



# The Corporation of the Town of Pelham

By-law No. 55-2024

**Being a by-law to authorize the Mayor and Clerk to enter into an Agreement with The Herrington Group Ltd. for consulting services as per the Proposal to Coordinate Accessibility for Ontarians with Disability Act Compliance for 2024 - 2026, and to Repeal and Replace By-law #4397(2021).**

**WHEREAS** the Council of the Corporation of the Town of Pelham deems it desirable to enter into an Agreement with The Herrington Group Ltd. to provide consulting services to ensure compliance with the Accessibility for Ontarians with Disability Act, 2005 and the Ontarians with Disability Act, 2001;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems it expedient to authorize an agreement between the Corporations of the Township of West Lincoln, the Town of Grimsby, the Town of Lincoln, the Town of Niagara-on-the-Lake, the City of Thorold, the City of Port Colborne, the Town of Pelham and The Herrington Group Ltd. for the provision of consulting services and the administration of the Joint Accessibility Advisory Committee for a two-year period of 2024 - 2026;

**NOW THEREFORE** the Council of the Corporation of the Town of Pelham enacts as follows:

- 1. THAT** the proposal attached hereto and forming part of this By-law between the Corporation of the Town of Pelham and The Herrington Group Ltd. be and the same is hereby approved; and
- 2. THAT** the Mayor and Clerk be and are hereby authorized and instructed on behalf of the Corporation of the Town of Pelham to execute said Agreement and the Clerk is hereby authorized to affix the Corporate Seal thereto; and
- 3. THAT** By-law #4397(2021) be and is hereby repealed and replaced.

**4. Effective Date**

- 4.1. This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this 4th day of September, 2024.

Marvin Junkin, Mayor

Holly Willford, Town Clerk



## **Proposal to Coordinate AODA Compliance for 2024 - 2026**

**Submitted to:**  
The Town of Lincoln  
The Township of West Lincoln  
The Town of Pelham  
The City of Thorold  
The Town of Niagara-on-the-Lake  
The Town of Grimsby and  
The City of Port Colborne

**Submitted to:**  
Matthew Trennum, Clerk  
City of Thorold

**Submitted by:**  
Donna L. Herrington  
President and Senior Planner  
The Herrington Group Ltd  
53 Greenmeadow Court  
St. Catharines, ON L2N 6Y7  
[donna@theherringtongroup.ca](mailto:donna@theherringtongroup.ca)

**October 23, 2023**

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## 1.0 Introduction

The Joint Accessibility Advisory Committee of Lincoln, West Lincoln, Pelham, Thorold, Niagara-on-the-Lake, Grimsby and Port Colborne (JAAC) seeks a consultant to provide consultation and assistance in developing compliance strategies and tools to ensure continued compliance with the Accessibility for Ontarians with Disabilities Act (AODA) and resulting regulations.

In 2022, The Herrington Group (THG) was contracted for a two-year term (2022- 2024) by the JAAC to assist with compliance activities relating to the Accessibility with Ontarians with Disabilities Act, 2005. THG assisted the JAAC partners in complying with the AODA by:

- Drafting a 5-Year Accessibility Plan and Annual Progress Reports
- Developed and implemented Refresher AODA Training Module
- Supporting the JAAC in developing and implementing the Accessibility Matters Here Campaign
- Supporting JAAC municipalities during provincial compliance audits
- Providing daily support to municipal staff and the Joint Accessibility Advisory Committee members.

The Herrington Group Ltd (THG) has extensive experience in accessibility consulting and compliance strategy development under the AODA, having provided similar services to a variety of clients. This proposal will outline our understanding of the required deliverables as well as the suitability of our firm to provide consulting services to the JAAC.

## 2.0 Corporate Background and Experience

The Herrington Group is comprised of individuals who have extensive experience in disability issues, training, Universal Design, Barrier-Free Access, Human Resources, Human Rights legislation, planning and policy development, research, and architecture/construction. Most of our team also consists of individuals who also live with a variety of disabilities. This "lived experience" informs our work and strengthens our products and services.

**Donna L. Herrington, B.A., Accessibility Consultant and Project Manager**

Donna Herrington, the senior planner and owner of The Herrington Group has extensive personal and professional experience in disability issues. Donna possesses over

twenty-five years' experience in accessibility planning, policy and program development, training development and organizational change processes. Donna is well-versed in compliance obligations under the AODA and consequently has extensive experience in the area of accessibility planning.

Since starting THG in 2003, Donna has conducted accessibility audits of over 1200+ facilities and has created training programs to comply with the AODA's Customer Service Standard O. Reg. 429/07 that have trained over 25,000 people across the province.

