

Minutes

Toronto Transit Commission

Meeting No. 1988

Wednesday, July 29, 2015

A meeting of the TTC Board was held in Committee Room 1, Toronto City Hall, 100 Queen Street West, Toronto, Ontario, on Wednesday, July 29, 2015 commencing at 10:08 a.m. The meeting recessed at 10:10 a.m. on resolution to meet as the Committee of the Whole and reconvened at 1:05 p.m.

Present - Committee of the Whole

J. Colle (Chair), A. Heisey Q.C. (Vice-Chair), M. Adamson, R. Byers, J. Campbell, S. Carroll, G. De Baeremaeker, R. Lalonde, and D. Minnan-Wong (Members), A. Byford, C. Upfold, S. Reed Tanaka, V. Rodo, B. Ross, G. Shortt, T. Baik, K. Watson, S. Lam, K. Sibley, C. Bergquist, B. Case, J. Murray, A. Yoannis, B. Leck, M. Atlas, K. Lee and D. McDonald.

J. Colle was in the Chair.

K. Rowe, E. Neuman (Chair's Office) and D. Magisano (Mayor's Office) were also present.

Present – Public Session

J. Colle (Chair), A. Heisey Q.C. (Vice-Chair), M. Adamson, R. Byers, J. Campbell, S. Carroll, V. Crisanti, G. De Baeremaeker, R. Lalonde and D. Minnan-Wong (Members), A. Byford (Chief Executive Officer), C. Upfold (Deputy Chief Executive Officer & Chief Customer Officer), K. Watson (Acting Chief Service Officer), S. Reed Tanaka (Acting Chief Capital Officer), V. Rodo (Chief Financial & Administration Officer), B. Ross (Executive Director of Corporate Communications), G. Shortt (Chief Operating Officer), B. Case (Acting Chief of Staff), B. Leck (Head of Legal & General Counsel), M. Atlas (Senior Solicitor), N. Zonni (Acting Head of Materials & Procurement), S. Lam (Head of Streetcar), M. Stambler (Head of Strategy & Service Planning), B. Hughes (Head – Farecard Team), A. Foster (Project Manager – Farecard Team), R. Wojteczko (Senior Contract Administrator), K. Lee (Head of Commission Services) and D. McDonald (Co-ordinator – Corporate Secretariat Services) were present.

J. Colle was in the Chair.

P. Leclerc (President & Chief Executive Officer, Canadian Urban Transit Association) was present for Item 2.

J. Keesmaat (Chief Planner & Executive Director, City of Toronto) was present for Item 3.

Prior to officially calling the meeting to order Chair Colle took the opportunity to acknowledge the passing of Jeff Lyons, former TTC Commissioner, and Chair of the TTC Board from 1987 to 1989. Mr. Lyons passed away on Sunday, July 26, 2015. On behalf of the TTC, Chair Colle extended condolences to the Lyons family at this difficult and sad time.

Declarations of Interest – Municipal Conflict of Interest Act

Nil

Minutes of Previous Meetings

Commissioner Campbell moved that the Board approve the minutes from Meetings No. 1986 and 1987 and that the Chair and Chief Financial & Administration Officer be authorized to sign the same.

The motion by Commissioner Campbell carried.

Business Arising Out of the Minutes

Nil

Public Presentations

- a) Procurement Authorization Amendment – Purchase of 108 Forty Foot Low Floor Clean Diesel City Buses

Alan Yule

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

- b) Improvements to Off-Peak Services – More Frequent and Less Crowded

Alan Yule

The Board received the deputation for information.
(See Item No. 10 for minute).

- c) Improvements to Overnight Service (“Blue Night”) Network: Follow-up Report

Alan Yule

The Board received the deputation for information.
(See Item No. 11 for minute).

- d) Road Closures for the Toronto International Film Festival: Effects on Transit Service

Councillor Joe Cressy
City of Toronto

Carolyn Johnson
(submitted brief)

Hamish Wilson
(submitted brief)

Cameron Bailey
Artistic Director, Toronto International Film Festival

The Board received the deputations for information.
(See Item No. 12 for minute).

Presentations/Reports/Other Business

1. Chief Executive Officer's Report – July 2015 Update

The Board received the Chief Executive Officer's Report – July 2015 Update for information.

