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## MINUTES

### TORONTO TRANSIT COMMISSION

**Meeting No. 1899**

**Thursday, July 10, 2008**

A meeting of the Toronto Transit Commission was held in Committee Room 2, Toronto City Hall, 100 Queen Street West, Toronto, Ontario on Thursday, July 10, 2008 commencing at 1:15 p.m.

A. Giambrone (Chair), J. Mihevc (Vice-Chair), M. Thompson, S. Hall, B. Saundercook, P. Milczyn, S. Bussin, G. De Baeremaeker and A. Perruzza (Commissioners), G. Webster (Chief General Manager), V. Rodo (General Manager – Executive & General Secretary), R. Cornacchia (General Manager – Operations), J. Sepulis (General Manager – Engineering & Construction), B. Leck (General Counsel), S. MacDonald (Manager - Materials & Procurement), M. Roche (Chief Financial Officer), A. Smith (Chief Marketing Officer), T. Andrews (Chief Special Constable), W. Buffett (Assistant General Secretary) and F. Stanois (Coordinator – Secretariat Services) were present.

A. Giambrone was in the Chair.

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## **DECLARATION OF INTEREST – MUNICIPAL CONFLICT OF INTEREST ACT**

Commissioner De Baeremaeker declared an interest with respect to Item No. 12 entitled, "Procurement Authorization – Accessible Taxi Service", on the advice of the City Integrity Commissioner, as a member of his staff is related to one of the owners of one of the companies noted in the report. Commissioner De Baeremaeker took no part in the discussion or the decision made by the Commission concerning this matter.

## **MINUTES OF PREVIOUS MEETINGS**

**VICE-CHAIR MIHEVC MOVED THAT THE COMMISSION APPROVE THE MINUTES FROM MEETING NO. 1898 AND THAT THE CHAIR AND GENERAL SECRETARY BE AUTHORIZED TO SIGN THE SAME.**

**THE MOTION BY VICE-CHAIR MIHEVC CARRIED.**

## **BUSINESS ARISING OUT OF THE MINUTES – NIL**

## **COMMITTEE OF THE WHOLE RESOLUTION**

- a) Committee of the Whole – Wednesday, August 27, 2008

**VICE-CHAIR MIHEVC MOVED THAT THE COMMISSION APPROVE A RESOLUTION TO MEET AS THE COMMITTEE OF THE WHOLE AT 9:00 A.M. OR LATER ON WEDNESDAY, AUGUST 27, 2008 TO DEAL WITH LITIGATION OR POTENTIAL LITIGATION MATTERS, LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS AND TO RECEIVE ADVICE WHICH IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE.**

**THE MOTION BY VICE-CHAIR MIHEVC CARRIED.**

## **PUBLIC PRESENTATIONS**

- a) Report No. 12 – Procurement Authorization – Accessible Taxi Service

John Nunziata, LLB, Partner  
The Parliamentary Group

Barry A. Horosko, Solicitor  
Bratty and Partners, LLP

Sandi Bell  
(spoke on behalf of Sewit Tamene)

Mohammed Hakim Zadah  
ABC Ambassador Taxi



Haile Mebrahtu  
Co-op Taxi

Tameme Zerom  
Motion Taxi

Asefan Zere  
Motion Taxi

Michael Tekeste (**Not Present**)  
Motion Taxi

Sewit Tameme  
(spoke on behalf of Mussie Feshay)

Khan Chander (**Not Present**)  
Motion Taxi

Sunila Wati

Farq Haj (**Not Present**)  
TPT Taxi

**THE COMMISSION RECEIVED THE DEPUTATIONS.**

**(SEE REPORT NO. 12 FOR MINUTE)**

**NOTICE OF MOTIONS – NIL**

**MOTIONS WITHOUT NOTICE – NIL**

**ITEMS OF WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN - NIL**

**ITEMS DEFERRED FROM LAST MEETING TO PERMIT DEBATE/PUBLIC PRESENTATIONS - NIL**

**1. REPORTS WITH CONFIDENTIAL ATTACHMENTS (COMMITTEE OF THE WHOLE)**

- a) Toronto-York Spadina Subway Extension - Acquisition  
of Land from Parc Downsview Park (PDP) – Status of Negotiations

**THE COMMISSION:**



1. APPROVED THE CONFIDENTIAL INSTRUCTIONS TO STAFF OUTLINED IN ATTACHMENT 1, AS AMENDED;
  2. AUTHORIZED THE RELEASE OF THE CONFIDENTIAL INFORMATION AND RECOMMENDATIONS IN ATTACHMENT 1 UPON ENTERING INTO A FINAL SETTLEMENT WITH PARC DOWNSVIEW PARK ("PDP") TO THE SATISFACTION OF THE GENERAL COUNSEL, BUT NO EARLIER THAN THE COMMENCEMENT OF REVENUE SERVICE FOR THE TORONTO-YORK SPADINA SUBWAY EXTENSION PROJECT ("TYSSE" OR "PROJECT").
- b) Parker v. TTC

**THE COMMISSION:**

1. APPROVED THE CONFIDENTIAL RECOMMENDATIONS REGARDING SETTLEMENT OF THE ABOVE ACTION IN ATTACHMENT 1; AND
2. AUTHORIZED THAT THE CONTENTS OF CONFIDENTIAL ATTACHMENT 1 REMAIN CONFIDENTIAL IN THEIR ENTIRETY AS IT CONTAINS ADVICE WHICH IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE.

