

**Ministry of Transportation
Agency Oversight & Partnerships
Division**
Capital Projects Oversight Branch

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**Ministère des Transports
Division de la surveillance des organismes
et des partenariats**
Direction de la surveillance des projets d'immobilisations

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November 2, 2021

Michael Morgan
O Train Construction
Transportation Services Department, City of Ottawa
110 Laurier Avenue West
Ottawa, Ontario
K1P 1J1

Dear Mr Morgan

Improving public transit is a priority for the government, which is why Ontario has committed up to \$600 million for the Ottawa Light Rail Transit Stage 1 (OLRT1) project, and up to \$1.208 billion for the Ottawa LRT Stage 2 (OLRT2) project. We also greatly value our partnership with the City of Ottawa ("City") and our staff contacts at the City.

We have, however, noted some of the issues facing the OLRT1 project, including at least 3 issues that have involved either an investigation or a review by the Transportation Safety Board (TSB), two of which involved derailments as recently as August and September of 2021.

As required under the Contribution Agreement for the City of Ottawa Light Rail Transit Project between the Ministry and the City ("Agreement"), entered into on September 1, 2011 and subsequently amended, we would like assurances that provincial funding is being used for assets and infrastructure that are safe and meet industry standards. Please see Subsections 3.2 b) and 13.16 b) of the Agreement for examples of such requirements.

As such, in addition to the documents listed in Article G.6 of the Agreement, namely the final report and the Solemn Declaration of Substantial Completion, which the City has already submitted to the Ministry, and the final compliance audit report which remains outstanding, prior to releasing the \$60 million Holdback to the City, the Ministry will require the following, in writing, from the City:

- 1) confirmation that the TSB investigation into cracked wheels (started in July of 2020) is completed, and an attestation that the City has either addressed any of the TSB recommendations that came out of the investigation or has developed a

plan to address these recommendations. The City will submit its confirmation, attestation, and any plan it has developed to the Ministry by December 31, 2022.

- 2) confirmation that the TSB reviews into the August 2021 and September 2021 derailments are completed, and an attestation that the City has either addressed any of the TSB recommendations that came out of the reviews or has developed a plan to address these recommendations. The City will submit its confirmation, attestation, and any plan it has developed by December 31, 2022.
- 3) an attestation from an Independent Engineer, using the form provided in Schedule G.3. This attestation will be in addition to that received from the Altus Group on February 20, 2020 which was before the 3 issues that became the subject of the TSB investigations arose. For greater clarity, the attestation will confirm that the requirements set out in Subsection 13.16 b) of the Agreement, namely that the City has undertaken, or caused to be undertaken, the engineering and construction work, in accordance with industry standards.

We would like to reemphasize that we appreciate the ongoing cooperation with the City of Ottawa and our staff contacts. We can make ourselves available if you wish to discuss further.

Sincerely,



Vrinda Vaidyanathan
Director, Capital Project Oversight Branch
Agencies Oversight and Partnerships Division
Ministry of Transportation

Cc:

The Honourable Caroline Mulroney, Ontario Minister of Transportation
Laurie LeBlanc, Deputy Minister of Transportation
Vinay Sharda, Associate Deputy Minister, Ministry of Transportation
James Nowlan, Assistant Deputy Minister, Ministry of Transportation
Sejal Jain, Manager, Ministry of Transportation
Charles Redstone, Transport Canada
Marie-Pierre Parenteau, Infrastructure Canada
Isabelle Jasmin, City of Ottawa
Allan Hubley, Chair – Ottawa Transit Commission

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