



## Minutes

### Toronto Transit Commission Board

**Meeting No.:** 2021

**Meeting Date:** Thursday, February 15, 2018

A meeting of the TTC Board was held in Committee Room 1, Toronto City Hall, 100 Queen Street West, Toronto, Ontario on Thursday, February 15, 2018 commencing at 10:14 a.m. The meeting recessed at 10:14 a.m. to meet as the Committee of the Whole. The Board re-convened the public session at 1:15 p.m.

#### Present at Committee of the Whole

J. Colle (Chair), A. Heisey, Q.C. (Vice-Chair), R. Byers, J. De Laurentiis, M. Fragedakis, R. Lalonde and J. Mihevc (Members), R. Leary, T. Bal, C. Greenwood, B. Hasserjian, M. MacRae, G. Piemontese, S. Reed Tanaka, B. Ross, J. Ross, J. Taylor, K. Watson, S. Ambrozny, M. Atlas, T. Baik, C. Bergquist, S. Conforti, M. Killingsworth, C. Leach, B. Leck, S. Milloy, E. Wiggins, K. Lee and C. Finnerty.

H. Krupat (DLA Piper LLP) was present for Item 18.

D. Magisano (Mayor's Office) was also present.

J. Colle was in the Chair.

#### Present at Public Session

J. Colle (Chair), A. Heisey, Q.C. (Vice-Chair), R. Byers, G. De Baeremaeker, J. De Laurentiis, M. Fragedakis, R. Lalonde, J. Mihevc and D. Minnan-Wong (Members), R. Leary (Chief Executive Officer – Acting), T. Bal (Acting Chief Financial Officer), C. Greenwood (Acting Chief Service Officer), B. Hasserjian (Acting Chief Safety Officer), M. MacRae (Executive Director – Human Resources), G. Piemontese (Chief People Officer), S. Reed Tanaka (Chief Capital Officer), B. Ross (Executive Director – Corporate Communications), J. Ross (Deputy Chief Operating Officer), J. Taylor (Chief of Staff), K. Watson (Chief Customer Officer/Deputy CEO), M. Atlas (Associate General Counsel), A. Borkwood (Head – Customer Development), S. Conforti (Head of Finance & Treasurer), V. Cosentino (Director – Statistics), J. Darwood (Head – Strategy and Service Planning), D. Guna (Head – IT), J. Kervin (Director – Third Party Planning & Property), M. Killingsworth (Head – Transit Enforcement), B. Leck (Head of Legal and General Counsel), L. Lui (Transit Planner), P. Occhiogrosso (Retail & Parking Officer), P. Laurin (Head – Engineering), J. Fraser (Head – Capital Programming), E. Wiggins (Head – Wheel-Trans),

R. Wong (Head – Streetcar Maintenance & Infrastructure), T. Zlotnik (Head – Materials and Procurement), K. Lee (Head - Commission Services) and C. Finnerty (Co-ordinator – Secretariat Services) were present.

J. Colle was in the Chair.

### **Declaration of Interest - Municipal Conflict of Interest Act**

Nil

### **Minutes of the Previous Meeting**

Commissioner Lalonde moved that the Board approve the minutes of the meeting held on Thursday, January 18, 2018 and Thursday, January 25, 2018.

The motion by Commissioner Lalonde carried.

### **Business Arising Out of the Minutes**

Nil

### **Public Presentations**

Item No. 13 New Retail Strategy

Alan Yule

The Board received the deputation for information.  
(See Item No. 13 for minute)

Item No. 14 Relief Line South – Geotechnical Consulting Services

Alan Yule  
James McMillan

The Board received the deputations for information.  
(See Item No. 14 for minute)

Item No. 19 Events of January 30, 2018 on Line 1

Shelagh Pizey-Allen

The Board received the deputation for information  
(See Item No. 19 for minute)

## **Presentations/Reports/Other Business**

1. Chief Executive Officer's Report – February 2018 Update

The Board received the Chief Executive Officer's Report – February 2018 Update for information.

2. Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for December 21, 2017

ACAT Chair Raymond Dell'Aera introduced this item.

Following the ACAT Chair's comments the Board received for information the approved minutes from the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting of December 21, 2017.

3. Auditor General's Report: Review of Toronto Transit Commission Procurement Policies and Practices: A Case Study to Improve Future Wheel-Trans Accessible Taxi Services Procurement

Beverly Romeo-Beehler, Auditor General, City of Toronto provided a verbal presentation of her audit findings.

Commissioner Minnan-Wong moved the following motion:

1. That all future Wheel-Trans contracts, if they specify a minimum driver rate, require all drivers to have HST numbers; and
2. That all contractors be required to provide proof of HST remittance to the Canada Revenue Agency (CRA).

The motion by Commissioner Minnan-Wong carried.

The Board adopted the Auditor General's recommendations (1-5), and that of the TTC Audit & Risk Management Committee (6), as follows:

1. The Board request the Chief Executive Officer, Toronto Transit Commission, to review the necessity and the risks associated with stipulating a minimum driver rate in the upcoming accessible taxi services procurement. Financial, operational, legal and procurement risks should be considered, in consultation with legal and procurement experts.
2. The Board request the Chief Executive Officer, Toronto Transit Commission, in the event that a minimum driver rate is included in the upcoming accessible taxi services procurement, to ensure that the appropriate financial staff assess the accuracy, completeness, and reasonableness of the financial estimate of driver income.

3. The Board request the Chief Executive Officer, Toronto Transit Commission, to ensure that draft call document for accessible taxi services, and other Wheel-Trans contracted services, is sufficiently and thoroughly reviewed to minimize the need for addendums and changes.
4. The Board request the Chief Executive Officer, Toronto Transit Commission, to ensure that the appropriate subject matter experts, including finance and risk management staff, are involved at the planning stage of the upcoming accessible taxi services procurement process and the final review of the call document.
5. The Board forward this report to City Council for information through the City's Audit Committee.
6. That the draft RFP document be presented to the Audit & Risk Management Committee for its consideration prior to issuance.

Approved

4. TTC Response to Auditor General Report - Procurement Policies & Practices

Chair Colle moved the following motion:

1. That the Board receive the report for information; and
2. That the report be forwarded to the City of Toronto Audit Committee in accordance with City Council's request at its meeting of July 4, 2017 (AU19.11)

The motion by Chair Colle carried.

5. TTC Internal Audit Department - 2017 Year-End Summary

The Board received the TTC Internal Audit Department - 2017 Year-End Summary report for information.

6. TTC Internal Audit Department – 2018 Flexible Audit Work Plan

The Board received the TTC Internal Audit Department – 2018 Flexible Audit Work Plan for information.

7. Follow Up Contract for Extension of Bechtel Staff for Project Closeout

It is recommended that:

1. The Board authorize the CEO to enter into a new contract with Bechtel with an upset limited of \$3,000,000 plus applicable HST for a 6 month term with the option to extend commencing on April 1, 2018.

Approved

8. Toronto-York Spadina Subway Extension – Procurement Authorization Amendment

It is recommended that:

1. The Board authorize contract amendment to Contract A85-69, Project Management Services (SpadinaLink Project Managers), increasing the contract upset limit amount by \$5,100,000.00 bringing the total upset limit amount to \$140,142,949.00 and extending the contract expiry date to December 31, 2018.

Approved

9. Toronto-York Spadina Subway Extension (TYSSE) Claims Settlement Update

It is recommended that the Board:

1. Receive a confidential update related to the status of TYSSE claims settlement.
2. Authorize that the information provided in the confidential update is to remain confidential in its entirety as it contains information or communication that is subject to solicitor – client privilege.

Approved

10. Collective Bargaining Agreement Ratification (IAMAW Lodge 235)

It is recommended that the TTC Board:

1. Approve the recommendations contained in the confidential attachment; and
2. Authorize that the information contained in the confidential attachment remain confidential with the exception of matters that will be reflected in the new Collective Agreement, should the recommendations be adopted, as it contains information pertaining to labour relations and employee negotiations.

