

Ottawa Light Rail Commission

Stan McGillis
on Monday, April 18, 2022



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OTTAWA LIGHT RAIL COMMISSION MEETING
STAN MCGILLIS
APRIL 18, 2022

--- Held via Zoom Videoconferencing, with all
participants attending remotely, on the 18th day of
April, 2022, 2:00 p.m. to 4:13 p.m.

1 COMMISSION COUNSEL:

2

3 Kate McGrann, Co-Lead Counsel Member

4 Liz McLellan, Commission Counsel Member

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6

7 PARTICIPANTS:

8

9 Stan McGillis,

10 Kyle Lambert, Esq. & Jeremiah Kopp, Esq.

11 McMillan LLP - Counsel for Stan McGillis

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13

14 ALSO PRESENT:

15

16 Carissa Stabbler, Stenographer/Transcriptionist

17 Gabriel Lavoie, Virtual Technician

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I N D E X

WITNESS: STAN MCGILLIS

INDEX OF EXHIBITS

NUMBER/DESCRIPTION

PAGE/LINE NO.

1: CV of Stan McGillis.

7:9

1 -- Upon commencing at 2:03 p.m. --

2 KATE MCGRANN: Good afternoon,
3 Mr. McGillis. My name is Kate McGrann. I'm one of
4 the Co-Lead Counsel with Ottawa Light Rail Transit
5 Public Inquiry. I'm joined by my colleague, Liz
6 McLellan, who is a member of the counsel team.

7 You will just be affirmed before we get
8 started with the questions.

9 STAN MCGILLIS: AFFIRMED.

10 KATE MCGRANN: Before we get started, I
11 will just remind you with a bit of information
12 about the purpose of today's interview and how the
13 information you provide will be used.

14 The purpose of today's interview is to
15 obtain your evidence under oath or solemn
16 declaration for use at the Commission's public
17 hearings.

18 This will be a collaborative interview
19 such that my co-counsel may intervene to ask
20 certain questions. If time permits, your counsel
21 may ask follow-up questions at the end of this
22 interview.

23 This interview is being transcribed,
24 and the Commission intends to enter this transcript
25 into evidence at the Commission's public hearings,

1 either at the hearings or by way of procedural
2 order before the hearings commence.

3 The transcript will be posted to the
4 Commission's public website along with any
5 corrections made to it after it has been entered
6 into evidence.

7 The transcript, along with any
8 corrections later made to it, will be shared with
9 the Commission's participants and their counsel on
10 a confidential basis before being entered into
11 evidence.

12 You will be given the opportunity to
13 review your transcript and correct any typos or
14 other errors before the transcript is shared with
15 the participants or entered into evidence. Any
16 non-typographical corrections you make will be
17 appended to the transcript.

18 Pursuant to Section 33(6) of the Public
19 Inquiries Act, 2009, a witness at an inquiry shall
20 be deemed to have objected to answer any question
21 asked him or her upon the ground that his or her
22 answer may tend to incriminate the witness or may
23 tend to establish his or her liability to civil
24 proceedings at the instance of the Crown or of any
25 person, and no answer given by a witness at an

1 inquiry shall be used or be receivable in evidence
2 against him or her in any trial or other
3 proceedings against him or her thereafter taking
4 place, other than a prosecution for perjury in
5 giving such evidence.

6 As required by Section 33(7) of that
7 act, you are hereby advised that you have the right
8 to object to answer any question under Section 5 of
9 the Canada Evidence Act.

10 And if at any point you need to take a
11 break during our interview, please just let us
12 know, and we will take a break as needed.

13 Starting with some questions about you,
14 sir, and your background, I understand that you're
15 currently the Vice President, Transportation, Roads
16 and Highways at Morrison Hershfield; is that
17 correct?

18 STAN MCGILLIS: That's correct.

19 KATE MCGRANN: And before this
20 interview, we asked your counsel to share a copy of
21 your CV. I'm just going to show you a document.
22 You should be looking at the first page of a
23 four-page document. I'm going to scroll through
24 and quickly show you page 2, page 3, page 4 of this
25 document. Do you recognize this document?

