



The Board of Directors of York Region Rapid Transit Corporation met at 12:00 p.m. in Committee Room A, Regional Administrative Centre, 17250 Yonge Street, Newmarket, Ontario.

Directors present at this Meeting:

Mr. B. Fisch – Chair  
Mr. D. Barrow  
Ms. L. Jackson  
Mr. F. Scarpitti  
Mr. T. Van Bynen

Staff: D. Albers, D. Duncan, P. May, C. Ryall, B. Titherington, S. Tuckey, M-F. Turner, J. Vanderburgh, K. Webber

Regional Staff: D. Basso, L. Bigioni, P. Casey, L. Cheah, B. Crowe, J. Hulton, K. Llewellyn-Thomas, B. Macgregor, C. Raynor, L. Russell, K. South

**Declaration of Interest**

Nil

**10-20 Approval of Minutes**

It was moved by Mr. Van Bynen that the Board confirm the Minutes of the May 6, 2010 meeting of the Board of Directors of York Region Rapid Transit Corporation in the form supplied to the members, which was **Carried**.

**10-21 Recommended Preliminary Design for the 407 Transitway Planning and Preliminary Design Study**

Mr. Khaled El-Dalati, Consultant Project Manager, Delcan Corporation, and Mr. Robb

Minnes, Project Director, Ministry of Transportation presented an update on the 407 Transitway Planning and Preliminary Design Study. It was noted that the next Public Information Centres on this matter will be held on June 24 and June 29, 2010.

It was moved by Ms. Jackson that the foregoing recommendations be adopted, which was **Carried**.

**10-022 Purchasing Policy and Execution of Documents Policy**

Ms. J. Vanderburgh, Corporate Secretary and Solicitor, presented an overview of the proposed Purchasing Policy and the Execution of Documents Policy. It was noted that both policies very closely mirror the current Regional policies. Staff agreed to discuss with Metrolinx the possibility of limiting the clause which permits the Corporation to not do business with parties that are in litigation with the Corporation or the Region for only those projects that are in the Corporation's budget approved by Regional Council and that are not funded by the Province.

A report of the President was presented with the following recommendations:

1. The Corporation's Board of Directors ("Board") adopt the policy for the procurement of goods, services and construction (purchasing policy) as set out in *Attachment 1*.
2. A copy of this policy be provided to Metrolinx for its review and the President be authorized to make any changes required by Metrolinx pertaining to provisions that concern projects funded by a Provincial funding envelope, subject to the approval of the Chief Executive Officer and the Corporation's Solicitor, with a report back to the Board respecting any required changes.
3. The Board endorse the continued practice by the Region's Supplies and Services Branch of handling competitive procurement processes for the Corporation exceeding \$100,000 and any procurement processes up to \$100,000 be the responsibility of the Treasurer of the Corporation, subject however to Metrolinx's oversight and/or requirements, as required.
4. The Board adopt the policy for the execution of documents as set out in *Attachment 2*.
5. During the summer period when the Board is not convening, the Chief Executive Officer together with the President, or in the absence of either of them, the Treasurer and either the Chief Executive Officer or the President, be authorized to:
  - a. award and execute contracts and other forms of commitment where such matters are not otherwise currently delegated by the Board; and

- b. exercise the Corporation's rights and remedies at law to terminate contracts.
6. The exercise of the authority provided in paragraph 5 above be subject to the following conditions:
  - a. The President or in the absence of the President, the Treasurer, being satisfied that the authorization is required to prevent interruption of service delivery or to avoid incurring unnecessary costs;
  - b. There is sufficient funding for the expenditure in the Corporation's annual budget and/or under a Provincial funding envelope;
  - c. A memorandum outlining the necessity of such requests be submitted to the President by the applicable senior manager;
  - d. Any contracts or documentation be subject to review and approval by the Corporation's Solicitor; and
  - e. The Treasurer submitting a report to the Board at the next meeting of the Board following the summer recess to advise of the approval of any contracts under this authority.
7. The Board endorse the continued practice by the Region's Risk Management Branch of handling insured claims against the Corporation.
8. The Regional Solicitor for the Region be authorized to settle uninsured claims, appeals and other matters before the courts or administrative tribunals on behalf of the Corporation, subject to the President's concurrence, and so long as it is in accordance with the Regional Solicitor's authority delegated by Regional Council.

