

Minutes

Toronto Transit Commission

Meeting No. 1952

Wednesday, October 24, 2012

A meeting of the Toronto Transit Commission was held in Committee Room 4, 2nd Floor, Toronto City Hall, 100 Queen Street West, Toronto, Ontario on Wednesday, October 24, 2012 commencing at 10:00 a.m. The meeting recessed at 10:05 a.m. and re-convened at 1:05 p.m. in Committee Room 1.

K. Stintz (Chair), G. De Baeremaeker (Vice-Chair), M. Augimeri, R. Cho, J. Colle, P. Milczyn and P. Parker (Commissioners), A. Byford (Chief Executive Officer), V. Rodo (Chief Financial & Administration Officer), D. Dixon (Chief Operating Officer), S. Ghaly (Chief Capital Officer), C. Upfold (Chief Customer Officer), B. Leck (Head of Legal & General Counsel), B. Ross (Executive Director of Corporate Communications), M. Stambler (Head of Strategy & Service Planning), D. Garisto (Head of Property Development), J. Lee (Head of Materials & Procurement), A. Bertolo (Chief Project Manager – Spadina Subway Extension), A. Pace (Director – Strategic Partnerships – Transit Expansion), P. Millett (Chief Project Manager – Yonge Subway Extension), K. Lee (Head of Commission Services) and D. McDonald (Co-ordinator – Corporate Secretariat Services) were present.

K. Stintz was in the Chair.

Declarations of Interest – Municipal Conflict of Interest Act

Nil

Committee of the Whole Resolution

Chair Stintz moved that the Commission recess to meet as the Committee of the Whole to deal with litigation or potential litigation matters, labour relations, employee negotiations, and to receive advice which is subject to solicitor-client privilege.

The motion by Chair Stintz carried.

Reconvened
Meeting (open to the public) – 1:05 p.m.
Committee Room 1, 2ND Floor, City Hall

Minutes of Previous Meetings

Chair Stintz moved that the Commission approve the minutes from Meeting No. 1951 and that the Chair and Chief Financial & Administration Officer be authorized to sign the same.

The motion by Chair Stintz carried.

Business Arising Out of the Minutes

a) TTC Procurement Process

Chair Stintz moved that the report requested at the September 27, 2012 meeting under Business Arising out of the Minutes on transparency and oversight of the TTC procurement process be brought to the November 21, 2012 Commission meeting.

The motion by Chair Stintz carried.

b) Wheel-Trans Taxi Contracts – Procurement Timelines Update

Chair Stintz moved that the current deferral of the September 27, 2012 report entitled “Wheel-Trans Taxi Contracts – Procurement Timelines Update” be extended until such time that the Auditor General’s report becomes available, but no later than the January 2013 Commission Meeting.

The motion by Chair Stintz carried.

Public Presentations

a) Old Mill Station Accessibility

Susan A. Lewis and Vera Bergart
(Submitted petition)

The Commission received the deputations for information and referred the matter to the Advisory Committee on Accessible Transit (ACAT) for report back to the January 2013 Commission Meeting.

b) Plan to Mitigate Disruption during Construction of Scarborough RT

Alan Yule

The Commission received the deputation for information.

Vice-Chair De Baeremaeker moved that TTC staff report back to the Jan. 2013 Commission Meeting on the merits and feasibility of upgrading the proposed Scarborough LRT to a subway extension from Kennedy Station, north through the Scarborough Town Centre, to Sheppard and McCowan.

The motion by Vice-Chair De Baeremaeker carried unanimously.

Commissioner Milczyn moved that TTC staff report back to the Jan. 2013 Commission Meeting on the merits and feasibility of completing a subway loop from Sheppard and McCowan to Sheppard and Don Mills.

The motion by Commissioner Milczyn carried.

c) Downtown Rapid Transit Expansion Study (DRTES) – Phase 1 Strategic Plan

Alan Yule

Brian Boehlert

Sharon Yetman
Transit Flow Technologist
Platform Technology Consultancy

David Fisher

Hamish Wilson

The Commission received the deputations for information.
(See Item No. 2(b) for minute).

d) Toronto-York Spadina Subway Extension – Schedule Status Update

Sharon Yetman
Transit Flow Technologist
Platform Technology Consultancy

The Commission received the deputation and referred the presentation to staff for information.
(See Item No. 13 for minute).

Prior to commencing with the next public presentation Chair Stintz moved that the Commission waive Section 13(a) of the Procedures Bylaw relating to notice provisions for public presentations to permit a deputation from Sharon Yetman on Item 8(f).

The motion by Chair Stintz carried on a two thirds vote of the members present.

e) Commuter Parking Lot Pricing

Sharon Yetman
Transit Flow Technologist
Platform Technology Consultancy

The Commission received the deputation for information.
(See Item No. 8(f) for minute).

