



## Minutes

### Toronto Transit Commission Board

**Meeting No.:** 2005

**Meeting Date:** Tuesday, December 20, 2016

A meeting of the TTC Board was held in Committee Room 2, Toronto City Hall, 100 Queen Street West, Toronto, Ontario, on Tuesday, December 20, 2016 commencing at 10:08 a.m. The meeting recessed at 10:09 a.m. to meet as the Committee of the Whole. The Board re-convened the public session at 1:10 p.m.

#### **Present at Committee of the Whole**

J. Colle (Chair), A. Heisey, Q.C. (Vice-Chair), V. Crisanti, J. De Laurentiis, R. Lalonde, J. Mihevc and D. Minnan-Wong (Members), A. Byford, C. Upfold, V. Rodo, R. Leary, S. Reed Tanaka, B. Ross, J. Taylor, M. Palmer, G. Piemontese, B. Leck, K. Watson, M. Atlas, P. Kraft, A. Borkwood, M. Piemontese, J. Ross, J. Dimovski, J. MacDonald, R. Wojteczko, L. Romano, M. Stevenson, K. Lee, C. Finnerty and M. Balanco.

Commissioner Campbell was present for Item 5.

K. Sibley and C. Bergquist were present for Item No. 4(a).

M. Blake (Stantec), E. Mayer and M. Mostyn (DLA Piper Canada LLP) were present for Item No. 8.

K. Lillyman (Chair's Office) and D. Magisano (Mayor's Office) were also present.

J. Colle was in the Chair.

#### **Present at Public Session**

J. Colle (Chair), A. Heisey, Q.C. (Vice-Chair), V. Crisanti, J. De Laurentiis, R. Lalonde, J. Mihevc and D. Minnan-Wong (Members), A. Byford, (Chief Executive Officer), V. Rodo (Chief Financial & Administration Officer), C. Upfold (Deputy CEO & Chief Customer Officer), R. Leary (Chief Service Officer), S. Reed Tanaka (Chief Capital Officer), G. Piemontese (Chief People Officer), M. Palmer (Chief Operating Officer), B. Ross (Executive Director of Corporate Communications), J. Taylor (Chief of Staff), K. Watson (Deputy Chief Service Officer), J. Ross (Deputy Chief Operating Officer), M. Cousins (Head of Transit Enforcement), A. Borkwood (Head of Customer Development), M. Atlas (Senior Solicitor), P. Kraft (Head of Property, Planning & Development), S. Lam (Head – Streetcars), C. Thoun (Head of

Customer Communications), E. Wiggins (Head of Wheel-Trans), M. Piemontese (Acting Head – Materials & Procurement), M. Killingsworth (Staff Sergeant – Transit Enforcement), K. Lee (Head of Commission Services), C. Finnerty (Co-ordinator – Secretariat Services) and M. Balanco (Administrator – Secretariat Services) were present.

### **Declaration of Interest - Municipal Conflict of Interest Act**

Nil

### **Minutes of the Previous Meeting**

Commissioner Lalonde moved that the Board approve the minutes of the meeting held on Wednesday, November 30, 2016.

The motion by Commissioner Lalonde carried.

### **Business Arising Out of the Minutes**

Nil

### **Public Presentations**

Item No. 8. Procurement Authorization McNicoll Bus Garage Design-Build – Contract MN1-1

Chair Colle moved that the Board waive Section 13(a) of the Procedures Bylaw relating to notice provisions for public presentations to permit a deputation on this item from the following speaker.

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

Nelson Wong (submitted brief)  
Director – Mon Sheong Foundation

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

Item No. 10. Transit Fare Equity: Fair Pass Program

Justin Van Dette

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

Item No. 15. Transit Fare Inspection and Enforcement Model Update

Alan Yule

Miroslav Glavic

The Board received the deputations for information.  
(See Item No. 15 for minute)

Item No. 16. Presentation: PRESTO Implementation – Current Status and Next Steps

Michael Rosenberg

The Board received the deputation for information.  
(See Item No. 16 for minute)

Item No. 17. New Streetcar Delivery and Claim Negotiation Update

Alan Yule

The Board received the deputation for information.  
(See Item No. 17 for minute)

Item No. 23. Correspondence: Request to TTC for Removal of Advertisement

Chair Colle moved that the Board waive Section 13(a) of the Procedures Bylaw relating to notice provisions for public presentations to permit deputations on this item from the following speakers.

