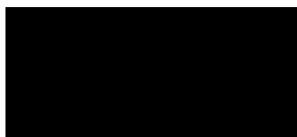


DOC/2019/02959-02

August 12, 2019



**Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act, 2015* [Our File #: MAE/140/2019]**

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On July 18, 2019, the Department of Municipal Affairs and Environment received your request for access to the following records/information:

*"Please forward all documents relating to Atlantic Engineering Consultants Limited detailing the assignment to any third party of any "Standard Form of Agreement between Client and Prime Consultant" between Atlantic Engineering Consultants Limited and any municipality or provincial government department between January 01, 2018 to July 15, 2019."*

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Municipal Affairs and Environment to provide access to some of the requested information.

However, certain text contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy Act, 2015 (the Act)*:

Section 30(1)(b): *"The head of a public body may refuse to disclose to an applicant information that would disclose legal opinions provided to a public body by a law officer of the Crown."*

Section 40(1): *"The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy."*

As required by 8(2) of the *Act*, we have severed information that is unable to be disclosed and have provided you with as much information as possible. Please be advised that pages 4-51 have been removed from the response under Section 30(1)(b). In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

The *Access to Information and Protection of Privacy Act* requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the *Act* (a copy of this section of the *Act* has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John's, NL. A1B 3V8  
Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act* (a copy of this section of the *Act* has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at 709-729-1589 or by e-mail at [EmmaMeulenkamp@gov.nl.ca](mailto:EmmaMeulenkamp@gov.nl.ca).

Sincerely,



**EMMA MEULENKAMP**  
ATIPP Coordinator (Secondary)  
Municipal Affairs and Environment

Enclosures

### **Access or correction complaint**

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.
- (2) A complaint under subsection (1) shall be filed in writing not later than 15 business days
- (a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
  - (b) after the date the head of the public body is considered to have refused the request under subsection 16(2).
- (3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.
- (4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.
- (5) The commissioner may allow a longer time period for the filing of a complaint under this section.
- (6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.
- (7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.
- (8) A complaint shall not be filed under this section with respect to
- (a) a request that is disregarded under section 21;
  - (b) a decision respecting an extension of time under section 23;
  - (c) a variation of a procedure under section 24; or
  - (d) an estimate of costs or a decision not to waive a cost under section 26.
- (9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

### **Direct appeal to Trial Division by an applicant**

**52.** (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).

## Collins, Ryan

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**From:** Power, Chris  
**Sent:** Thursday, June 13, 2019 10:50 AM  
**To:** Johnson, Colleen J.  
**Cc:** Kieley, Kim; Michielsen, Dan  
**Subject:** FW: [Potential Junk/Spam] Re: Integration Letter  
**Attachments:** AECL Integration Letter.docx; AECL Integration Letter Clients.docx

Hi,  
Please see the attached letters. Atlantic wants us to process status reports under DMG but I don't see these letters having much legal authority.  
Please advise how we should proceed.  
Chris

### Chris Power, P.Eng.

Regional Engineer – Western  
Dept. of Municipal Affairs and Environment  
6<sup>th</sup> Floor, Sir Richard Squires Building  
P.O. Box 2006  
Mount Bernard Avenue, Corner Brook, NL  
A2H 6J8  
Ph: 709-637-2491  
Fax: 709-637-2548

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**From:** Don DiCesare <don.dicesare@dmg.nf.ca>  
**Sent:** Thursday, June 13, 2019 9:58 AM  
**To:** Power, Chris <ChrisPower@gov.nl.ca>  
**Cc:** Ivany, Boyd P <BoydPIvany@gov.nl.ca>  
**Subject:** [Potential Junk/Spam] Re: Integration Letter

Hi Chris,

Please see attached.

Kind regards,

## Don DiCesare

P. Eng., Senior Project Engineer (Civil/Structural)  
Transcribed by: **Nikki Brake - Administrative Assistant**

### DMG Consulting Ltd.

34 Main Street, Corner Brook, NL A2H 1C3  
Ph: 709-634-3612 - Fax: 709-634-4628  
Email: [don.dicesare@dmg.nf.ca](mailto:don.dicesare@dmg.nf.ca)

## **TO OUR CLIENTS:**

Invoices **up to** February 28, 2019 are under the account of Atlantic Engineering and cheques should be made out to Atlantic Engineering Consultants Ltd.

Invoices **after** February 28, 2019 will be under the account of DMG Consulting Ltd. and cheques should be made out to DMG Consulting Ltd. Mailing address will remain the same.

## **TO OUR SUPPLIERS:**

Invoices **up to** February 28, 2019 should be made out to Atlantic Engineering Consultants Ltd.

Invoices **after** February 28, 2019 should be made out to DMG Consulting Ltd. at the same address.

## **NEW STAFF CONTACT INFORMATION:**

[don.dicesare@dmg.nf.ca](mailto:don.dicesare@dmg.nf.ca)

[eric.gabriel@dmg.nf.ca](mailto:eric.gabriel@dmg.nf.ca)

[nikki.brake@dmg.nf.ca](mailto:nikki.brake@dmg.nf.ca)

[keith.layden@dmg.nf.ca](mailto:keith.layden@dmg.nf.ca)

[trudy.campbell@dmg.nf.ca](mailto:trudy.campbell@dmg.nf.ca)

[brandon.pardy@dmg.nf.ca](mailto:brandon.pardy@dmg.nf.ca)

[brandon.pilgrim@dmg.nf.ca](mailto:brandon.pilgrim@dmg.nf.ca)

[zach.bartlett@dmg.nf.ca](mailto:zach.bartlett@dmg.nf.ca)



**ATLANTIC ENGINEERING CONSULTANTS LTD.  
ENGINEERS & PROJECT MANAGERS**

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**March 21, 2019**

**TO OUR CLIENTS, SUPPLIERS, AND COLLEAGUES:**

We wish to inform our many clients, suppliers, and business contacts that, after 48 years, Atlantic Engineering Consultants Ltd. has ceased operations, effective March 1, 2019.