Notice of Motions

Nil

Motions without Notice

Moved by: Chair Stintz
Seconded by: Commissioner Parker

A) At the May 30th, 2012 Commission Meeting, as part of the Report Entitled "LRT Projects in Toronto – Project Delivery", the Commission directed:

"That the TTC direct staff to expedite the signing of a Master Agreement with Metrolinx and Infrastructure Ontario that outlines provision such as governance model, dispute resolution mechanism, and amendment clauses, by the September 2012 Commission Meeting."

B) TTC staff have negotiated a Master Agreement with Metrolinx and the City of Toronto that outlines a governance model, dispute resolution mechanism, and operating principles for the LRT Projects in Toronto (the LRT Projects are defined in the May 30, 2012 Commission Report).

Motion:

1. That the Commission authorize the CEO to sign any and all agreements necessary with Metrolinx and the City of Toronto, if applicable, relating to the delivery of the LRT Projects in Toronto, in a form satisfactory to TTC's General Counsel.

The motion by Chair Stintz carried.

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 – Contract A35-26 – Risk Management

The Commission:

1. received a confidential verbal update regarding risk management related to Contract A35-26;
2. noted that the information provided in the confidential verbal update is to remain confidential in its entirety as it contains information that is subject to solicitor-client privilege.

Prior to commencing with the Presentations portion of the agenda, Chair Stintz took the opportunity to read several reports submitted by customers detailing exceptional service they received from TTC staff. The communications summarized incidents where employees responded in extraordinary fashion to assist customers during their transit trips. Chair Stintz, and the rest of the Commission, thanked the employees involved for the great service they are providing to TTC customers.

2. Presentations

a) Transit Oriented Development and the Sustainable City

Ronald A. Altoon, Altoon Partners LLP, provided a PowerPoint presentation on this item. Accompanying Mr. Altoon were Lorne Braithwaite and Don Logie of Build Toronto.

The Commission received the presentation for information.

b) Downtown Rapid Transit Expansion Study (DRTES) – Phase 1 Strategic Plan

B. Dawson, Manager – Service Planning, provided a PowerPoint presentation on this item.

The Commission received the presentation for information.

Commissioner Parker moved that future transit expansion plans consider a DRL east of Yonge as a priority, and that study be commenced on the merits of eventually extending the line along the Don Mills corridor to the proposed terminal at Don Mills and Eglinton.

The motion by Commissioner Parker carried.

Commissioner Colle noted in opposition to the foregoing motion.

Commissioner Cho moved that:

1. The TTC write a letter, on behalf of the Commission, to the leaders of the Federal Conservative, Liberal, Green and New Democratic Party requesting their plan to meet future public transit ridership demand in the city's downtown core.
2. The TTC write a letter on behalf of the Commission to the leaders of the Provincial Conservative, Liberal, Green and New Democratic Party requesting their plan to meet future public transit ridership demand in the city's downtown core.
3. The TTC make the responses publicly available.

The motion by Commissioner Cho carried.

Commissioner Parker noted in opposition to the foregoing motion.

Chair Stintz moved that the City Clerk be requested to forward this report, along with the Master Agreement with Metrolinx and Infrastructure Ontario, to the October City Council Meeting.

The motion by Chair Stintz carried.

Chair Stintz further moved adoption of the report, as amended.

The motion by Chair Stintz carried.

3. Budget Matters

Nil

4. Procurement Authorizations

a) Procurement Authorization – Wilson Complex Wheel Lathe – Contract C1-39

It is recommended that the Commission authorize the award of Wilson Complex Wheel Lathe Contract C1-39, to Buttcon Limited (Buttcon) in the amount of \$8,168,770.00 on the basis of lowest bid and evaluated price.

Approved

b) Procurement Authorization – Toronto-York Spadina Subway Extension – Design, Build and Supply of Station MCC and UPS Back-Up Power Equipment – Contract A75-21

It is recommended that the Commission authorize the award of a contract to Nedco, a Division of Rexel Canada Electrical, (Nedco) in the amount of \$7,256,963.96 for Contract A75-21, Design, Build and Supply of Station MCC and UPS Back-Up Power Equipment.

Approved

5. Procurement Authorization Amendments

- a) Procurement Authorization Amendment – Toronto-York Spadina Subway Extension Project – Contract No. 85-75F – Sheppard West Station – Contract Amendment No. 6

It is recommended that the Commission authorize Contract Amendment No. 6 to Aecom Canada Ltd. (Aecom), in the amount of \$2,000,000.00, increasing the total upset limit amount to \$18,135,274.00. This will provide for complete engineering support, inspection services and design revisions during the remaining period of construction work.

