



STAFF REPORT ACTION REQUIRED with Confidential Attachment

Contract U2-7 - Union Station Second Platform and Concourse Improvements - Settlement of Claims

Date:	September 5, 2017
To:	TTC Board
From:	Chief Executive Officer
Reason for Confidential Information:	This report contains advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Summary

On January 16, 2011, EllisDon Corporation Ltd. (EllisDon) was awarded the contract for the Union Station Second Platform & Concourse Improvements Contract U2-7 in the amount of \$161,550,000.00 (including HST).

This report requests authorization for the recommended settlement of the claims by EllisDon.

Recommendations

It is recommended that the TTC Board:

1. Approve the recommendations outlined in the confidential attachment.
2. Authorize the information provided in the confidential attachment, to remain confidential in its entirety as it contains information that is subject to solicitor-client privilege.

Financial Summary

Sufficient funds are included in the category 3.9 Union Station New Platform budget as approved by the Board on November 21, 2016 and approved by City of Toronto Council on February 15, 2017.

The Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Accessibility/Equity Matters

Accessibility improvements were made to Union Station as part of the Second Platform and Concourse Improvements Contract U2-7.

Decision History

On January 16, 2011, the TTC awarded U2-7 for the construction of the Union Station Second Platform and Concourse Improvements to EllisDon for \$161,550,000.00 (including HST).

On September 25, 2013, the Board authorized utilizing the U2-7 Contract to implement the City of Toronto streetscape improvements on Front Street between York Street and Bay Street in advance of the 2015 PanAm and Parapan Am Games.

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2013/September 25/Reports/Notice of Award Unio.pdf](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2013/September%2025/Reports/Notice%20of%20Award%20Unio.pdf)

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2013/September 25/Reports/Decisions/Notice of Award PAA Contract Change U2-7-190.pdf](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2013/September%2025/Reports/Decisions/Notice%20of%20Award%20PAA%20Contract%20Change%20U2-7-190.pdf)

On August 19, 2014, the Board authorized procurement amendments for the U2-7 and U85-6 Contracts.

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2014/August 19/Supplementary Reports/Procurement Authorization Amendments Union Station Second Pl.pdf](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2014/August%2019/Supplementary%20Reports/Procurement%20Authorization%20Amendments%20Union%20Station%20Second%20Pl.pdf)

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2014/August 19/Supplementary Reports/Decisions/PAA Union Station Second Platform.pdf](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2014/August%2019/Supplementary%20Reports/Decisions/PAA%20Union%20Station%20Second%20Platform.pdf)

On July 12, 2017, the Board approved the recommendations in the staff report on Large Litigation Matters.

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2017/July 12/Reports/4 Large Litigation Matters.pdf](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2017/July%2012/Reports/4%20Large%20Litigation%20Matters.pdf)

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2017/July 12/Reports/Decisions/4 Large Litigation Measures.pdf](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2017/July%2012/Reports/Decisions/4%20Large%20Litigation%20Measures.pdf)

Issue Background

The work of the Contract included construction of a second platform, fire ventilation upgrades, a second exit, concourse improvements, and several other state of good repair improvements. Despite the challenge of the construction work, Union Station remained open to TTC customers and pedestrian traffic from Metrolinx/GO Transit and VIA Rail to the PATH system throughout the construction.

As part of Contract U2-7, during the period of the construction of the second platform, delays were encountered in performing the work due to utility conflicts, and unexpected site conditions in the vicinity of Bay and Front Streets resulting in claims from EllisDon. This report recommends settlement and closure of all outstanding claims with respect to this contract.

Contact

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03075-135-247

Attachment

Attachment 1 - Confidential