

**Subject: Action Plan Status Update – Response to OLRT Public Inquiry
Recommendations**

File Number: ACS2023-TSD-TS-0016

**Report to Light Rail Sub-Committee on 29 September 2023
and Council 11 October 2023**

**Submitted on September 20, 2023 by Renée Amilcar, General Manager, Transit
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Ward: Citywide

**Objet : État d'avancement du plan d'action – Réponse aux
recommandations découlant de l'enquête publique sur le train léger
sur rail d'Ottawa**

Numéro de dossier : ACS2023-TSD-TS-0016

Rapport présenté au Sous-comité du train léger

Rapport soumis le 29 septembre 2023

et au Conseil le 11 octobre 2023

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REPORT RECOMMENDATION(S)

That the Light Rail Sub-Committee and Council receive for information the Status Update of the Action Plan for the Ottawa Light Rail Transit Public Inquiry's recommendations that lie within the City's jurisdiction, attached as Document 1 to this report.

RECOMMANDATION(S) DU RAPPORT

Que le Sous-comité du train léger et le Conseil municipal prennent connaissance de l'état d'avancement du plan d'action concernant les recommandations qui découlent de l'enquête publique sur le train léger sur rail d'Ottawa et relèvent du champ de compétence de la Ville, ci-joint en tant que document 1 au présent rapport.

BACKGROUND

On April 28, 2023, Light Rail Sub-Committee received the City's Action Plan ([ACS2023-TSD-TS-00030](#)) to address the Ottawa Light Rail Public Inquiry recommendations. Council received the report on May 10, 2023.

As of April 18, 2023, the City of Ottawa had completed, or integrated into revised corporate policies, 36 of 103 recommendations. Of note, 8 of the 103 recommendations fell within the responsibility of the provincial or federal governments and so could not be actioned by the City alone.

Transit Services staff coordinated a third-party review of the Action Plan to provide an independent perspective and ensure the plan is robust. The review was undertaken by Roland Berger Inc. and formed part of the April report.

Transit Services, working as the lead department, committed to providing status updates until the Public Inquiry recommendations have all been completed or in good standing order. To increase transparency, the City has posted the Action Plan on [octranspo.com](#) and [Ottawa.ca](#).

DISCUSSION

Introduction

The 103 recommendations outlined in the OLRT Public Inquiry Report reflect directly on

Stage 1 LRT, as well as more general issues related to public infrastructure projects. Specific to LRT, the recommendations span several areas, including procurement models, contractual arrangements and the Project Agreement, design of the system, testing and commissioning, and the timing of substantial completion. The report also includes recommendations for the federal and provincial governments to address.

The collaborative approach taken by the City to address the 103 recommendations of the Public Inquiry has been very successful with significant progress made since the Action Plan was presented to Light Rail Sub-Committee (LRSC) on April 28, 2023 ([ACS2023-TSD-TS-00030](#)). The collaboration continues and includes City departments, RTG/RTM/Alstom, and stakeholders.

With respect to the themes of the Public Inquiry, as outlined in Table 1 of the Action Plan (Document 1), staff have made substantial development in the following key areas:

- Fostering successful working relationships;
- Accuracy, transparency, and public entity decision making;
- Preparing for achieving a successful handover and start to public service; and
- Recommendations for the OLRT1.

As part of the Action Plan report, Council approved the following direction:

Direct the Office of the City Clerk to notify the following entities and bodies of the City of Ottawa's Action Plan, and share with them the report: 1) the Transportation Safety Board of Canada, 2) Transport Canada, 3) Infrastructure Canada, 4) the National Capital Commission, 5) the Government of Ontario's Ministry of Transportation, and 6) the Rideau Transit Group.

Transit Services can confirm that all bodies identified in the direction have received the Action Plan and that this item can be considered closed.

As of September 20, 2023, 56 of the 103 recommendations are considered complete or have been incorporated into ongoing City policies for implementation in future projects. The City is responsible for 95 of the recommendations as eight of them lie within the jurisdiction of the provincial and federal governments and cannot be implemented through this action plan.

Fourteen "In Progress" recommendations will be considered complete when Finance and Corporate Services updates the Business Case and Project Management Policy in

Q4 2023.

Staff expect to have approximately 75 of the 95 recommendations complete by the end of 2023 with the remaining well in progress or incorporated into ongoing work or processes.

The following recommendations within the Action Plan have been updated. Further details can be found in the Action Plan, identified as Document 1.

Transit Services

Since the April 2023 LRSC meeting, Transit Services continued to work with RTG/RTM/Alstom and third-party experts to address the recommendations within the report and work towards a final solution with respect to the issues facing the light rail vehicles.

Staff provided a Councillor orientation session and technical briefing on August 9, 2023, to address the status of LRT issues related to the wheel hub assembly, axles and bearings. Staff confirmed that a final fix had been identified and a framework to replace the bearing hub assembly and reposition the restraining rails was underway.

