



Minutes

Toronto Transit Commission Board

Meeting No.: 2015

Meeting Date: Monday, October 16, 2017

A meeting of the TTC Board was held in Committee Room #2, Toronto City Hall, 100 Queen Street West, Toronto, Ontario on Monday, October 16, 2017 commencing at 10:04 a.m. The meeting recessed at 10:06 a.m. to meet as the Committee of the Whole. The Board re-convened the public session at 1:04 p.m.

Present at Committee of the Whole

J. Colle (Chair), A. Heisey, Q.C. (Vice-Chair), R. Byers, J. Campbell, V. Crisanti, J. De Laurentiis, G. De Baeremaker, M. Fragedakis, R. Lalonde and J. Mihevc (Members), A. Byford, T. Bal, R. Leary, M. Palmer, G. Piemontese, S. Reed Tanaka, B. Ross, J. Taylor, K. Watson, B. Leck, C. Greenwood, J. Ross, S. Ambrozy, M. Atlas, S. Conforti, V. Dabrus, R. Duggan, P. Kraft, J. Matharu, S. Rice, T. Zlotnik, C. Bergquist, K. Sibley, K. Lee and C. Finnerty.

G. Cook and T. Tobiason (Colliers International) and J. Makaruk (Mitchell Rothesay) were present for Item 13.

L. Ramadhin (City of Toronto) was present for Item 14.

K. Lillyman (Chair's office) and D. Magisano (Mayor's Office) were also present.

J. Colle was in the Chair.

Present at Public Session

J. Colle (Chair), A. Heisey, Q.C. (Vice-Chair), R. Byers, J. Campbell, V. Crisanti, G. De Baeremaeker, J. De Laurentiis, M. Fragedakis, R. Lalonde and J. Mihevc (Members), A. Byford (Chief Executive Officer), T. Bal (Acting Chief Financial Officer), C. Greenwood (Acting Deputy Chief Service Officer), R. Leary (Chief Service Officer/Deputy CEO), M. Palmer (Chief Operating Officer), 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 (Acting Chief Customer Officer), S. Ambrozy (Solicitor), M. Atlas (Associate General Counsel), S. Conforti (Head – Finance & Treasurer), R. Duggan (Manager – Fire Safety & Emergency Planning), J. Fraser (Head – Capital Programming), B. Leck (Head - Legal & General Counsel), J. Matharu (Manager – CEO Business Support & Council Relations), E. Wiggins

(Head – Wheel-Trans), C. Bergquist (Project Contracts Manager – TYSSE), K. Sibley (Project Director - TYSSE), K. Lee (Head - Commission Services) and C. Finnerty (Coordinator – 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 Byers moved that the Board approve the minutes of the meeting held on Tuesday, September 5, 2017.

The motion by Commissioner Byers carried.

Business Arising Out of the Minutes

Nil

Public Presentations

Item No. 5 King Street Pilot: Monitoring and Enforcement

Alan Yule

The Board received the deputation for information.
(See Item No. 5 for minute)

Item No. 6 Auditor General's Report – Review of Complaint Regarding the June 29, 2016 Toronto Transit Commission Briefing Note

Rosemary Frei

Brenda Thompson

The Board received the deputations for information.
(See Item No. 6 for minute)

Item No. 15 Advancing Fare Integration

Alan Yule

Bob Brent

The Board received the deputations for information.
(See Item No. 15 for minute)

Presentations/Reports/Other Business

1. Chief Executive Officer's Report – October 2017 Update

Commissioner Mihevc moved that the Chief Executive Officer's Report – October 2017 Update be discussed in camera for inquiries of a legal nature.

The Board received the Chief Executive Officer's Report – October 2017 Update for information.

2. Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for July 27, 2017 and August 31, 2017

ACAT Chair Debbie Gillespie 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 July 27, 2017 and August 31, 2017.

3. Presentation: Greater Toronto Airport Authority – Regional benefits of a major mobility hub at Toronto Pearson

H. Marshall, VP, Stakeholder Relations & Communications, Greater Toronto Airport Authority delivered a PowerPoint presentation on this item.

The Board received the presentation for information.

4. Presentation: City of Toronto Real Estate – Update on the City-Wide Real Estate Transformation

D. Jollimore delivered a PowerPoint presentation on this item.

The Board received the presentation for information.

