

The Board:

1. Adopted the recommendation in the staff report; as follows:

“It is recommended that the Board:

Authorize the TTC General Counsel to immediately commence a claim or legal action against Bombardier for all damages sustained by the TTC relating to or arising from the schedule delays in the delivery of the streetcars and any other non-performance related issues”.

2. Directed the Chair to write to the CEO Bombardier requesting he appear before the Board at its November Commission meeting to explain Bombardier's failure to meet past deadlines and its delivery commitments for streetcars going forward;
3. Requested TTC management to consult with alternative suppliers for delivery of the remaining TTC streetcars, should Bombardier be unable for whatever reason to fulfill this order within contractual timelines;
4. Requested TTC staff to report back on the financial and operational impacts on the TTC should Bombardier not be able to fulfill their contractual obligations to deliver streetcars;
5. Requested TTC staff to seek the advice of an outside business analyst to present to the Board on their assessment of Bombardier's corporate outlook;
6. Requested TTC staff, in any negotiations on damages, liquidated or otherwise, to consider as a priority additional LRV's as compensation; and
7. Directed the Chair to write to the Premier of Ontario requesting the Province's support in facilitating the completion of the City of Toronto's order for streetcars from Bombardier.