As part of the commitment to Council to find a final solution, a Route Cause Analysis report is scheduled for Transit Commission on October 12, 2023. In addition, a second report will be tabled at the same meeting that will provide information on other problems that have caused issues, such as freezing rain and lightning strikes.

A number of recommendations relate to the approvals and processes of substantial completion for future light rail projects. TSD staff can confirm that, as noted in the Action Plan, these activities are in progress and will be tracked through completion of Trillium Line and Confederation Line extensions.

Technical oversight of the current Line 1 and future light rail extensions has been strengthened by the creation of the Transit Engineering Services. For example, this service area is leading the Root Cause Analysis review.

As noted in the Action Plan (Document 1), these steps address a number of the recommendations and provide a solid foundation to move forward.

Finance and Corporate Services (FCS)

An important part of the Public Inquiry recommendations was the development of a stronger project management policy. The City's Business Case and Project

Management Policy was scheduled for review in 2022; however, the review was extended so as to incorporate the recommendations from the Public Inquiry. As noted in the updated Action Plan (Document 1), the policy will be finalized by the end of 2023.

Based on the review and consultation with all City departments, the update to the policy will include:

- Adding Agile as a lifecycle and methodology that project managers can use.
- Adding change/outcome management to the fundamental elements of project management.
- Adding records management to the responsibilities and fundamental elements of project management.
- Including the option of an independent review during a project, along with a document on criteria for independent project review.
- More prominence on gating of projects.
- Clarification around tailoring and tiering of projects.
- Adding a new “Duty of a Project Manager” section that incorporates several of the OLRT recommendations, along with the duties outlined by the Project Management Institute (PMI).

The City has made significant progress on a number of recommendations based on Supply Services update to the P3 Policy and Administrative Procedures. Those recommendations include, but are not limited to:

- Recommendation 4 - Public entities should avoid, wherever possible, introducing complexity into the major components of the project.
- Recommendation 8 - Public entities should clearly communicate to elected officials, the public, and other stakeholders.
- Recommendation 15 - The public entity should ensure that the potential benefits and drawbacks associated with each delivery model are identified and considered.

Transparency

Key recommendations from the Public Inquiry were directed at ensuring transparency

with the public and elected officials. Transit Services agrees with the recommendations and is currently communicating in a manner to restore public trust. Those recommendations include:

- Recommendation 62 - Council and any other person or entity (such as the City of Ottawa's Transit Commission) charged with project oversight must be able to exercise meaningful oversight of critical decisions made by city staff.
- Recommendations 24 and 25 - The project agreement should require that communications to the public be focused at all times on furthering the public interest.

As noted in the Action Plan, staff are continuing with activities to improve transparency, including:

- Continuing to update LRSC, Transit Commission and Council regularly on the progress made with the Action Plan and continue to post the updates online.
- Working with RTG to establish a charter of shared commitments, which will create transparency between the two groups.
- Legal Services undertaking a review of the Employee Code of Conduct, with updates anticipated for Q1 of 2024. The revised Code will reinforce staff's obligations with respect to transparency and accountability.

Tracking Recommendations In Progress

As noted in the Action Plan, approximately 25 recommendations are still considered to be "in progress". Many of these recommendations will be ongoing as part of long-term processes to address the overall issues identified in the Public Inquiry. For example, there are recommendations related to substantial completion; substantial completion will take place for Trillium Line and then longer term through the east and west extensions of Confederation Line. The maintenance contract with RTM is for 30 years and some of the recommendations reflect upon maintenance oversight.

Staff expect to close out more recommendations at the next update at the end of Q4 2023 or early Q1 2024. Although there will be a few remaining items that are considered ongoing or sufficiently in progress, staff anticipate being able to close out the Action Plan, identifying those actions which will be taken over the longer term, or which will be incorporated into future infrastructure projects.

FINANCIAL IMPLICATIONS

During the planning phase for future projects, additional costs may be required to enable a co-development phase with preferred bidders. This additional time and effort are required to help reduce project complexity, more clearly investigate project risks, and jointly establish a framework for delivery of the works. This change in approach, if used, would require a change in strategy for funding projects including with respect to participation by other levels of government. The approach would also require the allocation of additional funds or redistribution of planned funds to the co-development period between procurement and project delivery. More generally, additional time contingency and budget contingency should be added to future projects.

During the project delivery phase, additional funding may be required to allow for incremental design and construction improvements that are outside of the base contract requirements and that are focused on ensuring the final system is designed with the public interest in mind. During Stage 1, the team invested in additional intrusion detection systems, additional cameras, an additional elevator at Tremblay Station, and integrated station entrances to improve safety, accessibility, and security of the system. During Stage 2, the team has invested in a series of changes to improve the performance of the infrastructure, mitigate noise concerns, and to accommodate connectivity enhancements to the stations. Increases in contingency or discretionary funding would enable staff to further prioritize investments or upgrades that would benefit the performance of the system. The ability for staff to intervene with targeted performance changes, could be used to help overcome the limitations that can arise with performance-based specifications.

