

Transit Division

Division des transports en
commun

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November 19, 2024

Brent Larmer
Corporation of the Town of Cobourg
55 King Street West
Cobourg ON K9A2M2
blarmer@cobourg.ca

Dear Brent Larmer,

RE: EV ChargeON Community Sites Stream – Letter of Agreement

Further to Minister Sarkaria’s letter to your organization on November 12, 2024, the Ministry will provide your organization funds up to the maximum funding amount in accordance with the Terms and Conditions outlined in the [Program Guide](#), your organization’s Application Form, and this Letter of Agreement, including appendices.

The approved project is eligible for funding up to the maximum funding amount identified in the chart below:

TPON Case Number	Maximum Funding Amount	Site Name	Location	# of Ports	Type of Charger(s)
2024-01-1-2361619760	\$30,000	Albert Street Public Parking Lot	Cobourg	4	Level 2 port(s)

Approved projects must be completed **within twelve (12) months** from the date of the approval letter (November 12, 2024). If your organization is unable to meet this deadline, for any reason, your organization must notify the Ministry on or before August 29, 2025, of the delay and the reason for the delay, requesting the Ministry extend this timeline for up to an additional twelve (12) month period or up to November 12, 2026.

If your organization modifies or is unable to complete a Site as identified in the chart above, you must notify the Ministry as soon as possible.

Your organization must carry out the Project in accordance with all terms and conditions identified in this Letter of Agreement including all Appendices, the Minister's Letter dated November 12, 2024, the Program Guide, and the Application Form. Failure to do so, may be considered an Event of Default, as per the Program Guide. Without limitation upon the foregoing, if in the opinion of the Ministry, your organization fails to carry out the project in accordance with this requirement, the Ministry may take steps it considers necessary including, but not limited to, cancelling funds.

As identified in the Program Guide, now that your organization's project has been approved for funding, the Ministry requires final documentation be submitted for verification purposes. Please see attached Appendix "B" which has further details regarding the types of mandatory documentation your organization will need to submit to the Ministry. The approval of funding to your organization by the Ministry is contingent upon the Ministry receiving, reviewing, and approving these submitted documents.

Please sign and return Appendix "A" along with the mandatory documentation outlined in Appendix "B" to the Ministry via email to evchargeon@ontario.ca at your earliest convenience and not later than November 29, 2024.

If you have any questions, please reach out to the Ministry of Transportation's EV ChargeON Team at evchargeon@ontario.ca

Thank you for your ongoing support, innovation, and commitment to strengthening the EV charging network and for providing charging stations to bridge existing gaps throughout the province.

Sincerely,



James Pearce
Assistant Deputy Minister
Transit Division
Ministry of Transportation

Encl. Appendix "A"
Appendix "B"
Appendix "C"

Appendix “A”

General Terms and Conditions

1. All Terms and Conditions relating to the Project contained in the EV ChargeON Program Guide, the Recipient’s Application Form, and the Letter of Agreement are binding, and may only be amended by a written agreement duly executed by the Ministry and the Recipient.
2. The Agreement will be effective as of November 12, 2024, and will expire five years following the Project Completion Date.
3. If an Event of Default occurs, as defined in the Program Guide, the Ministry may, at any time, take one or more of the following actions:
 - (a) provide the Recipient with an opportunity to remedy the Event of Default upon terms and conditions set by the Ministry at its sole discretion;
 - (b) reduce the amount of Funds;
 - (c) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Ministry upon giving notice to the Recipient. Termination will take effect as provided for in the notice; and
 - (d) demand from the Recipient the payment of an amount equal to any Funds the Ministry provided to the Recipient.
4. The Recipient will not, without the Ministry’s prior written consent, sell, lease, or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided. If the Recipient sells, leases or otherwise disposes of an asset, the Ministry may, at any time, take one or more of the following actions:
 - (a) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Ministry upon giving notice to the Recipient. Termination will take effect as provided for in the notice; and
 - (b) demand from the Recipient the payment of an amount equal to any Funds the Ministry provided to the Recipient.
5. Certificate of Insurance. The Certificate of Insurance the Recipient is required to provide to the Ministry must:
 - (a) make reference to the Project, including the specific unique site name of the Project somewhere in the document.
 - (b) include a 30-day written notice of cancellation.