It was moved by Mr. Scarpitti that the foregoing recommendations be adopted, which was **Carried**.

**10-023 Design Build Agreement for Highway 7 (H3) Rapid Transit Project**

Ms. J. Vanderburgh, Corporate Secretary and Solicitor, advised the Board as to the status of the H3 cost confidence process as it relates to the Design Build Agreement for Highway 7 (H3) Rapid Transit Project. It was noted that the Master Agreement among the Region, YRRTC and Metrolinx which is currently being negotiated will contain terms relating to the funding payments.

A report of the President was presented with the following recommendations:

1. Subject to York Consortium 2002's successful completion of the cost confidence process in respect of the design and construction of the Highway 7 (H3) rapidway (Markham to Richmond Hill) rapid transit project (the "H3 Project"), and subject to Metrolinx's written notice to the Corporation that it approves the award of the contract to York Consortium 2002,
  - (a) The President be authorized to award the contract to York Consortium 2002; and
  - (b) The Corporation be authorized, if requested by Metrolinx, to enter into the Design Build Agreement for the H3 Project.
2. The Chief Executive Officer and the President be authorized to execute the said Agreement on behalf of the Corporation in the form approved by Metrolinx, subject to the prior review of the Corporation's Solicitor.
3. If York Consortium 2002 is not awarded the contract pursuant to the cost confidence process for the H3 Project, the President be authorized to issue a request for proposals for the design build agreement for the H3 Project, subject to Metrolinx's approval as to the procurement process and determine if York Consortium 2002 will be permitted to submit a proposal in response to the request for proposals.

It was moved by Mr. Scarpitti that the foregoing recommendations be adopted, which was **Carried**.

**10-024 Expropriation of Land  
Yonge Street (Y2)**

Ms. M-F. Turner, President, provided an overview of this matter.

A memorandum of the President was presented with the following recommendations:

1. This Memorandum be received for information.

It was moved by Mr. Barrow that the foregoing recommendation be adopted, which was **Carried**.

**10-025 Expropriation of Land  
Highway 7, Bathurst and Centre Streets (H2)**

Ms. M-F. Turner, President, provided an overview of this matter.

A memorandum of the President was presented with the following recommendations:

1. This Memorandum be received for information.

It was moved by Ms. Jackson that the foregoing recommendation be adopted, which was **Carried**.

**10-026 Viva Direct Underground Connection to the Spadina Subway at the Vaughan Metropolitan Centre**

Mr. P. May, Chief Engineer, presented an overview of this matter. It was noted the design cost estimate has increased and there was some discussion as to its reasonableness. Options for funding the increased cost were also discussed.

A report of the President was presented with the following recommendations:

1. The Board approve a direct underground connection from the Highway 7 Viva platform to the Spadina Subway at the Vaughan Metropolitan Centre.
2. The Board seeks York Region Council funding support of up to \$500,000 to undertake the design work.
3. YRRTC staff endeavor to recover the cost of the final design from senior levels of government.

It was moved by Ms. Jackson that the foregoing recommendations be adopted subject to Recommendation 2 being amended to read as follows:

2. The Board seeks York Region Council funding support of up to \$1.3 million to be funded from the General Capital Reserve funds,

which was **Carried**.

**10-027 Communications Outlook for Remainder of 2010**

Mr. D. Albers, Chief Communications Officer, presented an update on the communications outlook for the remainder of 2010.

It was moved by Mr. Scarpitti that the foregoing presentation be received, which was **Carried**.

**10-028 Private Session**

The Board resolved into private session from 1:11 p.m. to 2:17 p.m.

There being no further business, the Board adjourned at 2:17 p.m.

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Bill Fisch, Chair

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Janis Vanderburgh, Secretary

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