



**STAFF REPORT  
ACTION REQUIRED  
with Confidential Attachment**

**Toronto-York Spadina Subway Extension  
Steeles West Station, Contract A31-1 - Claims**

<b>Date:</b>	September 28, 2015
<b>To:</b>	TTC Board
<b>From:</b>	Chief Executive Officer
<b>Reason for Confidential Information:</b>	This report contains advice that is subject to solicitor-client privilege, including communications necessary for that purpose

**Summary**

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On September 22, 2011, Walsh Construction Company Canada (WCCC) was awarded the contract for the Toronto-York Spadina Subway Extension Steeles West Station Contract A31-1 in the amount of \$165,925,000.00. This report seeks the Board's approval on the two claim settlements.

**Recommendations**

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**It is recommended that the 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 for this contract are included in the TTC's 2015-2024 Capital Budget & Plan, which was approved by City Council on March 10/11, 2015 as amended by the Board March 26, 2015 and by Council March 31, 2015. Funding for this contract is included in the Toronto-York Spadina Subway Extension project (Category – Expansion), as referenced in the 2015-2024 Capital Budget & Plan noted on pages 1035-1037.

Implementation of the above recommendations is conditional upon approval of the allocation of funding by the TYSSE Executive Task Force.

As part of the Project reset, external claim consultants and forensic schedulers have been retained to assess, substantiate and evaluate potential construction related claims. An overall assessment of Project costs is expected to be provided to the Board by the end of 2015.

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

### **Accessibility/Equity Matters**

The above recommendations have no accessibility issues.

### **Decision History**

On September 22, 2011, the TTC awarded A31-1 for the construction of the Steeles West Station as part of the Toronto-York Spadina Subway Extension Project to Walsh Construction Company of Canada for \$165,925,000.00.

### **Issue Background**

As part of Contract A31-1, WCCC submitted a claim for: 1) hauling and disposal of excavated material and its replacement with imported fill for backfill; and 2) a delay claim alleging a 694 day delay. This report provides advice and recommendations relating to the value for settlement of these claims.

### **Contact**

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### **Attachments**

Confidential Attachment

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