- (c) include the Indemnified Parties as additional insureds, specifically stating “His Majesty the King in right of Ontario, His ministers, agents, appointees and employees” as the Indemnified Parties in the section for additional insureds.
- (d) include Commercial General Liability with Cross Liability Clause and Contractual Liability Coverage.
- (e) the limit of liability outlined in the COI cannot be less than \$2,000,000.00 (two million dollars).

Acknowledgement and Acceptance of the Terms and Conditions

The Ministry requires written acknowledgement that you have read and agree to all terms and conditions contained in this Letter of Agreement, the Minister’s Approval Letter, the Program Guide, and the Application Form (**all together, “the Agreement”**).

As evidenced by completion of the check-box below, Corporation of the Town of Cobourg acknowledges, in consideration of the mutual covenants and agreements contained in the Agreement, that it agrees and accepts all Terms and Conditions of the Agreement.

- Yes
- No

Corporation of the Town of Cobourg acknowledges and agrees that the organization shall comply with all Terms and Conditions of the Agreement.

Corporation of the Town of Cobourg

Per: _____ Date _____
[insert name] [insert title]

I have the authority to bind Corporation of the Town of Cobourg

Appendix “B” Mandatory Documentation

Mandatory documentation:

Certificate of Insurance: A valid Certificate of Insurance (“COI”) is required for all applicant types (i.e., all recipients), in addition to the Mandatory Documentation identified in the below chart specific to each type of applicant. Please see Appendix “A” for details of what must be included on the COI.

Applicant Type	Mandatory Documentation required in addition to the COI:
Municipalities	<p>One of the following that confirms support for the Project:</p> <ol style="list-style-type: none"> 1. Council Resolution 2. Enabling By-law
Indigenous Communities and Indigenous Organizations	<p>One of the following that confirms support for the Project:</p> <ol style="list-style-type: none"> 1. Band Council Resolution; 2. Political Territorial Organization Resolution 3. Tribal Council Resolution; 4. Métis Community Council Resolution; 5. Provincial Council of the Métis Nation of Ontario (PCMNO) Resolution; 6. Letter of Support from Chief, Band Council, Political Territorial Organization, Tribal Council, or Leader from an Indigenous Organization.
Indigenous Businesses	<p>One of the following that confirms Indigenous status of the business owner:</p> <ol style="list-style-type: none"> 1. Indigenous Business Directory (IBD) 2. Canadian Council for Aboriginal Business (CCAB) – Certified Aboriginal Business (CAB) 3. Indian registration in Canada 4. Membership in an affiliate of the Métis National Council 5. Acceptance as an Indigenous person by an established Indigenous community 6. Enrolment or entitlement to be enrolled in a comprehensive land claim agreement

Applicant Type	Mandatory Documentation required in addition to the COI:
Broader Public Sector	Written confirmation of Board of Directors support for the Project, including reference to Site location
Not-for-Profit Corporation	Written confirmation of Board of Directors support for the Project, including reference to Site location

The provision of funding to your organization by the Ministry is contingent upon the Ministry receiving, reviewing and approving the mandatory documentation.

Appendix “C” Maximum Funding and Eligible & Ineligible Expenditures

1. **Range of Maximum Funds.** As outlined in the EV ChargeON Program Guide, the per-project approved contribution depends on the type of infrastructure and type of applicant, up to the maximum amounts the following table:

Maximum Funding for Type of Infrastructure and Applicant

Charger Type	Charger Output	Maximum funding for businesses, not-for-profit corporations, and broader public sector Applicants	Maximum funding for municipalities and Indigenous Applicants ⁴
Level 2	3.3 kW to 19 kW	Up to 50% of Total Project Costs, to a maximum of \$5,000 per port	Up to 75% of Total Project Costs, to a maximum of \$7,500 per port
Level 3	20 kW to 49 kW	Up to 50% of Total Project Costs, to a maximum of \$15,000 per port	Up to 75% of Total Project Costs, to a maximum of \$22,500 per port
Level 3	50 kW to 99 kW	Up to 50% of Total Project Costs, to a maximum of \$50,000 per port	Up to 75% of Total Project Costs, to a maximum of \$75,000 per port
Level 3	100 kW to 199 kW	Up to 50% of Total Project Costs, to a maximum of \$75,000 per port	Up to 75% of Total Project Costs, to a maximum of \$112,500 per port
Level 3	200 kW and above	Up to 50% of Total Project Costs, to a maximum of \$100,000 per port	Up to 75% of Total Project Costs, to a maximum of \$150,000 per port

Upon the submission of actual incurred project expenses at the completion of the approved project, the financials will be reviewed against the total project costs (eligible and ineligible expenses), the timeframes of the incurred expenses and the funding received from other sources to confirm the reimbursable project funds.