1 STAN MCGILLIS: Yes, I do.

2 KATE MCGRANN: What is it?

3 STAN MCGILLIS: It's a corporate
4 résumé.

5 KATE MCGRANN: For you; yes?

6 STAN MCGILLIS: Yes.

7 KATE MCGRANN: So we'll enter that as
8 Exhibit 1 to your examination.

9 EXHIBIT NO. 1: CV of Stan McGillis.

10 KATE MCGRANN: Would you please provide
11 your professional experience as relevant to the
12 work you did on the Ottawa Light Rail Transit
13 System Stage 1?

14 STAN MCGILLIS: So on Stage 1, I was --
15 started on the project immediately when we were
16 contracted by the City of Ottawa. Held several
17 roles on the project through the years.

18 The main role for the client was
19 leading the roadways component of the preliminary
20 engineering -- owner's engineer service that
21 Capital Transit Partners was providing.

22 I also acted on behalf of Morrison
23 Hershfield as the internal project manager just to
24 oversee the contract with the City and our JV
25 partners.

1 And later on, I also took on the role
2 of the traffic lead on behalf of Capital Transit
3 Partners as we get into the procurement phase of
4 the project.

5 KATE MCGRANN: And would you describe
6 the professional experience you brought to the
7 project when you started working on Stage 1 of the
8 OLRT?

9 STAN MCGILLIS: I'm not sure I'm
10 catching the question. What expertise did I bring?

11 KATE MCGRANN: Yes, what's your
12 relevant -- what relevant professional experience
13 and expertise did you bring to the project when you
14 started working on it?

15 STAN MCGILLIS: Okay. Yes. I was
16 bringing obviously a lot of project management
17 experience as well as technical engineering
18 experience with the roadway design, the traffic
19 components of the project.

20 KATE MCGRANN: Had you worked on a
21 light rail project before?

22 STAN MCGILLIS: I have worked on rail
23 projects. There was -- no, not necessarily light
24 rail. I mean, there's a distinction between heavy
25 rail and light rail.

1 At the time this project started, there
2 was very few light rail projects in Canada. You
3 know, this is one of the first, in fact, that was
4 being built as light rail.

5 For instance, I worked on the City of
6 Ottawa's pilot rail project which was done in the
7 early 2000s. I was the senior engineer on that
8 project when it was being done.

9 KATE MCGRANN: Were there any
10 particular areas of focus for your work on the
11 pilot project done in Ottawa?

12 STAN MCGILLIS: Yeah, all the civil
13 works. Again, concentrating on roadways, fencing,
14 right-of-way drainage, similar type things as I was
15 undertaking on this one.

16 KATE MCGRANN: And with respect to P3
17 projects, can you describe a bit of the P3
18 experience that you brought to this project when
19 you started?

20 STAN MCGILLIS: Yes. I mean, P3,
21 there's various components. Sometimes we have the
22 design-build projects as well. They don't bring
23 the financing part, but they bring similar
24 philosophies that the designers work with the
25 contractors to develop the project.

1 We've worked on them in, you know, a
2 bus way in Toronto I worked on before. We worked
3 on components of the North-South LRT line that
4 Ottawa originally had started and cancelled prior
5 to going into the design phase of that one.

6 The light rail project that I spoke of,
7 the pilot project, was also a design-build type
8 project at the time we did it.

9 Yeah, various ones. Like, we take
10 various roles on them depending on where these
11 projects are located.

12 KATE MCGRANN: Had you worked on a
13 project that was delivered via design-build finance
14 maintain model before?

15 STAN MCGILLIS: I would say no, not on
16 the maintain part. Most of them are design-built
17 under tender or to the owner when it comes to the
18 specialties that I work in, which are really
19 highways and roads type projects that the
20 municipalities, the province takes them over when
21 they're built.

22 KATE MCGRANN: I understand that you
23 worked on Stage 1 of the LRT from 2010 right from
24 the beginning of the work that Capital Transit
25 Partners was retained to do; is that right?

1 STAN MCGILLIS: Correct.

2 KATE MCGRANN: And you stayed involved
3 in the project until 2019?

4 STAN MCGILLIS: Yes. Once it went into
5 the construction phase, the City really had most of
6 the lead in that. We provided some staff to the
7 City, but they were under the direction of the
8 City.

9 So my role really once I went into
10 implementation, building phase was really the
11 project manager role with some of the design review
12 at the beginning of that phase as well.

