



**For Action  
with Confidential Attachment**

## **Easier Access Design Services Contract – Procurement Amendment Authorization**

**Date:** June 23, 2022  
**To:** TTC Board  
**From:** Chief Capital Officer

### **Reason for Confidential Information**

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This report contains a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City or local board.

### **Summary**

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The purpose of this report is to request the Board's approval to amend Contract G85-344A – Consultant Design Services to continue with the consultant services for Old Mill and Spadina Stations Easier Access Phase III (EAIII), Warden Station Redevelopment and EAIII, and Yorkdale Station Skylights Remedial Repairs projects.

This is required to ensure completion of the EAIII projects by 2025 and Warden Station Redevelopment in 2026 in order to fulfil the provincially legislated requirements in the 2005 Accessibility for Ontarians with Disabilities Act (AODA) for barrier-free accessibility at all TTC subway stations.

### **Recommendations**

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It is recommended that the TTC Board:

1. Authorize a contract amendment to WSP Canada Group Limited for Contract G85-344A – Consultant Design Services Contract, extending the expiry date of July 11, 2022, to July 31, 2027;
2. Approve the recommendation contained in Confidential Attachment 1; and
3. Authorize the information in Confidential Attachment 1 to remain confidential until the costs for the design services have been finalized.

## **Financial Summary**

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Funds for this expenditure are included in the TTC's 2022-2031 Capital Budget and Plan under Program 3.9 Building and Structures – Easier Access III project and Skylights Replacement Program, as approved by the TTC Board on December 21, 2021 and by Council on February 17, 2022.

The total project cost of the Easier Access III (EAIII) Program is approximately \$1,090.5 million, comprising of costs to the end of 2021 of \$460.3 million and approved funding in the 2022-2031 Capital Budget and Plan of \$630.2 million. Of the total project cost, approximately \$703.2 million has been committed to date. Of the approved funding in the 2022-2031 Capital Budget and Plan, approximately \$225.7 million has been committed to date.

The total project cost for the Skylights Replacement Program is approximately \$30.9 million, comprising of costs to the end of 2021 of \$20.2 million and the remaining funding of \$10.7 million cashflowed between 2022 and 2024. Of the total project cost, approximately \$25 million has been committed to date. Of the approved funding in the 2022-2031 Capital Budget and Plan, approximately \$4 million has been committed to date.

The Chief Financial Officer has reviewed this report and agrees with the financial summary information.

## **Equity/Accessibility Matters**

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A cornerstone of the TTC's Corporate Plan 2018-2022 is accessibility and as a proud leader in providing accessible public transit to the residents in the city of Toronto and surrounding municipalities, we are committed to ensuring reliable, safe and inclusive transit services for all our customers.

The TTC started work to make subway stations accessible in 1990 and has a target to complete all subway stations by 2025 in accordance with the TTC's 2019-2023 TTC Multi-Year Accessibility Plan in its objective to fulfil the provincially legislated requirements in the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

This is supported through the work of the EAIII program where an accessible path with elevators, wide fare gates, automatic sliding doors and the associated equipment and finishes will be provided from street level to subway platforms for all remaining stations not currently accessible.

The prioritization of making stations accessible was determined in consultation with the Advisory Committee on Accessible Transit (ACAT). Factors considered by ACAT include: geographical location, daily usage of the station, proximity to hospital and senior citizens' facilities, proximity to other accessible stations, and transfers/connections to other modes of transportation and Wheel-Trans. The ACAT Design Review Subcommittee reviews and provides input and constructive feedback on

all EAll designs at the preliminary design stage. All ACAT comments are addressed prior to completing the detail design.

To date, 55 subway stations are accessible and there are 17 remaining subway stations to be made accessible by 2025 under the EAll program.