Clients include: Strasman Architects (for Toronto Transit Commission), Sheridan College, Mohawk College, Ottawa Community Housing Corporation, Niagara College, Algonquin College, Humber College, Conseil Scolaire Catholique du Nouvel Ontario The City of Mississauga, GlaxoSmithKline, the Ontario Pension Board, the Cadillac Fairview Corporation, The Niagara Parks Commission, the Town of Oakville, the Regional Municipality of Peel, the City of Port Colborne, the Township of Wainfleet, the Halton District School Board and the Upper Grand District School Board, the Sudbury Catholic District School Board, the Catholic District School Board of Eastern Ontario, the City of St. Catharines, the City of Ottawa, Brock University, the City of Waterloo, the City of Kitchener and the Niagara Health System.

Donna has been an instructor for Niagara College's Multidisciplinary Geriatric and Mental Health Program teaching courses in Ontario's Mental Health System. She has served as an Expert Proposal Evaluator for Human Resources Development Canada's Social Development Partnerships Program – Disability Component. She has volunteered her time with the Niagara Prosperity Initiative and previously served as a member of the Niagara Grant Review Team of the Ontario Trillium Foundation.

## **2.1 Related Experience**

- **Strasman Architects (for Toronto Transit Commission), Sheridan College, Mohawk College, Niagara College, Algonquin College; Humber College**— conducted accessibility audits of all facilities within these corporations.
- **Niagara Parks Commission** - acted as an Accessibility Consultant coordinating all AODA compliance activities. Includes authoring all compliance policies, documents, and planning tools to comply with the Accessibility for Ontarians with Disabilities Act. Conducted accessibility audit of all NPC attractions.
- **GlaxoSmithKline** – acted as an Accessibility Consultant coordinating all AODA

compliance activities. Includes authoring all compliance policies, documents, and planning tools to comply with the Accessibility for Ontarians with Disabilities Act. Conducted accessibility audit of the corporate facilities.

- **Ontario Pension Board** - acts as an Accessibility Consultant in the Corporation's compliance effort under O. Reg. 191/11 including the authoring the organization's Accessibility Policy and providing templates for the development of a Multi-Year Accessibility Plan.
- **Cadillac Fairview Corporation** – acted as an Accessibility Consultant in the Corporation's compliance effort under O. Reg. 191/11 including the authoring the organization's Accessibility Policy and providing templates for the development of a Multi-Year Accessibility Plan. O. Reg. 429/07. Authored the Cadillac Fairview's Accessible Customer Service Policy and conducted a peer review of the organization's accessible customer service training. Policy and training enacted across entire Ontario operations which includes 28 facilities.
- **The Regional Municipality of Peel** – acted as an Accessibility Consultant in the Region's compliance effort under O. Reg. 429/07. Conducted organization-wide training and policy gaps analysis. Assisted in the authoring of the Region's Accessible Customer Service Policy. Designed training modules.
- **The City of Ottawa** – developed and piloted an accessibility training module for front line staff that can be customized for different types of City services and incorporated into existing learning/training opportunities. Developed and authored a facilitator's handbook to guide trainers in delivering the accessibility training module
- **The City of Mississauga, the Catholic District School Board of Eastern Ontario and Sudbury Catholic District School Board** – conducted accessibility audits of all facilities within these corporations (including offices, community centres, public pools, arenas, parking facilities, parks, lecture halls, theatres, recreational areas and outdoor spaces etc.).

### **3.0 Deliverables Provided by The Herrington Group from 2022-2024**

From 2022-2024, The Herrington Group provided the following deliverables to the JAAC:

1. Provided support to JAAC members. The JAAC has the following priorities and objectives:

- Establish an effective working relationship with JAAC staff and Councils to ensure appropriate compliance with AODA Accessibility Standards.
  - Assist JAAC staff and Councils by providing compliance planning tools and resources with the aim of making compliance easier for staff and more effective for people with disabilities receiving programs and services.
  - Educate JAAC staff and Councils about barriers facing people with disabilities in our community.
2. Managed the Accessibility Advisory Committee; facilitated 13 meetings and maintained minutes and managed related action items.
  3. Drafted Refresher AODA Training and with the JAAC, submitted updated training module to ensure ongoing compliance with the AODA.
  4. Assisted JAAC municipalities respond to AODA compliance questions from Province. Prepared, collated and submitted all compliance related documents. Provided legislative interpretation advice to municipal contacts, provided response advice and direction.
  5. Conducted Site Plan reviews for Town of Pelham, Town of Lincoln, Town of Grimsby and Town of Niagara-on-the-Lake.
  6. Developed and submitted Support Letters for JAAC member accessibility related funding applications.
  7. Consulted on Human Rights issues relating to disability as requested.
  8. Responded to telephone and email access related enquiries from JAAC partners and their staff. Attended several meetings with Town staff.