13 KATE MCGRANN: Did you remain involved
14 in the project until 2019?

15 STAN MCGILLIS: Yes.

16 KATE MCGRANN: When you stopped your
17 work on the project, did somebody else take over in
18 the role that you had been doing?

19 STAN MCGILLIS: No, I stayed right
20 through.

21 KATE MCGRANN: Did you stay involved in
22 the project after the system opened to public
23 revenue service?

24 STAN MCGILLIS: On a few occasions, the
25 City would reach out to us for various things that

1 they were still working on, and we would arrange
2 some staff to work for them.

3 I mean, I can give you an example. You
4 know, there was a study being done on some odour
5 control in the tunnel. They would contact us and
6 say, you know, "Would you have some people who
7 could help us to take a look at this?" And I would
8 arrange to have the staff that would assist them
9 with that.

10 KATE MCGRANN: Okay. Fair to say that
11 your role post the system opening to full public
12 revenue service was, it sounds like, to receive
13 requests for assistance from the City and then to
14 arrange for that assistance to be provided from
15 Morrison Hershfield?

16 STAN MCGILLIS: Yes.

17 KATE MCGRANN: Any other
18 responsibilities or obligations that fell to your
19 role after the system opened to public service?

20 STAN MCGILLIS: No, I would say no.
21 That was on-demand service as they requested
22 things.

23 KATE MCGRANN: When did your
24 involvement in the project come to an end?

25 STAN MCGILLIS: That's a good question.

1 I would say it was -- they -- well, it never really
2 came to a complete end. They closed off the
3 contract, or we call it Stage 1, that's the first
4 stage, but they moved any incomplete work into our
5 Stage 2 contract that we're -- it's currently
6 ongoing right now. So if there was some small
7 things, they're doing them under Stage 2.

8 So when did they close that off? I
9 would say it's at least a year and a half ago
10 probably when they finally closed that contract off
11 and moved things into Stage 2.

12 KATE MCGRANN: And in the context of
13 the work that you're doing on Stage 2, are you
14 still being called upon to provide assistance to
15 the City with respect to Stage 1 from time to time?

16 STAN MCGILLIS: No, I haven't seen a
17 request in quite some time. I would say well over
18 a year since I've seen a request.

19 KATE MCGRANN: I'd like to understand
20 the work that Capital Transit Partners took on for
21 the City with respect to Stage 1 generally and then
22 understand what each of the partners brought to
23 that project individually.

24 So starting with Capital Transit
25 Partners on the whole, what work did that group

1 take on for the City when it started?

2 STAN MCGILLIS: The contract was for
3 preliminary engineering services and project
4 management services to support the City's own
5 construction rail office. Some people refer to
6 that as an owner's engineer's role. Part of the
7 owner's engineering office that was set up to
8 deliver this project on behalf of the City.

9 KATE MCGRANN: Okay. And were there
10 areas of focus or specialty that each of the
11 partners took charge of with respect to the
12 preliminary engineering and project management
13 services provided?

14 STAN MCGILLIS: Yes, yes, there was a
15 detailed request for proposal -- well, first of
16 all, request for qualifications put out by the City
17 which short listed various groups to bid on a
18 request for proposal that was quite detailed with
19 many, many specialties in it.

20 And, yes, we met as partners and
21 decided who could best put forward the staff for
22 the various components of that scope of work.

23 KATE MCGRANN: Could you walk me
24 through at a high level how responsibilities were
25 divided between the partners for this project?

1 STAN MCGILLIS: Again, a lot of it was
2 technical as to where they had the best technical
3 ability to deliver that previous experience, you
4 know, and the right people.

5 There's also decisions made based on
6 the split of the work, how much each firm was to
7 take on, what they could take on, and then we had
8 to use some subconsultants as well for very
9 specialized work.

10 You know, we worked together to
11 determine if none of the -- in Capital Transit
12 Partners, it was four firms that were part of the
13 joint venture, and then the -- if we could not
14 between the four firms deliver a scope of work, we
15 would get a subconsultant that we would hire for
16 that component of the work.

17 So it was extensive discussions amongst
18 the partners to divvy up that work, but generally
19 speaking, it's done based on who's best qualified
20 for the various scope.

21 KATE MCGRANN: Okay. And can you
22 explain to us at a high level who was responsible
23 for which aspects of the project?