## **Decision History**

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A competitive bid process was conducted in 2016 for EAll Design Consultant Services Contract G85-344. Contracts G85-344 A, B and C were awarded to the following three design consultants on July 12, 2016, with an original upset limit of \$5 million (for a total original upset limit of \$15 million), for a six-year duration from Notification of Award: WSP Canada Group Limited, NORR Limited and Stantec Consulting Limited. Refer to the following report approved by the Board at its July 11, 2016 meeting:

[https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2016/July-11/Reports/15\\_PA\\_Design\\_Consultant\\_Services\\_EA\\_and\\_2nd\\_Exit.pdf?rev=7ed15f8d7cab49849c4e81271de3503c&hash=5C036B6245BEA1ABC24C62E91692E3FF](https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2016/July-11/Reports/15_PA_Design_Consultant_Services_EA_and_2nd_Exit.pdf?rev=7ed15f8d7cab49849c4e81271de3503c&hash=5C036B6245BEA1ABC24C62E91692E3FF)

An amendment to this Design Consultant Services contract was approved by the Board at its November 16, 2020 meeting. The principle reason for the contract amendment at that time was due to the addition of the Warden Station Redevelopment contract. Refer to the following report for further information:

[https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2020/November\\_16/Reports/8\\_Easier\\_Access\\_Design\\_Services\\_Contract\\_Procurement\\_Amendme.pdf?rev=bcab5b16c16d4c198a307f93fd12e18b&hash=E1793AE7B30BAC740F481C3989C03781](https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2020/November_16/Reports/8_Easier_Access_Design_Services_Contract_Procurement_Amendme.pdf?rev=bcab5b16c16d4c198a307f93fd12e18b&hash=E1793AE7B30BAC740F481C3989C03781)

In order to meet the 2025 legislated completion date, the EAll program schedule has been accelerated where possible. For project background, history and update on the EAll program, refer to the following reports approved by the Board at its respective meetings:

[https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2021/May-12/6\\_2021\\_Accessibility\\_Plan\\_Status\\_Update.pdf?sc\\_lang=en&rev=44f126cbbdc14423a2305d725b4a71f7&hash=74D8C7DFA6BCBB19489281E8F416F90F](https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2021/May-12/6_2021_Accessibility_Plan_Status_Update.pdf?sc_lang=en&rev=44f126cbbdc14423a2305d725b4a71f7&hash=74D8C7DFA6BCBB19489281E8F416F90F)

[https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2022/February-10/Reports/6\\_Easier\\_Access\\_Phase\\_III\\_-\\_Project\\_Status\\_Update\\_-\\_February\\_-\\_2022.pdf?rev=d57df510f9854172b1af2c3beb15f476&hash=311B7D99F4DEED8DC757B8FCE4B30301](https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2022/February-10/Reports/6_Easier_Access_Phase_III_-_Project_Status_Update_-_February_-_2022.pdf?rev=d57df510f9854172b1af2c3beb15f476&hash=311B7D99F4DEED8DC757B8FCE4B30301)

[https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2022/April-14/Reports/18\\_Update\\_on\\_Delegated\\_Authority\\_to\\_Award\\_Future\\_Easier\\_Access\\_III\\_Contr.pdf?rev=d139f72654b34500a0df4e9d8b4b2be1&hash=A7E2457860774659D227FA9FB1A020F0](https://ttc-cdn.azureedge.net/-/media/Project/TTC/DevProto/Documents/Home/Public-Meetings/Board/2022/April-14/Reports/18_Update_on_Delegated_Authority_to_Award_Future_Easier_Access_III_Contr.pdf?rev=d139f72654b34500a0df4e9d8b4b2be1&hash=A7E2457860774659D227FA9FB1A020F0)

## Issue Background

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The aforementioned projects at the Old Mill (W45-8), Spadina (A45-18), Warden (E4-13 and E45-5) and Yorkdale (A15-11A) stations were assigned to WSP Canada Group Limited under Contract G85-344A based on competitive staff rates, technical and subject-matter expertise, and staff resource availability from the design consultant.