As of March 4, 2019, my staff and I have become part of the province wide consulting firm of DMG Consulting Ltd. and our Corner Brook location will now join a larger 100% locally owned firm with additional established offices in Gander, Clarenville, and St. John's.

With our expanded offering of services, and access to the resources available through DMG, including Geotechnical Testing Facilities, we look forward to serving the consulting engineering requirements of all of our existing clients as we build on a long-established record of serving the West Coast region of the Province.

I would like to personally thank you for your loyalty over the past years and look forward to continuing our relationship in the years to come. You will, of course, be dealing with the same Team of Engineers and Technicians, in the same location.

**Sincerely,**

**Donald J. DiCesare, P. Eng.**

**Nb**

**Contact Information:**  
**Don J. DiCesare, P. Eng.**  
**DMG Consulting Ltd.**  
**34 Main Street**  
**Corner Brook, NL A2H 1C3**  
**Telephone: (709) 634-3612**  
**Fax: (709) 634-4628**  
**Email: don.dicesare@dmg.nf.ca**

## Collins, Ryan

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**From:** Power, Chris  
**Sent:** Tuesday, July 16, 2019 2:12 PM  
**To:** Don DiCesare (don.dicesare@dmg.nf.ca)  
**Cc:** McCarthy, Jonathan; Wight, Scott; Hann, Robert (MA); Ivany, Boyd P  
**Subject:** DMG ownership of Atlantic Engineering Consultants

Don,

Please ask DMG to write each individual town you have projects with and indicate the following:

1. DMG has purchased AECL
2. DMG has assumed all legal and financial responsibility for works of AECL
3. List of ongoing projects with the town that DMG will be continuing as prime consultant
4. Indication that they accept and will abide by all terms and conditions in the Prime Consultant Agreement(s) signed between the town and AECL for the above mentioned list
5. Copy town's response to MAE

A list of ongoing projects:

17-CWWF-17-00066	CWWF2016	Western	Irishtown-Summerside	Sanitary Sewer –
South Side Irishtown	Sewer system connection project			
17-CWWF-17-00067	CWWF2016	Western	Irishtown-Summerside	Water system
analysis and intake upgrade				
17-CWWF-17-00068	CWWF2016	Western	Mclver's	New Sanitary Sewer System,
Phase 5				
17-CWWF-17-00069	CWWF2016	Western	Irishtown-Summerside	Sewer South Side to
Christopher's Cove				
17-CWWF-17-00104	CWWF2016	Western	Forresters Point	Community Water
Supply				
17-MCW-17-00017	MCW2016	Western	St. George's	Town Hall Renovation
17-MCW-17-00032	MCW2016	Western	Cormack	Fire Hall Extension
17-MCW-18-00015	MCW2017	Western	Hughes Brook	NEW TOWN HALL
17-MCW-19-00031	MCW2018	Western	Cormack	FIREHALL EXTENSION
17-MCW-19-00040	MCW2018	Western	Forresters Point	WATER SYSTEM PHASE 1A
17-MCW-19-00043	MCW2018	Western	St. George's	EXTENSION TO FIRE HALL
17-SCF-18-00015	SCF2017	Western	York Harbour	Fill Station
17-SCF-18-00018	SCF2017	Western	St. George's	Chlorination Building
Upgrading				
17-SCF-19-00092	SCF2017	Western	Burgeo Watermain Replacement, Phase 3	
17-SCF-19-00117	SCF2017	Western	Irishtown-Summerside	Water System
Intake Upgrades Phase 1A				
17-SCF-19-00121	SCF2017	Western	Lark Harbour	Proposed Water and
Sewer, Phase 4				
17-SCF-19-00123	SCF2017	Western	Mainland	Water System
Improvements Phase 4				

Chris Power, P.Eng.  
Regional Engineer – Western



Dept. of Municipal Affairs and Environment  
6<sup>th</sup> Floor, Sir Richard Squires Building  
P.O. Box 2006  
Mount Bernard Avenue, Corner Brook, NL  
A2H 6J8  
Ph: 709-637-2491  
Fax: 709-637-2548

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**From:** Don DiCesare <[don.dicesare@dmg.nf.ca](mailto:don.dicesare@dmg.nf.ca)>  
**Sent:** Thursday, June 13, 2019 9:58 AM  
**To:** Power, Chris <[ChrisPower@gov.nl.ca](mailto:ChrisPower@gov.nl.ca)>  
**Cc:** Ivany, Boyd P <[BoydPIvany@gov.nl.ca](mailto:BoydPIvany@gov.nl.ca)>  
**Subject:** [Potential Junk/Spam] Re: Integration Letter

Hi Chris,

Please see attached.

Kind regards,

**Don DiCesare**

P. Eng., Senior Project Engineer (Civil/Structural)  
Transcribed by: **Nikki Brake - Administrative Assistant**

**DMG Consulting Ltd.**  
34 Main Street, Corner Brook, NL A2H 1C3  
Ph: 709-634-3612 - Fax: 709-634-4628  
Email: [don.dicesare@dmg.nf.ca](mailto:don.dicesare@dmg.nf.ca)