5. King Street Pilot: Monitoring and Evaluation

It is recommended that the TTC Board:

1. Endorse this report and direct staff to provide a performance status report, for all the key performance indicators related to transit, on the King Street Pilot Project as part of the TTC CEO's monthly report to the Board.

Approved

6. Auditor General's Report – Review of Complaint Regarding the June 29, 2016 Toronto Transit Commission Briefing Note

B. Romeo-Beehler, Auditor General made a verbal presentation on the item.

Chair Colle moved the following motion:

1. That recommendations 1 and 3 in the Auditor General's Report – Review of Complaint Regarding the June 29, 2016 Toronto Transit Commission Briefing Note be adopted.

The motion by Chair Colle carried.

7. Auditor General's Report – Review of Toronto Transit Commission Accounts Payable Functions: Improving Invoice Verification and Vendor Account Management

B. Romeo-Beehler, Auditor General made a verbal presentation on the item.

Chair Colle moved the following motion:

1. That the recommendations contained within the Auditor General's Report – Review of Toronto Transit Commission Accounts Payable Functions: Improving Invoice Verification and Vendor Account Management be adopted.

The motion by Chair Colle carried.

8. Toronto-York Spadina Subway Extension Procurement Authorization Amendment to Contract A85-69 Project Management Services

It is recommended that the Board authorize:

1. Contract amendment to SpadinaLink Project Managers for Project Management Services, Contract A85-69, increasing the contract upset limit amount by \$4,900,000.00 bringing the total upset limit amount to \$135,042,949.00 and extending the contract expiry date to June 30, 2018.

Approved

9. Toronto-York Spadina Subway Extension – On-Call Miscellaneous Services - Procurement Authorization Amendment

It is recommended that the Board authorize:

1. Contract amendment to Black and McDonald Limited for Contract C13SB17600 – On-Call Miscellaneous Services, increasing the contract upset limit amount by \$10,000,000.00 bringing the total upset limit amount to \$15,000,000.00 and extending the contract expiry date to June 2018.

Approved

10. 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

11. Essential Service Review

It is recommended that the Board:

1. Approve the recommendations as set out in the Confidential Attachment;
2. Authorize staff to make submissions to the Ministry of Labour, consistent with the information as outlined in the confidential attachment, during the review of the *Toronto Transit Commission Labour Disputes Resolution Act, 2011*, S.O. 2011, c. 2;
3. Request staff to forward a copy of the Confidential Attachment to the City of Toronto;
4. Authorize the information contained in the Confidential Attachment to remain confidential in its entirety unless any of this information is released in any Public report to be issued by the MoL upon the conclusion of the review; and
5. Staff to report back upon receipt of the MoL's final report.

Approved

12. Consolidated Warehouse Strategy

It is recommended that the Board:

1. Approve the recommendations set out in the confidential attachment; and
2. Authorize the information contained in the confidential attachment to remain confidential in its entirety as it contains information pertaining to labour relations or employee negotiations.

Approved

13. Materials and Procurement Warehouse Lease Authorization

It is recommended that the Board:

1. Adopt the confidential recommendations contained in the confidential attachment, as amended, to this report; and
2. Authorize the public release of the confidential information contained in this report once a lease has been executed between the TTC and the landlord.

Approved

14. Scarborough Subway Extension Property Acquisition

It is recommended that the Board:

1. Approve the recommendations set out in the Confidential Attachment, as amended; and
2. Maintain the confidentiality of the information set out in the Confidential Attachment until such time as an agreement with the property owner is executed.

Approved

15. Advancing Fare Integration

Commissioner Mihevc moved the following motion:

1. Request the Chair of the TTC to write a letter to the Province thanking them for re-engaging financial subsidy of operating costs to the TTC through the GO/UP – TTC discounted Fare Initiative; and
2. Further requesting the Province to re-engage financial support for other TTC operating costs.

The motion by Commissioner Mihevc failed.

Vice-Chair Heisey moved the following motion:

1. Direct staff to report back in Q1 2018 on discussions with regional partner transit agencies and Metrolinx on fare integration.

The motion by Vice-Chair Heisey carried.

The item was adopted, as amended.

