

Legislative
Assembly
of Ontario



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Bill 133

**An Act to promote the purchase of mass transit vehicles
that meet certain conditions in respect of Canadian content and assembly**

Mr. M. Gravelle

Private Member's Bill

1st Reading October 28, 2019

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill requires that certain public bodies that purchase mass transit vehicles may only consider eligible bids that meet certain conditions. These conditions include a requirement for at least 60 per cent of the part of the bid price relating to materials, overhead, labour and profit to be on account of materials, overhead, labour and profit originating in Canada. Final assembly of the mass transit vehicles must take place in Canada.

An Act to promote the purchase of mass transit vehicles that meet certain conditions in respect of Canadian content and assembly

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Purpose

1 The purpose of this Act is to enact the principle that when mass transit vehicles are purchased, public authorities achieve the best possible outcome for every dollar spent by assessing the costs and benefits to government and the people of Canada, rather than selecting solely on the basis of the lowest purchase price.

Definition

2 In this Act,

“mass transit vehicles” include passenger commuter rail cars, subway cars, light rail vehicles, street cars and diesel multiple units, airport people movers and buses; (“véhicules de transport en commun”)

“transit body” means,

- (a) the Crown in right of Ontario,
- (b) a ministry,
- (c) a Crown agency or any other board, commission, authority or unincorporated body of the Crown, and
- (d) a municipality that receives a grant, a loan or other financial assistance from the Crown for the purchase of mass transit vehicles. (“organisme de transport”)

Purchase of mass transit vehicles

3 (1) In the purchase of mass transit vehicles, a transit body shall require that a bid on a contract be eligible for consideration only if the bid meets the conditions set out in subsection (2).

Conditions to be met

(2) To be eligible for consideration for the granting of a contract under subsection (1), a bid shall meet the following conditions:

1. The bid for the manufacturing in Canada of the mass transit vehicles must be a compliant bid and conform to the rules and procedures applicable to the purchase process.
2. At least 60 per cent of the part of the bid price relating to materials, overhead, labour and profit shall be on account of materials, overhead, labour and profit originating in Canada.
3. Final assembly of the mass transit vehicles, which includes but is not limited to the following elements, shall take place in Canada:
 - i. Installation and interconnection of propulsion control equipment, propulsion cooling equipment, braking equipment, heating and air conditioning equipment, communications equipment, motors, wheels and axles, suspensions and frames, and energy sources for auxiliaries and controls.
 - ii. Inspection and verification of all installation and interconnection work.
 - iii. Testing and verification of all functions of the stationary, fully assembled vehicles in the assembly plant.

Audit

(3) The transit body granting the contract shall audit the production of the mass transit vehicles for compliance with the conditions set out in subsection (2).

Commencement

4 This Act comes into force on the day it receives Royal Assent.

Short title

5 The short title of this Act is the *Buy in Canada for Mass Transit Vehicles Act, 2019*.