Commissioner Thompson noted his opposition to the foregoing.

2. **PRESENTATIONS**

- a) 100 Customer Service Commendations

Chair Giambrone and G. Webster, Chief General Manager introduced Wilson Operator Daniel Lawrence and presented him with a certificate in recognition of his individual achievements in customer service excellence.

- b) TTC Corporate Policy – Green Procurement

S. MacDonald, Manager, Materials & Procurement gave a PowerPoint presentation with respect to this matter.

**THE COMMISSION RECEIVED THE PRESENTATION.**

**COMMISSIONER MILCZYN MOVED THAT THE COMMISSION APPROVE STAFF RECOMMENDATION (A), DEFER RECOMMENDATIONS (B) AND (C) AND DIRECT STAFF TO SEEK OUT OTHER OPPORTUNITIES FOR PARTNERSHIPS AND/OR EXTERNAL FUNDING TO IMPLEMENT THE POLICY.**

**THE MOTION BY COMMISSIONER MILCZYN LOST.**

**COMMISSIONER DE BAEREMAEKER MOVED THAT THE COMMISSION ADOPT THE STAFF RECOMMENDATIONS, AS LISTED BELOW:**



**"IT IS RECOMMENDED THAT THE COMMISSION APPROVE:**

- A) TTC CORPORATE POLICY – GREEN PROCUREMENT, WHICH IS ATTACHED AS APPENDIX A;**
- B) THE ADDITION OF ONE SENIOR BUYER’S POSITION COMMENCING SEPTEMBER 2008 TO CO-ORDINATE/FACILITATE THE IMPLEMENTATION OF THE GREEN PROCUREMENT POLICY THROUGHOUT THE COMMISSION; AND**
- C) THE AUTHORIZATION OF AN ADDITIONAL \$450,000 IN UNBUDGETED EXPENDITURES FOR THE ISSUANCE OF A PURCHASE ORDER AMENDMENT TO CANADIAN CENTRE FOR POLLUTION PREVENTION WHICH INCREASES THE TOTAL CONTRACT UPSET LIMIT TO \$525,000 FOR PHASE 1 OF THE GREEN PROCUREMENT POLICY IMPLEMENTATION.**

**THE MOTION BY COMMISSIONER DE BAEREMAEKER CARRIED.**

**VICE-CHAIR MIHEVC MOVED THAT STAFF BE REQUESTED TO SEARCH OUT EXTERNAL SOURCES OF FUNDING TO MINIMIZE COSTS TO THE TTC AND REPORT BACK ANNUALLY TO THE COMMISSION ON THE IMPLEMENTATION OF GREEN PROCUREMENT, NOTING BEST PRACTICES ON A GLOBAL BASIS.**

**THE MOTION BY VICE-CHAIR MIHEVC CARRIED.**

**3. BUDGET MATTERS**

- a) Chief General Manager’s Report – Period 5 – May 4 to May 31, 2008

It is recommended that the Commission forward a copy of this report to each City of Toronto Councillor for information noting that the detailed CGM’s Report is available upon request from the Office of the General Secretary of the Commission.

**APPROVED**

**4. PROCUREMENT AUTHORIZATIONS**

- a) Procurement Authorization – Duncan Shops – Non-Revenue Vehicle Repair Bay Hoist Upgrades Contract M1-67

It is recommended that the Commission authorize the award of a contract to Grenwitch General Contracting Inc. (Grenwitch) in the amount of \$1,697,850.00 for Contract M1-67, Duncan Shops – Non-Revenue Vehicle Repair Bay Hoist Upgrades.

**APPROVED**



- b) Procurement Authorization – Duncan Building  
2<sup>nd</sup> Floor - M&P Office Renovation Contract M1-85

It is recommended that the Commission authorize the award of a contract to Coreplan Construction Inc. in the amount of \$567,000.00 for Contract M1-85, Duncan Building 2<sup>nd</sup> Floor – M&P Office Renovation.

