



**For Action  
with Confidential Attachment**

**State of Good Repair – Delegated Authority to CEO**

**Date:** February 10, 2021  
**To:** TTC Board  
**From:** Chief Executive Officer

**Reason for Confidential Information**

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This report contains information about labour relations or employee negotiations and about 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 TTC.

**Summary**

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The purpose of this report is to obtain delegated authority for the CEO to award a contract for the purpose of asbestos abatement on a portion of Line 1 (St Patrick Station) with a total upset limit detailed in Confidential Attachment 1, inclusive of all applicable taxes. Should the project proceed, the contract will be awarded through a negotiated Request for Proposal (RFP). A Request for Information (RFI) was issued to the market on January 8, 2021 and closed January 15, 2021 with a total of five responses received.

**Recommendations**

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It is recommended that the TTC Board:

1. Adopt the recommendations contained in Confidential Attachment 1 and authorize that the financial information in the confidential attachment remain confidential until such time as a contract is awarded, and that the information related to labour relations matters remain confidential.
2. Approve in lieu of the standard Certificate of Recognition (COR™) requirements, that the Contractor(s) be required to provide a site-specific safety plan prior to commencing work on TTC Property; as a condition to performing the demolition/abatement work, and in order to ensure site and worker safety.
3. Direct staff to report back in Q2 on the results of the project should it proceed.

**Financial Summary**

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A confidential financial summary is provided in the Confidential Attachment.

## Equity/Accessibility Matters

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

The planned closure will result in some accessibility issues to access subway services; these issues are being mitigated by providing accessible bus shuttles with social distancing requirements being considered as part of the shuttle deployment.

The asbestos abatement work that the TTC is seeking delegated authority to complete will further enhance the safety of the network for both employees and passengers, and mitigate impacts in relation to the upcoming station finish renewal contract at St Patrick and Queen's Park stations.

Given the extensive scope of the abatement work at both stations, neither TTC staff nor contractors are in a position to complete this work during regular shifts or full weekend closures in a manner that will not significantly impact customers. It is expected that the work would require more than five years to complete and greatly impact the customer experience at both stations and throughout that portion of the subway network.

## Decision History

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At the TTC Board meeting of May 24, 2013, the Board approved a recommendation setting out a timeline that all contractors performing work on TTC property valued at more than \$5 million have a COR™ issued by the Infrastructure Health and Safety Association (IHSA).

Based on a review of the potential companies that could perform the asbestos abatement work, none or very few are currently COR™ certified. This is highly specialized work and is regulated by the Province of Ontario. In order to ensure proper site and worker safety, the contractors will be required to provide a site-specific safety plan. Based on the current timelines, it is recommended that COR™ certification not be required for these contracts.

In October 2020, the TTC sought delegated authority in order to award a third-party contract to do large-scale asbestos abatement during a 10-day closure between Finch and Sheppard stations.

[http://www.ttc.ca/About\\_the\\_TTC/Commission\\_reports\\_and\\_information/Commission\\_meetings/2020/October\\_22/Reports/4\\_State\\_of\\_Good\\_Repair\\_Delegation\\_to\\_the\\_CEO\\_for\\_the\\_Asbesto.pdf](http://www.ttc.ca/About_the_TTC/Commission_reports_and_information/Commission_meetings/2020/October_22/Reports/4_State_of_Good_Repair_Delegation_to_the_CEO_for_the_Asbesto.pdf)

In November 2020 the TTC reported on its intention to proceed with the project.

[http://www.ttc.ca/About\\_the\\_TTC/Commission\\_reports\\_and\\_information/Commission\\_meetings/2020/November\\_16/Reports/4\\_State\\_of\\_Good\\_Repair\\_Decision\\_to\\_Proceed\\_with\\_Work.pdf](http://www.ttc.ca/About_the_TTC/Commission_reports_and_information/Commission_meetings/2020/November_16/Reports/4_State_of_Good_Repair_Decision_to_Proceed_with_Work.pdf)

The work in question was successfully completed in December 2020 and as a result approximately two-to-two-and-a-half years worth of work was completed in 10 days by a third-party contractor.

## **Issue Background**

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Due to the ongoing impacts of the resurgence associated with the COVID-19 pandemic, the TTC's daily ridership has continued at levels experienced during 2020. This circumstance offers another opportunity for the TTC to accelerate planned state-of-good-repair (SOGR) and asbestos abatement work at St Patrick Station without impacting customers in the manner it would have if ridership were at normal levels.

Further, this would allow for reduced impacts to station operations by eliminating the need for station platform closures and bypass operations throughout the station over a five-year period if this closure were not to occur.

The TTC is challenged to maintain its assets and maintain its current SOGR schedules given the restricted nightly window to perform the work, including asbestos abatement, which poses risks to service and future initiatives, and which could result in future weekend closures or unexpected service disruptions that would negatively impact customers.

## **Comments**

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The TTC is considering a 10 day closure for the period of March 15-24, 2021 from St George station to St Andrew station, with an early closure planned for Monday, March 15, 2021. to perform Type 3 asbestos abatements at St Patrick Station, northbound platform only.