#### **4.0 2024 - 2026 Project Deliverables and Responsibilities**

To ensure effective compliance with AODA the consultant proposes the following services for the contract term:

##### **Management of the Joint Accessibility Advisory Committee:**

- Solicitation and screening of new committee members (as required).
- Orientation for new and existing committee members.

- Preparation and distribution meeting packages (agendas, minutes, materials for review).
- Secure meeting locations ensuring a minimum of 6 regularly scheduled meetings in the planning year and coordination of Zoom meetings as required.
- Arrange committee member transportation and other accommodations as required/applicable.
- Attend JAAC meetings in the role of Secretary.
- Develop and submit annual work plans to the Admin Group.

#### **AODA Interpretation and Compliance Support:**

- The Consultant will provide AODA and Accessibility Standard analysis and interpretation and will orient JAAC members and JAAC Admin staff to compliance requirements (addressing general information needs as well as answering specific enquiries).
- The Consultant will review any new Accessibility Standards created under the AODA and any related legislation which impacts compliance such as the Human Rights Code and the Accessible Canada Act. The consultant will provide consultation and advice in a variety of formats (written and verbal) as required. This includes advising on existing and new Accessibility Standard implications, policy and procedural needs, training needs and equipment and capital needs to comply with regulations.
- The Consultant will audit sample internal and external documents, processes and information systems to identify barriers to people with disabilities as well as identify Accessibility Standard compliance gaps with the assistance of the JAAC.
- The Consultant will assist in policy writing, procedure development and training plan and content development to comply with AODA requirements and emerging municipal needs.
- The Consultant will recommend strategies and implementation measures that are identified as best practices as a result of THG's previous experience with the identified compliance need as well as best practices from a legislative perspective.
- The Consultant will recommend best practices as they relate to providing the greatest extent of accessibility for individuals living with a wide variety of disabilities (i.e. maintaining a "cross-disability focus" addressing the needs of individuals with physical, sensory, environmental and mental health disabilities).



**Re-audit municipal facilities to address physical barriers ahead of 2025 legislated deadline**

- The consultant, with the JAAC, will re-audit any municipal facility and prepare reports to identify physical barriers as they relate to AODA, the new OBC and FADS in anticipation of the legislated deadline of 2025. Up to 5 facilities will be completed per year.

**Provide Accessibility Training to New Council, Committee Members and Staff:**

- Consultant and JAAC members will provide accessibility training to all new Council, Committee Members and municipal staff as requested.

**Development of the Multi-Year Accessibility Plan Progress Report:**

- The Consultant will create Multi-Year Accessibility Plan Progress Reports.
- The Consultant will circulate the reporting tool and coordinate the drafting of the Annual Progress Report with input from JAAC partner contacts and submit the Report to Council for approval and adoption.
- Upon completion of the Progress Report, the Consultant will coordinate and assist in developing a Communication Plan for the Report.

**Site Plan Reviews - provide compliance interpretation and support for Niagara FADS, the AODA Built Environment Standard and updated Ontario Building Code:**

- The Consultant will conduct site plans and/or review as requested by JAAC partner municipalities to determine compliance with Built Environment Design Standards including Niagara FADS, AODA Design of Public Spaces and new Ontario Building Code as applicable.

**Liaison support for JAAC staff:**

- The Consultant will respond to email and telephone questions, attend meetings at JAAC and other appropriate locations as requested.

**Further develop the Accessibility Matters Here Award**

- Work with the JAAC to further its recognition award program for municipal, public and private sector efforts to improve accessibility in our community. These awards will be given out once (1x) per year.

### **Liaise with public and private sector organizations and interest groups.**

In conjunction with the JAAC members:

- providing information about the AODA and its regulations
- maintaining a social media presence
- speaking to organizations about accessibility
- educating organizations on how to welcome people with disabilities into their business or workplace

### Service Inclusions and Additional Considerations:

- a) Assignment activities will be conducted at The Herrington Group's offices. Email and telephone consultation will be widely used to reduce the amount of required travel in providing services. However, services will also be provided on site within JAAC municipalities as required.
- b) The consultant will be responsible for planning, meeting facilitation, production of draft materials, dissemination of materials for review, and collecting and consolidating feedback. The consultant will be responsible for the development of the Multi-Year Accessibility Plan Progress Report and any other compliance related policies.
- c) All staff of The Herrington Group Ltd is subject to its Health and Safety Policy and Confidentiality Agreement.
- d) The Herrington Group Ltd holds general liability and errors and omissions insurance in the amount of \$5,000,000. THG also holds an account, in good standing, with WSIB. Certification to confirm both accounts will be provided upon contract commencement.