To accommodate additional trial operations or bedding in periods, additional funding will be required to operate and maintain new light rail lines during these transition periods. Funding will be required to maintain transit service capacity with replacement bus services, parallel bus services, or other services to accommodate customer needs up to the final transition to full service. There is a cost trade-off to be made between dictating longer testing periods in the construction term as compared to accommodating additional trial operations during the maintenance term.

LEGAL IMPLICATIONS

The legal implications arising out of, or associated with, Management's response to the recommendations made by the Ottawa Light Rail Commission Inquiry are incorporated into and inform the various elements of the Action Plan. As such, there are no legal

impediments to the Sub-Committee's and City Council's receipt and approval of the recommendations contained in this Report.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide report.

CONSULTATION

Transit Services Department consulted with Roland Berger Inc. to review the LRT Public Inquiry Report, the recommendations within the report and the updates provided by the City of Ottawa within the Action Plan.

Roland Berger is an international business management consulting company with expertise in Transportation. They provided insight and overview for the actions proposed by City departments, with a focus on the TSD responses.

ACCESSIBILITY IMPACTS

All components of the Stage 1 LRT project adhered to the *Accessibility for Ontarians with Disabilities Act* (AODA). The recommendations set out in the commissioner's final report do not make specific reference to the accessibility of Stage 1 LRT.

Any policy or procedural development, as well as customer communications and public engagement identified in the report's recommendations will include the application of the City's Equity and Inclusion Lens. Staff will continue to engage persons with disabilities and accessibility stakeholders to ensure that their perspectives are considered and incorporated, and to promote inclusion.

Staff will also ensure that any applicable accessibility legislation, standards and guidelines are adhered to during the execution of the projects and initiatives identified in this report.

ASSET MANAGEMENT IMPLICATIONS

The City of Ottawa' Comprehensive Asset Management program uses widely accepted asset management practices and long-range financial planning, in compliance with provincial asset management regulations, to manage the City's infrastructure portfolio worth over \$70 billion to provide for the safe delivery of reliable and affordable services to the community.

Asset management is an internationally recognized and implemented practice that

supports informed, transparent decision making, giving Council a framework to provide direction on the appropriate balance of service delivery, cost, and risk, through a process of optimizing the lifecycle management of the City's assets which support the services it delivers.

The implementation of the Comprehensive Asset Management program enables the City to effectively manage existing and new infrastructure to maximize benefits, reduce risk, and provide safe and reliable levels of service to community users. The report identifies potential improvements to the Business Case and Project Management Policy and Project Management Framework. These are guiding documents to the Comprehensive Asset Management program, and as such, any changes to these core documents will be reviewed and reflected in the program.

ECONOMIC IMPLICATIONS

As detailed throughout the LRT Public Inquiry Report, there are a number of recommendations related to large-scale infrastructure projects. Projects such as Stage 2 LRT and the new Ottawa Main Library (Ādisōke) create significant economic benefits from construction through to future employment opportunities.

Implementing the recommendations from the inquiry, including those related to federal, provincial and municipal partnerships, procurement models, and project agreements could ensure more confidence from the private sector in working with the City of Ottawa.

RISK MANAGEMENT IMPLICATIONS

The LRT Public Inquiry Report reveals a number of risks associated to the procurement, design, governance and implementation of the Confederation Line. The City is taking these recommendations very seriously and following up on each of the 103 recommendations.

The risks associated with the LRT Public Inquiry Report are being tracked and mitigated through the City's Action Plan.

RURAL IMPLICATIONS

The LRT Public Inquiry Report includes recommendations related to current and future infrastructure projects. These projects may be located in rural areas or affect rural residents. Implementing the recommendations from the report will improve procurement, design and implementation of those projects.

The City's transportation network, including light rail transit, is designed to provide options for all residents. Once completed, Stage 2 LRT will span from Trim Rd. to Moodie Dr. and south all the way to Riverside South. Rural residents will have access to Park and Ride lots at various stations which will allow them to easily use public transit.

TERM OF COUNCIL PRIORITIES

The 2023-2026 Term of Council Priorities include:

- A city that is more connected with reliable, safe and accessible mobility options. Specifically, to improve transit reliability.
- A city that is green and resilient. Specifically, to improve key infrastructure through asset management.

SUPPORTING DOCUMENTATION

Document 1 - City of Ottawa Action Plan – Response to OLRT Public Inquiry Recommendations

DISPOSITION

Transit Services, working as the lead department, will provide a final update to the Light Rail Sub-Committee by the end of 2023 or Q1 2024. Once LRSC and Council have approved the final update of the Action Plan, the recommendations will be considered officially complete or sufficiently in progress so that all the items can be closed. The lead City departments identified in the Action Plan will bring forward updates on the work outlined in this report, as necessary.