2. Presentation: CUTA Corporate Leadership Award in Safety and Security

Patrick Leclerc, President & Chief Executive Officer, Canadian Urban Transit Association, presented the CUTA Corporate Leadership Award in Safety and Security to staff who have demonstrated excellence in the advancement and success of the TTC's Employee Support and Court Advocate program since its inception in 2009.

On hand to receive the award were Stu Budgell (retired), Ken Tedford and Michelle Love. Rick Symons (retired) was unable to attend.

The Board thanked Mr. Leclerc for CUTA's recognition of this important program and congratulated the employees who have been instrumental in making this program so successful over the past six years.

3. Presentation: Transit Planning in Toronto: Roles, Priorities and our Decision Making Framework

Jennifer Keesmaat, Chief Planner & Executive Director, City of Toronto, provided a presentation to the TTC Board entitled "Transit Planning in Toronto: Roles, Priorities and our Decision Making Framework".

The Board received the presentation for information and extended its appreciation to Jennifer Keesmaat for her attendance at the meeting.

4. Procurement Authorization – Supply of Genuine Cummins Parts

It is recommended that the Board authorize the award of inventory contracts for the supply of genuine OEM Cummins engine parts for the period of approximately August 2015 to September 30, 2016 in the following upset limit amounts (including applicable taxes) to the following companies:

- 1) A new contract to Cummins Eastern Canada LP for the supply of 403 parts in the total upset limit amount of \$4,189,000,
- 2) A new contract to City View Bus Sales and Service for the supply of 10 parts in the total upset limit amount of \$390,000, and
- 3) An amendment to the existing contract with Ashcon International Inc. to add 32 parts and

increase the total upset limit amount from \$1,749,000 to \$8,304,000 CAD (\$1,691,000 to \$6,732,000 USD).

Approved

5. Procurement Authorization – Supply, Installation and Maintenance of Faregates for PRESTO

It is recommended that the Board:

1. Approve the award of a contract up to a maximum value of \$17.1 million for the purchase of up to 450 faregates from Scheidt & Bachmann GmbH (S&B), including associated implementation work and maintenance, in accordance with Metrolinx's Master Agreement with Scheidt & Bachmann for "The Supply and Delivery of Hardware Only Solution for Validator Devices". Additionally, negotiate TTC legacy fare media add-ons, and associated license fees, software and hosting services for the faregates.
2. Authorize TTC staff to negotiate and execute an acceptable agreement with Scheidt & Bachmann (based on the terms of the Metrolinx Master Agreement) and all terms and conditions acceptable to TTC's General Counsel.

Approved

6. Procurement Authorization Amendment – Purchase of 108 Forty Foot Low Floor Clean Diesel City Buses

The Board adopted the recommendation in the staff report, as follows:

"It is recommended that the Board:

1. Authorize the amendment to contract C32PM13774 (Supply of Forty Foot Low Floor Clean Diesel City Buses) with Nova Bus, a Division of Volvo Group Canada Inc. (Nova), in the amount of \$67,215,995.56 as follows:
 - a. \$63,447,995.56 inclusive of all applicable taxes to exercise an option for the purchase of 108 additional buses for delivery in 2016 and early 2017 which includes options, alternatives, and changes as a result of the design review process.
 - b. \$3,768,000.00 inclusive of all applicable taxes as an upset limit change allowance for potential contract amendments, options, alternatives, escalation costs, special tools and maintenance parts pertaining to the buses.
 - c. Establish a delivery schedule with Nova to allow for the delivery of the additional 98 buses in 2016, and 10 buses in January, 2017 as detailed in Appendix A. Deliveries will be subject to the assessment of liquidated damages by TTC".

Chair Colle moved the following ancillary motion:

"That staff report back to the Board with an analysis and comparison of lifecycle costs on 12-year buses versus 18-year buses, as well as other appropriate comparisons, including leasing as an option".

The motion by Chair Colle carried.

7. Toronto-York Spadina Subway Extension - Pre-Approval on Claim Settlements

It is recommended that the Board:

1. Approve the pre-approval process for TYSSE claim settlements on an exception basis where the terms of the negotiated settlement are time sensitive and approval cannot await the Board's decision at the next scheduled meeting.