**APPROVED**

- c) Procurement Authorization – St. George Station - Bedford Entrance  
Bus Loop Structural and Pavement Rehabilitation Contract No.: A1-3

It is recommended that the Commission authorize the acceptance of the tender submitted by Duron Ontario Ltd. in the amount of \$874,500.00 for Contract A1-3, St. George Station Bedford Entrance Bus Loop Structural and Pavement Rehabilitation.

**APPROVED**

- d) Procurement Authorization – York Mills Station Bus  
Transfer Facility Structural Repairs Contract No.: Y5-1

It is recommended that the Commission authorize the acceptance of the tender submitted by Structural Contracting Ltd. (Structural) in the amount of \$658,000.00 for Contract Y5-1 York Mills Station – Bus Transfer Facility – Structural Repairs.

**APPROVED**

- e) Retrofit of Subway/SRT Open Stairway Entrances

**VICE-CHAIR MIHEVC MOVED THAT THE STAFF RECOMMENDATION BE AMENDED BY ADDING THE WORDS “IN PRINCIPLE” AFTER THE WORD “APPROVED” SO SUCH RECOMMENDATION READS, AS FOLLOWS:**

**“IT IS RECOMMENDED THAT THE COMMISSION APPROVE, IN PRINCIPLE, THE DESIGN CONCEPTS FOR THE RETROFIT OF THE OPEN STAIRWAY ENTRANCES AT LAWRENCE STATION AND OSGOODE STATION.”**

**THE MOTION BY VICE-CHAIR MIHEVC CARRIED.**

**THE COMMISSION APPROVED THE STAFF RECOMMENDATION, AS AMENDED.**

**VICE-CHAIR MIHEVC MOVED THAT STAFF BE REQUESTED TO WORK WITH THE ARCHITECTS TO ASSURE FUNCTIONALITY AND FURTHER DEVELOPMENT OF THE DESIGN, INCLUDING CONSULTATION WITH THE LOCAL COUNCILLORS FOR THE AREAS CONCERNED.**



**THE MOTION BY VICE-CHAIR MIHEVC CARRIED.**

- f) Procurement Authorization – Supply of Towing Services for TTC Revenue and Non-Revenue Vehicles and Miscellaneous Equipment

It is recommended that the Commission approve the issuance of contracts to the following companies in the upset limits indicated below for the supply of towing services for revenue, non-revenue vehicles and miscellaneous equipment for a five year period, from August 1, 2008 to July 31, 2013:

1. Abrams Towing in the upset limit amount of \$5,400,000 for the supply of 24 hour towing services for the entire contract; and
2. A Towing Service Ltd. in the upset limit amount of \$425,000 for the supply of towing services as the alternate contractor.

**APPROVED**

- g) Procurement Authorization – Rental of Various Cranes

It is recommended that the Commission approve the issuance of a purchase order to Heavy Lifting Crane Services Ltd. in the total upset limit amount of \$2,000,000 for the rental of various cranes for the three year period from August 1, 2008 to July 31, 2011.

**APPROVED**

- h) Procurement Authorization – Purchase of Vapor Parts

It is recommended that the Commission authorize the awarding of a three year inventory supply contract for Vapor parts to Vapor Rail, Division of Wabtec Canada Inc. (Vapor Rail) for the period of August 2008 to July 2011 for an upset limit of \$2,195,000 including applicable taxes.

**APPROVED**

- i) Summary of Authorized Expenditures Between \$200,000 to \$500,000 for the Period May 1, 2008 to May 31, 2008

It is recommended that the Commission receive this report for information. It lists expenditures (\$200,000 up to \$500,000) for the period May 1, 2008 to May 31, 2008 which were approved by the Chief General Manager.

**RECEIVED**

5. **PROCUREMENT AUTHORIZATION AMENDMENTS**

- a) Procurement Authorization Amendment – Supply of Bio-Diesel Fuel



It is recommended that the Commission authorize:

1. The issuance of an amendment to the contract with Suncor Energy Products Inc. (Suncor) for the supply and transportation of Bio-Diesel Fuel to increase the total contract upset limit by \$50,000,000 to \$329,400,000; and
2. The Chief General Manager to approve locking in a fixed price for the purchase of Bio-Diesel Fuel for 2009 and report back to the Commission once a fixed price has been established.

**APPROVED**

**VICE-CHAIR MIHEVC MOVED THAT STAFF BE REQUESTED TO REPORT BACK AT THE AUGUST COMMISSION MEETING ON THE POLICY ISSUE SURROUNDING THE USE OF BIOFUEL.**

**THE MOTION BY VICE-CHAIR MIHEVC CARRIED.**

- b) Procurement Authorization Amendment - York  
University Busway Contract A60-16 Contract Change A60-16-2

It is recommended that the Commission authorize an increase of \$504,500 for Contract Change A60-16-2 to Brennan Paving & Construction Ltd. for a final amount of \$514,500 for additional work requested by the City of Toronto, as identified within the report.