This is the March Break period for most schools in Ontario, which traditionally results in reduced ridership on the TTC. The TTC continues to monitor ridership levels in light of the COVID-19 pandemic and will do so up to contract award to ensure that a sufficient shuttle service respecting social distancing can be provided.

The works to be performed under this contract would be the removal of friable asbestos behind the suspended ceilings on the northbound platform, as well as the removal of the suspended ceiling at St Patrick Station. The work at St Patrick Station on the northbound platform is the most critical and therefore prioritized. This represents a potential total of approximately 11,000 square feet of friable asbestos to be abated, and 7,000 square feet of ceiling material. This is believed to be reasonable in terms of what can safely be abated during the closure based on industry feedback.

Due to leaks deteriorating the condition of the material, there are concerns that the asbestos could fall onto the tunnel impacting service. There have been several occasions in the past where asbestos material from the tunnel structure has fallen through the ceiling to platform level in this area.

The completion of the asbestos abatement work during the continuous closure period will reduce the duration of the Station Finishes Renewal project for Queen's Park and St Patrick stations (at a minimum for St Patrick Station). The impact to St Patrick Station would be significantly mitigated by minimizing platform closures, and reducing the impact to subway service, customers and overall duration of the contract. It should be

noted that a reduced number of weekend closures would still be required to undertake the finishes renewal works.

Under a status quo scenario, TTC staff have concluded that it would be physically impossible to complete this work during regular shifts due to the scale and complexity of the work involved. It is believed by TTC subject matter experts that this type of work cannot be completed over regular weekend closures as it is not feasible to stage the work effectively over a weekend period as well as make the area safe and ready for revenue. A considerable effort with the resultant time would be required each weekend to mobilize and demobilize the operation, including cleaning and air sampling to ensure the area is safe and ready for revenue service.

A RFI was issued on January 8, 2021 seeking interest for a vendor to perform large scale asbestos removal at St. Patrick and Queen's Park stations within the above noted closure. A site tour was conducted on January 13, 2021; eight vendors attended, and five responded to the RFI.

Following an internal review, it was deemed, due to the extent of the enabling works required, that an RFP for the works at St Patrick's northbound platform would progress, and this was issued to the market on January 21, 2021.

Due to timing constraints associated with the proposed project and the extraordinarily accelerated timeframes in order to take advantage of the decreased ridership, the TTC issued the RFP in advance of obtaining the delegated authority, and in advance of completion of its analysis, in order to ensure that we are in a position to proceed with the project should it make sense to do so. The TTC may require any vendor who did not attend the site tour to do so as a part of the RFP process.

The contract will be awarded by approximately March 8, 2021 should the project proceed.

The work of this RFP will be a proof of concept, whereby a future RFP and associated closure(s) can be planned subject to low ridership levels. This will mitigate the impact to customer service and operations of the associated station platform(s).

### **Alternative Options Considered**

An alternative plan was also reviewed whereby the abatement work would proceed by staging the closing of the station platforms and bypassing the stations during revenue service. The abatement work would continue over the train envelope in a sealed work area above a scaffold system during this time. This platform closure and station bypasses would be in place on each bound of each station for approximately two years each and result in a total duration for the abatement work of up to five years. This option was reviewed by staff and it was determined that the customer experience during this period would be greatly impacted as a station would only be accessible by one bound at a time, and therefore, a customer approaching the station on the bound that was closed would have to bypass the station and change trains and return via the opposite bound. Therefore, undertaking the work via a continuous closure through contract with a third party is recommended as it allows for productive continuous work

without interruption, and thereby reduces the constraints that would inhibit the progress of the work.

## **Next Steps**

Due to the timelines associated with organizing and planning this work, the TTC is seeking delegated authority for the contract award while it continues to develop the business case and review associated risks. This will inform the final decision and staff will report back to the Board accordingly in Q2 on the results of the project, should it proceed.

The TTC continues to review the project from a business and risk perspective, and will be assessing proposals based on a variety of factors; with emphasis on the ability to safely and reliably complete the contracted work. While performing this work under a 10-day closure would be of great benefit from a productivity perspective, there are operational risks that must be taken into account. For example:

- removal of required quantity of material to the yards for disposal will present significant logistical challenges, to mitigate this risk TTC is planning to use Wilson Yard as the primary location and Davisville Yard as a backup
- there is complex cabling infrastructure which, if damaged, could have service ramifications. to mitigate this the contractor will provide protection for the cabling and TTC forces will monitor for damage during the closure

A detailed risk register has been produced and risk mitigation measures are currently / have been identified and will be further developed in conjunction with the successful contractor prior to commencement of the works.

Upon completion of the abatement operations under this closure, staff will review benefits and assess whether to request additional station closures on the remaining subway platforms.

Station finishes will be renewed in both stations under a subsequent construction contract forecasted to take place between late 2021 and 2024. The work of this contract is fully funded in the TTC's 2021-2030 Capital Budget and Plan. Without the continuous extended subway closure, the presence of the asbestos and complexity of its removal puts the ability to complete this renewal project in a reasonable time and within budget at risk.

## **Contact**

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## **Signature**

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Richard J. Leary  
Chief Executive Officer

## **Attachments**

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Confidential Attachment 1 – State of Good Repair – Delegated Authority

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