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

Councillor Gord Perks  
City of Toronto

Reverend Karen Harrison  
Canadian Buddhist Civil Liberties Association

Sonam Chokey and Tenzin Gaychey  
Students for a Free Tibet Canada

Bhutila Karpoche

Tseten Badheysang  
Tibetan Community Elder

Zoe De La Peña

Tenzin Nawang  
Parkdale Community Legal Services

The Board received the deputations for information.  
(See Item No. 23 for minute)

## Presentations/Reports/Other Business

### 1. Chief Executive Officer's Report – December 2016 Update

The Board received the Chief Executive Officer's Report – December 2016 Update for information.

### 2. Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for October 28, 2016

ACAT Chair Mazin Aribi introduced this item.

Following the ACAT Chair's comments the Board received for information the approved minutes from the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting of October 28, 2016.

### 3. Appointment of Members to the Advisory Committee on Accessible Transit (ACAT)

Chair Colle was joined by Andy Byford, Chief Executive Officer and Eve Wiggins, Head – Wheel-Trans in presenting in-appreciation plaques to the following retiring ACAT members:

Mazin Aribi (Chair)

Karma Burkhar (unable to attend)

Marian McDonell

Bobbi Moore

Angela Rebeiro

Following the presentations, the Board approved the recommendation contained in the staff report, as follows:

"It is recommended that the Board:

1. Approve the appointment of five candidates to the Advisory Committee on Accessible Transit, commencing their term on January 1, 2017 and ending December 31, 2019 (See Appendix A);
2. Approve the appointment of three candidates for a one year term commencing January 1, 2017 and ending December 31, 2017, to re-establish a pool to draw from in the event a member does not accept or complete their term (see Appendix A); and
3. present the retiring five members with in-appreciation plaques and a transit pass in line with the number of years served in their term as recognition of their contribution (See Appendix A)".

4. Toronto-York Spadina Subway Extension (TYSSE) – Procurement Authorization Contract A35-17 – Completion Services

It is recommended that the Board approve:

Award of Contract A35-17 – TYSSE – Completion Services to the successful bidder in the amount of \$14,745,109.13 (incl. HST) on the basis of lowest total bid price from a contractor which is evaluated as qualified to perform this work.

Approved

4a. Toronto-York Spadina Subway Extension Claims Settlement Update

It is recommended that the Board:

1. Receive a confidential update related to the status of TYSSE claims settlement.
2. Authorize that the information provided in the confidential update is to remain confidential in its entirety as it contains information or communication that is subject to solicitor – client privilege.

Approved

5. Line 2 Modernization Plan – Property Acquisition

It is recommended that the Board:

1. Approve the recommendations set out in the Confidential Attachment; and
2. Maintain the confidentiality of the information set out in Attachment 1 until such time as an agreement with the owners is reached.

Approved

6. Lansdowne Station Easier Access III – Property Acquisitions

It is recommended that the Board:

1. Approve the recommendations set out in the Confidential Attachment; and
2. Maintain confidential the information set out in the Confidential Attachment until such time as the agreement(s) are executed with the property owners.

Approved

7. Chester Station Easier Access Phase III Property Acquisitions

It is recommended that the Board:

1. Approve the recommendations set out in the Confidential Attachment; and
2. Maintain confidential the information set out in the Confidential Attachment until such time as the agreement(s) are executed with the property owners.

Approved

8. Procurement Authorization McNicoll Bus Garage Design-Build – Contract MN1-1

It is recommended that the Board:

1. Receive the information as set out in the confidential attachment; and authorize that the information provided remain confidential in its entirety as it contains information or communications that are subject to solicitor-client privilege;
2. Authorize award of Contract MN1-1, McNicoll Bus Garage Design-Build to Buttcon-Eastern Joint Venture (BEJV) in the amount of \$141,589,000, inclusive of all taxes, on the basis of the lowest priced qualified Proposal; and
3. Authorize exercising the following specified options for the items directed by City Council on August 25, 2014, noting that these amounts will be included in a future project budget request:
  - a. An upset limit amount of \$800,000 to provide a green roof area in excess of the Toronto Green Standard requirements; and
  - b. An upset limit amount of \$250,000 to provide installation of rooftop photovoltaic cells.