It should be noted that the elevator-in-service dates from street level to the subway platforms for the above mentioned stations will be achieved in advance of the Substantial Performance dates. The current stage gate schedules for the aforementioned projects are respectively as follows:

### Old Mill Station EAIII (W45-8):

Stage Gate 0	Project Initiation	Completed
Stage Gate 1/2	Concept Design Completion	Completed
Stage Gate 3	Scope Design Completion	Completed
Stage Gate 4	Detail Design Completion	Q2 2022
Stage Gate 5	Tender Award	Q3 2022
--	Elevators in-service	Q4 2024
Stage Gate 6	Construction Substantial Performance	Q2 2025
Stage Gate 7	Construction Handover Completion	Q3 2025
--	Project Closeout	Q4 2025

### Spadina Station EAIII (A45-18):

Stage Gate 0	Project Initiation	Completed
Stage Gate 1/2	Concept Design Completion	Completed
Stage Gate 3	Scope Design Completion	Completed
Stage Gate 4	Detail Design Completion	Completed
Stage Gate 5	Tender Award	Completed
--	Elevators in-service	Q4 2024
Stage Gate 6	Construction Substantial Performance	Q1 2025
Stage Gate 7	Construction Handover Completion	Q2 2025
--	Project Closeout	Q4 2025

### Yorkdale Station Skylight Repair (A15-11A):

Stage Gate 0	Project Initiation	Completed
Stage Gate 1/2	Concept Design Completion	Not Applicable
Stage Gate 3	Scope Design Completion	Not Applicable
Stage Gate 4	Detail Design Completion	Completed
Stage Gate 5	Tender Award	Completed

Stage Gate 6	Construction Substantial Performance	Q3 2022
Stage Gate 7	Construction Handover Completion	Q1 2024
--	Project Closeout	Q2 2024

The Warden Station Redevelopment project (E4-13) has been integrated with the EAIII project at the station to facilitate design, construction, constructability and integration. The current bus terminal at Warden Station has a multiple-bay configuration with separate stairs to each bay. The station will require new multi-bay bus platforms with common stairs, escalators and elevators.

Adding to the redevelopment complexity of Warden Station is the designation of the site for future residential development by CreateTO for housing needs and the resulting site constraints, which involve delineation of the site between the TTC and CreateTO areas.

The elevator installation elements of the EAIII project planned for the passenger pick-up/drop-off area and subway platform for the existing station at Warden was separated from the redevelopment project under a separate contract (E45-5) in advance of the redevelopment work. This was done to advance work on these elements of the project, currently under construction, while the redevelopment design is being finalized for execution.

The current stage gate schedule for the EAIII elements (E45-5) advanced at Warden Station is as follows:

Stage Gate 0	Project Initiation	Completed under E4-13
Stage Gate 1/2	Concept Design Completion	Completed under E4-13
Stage Gate 3	Scope Design Completion	Completed under E4-13
Stage Gate 4	Detail Design Completion	Completed
Stage Gate 5	Tender Award	Completed
--	Elevators in-service	Q4 2023
Stage Gate 6	Construction Substantial Performance	Q1 2024
Stage Gate 7	Construction Handover Completion	Q2 2024
--	Project Closeout	Q4 2024

The remaining elements of the redevelopment project (E4-13) will continue beyond 2025. In order to fulfil the AODA mandate while completing the required redevelopment scope at the station, extensive staging of the work continues to be required, including the intent of constructing a temporary bus terminal at the station.

The multi-bay bus platforms at Warden Station will be constructed within the property boundary of the station, constrained by the adjacent site conceptualized for future residential development by CreateTO.

The current stage gate schedule for the redevelopment project (E4-13) at Warden Station is as follows:

Stage Gate 0	Project Initiation	Completed
Stage Gate 1/2	Concept Design Completion	Completed
Stage Gate 3	Scope Design Completion	Completed

Stage Gate 4	Detail Design Completion	Q4 2022
Stage Gate 5	Tender Award	Q2 2023
--	Temporary Bus Terminal/Station Accessible	Q4 2024
Stage Gate 6	Construction Substantial Performance	Q3 2026
Stage Gate 7	Construction Handover Completion	Q4 2026
--	Project Closeout	Q2 2027

Construction of the temporary bus platform will allow for demolition of the existing bus platform and construction of the new one, all to be completed within the station site at Warden. The temporary terminal is required as the new terminal will need to be constructed at the same location as the current bus terminal.

