

**1. Office of the Auditor General (OAG) – Zero Emission Buses Project –
Sprint 4 Audit Report**

**Bureau de la vérificatrice générale (BVG) – Rapport sur la vérification des
autobus non polluants – Sprint 4**

Committee Recommendation(s)

That Council consider and approve the recommendations.

Recommandation(s) du comité

Que le Conseil examine les recommandations, à des fins d'approbation.

Documentation / Documentation

1. Extract of draft Minutes 1, Joint Meeting of the Audit Committee and Transit Commission, June 9, 2023.

Extrait de l'ébauche du procès-verbal 1, Réunion conjointe du Comité de la vérification et Commission du transport en commun, le 9 juin 2023.

2. Extract of draft Confidential Minutes 1, Joint Meeting of the Audit Committee and Transit Commission, June 9, 2023 (Confidential – Held on file with the City Clerk).

Extrait de l'ébauche du procès-verbal 1 à huis clôt, Réunion conjointe du Comité de la vérification et Commission du transport en commun, le 9 juin 2023 (confidentiel – conservé dans les dossiers du greffier municipal).

3. Auditor General's report, Office of the Auditor General, dated May 31, 2023 (ACS2023-OAG-BVG-0006).

Rapport de la vérificatrice générale, Bureau de la vérificatrice générale, daté le 31 mai 2023 (ACS2023-OAG-BVG-0006).

**Extract of Draft Minutes 1
Joint Audit Committee and Transit
Commission
9 June 2023**

**Extrait de l'ébauche du
procès-verbal 1
Réunion conjointe du Comité de
la vérification et de la
Commission du transport en
commun
Le 9 juin 2023**

3. In Camera Items

The following items are to be considered in camera pursuant to the Procedure By-law (By-law No. 2022–410), Subsection 13(1)(k), 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 municipality and Subsection 13(1)(f), the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

As the content of the Auditor General's report and the in camera presentations to the Joint Meeting regarding Zero Emission Buses contains information pertaining to the City's contract negotiations with Envari Energy Solutions, the release of which could prejudice the City's legal and bargaining position in respect of these contract negotiations, and the Committee will receive information related to the contract negotiations, and Committee may seek advice that is subject to solicitor-client privilege, the material falls within the exceptions contemplated by Subsections 13(1)(f) and (k) of City Council's Procedure By-law, and is also exempt from disclosure pursuant to Sections 6(1)(b), 11(e) and 12 of the *Municipal Freedom of Information and Protection of Privacy Act*. As such the Zero Emission Bus (ZEB) Sprint 4 Audit Report will only be reported out upon execution of the contract.

Motion No. AC-TTC 2023-01-01

Moved by G. Gower

BE IT RESOLVED THAT in accordance with the Procedure By-Law, the Joint Meeting resolve in camera pursuant to the Procedure By-law (Bylaw No.

2022–410), Subsection 13(1)(k), 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 municipality, 13(1)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, and Subsection 13(1)(f), the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

BE IT FURTHER RESOLVED THAT while in camera, the Joint Meeting consider item 3.1, Office of the Auditor General (OAG) – Zero Emission Buses Project – Sprint 4 Audit Report, and item 3.2, Zero Emission Bus (ZEB) Envari Contract;

BE IT FURTHER RESOLVED THAT the Zero Emission Bus (ZEB) Sprint 4 Audit Report will only be reported out upon execution of the contract subject to the City Clerk, in consultation with the Office of the Auditor General and Legal Services, redacting any third party commercially confidential information in the OAG Report and the executed contract in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

Carried

Committee resolved In Camera at 1:06 pm and resumed in open session at 2:42 pm.

Upon resuming in open session, Chair Curry stated the following:

Please let the record show that the Joint Meeting went in camera to receive a presentation from the Auditor General on the Zero Emission Buses Project Sprint 4 Audit Report, and a presentation from the General Manager of Transit Services on Zero Emission Bus draft Envari Contract.

There were no votes taken during the in camera session, other than to give direction to staff or procedural motions.

We can now consider the report recommendations on Item 3.1 and 3.2 in open meeting.

The content of the Zero Emission Bus Sprint 4 Audit Report will only be reported out upon execution of the Envari contract as it includes information on contract negotiations and the executed contract will be subject to redactions as may be required by the *Municipal Freedom of Information and Protection of Privacy Act*.

3.1 Office of the Auditor General (OAG) – Zero Emission Buses Project – Sprint 4 Audit Report

File No. ACS2023-OAG-BVG-0006 – City-wide

Report recommendation

That the Joint Audit Committee and Transit Commission receive the audit report and recommend that Council consider and approve the recommendations.

Carried

3.2 Zero Emission Bus (ZEB) Envari Contract

File No. ACS2023-TSD-EN-0010 – City-wide

Report recommendation

That the Joint Transit Commission and Audit Committee recommend that Council direct the General Manager, Transit Services to finalize negotiations and execute an agreement with Envari Energy Solutions for the design, procurement and installation of the Charging and Electrical Infrastructure, the provision of backup power and an energy management system to support OC Transpo’s conversion to battery-electric buses.

Carried