Approved

9. Commuter Parking Update

Chair Colle moved approval of Recommendations No. 1, 2 and 3 in the staff report, as follows:

“It is recommended that the Board:

1. Note the parking rate increases in support of the 2017 budget, as approved by the Board at its meeting on November 21, 2016 (see Appendix A);
2. Receive the information set out in the Confidential Attachment;

3. The information set out in the Confidential Attachment is to remain confidential until a new management contract is in place for the maintenance and operations of TTC commuter parking lots”.

The motion by Chair Colle carried.

Chair Colle moved referral of Recommendation No. 4 in the report to staff with a request for additional information to be submitted to the January Board meeting.

The motion by Chair Colle carried.

The item was adopted, as amended.

#### 10. Transit Fare Equity: Fair Pass Program

It is recommended that the Board:

1. Endorse the creation of a cost recovery arrangement between the City and the TTC whereby the TTC invoices the applicable City department on a quarterly basis for revenue losses that are sustained as a result of the Fair Pass Program;
2. Approve the addition of a low-income concession provided through the Fair Pass Program that includes a discount on the PRESTO adult single fare and PRESTO adult monthly pass; and
3. Direct staff to continue working in partnership with the City to ensure the successful implementation of each phase of the Fair Pass Program.

Approved

#### 11. Capital Delivery Review – Project Management Maturity Implementation Plan

It is recommended that the TTC Board:

1. Approve the preliminary Project Management Maturity Plan as outlined in the body of this report;
2. Request staff report back on a semi-annual basis beginning in June 2017 to provide an updated Project Management Maturity Plan along with the status of progress made against the plan;
3. Request staff transmit an annual third-party report to track progress against the Project Management Maturity Plan beginning in December 2017; and
4. Direct staff to forward this item to the City Clerk for consideration at the January 19, 2017 meeting of the Executive Committee on Item EX18.26: Toronto Transit Commission Capital Program Delivery Review.

Approved

12. Procurement Authorization: Easier Access Phase III Royal York Station Contract W45-6

It is recommended that the Board authorize:

- 1. Award of Contract W45-6 Easier Access Phase III Royal York Station to Maystar in the amount of \$13,043,063.42 inclusive of all taxes on the basis of lowest acceptable bid price.

Approved

13. Procurement Authorization – SAP Technical Service Assistance

It is recommended that the Board:

Authorize award of contracts for the Provision of SAP Technical Service Assistance to the following three firms, in the noted upset limit amounts, in Canadian funds, each for a three year duration from Notification of Award, on the basis of the highest rated qualified proponents:

Firm	Upset Limit Amount
The Addmore Group Inc.	\$4,000,000.00
Intelligence Business Solutions Canada, Inc.	\$4,000,000.00
PreciSion EPR Incorporated	<u>\$4,000,000.00</u>
Total Upset Limit Amount	\$12,000,000.00

Approved

14. Procurement Authorization – Supply of Thermo King Air Conditioning Parts for Buses

It is recommended that the Board authorize the award of inventory supplier blanket contracts for the supply of Thermo King air conditioning parts for the period of approximately February 2017 to February 2020 in the following upset limit amounts (including applicable taxes and a 20% contingency) to the following companies:

- 1. Neopart Transit, LLC. for the supply of 5 parts in the total upset limit amount of \$385,800.00 USD (which is equivalent to approximately \$516,750.00 CDN, based on the exchange rate of 1.3394 dated November 3, 2016).
- 2. The Aftermarket Parts Canada, LLC DBA New Flyer Parts for the supply of 6 parts in the total upset limit amount of \$79,800.00.
- 3. Thermo King of Ontario Inc. for the supply of 147 parts in the total upset limit amount of \$8,193,200.00.

