 2008 Good Friday 2008 (Fri)
										Mar 24, 2008 Easter Monday 2008 (Mon)
TOTAL	48	60	51	52	50	52	51	14	306	14 Exceptions

Monthly Summary

Month	Custom Transit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April 2007	781.00			781.00	0.00			0.00
May 2007	888.00			888.00	0.00			0.00
June 2007	836.00			836.00	0.00			0.00
July 2007	823.00			823.00	0.00			0.00
August 2007	868.00			868.00	0.00			0.00
September 2007	777.00			777.00	0.00			0.00
October 2007	1,030.00			1,030.00	0.00			0.00
November 2007	1,028.00			1,028.00	0.00			0.00
December 2007	918.00			918.00	0.00			0.00
January 2008	1,034.00			1,034.00	0.00			0.00
February 2008	987.00			987.00	0.00			0.00
March 2008	921.00			921.00	0.00			0.00
Total	10,843.00	0.00	0.00	10,843.00	0.00	0.00	0.00	0.00

Prince George Community Bus Base Budget Official AOA 2007/2008

Schedule 'B'

Effective Apr 01, 2007

Scheduled Revenue Service

07/08 Full Year (Apr 01, 2007 to Mar 31, 2008)							
	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Rev/Day	13.50	13.50	13.50	13.50	13.50	12.00	16.00
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Extra Revenue Service

Apr, 2007	May, 2007	Jun, 2007	Jul, 2007	Aug, 2007	Sep, 2007	Oct, 2007	Nov, 2007	Dec, 2007	Jan, 2008	Feb, 2008	Mar, 2008

Adjusted Revenue Service

Apr, 2007	May, 2007	Jun, 2007	Jul, 2007	Aug, 2007	Sep, 2007	Oct, 2007	Nov, 2007	Dec, 2007	Jan, 2008	Feb, 2008	Mar, 2008

2007/2008 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2007 to Apr 30, 2007	4	4	4	4	4	4	5	2	30	Apr 06, 2007 Good Friday 2007 (Fri)
May 01, 2007 to May 31, 2007	3	6	5	5	4	4	4	1	31	Apr 09, 2007 Easter Monday 2007 (Mon)
Jun 01, 2007 to Jun 30, 2007	4	4	4	4	4	5	5	0	30	May 21, 2007 Victoria Day 2007 (Mon)
Jul 01, 2007 to Jul 31, 2007	4	4	4	4	4	4	4	2	31	Jul 01, 2007 Canada Day 2007 (Sun)
Aug 01, 2007 to Aug 31, 2007	3	4	5	5	4	4	4	1	31	Jul 02, 2007 Monday Service for Canada Day
Sep 01, 2007 to Sep 30, 2007	3	4	4	4	4	4	5	1	30	Aug 06, 2007 BC Day 2007 (Mon)
Oct 01, 2007 to Oct 31, 2007	4	4	4	4	4	4	4	1	31	Sep 03, 2007 Labour Day 2007 (Mon)
Nov 01, 2007 to Nov 30, 2007	4	4	4	4	4	4	3	3	30	Oct 08, 2007 Thanksgiving Day 2007 (Mon)
Dec 01, 2007 to Dec 31, 2007	5	3	3	4	4	4	5	2	31	Nov 11, 2007 Remembrance Day 2007 (Sun)
Jan 01, 2008 to Jan 31, 2008	4	4	4	5	5	4	4	1	31	Dec 25, 2007 Christmas Day 2007 (Tue)
Feb 01, 2008 to Feb 29, 2008	4	4	4	4	4	5	4	0	29	Dec 28, 2007 Boxing Day 2007 (Wed)
Mar 01, 2008 to Mar 31, 2008	4	4	4	4	4	3	5	2	31	Jan 01, 2008 New Years Day 2008 (Tue)
										Mar 21, 2008 Good Friday 2008 (Fri)
										Mar 24, 2008 Easter Monday 2008 (Mon)
Total	29	50	61	52	50	62	51	14	388	14 Exceptions

Monthly Summary

Month	Paratransit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2007	384.50			384.50	0.00			0.00
May, 2007	409.00			409.00	0.00			0.00
June, 2007	407.50			407.50	0.00			0.00
July, 2007	395.50			395.50	0.00			0.00
August, 2007	408.00			408.00	0.00			0.00
September, 2007	388.50			388.50	0.00			0.00
October, 2007	408.00			408.00	0.00			0.00
November, 2007	383.00			383.00	0.00			0.00
December, 2007	398.50			398.50	0.00			0.00
January, 2008	408.00			408.00	0.00			0.00
February, 2008	385.50			385.50	0.00			0.00
March, 2008	388.50			388.50	0.00			0.00
Total	4,801.50	0.00	0.00	4,801.50	0.00	0.00	0.00	0.00