Approved

8. Notice of Partial Claim Settlement - Toronto-York Spadina Subway Extension – Vaughan Corporate Centre Station, Contract A37-1 Claim

It is recommended that the Board:

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

Approved

9. Notice of Claim Settlement - Toronto-York Spadina Subway Extension – Sheppard West Station and Southern Tunnels, Contract A35-25

It is recommended that the Board:

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

Approved

10. Improvements to Off-Peak Services – More Frequent and Less Crowded

It is recommended that the Board forward this report to the City of Toronto Planning Department.

Approved

11. Improvements to Overnight Service (“Blue Night”) Network: Follow-up Report

The Board adopted the recommendation in the staff report, as follows:

“It is recommended that the Board:

1. confirm its previous approval of the expanded all-night network, as described in the staff report presented at the May 27, 2015 meeting;

2. note that overnight service should not be added on either the 45 Kipling or the 46 Martin Grove routes because neither would achieve significant user benefits in terms of bringing more people within a 15-minute walk of overnight service; and
3. forward this report to Councillors Crisanti, Ford, Holyday, Campbell, and Di Ciano”.

Commissioner Crisanti moved the following ancillary motion:

“That staff report back to the Board in July 2016 on re-examined merits that could potentially justify adding overnight service on either the 45 Kipling or the 46 Martin Grove routes”.

The motion by Commissioner Crisanti carried.

12. Road Closures for the Toronto International Film Festival: Effects on Transit Service

Vice-Chair Heisey moved the following motion:

“That the TTC request city staff and TIFF to consider closing a different combination of streets in 2016 that would still have a positive impact for the Festival, the local businesses and our TTC customers, but would not involve the closure of King Street West”.

The motion by Vice-Chair Heisey carried.

Commissioner De Baeremaeker moved the following motion:

“1. that Recommendation No. 1 in the staff report be deleted and replaced with the following:

“that the TTC recognize the importance of TIFF to Toronto’s economy and international reputation and support the requested closure of King Street West, between University Avenue and Spadina Avenue; and

2. That the Board adopt Recommendations No. 2 and 3 in the staff report”.

Commissioner Campbell called for a recorded vote on Commissioner De Baeremaeker’s motion.

In favour: M. Adamson, R. Byers, S. Carroll, V. Crisanti, G. De Baeremaeker, A. Heisey, R. Lalonde and D. Minnan-Wong.

Opposed: J. Campbell and J. Colle

The motion by Commissioner De Baeremaeker carried on a vote of 8 to 2.

The Board adopted the item, as amended.

13. Leslie Barns Project Status Update

It is recommended that the Board:

1. Receive the presentation provided under the confidential attachment;

2. Authorize that the information provided in the confidential Project Status Update remains confidential in its entirety, as it contains information that is subject to solicitor-client privilege.

Approved

14. Board Request: Staff Review of Options to Exclude Bombardier from Future Bidding

Chair Colle moved deferral of this item to the next meeting of the Board.

The motion by Chair Colle carried.

15. Large Litigation Matters

It is recommended that the Board:

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

Approved

16. Membership – TTC Committees and Working Groups

It is recommended that the Board endorse the following appointments:

1. J. Colle (Chair), A. Heisey and J. Mihevc to the Human Resources & Labour Relations Committee;
2. M. Adamson, R. Byers, V. Crisanti, A. Heisey and R. Lalonde to the Audit & Risk Management Committee;
3. J. Campbell and G. De Baeremaeker to the Advertising Review Working Group; and
4. M. Adamson, J. Campbell, R. Lalonde and J. Mihevc to the e-System Working Group.

Approved

17. City Council Decision in Consideration of 2015 Budgets

Chair Colle moved referral of this item to the TTC Budget Committee for review and consideration.

The motion by Chair Colle carried.

18. Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for May 28, 2015

The Board received for information the approved minutes from the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting on May 28, 2015.

19. Outstanding Board Items

The Board received this item for information.

20. Presentation: Warehouse Needs Analysis

Peter Smith, Director – Materials Management and Terry Webb, Materials & Procurement Department, provided a PowerPoint presentation on this item.

The Board received the presentation for information.

The meeting adjourned at 6:40 p.m.