Approved



15. Transit Fare Inspection and Enforcement Model Update

Mark Cousins, Head of Transit Enforcement, delivered a PowerPoint presentation on this item.

The Board received the presentation for information and adopted the recommendations in the staff report, as follows:

“It is recommended that the Board:

1. Approve the modified customer friendly uniform without batons or handcuffs for Transit Fare Inspectors.
2. Direct staff to continue the search for third party oversight of Transit Enforcement Officers and Transit Fare Inspectors.
3. Direct staff to report back on efforts at recruitment outreach to attract a diverse workforce.
4. Seek an amendment to Chapter 150, Article IV of the Toronto Municipal Code to allow members of the TTC Transit Enforcement Unit to tag and tow vehicles that disrupt service.
5. Endorse enhanced authorities, as approved by the Toronto Police Service and the Ministry of Community Safety and Correctional Services, under the Highway Traffic Act to allow Transit Enforcement Unit Special Constables to direct traffic around planned and unplanned closures, and service disruptions.
6. Direct staff to report back to the Board when more meaningful data is available regarding Presto inspections”.

Approved

16. Presentation: PRESTO Implementation – Current Status and Next Steps

Deputy Chief Executive Officer & Chief Customer Officer Chris Upfold delivered a PowerPoint presentation on this item.

The Board received the presentation for information and adopted the recommendation in the staff report, as follows:

“It is recommended that the Board:

1. Receive an update on the current status of PRESTO implementation and next steps”.

Approved

17. New Streetcar Delivery and Claim Negotiation Update

It is recommended that the Board:

1. Receive the information as set out in this report.

Approved

18. Islington Station Mississauga Transit License Extension

It is recommended that the Board:

1. Approve a three year extension to the Agreement for MiWay to continue their operations at Islington Station, expiring on December 31, 2019.
2. Authorize the execution of the extension of the Agreement in accordance with the terms and conditions summarized in this report, in a form acceptable to the TTC's General Counsel.

Approved

19. Antenna Lease Renewal – 3050 Pharmacy Avenue

It is recommended that the Board:

1. Authorize the execution of the antenna lease agreement to extend the lease between Hanseatic Holdings Limited and the Toronto Transit Commission located at 3050 Pharmacy Avenue for a term of two years, and amend the lease agreement to provide an additional option to extend for one year in accordance with the terms and conditions set out in the agreement and as summarized in this report, in accordance with the TTC's policies, and any other documents or agreements arising as a result of entry into the lease, in a form satisfactory to TTC's Head of Legal and General Counsel;
2. Approve the expenditure of \$26,353.00 plus HST for rent payments for the lease (excluding utilities and property tax) for a two-year term, subject to change from current projections due to the escalation of utilities and property tax expenses, in accordance with the terms and conditions of the lease agreement, as amended.

Approved

20. 4050 Yonge Street – Entrance Connection to York Mills Station

It is recommended

1. That the Board approve the demolition of the existing stand-alone TTC entrance building located at the northwest corner of Yonge Street and Wilson Avenue.
2. That the Board approve in principle, the proposed configuration of the TTC entrance off Yonge Street and the accessible entrance connection to York Mills subway station as illustrated in Attachment 1.
3. That the Board authorize the execution of a new entrance connection agreement, and any other agreements arising as a result of the development, all on terms and conditions acceptable to the TTC's General Counsel.

Approved

21. 2015 Annual Report on Diversity and Human Rights Achievements

The Board approved the recommended action in the staff report, as follows:

1. It is recommended that the TTC Board review and consider the subject report and authorize forwarding the item to City Council for information.

Approved

22. Proxy to Vote TTC Shares in Toronto Coach Terminal Inc. (TCTI)

It is recommended that the Board:

1. Approve the attached proxy to exercise the 10,000 shares in TCTI.

Approved

23. Correspondence: Request to TTC for Removal of Advertisement

Chair Colle moved the following motion:

That this item be referred to TTC staff to review the TTC's current Advertising on TTC Property policy and report back to the Board in Q1 2017.

The motion by Chair Colle carried.

The meeting adjourned at 4:20 p.m.