Approved

11. Collective Bargaining Update

It is recommended that the Board:

1. Authorize that the information provided in Confidential Attachment 1 remain confidential in its entirety as it contains information about labour relations or employee negotiations.

Approved

12. 455 Gordon Baker Road

It is recommended that the Board:

1. Receive the information as set out in Confidential Attachment 1.
2. Authorize that the information provided in Confidential Attachment 1 remain confidential in its entirety as it contains advice which is subject to client-solicitor privilege.

Approved

13. New Retail Strategy

Chair Colle moved the following motion:

That staff consider the implementation of additional retail opportunities including site servicing around future infrastructure projects such as elevator installations, second exit installations, station re-designs, new stations and refurbishments.

The motion by Chair Colle carried.

The Board adopted the staff recommendations, as follows:

It is recommended that the Board:

1. Approve the new Retail Strategy;
2. Authorize TTC staff, in consultation with the Director, Real Estate Services, at the City of Toronto, to negotiate and execute three year extensions to 21 leases that expired on December 31, 2017.
3. Direct staff to develop a business case for the implementation of the Retail Strategy for consideration by the Board in conjunction with the 2019 Operating Budget process.
4. Direct staff to forward this report to the Director, Real Estate Services at the City of Toronto.

Approved

14. Relief Line South – Geotechnical Consulting Services

1. It is recommended that the Board authorize the award of Contract G85-355 for Geotechnical Consulting Services for the Relief Line South to the following firms, each in the noted upset limit amounts, in Canadian funds, for a two year duration from the notification of award, on the basis of lowest total evaluated price of the qualified proponents:

<u>Firm</u>	<u>Upset Limit</u>
Amec Foster Wheeler Environment & Infrastructure, a Division of Amec Foster Wheeler Americas Limited (AMEC)	\$9,500,000.00
WSP Canada Inc.	\$7,750,000.00
Thurber Engineering Ltd.	\$7,750,000.00
Total Overall Upset Limit Amount	\$25,000,000.00

Approved

15. Roncesvalles Track and Carhouse Modifications

It is recommended that:

1. The Board authorize award of Contract G35-54, Roncesvalles Track and Carhouse Modifications for New LFLRV, to Maystar General Contractors Inc. in the amount of \$20,899,350.00 inclusive of all taxes on the basis of the lowest total bid price.

Approved

16. PricewaterhouseCoopers LLP 2016 Management Letter Follow-Up

It is recommended that the Board:

1. Receive the report; and
2. Approve forwarding a copy of the report to the City Clerk for appropriate handling.

Approved

17. Outstanding Board Items

The Board received the report for information.

18. Leslie Barns Project Update

Commissioner Mihevc requested that his opposition to the in-camera recommendations be noted. Chair Colle moved the staff recommendations, as follows:

1. Approve the recommendations as set out in the Confidential Attachment;
2. Authorize that the information and recommendation provided in the Confidential Attachment is to remain confidential in its entirety as it contains advice which is subject to client-solicitor privilege.

Approved

19. Events of January 30, 2018 on Line 1

Commissioner Fragedakis moved the following motion:

That TTC staff incorporate within the current emergency response procedures model, in partnership with City of Toronto emergency services stakeholders, a mock simulation scenario that as close as possible reflects the conditions present in the subway system on January 30, 2018.

The motion by Commissioner Fragedakis carried.

The Board adopted the staff recommendations, as follows:

It is recommended that:

1. TTC staff report to the May, 2018 Board meeting on possible bus and streetcar service and route changes that could help reduce overcrowding;
2. TTC staff report to the July, 2018 Board meeting on the analysis of peak and off peak fares as part of the 2018 Ridership Growth Strategy analysis report; and
3. TTC staff forward this report to all members of City Council for information.

Approved

The meeting adjourned at 3:41 p.m.