The funding formula will be reapplied upon review of the final report and financials and administered according to the actual project expenses.

2. Eligible Expense Categories and Timelines

Eligible Expenditures

Refer to the table below for details on which expenditures are eligible towards the Total Project Costs (i.e., may make up an Applicant’s or other contributor’s share of the contribution) and which are eligible for reimbursement under the Program:

Expenditure	Description	Eligible Towards Total Project Costs	Eligible for EV ChargeON reimbursement
Capital expenses	An expenditure that results in an enduring benefit, as required by the project. Can include, but are not limited to, the purchase of charging equipment, costs associated with site preparation and finishing, and networking equipment.	Yes	Yes
Professional services	Costs for the purchase of additional support required for the completion of the project. Can include scientific, technical, management; contracting; engineering; construction; installation, testing and commissioning of equipment; training; marketing; data collection; logistics; printing; signage; distribution.	Yes	Yes
Rental fees or leasing costs	Cost to rent or lease any equipment needed for the conduct of the project, which can include construction equipment.	Yes	Yes
License fees and permits	Typically include any municipal, provincial or federal licences or permits for setting up the fuelling/charging infrastructure. This can include safety permits, business permits, environmental permits, etc.	Yes	Yes
Salary and benefits	Salaries include wages for all personnel with direct involvement in the project, such as engineers, construction staff and technical advisers. All eligible personnel must be employees on the proponent's payroll. Benefits are defined as a reasonable prorated share of expenses associated with the direct labour cost, employee benefits, plus any other employer-paid payroll-related expenses.	Yes	No
Reasonable travel costs	Transportation, meals and accommodation necessary for activities directly linked to the project.	Yes	No
Environmental Assessments, permits and authorizations	Should a Project require an environmental assessment, permit, authorization, study of natural, social and economic and/or cultural environmental study, any costs related to that process would be included here. This could include costs for study documents or processes needed to secure the approval, public consultation or preparing the environmental impact statement.	Yes	No
GST, PST and HST net of any tax rebate	Any taxes claimed must always be net of any tax rebate to which the proponent is entitled.	Yes	No
Overhead expenses	Up to a maximum of 15% of Total Project Costs. May include administrative support provided directly to the project by the proponent's employee(s), valued on the same basis as professional staff time; and heat, electricity, and office operating costs provided that they are directly related to the project.	Yes	No
In-kind support	A cash equivalent contribution in the form of an asset for which no cash is exchanged but that is essential to the project and the proponent would have to purchase on the open market or through negotiation with the provider if the proponent did not provide it. Value must be determinable and verifiable.	Yes	No
Land costs	Expenses associated with acquiring a piece of property.	Yes	No
Legal costs	Legal fees directly related to, and necessary for, the implementation and conduct of the Project.	Yes	No
Ongoing operating costs	Costs associated with the ongoing operation of the charging stations, including electricity consumption, operation, maintenance, networking fees, subscription fees, etc.	No	No

The Ministry will only reimburse eligible expenditures for an approved project for costs incurred during the Eligible Expenditure Period and, only after the following conditions, as outlined in the Program Guide, are met:

- The charger is fully operationalized. A project is considered operational when the charger delivers the agreed-upon power output and conforms with up-time percentage as identified in the site Operations and Maintenance Plan.
- Receipt, review, and approval of the Project Completion Report and supporting documentation.

The eligible expenditure period commences on **November 12, 2024**. All reimbursable invoices must be dated after November 12, 2024.

These expenses must be net of HST or other rebates.

Expense eligibility will be verified upon submission of the Final Report.

The payment will be processed following the ministry's satisfactory review of all report requirements.

3. Reporting

(i) Progress Reports

As outlined in the Program Guide, the Ministry may reach out to your organization for progress updates on the approved project during the Eligible Expenditure Period.

(ii) Project Completion Report

Upon the completion of the Project, your organization will submit a Project Completion Report in Transfer Payment Ontario (TPON) along with the mandated documents to be reimbursed for eligible project expenses up to the maximum funding amount. Information on how to submit the Project Completion Report and supporting documents will be shared with successful applicants at a later date.

(iii) Annual Usage Reporting

Your organization will also be required to submit annually a usage data report for a period of five (5) years from project completion date.