SCHEDULE "C" - Budget

Schedule C

Information severed pursuant to S. 2(1) of the FOI - POP Act
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Prince George Custom Transit

**Official AOA
2007/2008**

TRANSIT REVENUE	
Farebox Cash	\$76,918
Tickets & Passes	\$777
TOTAL REVENUE	\$77,695
EXPENDITURES	
Fixed Costs	
Variable Hourly Costs - Scheduled Service	
Variable Distance Costs - Scheduled Service	
Maintenance - Running Repairs	
Maintenance - Major Repairs	
Taxi Supplement	\$17,000
Taxi Saver Program	\$140,000
Taxi Saver Recoveries	-\$70,000
ICBC Insurance	\$5,900
Captive Insurance	\$4,300
Information Systems	\$7,500
TOTAL DIRECT OPERATING COSTS	\$696,332
Marketing	\$3,200
Municipal Administration	\$13,927
BCT Management Services	\$37,950
TOTAL OPERATING COSTS	\$751,409
Debt Service - Vehicles (Local Share)	\$32,113
Debt Service - Equipment (Local Share)	\$2,427
TOTAL DEBT SERVICE - LOCAL SHARE	\$34,540
TOTAL COSTS	\$785,949
COST SHARING	
Municipal Share of Costs	\$284,834
Less: Total Revenue	\$77,695
Less: Municipal Administration	\$13,927
Net Municipal Share of Costs	\$193,213
Authority Share of Costs	\$501,114
STATISTICS	
Scheduled Revenue Hours	10,848.00
Total Passengers	57,900
Custom/Para Passengers - Vans	36,000
Custom/Para Passengers - Taxi Supplement	1,900
Taxi Saver Passengers	20,000

Schedule C

Information severed pursuant to
S. 21(C) of the
 FOI - POP Act

Prince George Community Bus Paratransit

**Official AOA
 2007/2008**

TRANSIT REVENUE	
Farebox Cash	\$27,500
TOTAL REVENUE	\$27,500
EXPENDITURES	
Fixed Costs	
Variable Hourly Costs - Scheduled Service	
Variable Distance Costs - Scheduled Service	
Maintenance - Running Repairs	
ICBC Insurance	\$1,000
TOTAL DIRECT OPERATING COSTS	\$216,354
Municipal Administration	\$4,327
BCT Management Services	\$11,982
TOTAL OPERATING COSTS	\$232,663
Debt Service - Vehicles (Local Share)	\$8,500
TOTAL DEBT SERVICE - LOCAL SHARE	\$8,500
TOTAL COSTS	\$241,163
COST SHARING	
Municipal Share of Costs	\$241,163
Less: Total Revenue	\$27,500
Less: Municipal Administration	\$4,327
Net Municipal Share of Costs	\$209,336
Authority Share of Costs	\$0
STATISTICS	
Scheduled Revenue Hours	4,801.50
Total Passengers	25,000
Conventional Passengers	25,000

Schedule "D" - Payment Schedule

**Prince George Custom Transit and Community Bus
2007/2008 AOA BUDGET**

1) Payment Schedule

The Authority agrees to pay the Operating Company a monthly payment on the following basis:

a) for Specified Service in Schedule "B":

- i) for Fixed Monthly Payment Prince George Custom; plus
- ii) for Fixed Monthly Payment Prince George Community Bus; plus
- iii) per Revenue Hour for service Prince George Custom; plus
- iv) per Revenue Hour for Prince George Community Bus; plus
- v) Variable distance costs for fuel and tires as billed, with satisfactory supporting documentation.

b) for Maintenance:

- i) Vehicle maintenance subcontracted by the Operating Company shall be paid at cost in accordance with the budget specified in Schedule "C", with satisfactory supporting documentation (invoices).
- c) Special Group Trips cost recovery shall be credited to the Authority on the monthly contractors invoice.
- d) BC Transit will cost share with the City a fee of \$4 for each Taxi Saver ride provided to a wheelchair or scooter user up to a maximum of \$1,000 per month.



Information severed pursuant to
S. 21(1) of the
FOI - POP Act

Schedule "E" – Tariff-Fares**Fares:**

Registered Users and Companions	\$2.00
Attendants Accompanying Registered Users	Free

Tickets are available at the same price as regular cash fares.

Note: Visitors (elsewhere in B.C. and outside B.C.) are eligible for temporary handyDART service.