The proposed budget follows on the next page.

## 5.0 Budget

Expense	Annual Amount	2-Year Total Contract Amount
Printing and Materials	\$1,290	\$2,580
Transportation	\$2,500	\$5,000
JAAC Meeting Accommodations	\$1,950	\$3,900
Consultant's Fee (plus HST):	\$64,260	\$128,520
<ul style="list-style-type: none"><li>• JAAC Management</li><li>• AODA Compliance Planning</li><li>• Facility Re-audits</li><li>• Advice: New Accessibility Standards, new legislation</li><li>• Multi-Year Accessibility Plan and Annual Progress Report Development</li><li>• Community Outreach</li><li>• Site Plan Review Services</li><li>• Compliance Support</li><li>• Staff Liaison Services</li><li>• Administrative Support</li></ul>		
<b>TOTAL</b>	<b>\$70,000</b>	<b>\$140,000</b>

## **5.1 Narrative Explanation of Proposed Budget**

### **Printing and Materials- \$1,290/annum**

This figure reflects printing for the Accessibility Matters Here Campaign promotional materials (brochures and award certificates)

### **Transportation - \$2,500/annum**

These funds will ensure consumer participation from all partnering municipalities. By providing transportation for JAAC members with disabilities, barriers to participation are eliminated and equality in the JAAC planning process is ensured. JAAC members are utilizing transportation most often as they participate in direct service activities such as staff training and consultations.

Eligible transportation costs include mileage reimbursement, taxi and bus costs and the chartering of accessible taxi cabs for wheelchair users. Costs are estimated to be \$416/month x 6 months (the JAAC meets every other month).

### **JAAC Meeting Accommodations - \$1,950/annum**

Costs here include renting accessible meeting space to accommodate all JAAC members and serving light meeting refreshments for bi-monthly JAAC meetings when meeting in person. Meeting space: \$325/meeting x 6 meetings.

### **Consultant's Fee - \$64,260/annum**

Consultant fee includes:

- **JAAC Committee Management and Administration** – annual work plan, monthly meetings, minute taking, follow up support.
- **AODA Compliance Support**– provide interpretation and compliance support relating to existing or new Accessibility Standards including accessibility audits of internal operations, processes, documents, internal and external communications. Meeting with Senior Staff to obtain needed information.

Propose compliance measures, provide status updates and create required documents.

- **Multi-Year Accessibility Plan Progress Report Development** – including designing progress reporting process, collecting and synthesizing data, adding new data should new AODA Standards be regulated, managing JAAC consultation process, drafting Final Progress Report and submission of same to Councils.
- **Facility Re-audits** – re-audit 5 municipal facilities per year.
- **Community Outreach Activities** – prepare for JAAC members AODA related materials to be used in their community outreach activities.
- **Site Plan Review Services** – as requested.
- **Staff Liaison Services** – respond to email and telephone enquiries. Attend JAAC partner consultation meetings.
- **Administrative Support** – calculated at \$15/hour x 10 hours/month x 6 months.

Fee will be billed monthly, and Harmonized Sales Tax will be added.

SIGNED, SEALED AND DELIVERED

Signed this 23 day of September, 2024.

Donna Herrington

Donna L. Herrington  
The Herrington Group Inc.

Don Herrington

Witness:

Signed this 15 day of August, 2024.

The Corporation of the Town of Grimsby

[Signature]  
Mayor:

[Signature]  
Clerk:

Signed this 21 day of August, 2024.

The Corporation of the Town of Lincoln

[Signature]  
Mayor:

[Signature]  
Clerk:

Signed this 22 day of August, 2024.

The Corporation of the Town of Niagara-on-the-Lake

[Signature]  
Mayor:


[Signature]  
(A) Clerk:

Shabrina Anuberg

Signed this 11<sup>th</sup> day of September, 2024.


The Corporation of the Town of Pelham

  
Mayor: Marvin Junkin

  
Clerk: Holly Willford

Signed this 15<sup>th</sup> day of August, 2024.

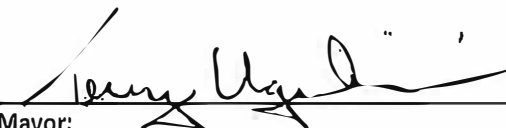
The Corporation of the City of Port Colborne


  
Mayor: William C. Steele

  
Acting Clerk: Carol Schofield

Signed this 14<sup>th</sup> day of August, 2024.


The Corporation of the City of Thorold

  
Mayor: Terry Ugolini

  
Clerk: Nicholas Debono

Signed this 16 day of September, 2024.

The Corporation of the Township of West Lincoln

  
Mayor: Cheryl Ganann

  
Clerk: Justin Paylore