**APPROVED**

- c) Procurement Authorization Amendment - York  
University Busway Contract A60-16 Change Directive A60-16-4

It is recommended that the Commission authorize an increase of \$405,000 for Change Directive A60-16-4 to Brennan Paving & Construction Ltd. for changes to the signal design requested by the City of Toronto, as identified within this report.

**APPROVED**

6. **NOTICE OF AWARDS** - NIL

7. **SERVICE MATTERS** – NIL

8. **OTHER BUSINESS**

- a) Update #3 – Carbon Monoxide Incident of February 7, 2006





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It is recommended that the Commission receive for information the updated Management Corrective Action Plan Checklist relating to the Carbon Monoxide Incident of February 7, 2006 which provides a status report on the progress toward closing the TTC Level 2 Investigation Recommendations and the Commission's Recommendations.

**RECEIVED**

b) TTC Corporate Policy Review – Delegation of Management Authority

It is recommended that the Commission approve the following amended TTC Corporate Policy 1.4.3 Delegation of Management Authority, which is attached as Appendix A.

**APPROVED**

c) Safety and Environmental Management Systems Annual Review, Minutes of April 30, 2008

It is recommended that the Commission receive for information, the minutes of the April 30, 2008 Senior Management Review of the Safety System meeting.

**RECEIVED**

9. NEW BUSINESS – NIL

10. CORRESPONDENCE

C-1 Joe Clark, dated July 9, 2008 forwarding comments entitled, "Impropriety of process and results in retrofit of open stairway entrances." (**Report No. 4e**)

**THE COMMISSION RECEIVED THE COMMUNICATION FOR INFORMATION.**

**(SEE REPORT 4E FOR MINUTE)**

**SUPPLEMENTARY AGENDA**

11. Legal Services – Carbon Monoxide Incident

**THE COMMISSION:**

1. **RECEIVED THE INFORMATION AS SET OUT IN CONFIDENTIAL ATTACHMENT 1; AND**
2. **AUTHORIZED THAT THE CONTENTS OF CONFIDENTIAL ATTACHMENT 1 REMAIN CONFIDENTIAL IN THEIR ENTIRETY AS IT CONTAINS ADVICE WHICH IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE.**



12. Procurement Authorization – Accessible Taxi Service

**VICE-CHAIR MIHEVC MOVED THAT THE COMMISSION DELEGATE TO THE CHAIR, VICE-CHAIR AND CHIEF GENERAL MANAGER THE AUTHORITY TO AWARD THIS CONTRACT AFTER CONSIDERING ALL OF THE ITEMS COMMENTED UPON TODAY AND TO MEET AND MAKE A DECISION PRIOR TO AUGUST 8, 2008.**

**THE MOTION BY VICE-CHAIR MIHEVC CARRIED.**

13. Service Improvements for 2008 – Results of Consultation

It is recommended that the Commission:

1. Approve the introduction of the following service changes for a trial period, effective November 23, 2008, noting that no comments were received in opposition to these changes:
  - 7 BATHURST – Revised service at Wilson Avenue and St. Clair West Station
  - 63 OSSINGTON – Extension to Liberty Village
  - 316 OSSINGTON – Revised routing at King Street
  - 66 PRINCE EDWARD – Extension to Humber Bay Shores
  - 71 RUNNYMEDE – Revised routing at Industry Street and Black Creek Drive
  - Torbarrie Road – New service
2. Approve the introduction of an extension of the 39 FINCH EAST route to Valley Centre Drive for a trial period, once the conditions described in the report have been met and it is physically possible to safely operate the service; and
3. Forward this report to all City of Toronto Councillors, the City of Mississauga, York Region, Durham Region, GO Transit, and Metrolinx.

**APPROVED**

**CHAIR GIAMBRONE MOVED THAT STAFF BE REQUESTED TO REPORT BACK AT A FUTURE MEETING ON A LAKE SHORE BOULEVARD EXPRESS SERVICE TO DOWNTOWN, INCLUDING THE COST IMPLICATIONS OF A TRIAL SERVICE AND FULL IMPLEMENTATION.**

**THE MOTION BY CHAIR GIAMBRONE CARRIED.**



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14. TTC Security Statistical Report - 2007

It is recommended that the Commission receive the attached report for information.

**RECEIVED**

15. Procurement Authorization – Wilson Carhouse  
Expansion – Toronto Rocket – Contract C1-34

It is recommended that the Commission delegate authority to the Chief General Manager to authorize the award of a contract to Black & McDonald Limited (B&M) for a value of up to \$63,100,000 for Contract C1-34, Wilson Carhouse Expansion – Toronto Rocket.

**APPROVED**

The meeting adjourned at 4:35 p.m.