Approved

6. Notice of Awards

Nil

7. Service Matters

Nil

8. Other Business

- a) 2013 Commission Meeting Schedule

It is recommended that the Commission approve the following 2013 meeting schedule dates, and that the published schedule serve as notice for these meetings:

Monday, January 21, 2013	Wednesday, July 24, 2013
Monday, February 25, 2013	Wednesday, September 25, 2013
Wednesday, March 27, 2013	Wednesday, October 23, 2013
Wednesday, April 24, 2013	Monday, November 18, 2013
Friday, May 24, 2013	Thursday, December 19, 2013
Monday, June 24, 2013	

Approved

- b) TTC Corporate Policy Review – Policy 5.3 Procurement

Vice-Chair De Baeremaeker moved that this item be referred to the November Commission meeting so staff can review and report back on the following proposed amendments to TTC Corporate Policy 5.3 Procurement:

1. All qualified bids must disclose their contractor experience in the GTA and the percentage of work done by the firm in the GTA and in Canada;
2. All qualified bids must have a signed engagement agreement with sub-contractors by the close of the bid period and to have documentation available upon request by TTC procurement staff;

3. All qualified bid packages to include documentation that provides proof of insurance, WSIB and worker safety record in the last 2 years.

The motion by Vice-Chair De Baeremaeker carried.

- c) TTC Corporate Policy Review – Policy 13.5 Authorization for Expenditures & Other Commitments
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It is recommended that the Commission approve the following TTC Corporate Policy as amended for implementation effective November 1, 2012, which policy is attached hereto as Appendix 'A':

1. Policy 13.5, Authorization for Expenditures and Other Commitments.
2. Delete Policy 13.11.6, Delegation of Departmental Expenditure Authority and transfer various clauses to Policy 13.5 (above).

Approved

- d) Gateway - Lease

It is recommended that the Commission approve the following:

1. The execution of a lease agreement with Tobmar Investments International Inc. (Tobmar) for the continued operation and management of the Gateway Newsstands in the subway system under the terms and conditions outlined in this report and further detailed in a letter from Mr. Michael Aychental, CEO – Tobmar Investments International Inc., dated October 1, 2012 (Attachment 1);
2. Amend the existing lease agreements with Tobmar associated with the bakeries, cafes and lottery locations to consolidate the terms for ten (10) years commencing December 1, 2012 to November 31, 2022 with a five (5) year option, adjust the rents and further amendments, as set out in this report and Attachment 1;

Approved

- e) Yonge/Eglinton – Transfer of Leaseholds to Build Toronto

At the request of the local Councillor who will be meeting with Build Toronto to discuss plans for the future, Chair Stintz moved deferral of this item to the November Commission meeting.

The motion by Chair Stintz carried.

- f) Commuter Parking Lot Pricing

It is recommended that the Commission authorize staff to implement the following price changes effective January 1, 2013:

1. Don Mills – increase from \$5 daily flat rate to \$6 daily flat rate.
2. Kennedy East – increase from \$3 daily flat rate to \$4 daily flat rate.
3. Delegate the authority to the CEO to make parking rate changes to reflect market conditions.

Approved

New Business

Nil

10. Correspondence

C1 – Valdo Tammark, ACAT Chair, forwarding for information the approved minutes of the August 30, 2012 ACAT General Monthly Meeting.

The Commission received the communication for information.

C2 – Councillors P. Fletcher and M.M. McMahon, City of Toronto, proposing the name “Leslie Barns” for the Ashbridges Bay TTC facility.

The Commission referred the item to staff for report to the November Commission meeting to allow the opportunity for public deputations on the matter.

C3 – Andrew Schulz regarding the Downtown Rapid Transit Expansion Study (DRTES) – Phase 1 Strategic Plan.

The Commission received the communication for information.
(See Item No. 2(b) for minute).

Supplementary Agenda

11. Chief Executive Officer’s Report – Period 8 (July 29, 2012 to August 25, 2012)

It is recommended that the Commission forward a copy of this report to (1) each City of Toronto Councillor and (2) the City Deputy Manager and Chief Financial Officer, for information.

Approved

12. Wireless Network in the Subway System

Chair Stintz moved deferral of this report to the November Commission meeting to facilitate a briefing on the item.

The motion by Chair Stintz carried.

13. Toronto-York Spadina Subway Extension Schedule Status Update

It is recommended that the Commission:

1. Receive this report noting that:
 - a) The Toronto-York Spadina Subway (TYSSE) project worked to a compressed schedule.
 - b) The TYSSE project faced schedule impacts that are not unusual for a project of this size and complexity.
 - c) The scheduled completion date is adjusted to the fall of 2016.
2. Forward this report for information to the TYSSE Executive Task Force, the Move Ontario Trust and the Management Committee, established under the Building Canada Fund Contribution Agreement for the Toronto-York Spadina Subway Extension.

Approved

The meeting adjourned at 4:30 p.m.