16. One Person Train Operation - Procurement Authorization Amendment

It is recommended that the Board:

1. Authorize staff to exercise the contract specified option, as set out in contract C31PA15794, for train door monitoring equipment relating to the implementation of OPTO on Line 1 and authorize any necessary amendments to increase the total contract price of Contract No. C31PA15794, Train Door Monitoring Equipment with System Integrated, L.P., in the amount of \$3,882,334.39 plus \$301,073.32 in self-assessed taxes for a net increase of \$4,183,407.71, increasing the total authorized amount from \$2,283,176.59 to \$6,466,584.30.

Approved

17. Subway Public Washroom Cleaning Contract - Procurement Authorization

It is recommended that the Board authorize staff to issue an amendment to increase the upset limit of Contract No. C31PL12733 - Subway Public Washroom Cleaning by \$5,049,000.00 bringing the total upset limit to \$14,625,482.47 in consideration of the following changes:

1. Exercise the option to extend the contract for an additional two years from November 3, 2017 to November 3, 2019, under the existing terms and conditions; and
2. Include the public washroom cleaning of Vaughan Metropolitan Centre station effective December 2017.

Approved

18. Supply of Subway Parts – Procurement Authorization

It is recommended that the Board authorize:

1. The award of an inventory supplier blanket contract for various Wabtec parts for a period of three years (approximately November 2017 to November 2020) to Wabtec in the total upset limit amount of \$8,942,722.77 CDN (\$7,045,397.28 USD) including applicable taxes on the basis of sole source.

Approved

19. Making Wellesley Station Accessible - Procurement Authorization

It is recommended that the Board authorize:

1. Award of Contract S45-8 Easier Access Phase III Wellesley Station to EllisDon Civil Ltd. in the amount of \$17,322,607.33 inclusive of all taxes on the basis of only one qualified bid submission.

Approved

20. Miscellaneous Design Services - Procurement Authorization

It is recommended that the Board:

1. Authorize award of Contract G85-351 for Miscellaneous Design Services to the following five firms, in the noted upset limit amounts, in Canadian funds, each for a three year duration from notification of award, on the basis of the five highest rated qualified proponents:

Firm	Upset Limit Amount
CH2M Hill Canada Limited	\$ 4,000,000.00
Cima Canada Inc.	\$ 4,000,000.00
HDR Corporation	\$ 4,000,000.00
Hatch Corporation	\$ 4,000,000.00
IBI Group Professional Services (Canada) Inc.	<u>\$ 4,000,000.00</u>
Total Overall Upset Limit Amount	\$ 20,000,000.00

Approved

21. TTC Radio Antenna Lease Renewals

It is recommended that the Board:

1. Authorize staff to execute an amendment to extend the lease between Canada Lands Company CLC Limited and TTC located in the CN Tower at 301 Front Street West, Toronto for 10 years at a cost of \$762,000.00 plus HST for rent (including all additional costs), subject to change from current projections due to the escalation of additional rent. The lease will also have a provision for two additional extensions for up to 10 years each. All required documents shall be on terms and conditions satisfactory to TTC's General Counsel; and
2. Authorize staff to execute an amendment to extend the leases between IMH 3250 & 3300 Bloor Ltd. and TTC for the property at 3300 Bloor Street West, for five years at a cost of \$66,000.00 plus HST for rent (including additional rent for hydro), subject to change from current projections due to the escalation of additional rent. The lease will also have a provision for two additional extensions for up to five years each. All required documents on terms and conditions satisfactory to the TTC's General Counsel.

Approved

22. Bill 142 Construction Lien Amendment Act

It is recommended the Board:

1. Request staff provide written responses, request standing and if granted, make oral submissions on Bill 142 consistent with this report regarding:
 - a. Modernizing technical aspects of the *Act*
 - b. Prompt payment
 - c. Adjudication
 - d. Bill 142 impacts and consequences
 - e. False claims protection for publicly funded projects
2. Request staff work with other owners and stakeholders in advancing common interests consistent with this report.

Approved

23. Appointment of TTC Pension Fund Society Directors

It is recommended that the TTC Board:

1. Approve appointing the following to the vacant positions of TTC Pension Fund Society Directors:
 - a. Tara Bal – Chief Financial Officer (Acting)
 - b. Megan MacRae – Executive Director – Human Resources
2. Approve appointing Stephen Conforti – Head – Finance and Treasurer to the TTC Pension Fund Society Observer role.

Approved

The meeting adjourned at 4:21 p.m.