A contract amendment in the amount of \$1 million, bringing the total upset limit amount to \$6 million, for Contract G85-344A was processed in October 2020. Board approval was received on November 16, 2020 for a subsequent contract amendment in the amount of \$7 million, bringing the total upset limit for Contract G85-344A to the current amount of \$13 million. The total amendment of \$8 million was completed for the consultant services and associated fees required in support of Stage Gate 4 to 7 deliverables for the aforementioned projects.

Approximately \$9.143 million of the current upset limit of \$13 million for Contract G85-344A has been committed to date. The current upset limit of \$13 million is expected to be exceeded due to additional services and associated fees in support of the remaining stage gates to achieve the established AODA deadline of 2025 as result of the following: design and construction complexity and resulting increase in project duration, as reflected in current stage schedules; recent increase in consultant fees in response to market condition; and resumption of annual increase in cost of services in accordance with the terms of Contract G85-344A.

It is important to re-acknowledge that the total capital cost of the Warden Redevelopment work and the station's EAIII elements are in excess of four to five times the historical cost and range of a typical EAIII project due to the magnitude and complexity of the work, which includes the replacement of the bus terminal and other station modifications. As a result, the associated design fees are also proportionately higher.

An amendment for Contact G85-344A is required in support of the remaining stage gate deliverables to achieve the established AODA deadline of 2025. This amendment would allow detail design to continue for Warden (E4-13) and to provide the increase in support during construction services anticipated at Old Mill (W45-8), Spadina (A45-18), Warden (E4-13 and E45-5) and Yorkdale (A15-11A) stations, without delay to the current stage gate schedules.

## **Comments**

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The current consultant services contract limit covers up to stage Gate 3 and the increase is required to cover Stage Gates 4 through to 7. This will enable completion of the EAIII projects by 2025 and Warden Station Redevelopment in 2026 in order to fulfil the provincially legislated requirements in the 2005 Accessibility for Ontarians with Disabilities Act (AODA) for barrier-free accessibility at all TTC subway stations.

Other procurement approaches and their associated risks and impacts in support of the Stage Gate 4 to 7 deliverables for the redevelopment elements covered under Contract E4-13 and EAIII elements covered under Contract E45-5 were previously assessed and not recommended as documented in the report approved by the Board at its November 16, 2020 meeting.

There would be a greater risk of not achieving the established AODA deadline of 2025, as legislated, if other procurement approaches are pursued for the redevelopment elements for Warden E4-13 in consideration of key services completed to date and stage gate deliverables outstanding for the project.

## **Contact**

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Rob Rosati, Senior Project Manager – Construction  
416-590-6338  
rob.rosati@ttc.ca

## **Signature**

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Gary Downie  
Chief Capital Officer – Engineering, Construction and Expansion  
03075-198897199-8

## APPENDIX A

### EAIII Consultant Design Services Contract G85-344A Contract Award and Amendments

Amendment #	Increase / Decrease	Date Issued	Description
0	N/A	July 12, 2016	As authorized from the Board Approval received on July 11, 2016, Contract G85-344A was awarded to WSP Canada Group Limited (formerly MMM Group Limited) with an original upset limit of \$5 million (including taxes) for a six-year duration from Notification of Award.
1	N/A	May 29, 2017	This amendment was required following completion of the acquisition of MMM Group Limited by WSP Canada Group Limited. Name of the vendor for Contract G85-344A was amended accordingly from MMM Group Limited to WSP Canada Group Limited.
2	\$1.0 million	October 14, 2020	This amendment allowed detail design consultant services in support of Stage Gate 4 deliverables to proceed respectively for the EAIII project at Old Mill Station (W45-8) and the elevator installations of the EAIII elements (under E45-5) planned for the passenger pick-up/drop-off area and subway platform accessibility under the redevelopment project (E4-13) at Warden Station.
3	\$7.0 million	December 2, 2020	As authorized from the Board Approval received on November 16, 2020, this amendment allowed detail design and support during construction services to proceed for the remaining elements of the redevelopment project (E4-13) at Warden Station and support during construction services at Old Mill (W45-8), Spadina (A45-18), Warden (E45-5) and Yorkdale (A15-11A), stations without delay.