24 STAN MCGILLIS: At a high level, yes,
25 Morrison Hershfield, we took on, like, the

1 roadway, structures in terms of bridges,
2 environmental, utilities, some of the drainage and
3 civil works to do with the running way, which is
4 where the tracks are.

5 STV, they took on the vehicles, the
6 systems, a lot of the project management,
7 constructability, safety, security.

8 Then the company that started, URS
9 which later became AECOM, they took on facilities,
10 the -- which would be the stations, the maintenance
11 facilities.

12 Jacobs, which later became McMillen
13 Jacobs, they took on most of the tunnelling
14 expertise.

15 Yeah, I mean, there's a lot more to it
16 than that, but in general sense, those are the main
17 categories.

18 KATE MCGRANN: Okay. Just to help me
19 understand the reporting structure first within
20 Morrison Hershfield and then within Capital Transit
21 Partners for you more generally, who did you report
22 to in your day-to-day work when you first started
23 on the project?

24 STAN MCGILLIS: Bill Taylor.

25 KATE MCGRANN: And what was his role?

1 STAN MCGILLIS: He was the former
2 president of Morrison Hershfield and had worked on
3 the procurement on our side in obtaining, getting
4 the partnerships with the JV partners and putting
5 together the team.

6 And, you know, we refer to his role on
7 the project as a project sponsor. The overall
8 corporate responsibility to report back at senior
9 levels in the corporation as to -- that the project
10 is set up correctly, got the right resources on it.
11 He did risk reports to our board of directors,
12 those sorts of things.

13 KATE MCGRANN: Was he also involved in
14 interfacing with the City?

15 STAN MCGILLIS: Yes, at times he would
16 -- that's the role of the project sponsor. If the
17 City had any issues they wanted to discuss at a
18 very high level, performance-based issues perhaps
19 or just resourcing, anything of that sort, they
20 reached out to him.

21 And he was part of the JV board of
22 directors that met regularly with the City. About
23 monthly I think they were meeting, so he would
24 attend those meetings.

25 KATE MCGRANN: Can you let me know,

1 what was the rest of the Morrison Hershfield
2 team -- what did it look like at the outset of the
3 project?

4 STAN MCGILLIS: It would be a bunch of
5 technical leads for the various components. You
6 know, the environmental lead, me being the roadway
7 lead, a structures lead, and they were -- they
8 would all kind of report up through me in terms of
9 resourcing and looking at the invoicing to the
10 client, those sorts of things. So that would be
11 our internal structure.

12 Externally they reported to, you know,
13 perhaps someone within the JV team or in some
14 cases, you know, to the owner themselves, the
15 City's representatives on the project.

16 There was a vast number of people on
17 the project for sure that -- so there were several
18 org charts on how people reported to each other.

19 KATE MCGRANN: Now, I understand that
20 Morrison Hershfield supported the City in the
21 development of its procurement strategy; is that
22 accurate?

23 STAN MCGILLIS: There was a component
24 of scope to assist the City with a review of
25 procurement options. They had done some work prior

1 to the start of the project that we got involved
2 with with Capital Transit Partners, and that was
3 continued, and, yes, we had some staff that
4 assisted with that.

5 KATE MCGRANN: Did you have any
6 involvement with that work?

7 STAN MCGILLIS: No, I was not involved
8 in that.

9 KATE MCGRANN: Who would have been
10 involved in that from Morrison Hershfield?

11 STAN MCGILLIS: An engineer named Jim
12 Inch (ph) was kind of our -- started with our lead
13 on that, assisted by another engineer, Kim Howie
14 (ph), amongst other support staff, but they would
15 have been the two key people from Morrison
16 Hershfield.

17 KATE MCGRANN: Okay. Can you describe
18 what their involvement was focused on, or do you
19 know what, in particular, they were assisting the
20 City with when it came to procurement?

21 STAN MCGILLIS: They were looking at
22 the various P3 models that you'd previously
23 mentioned, the design-build finance operate. It
24 would be design-build finance.

25 They were working, you know, with the

1 City's team. It was more people obviously involved
2 than just Capital Transit Partners in those
3 decisions being made, but they were part of that
4 team that was looking at the various models.

5 KATE MCGRANN: While that team was
6 reviewing the various models, was the rest of the
7 group already working away on the preliminary
8 engineering, or how did that -- how was that
9 organized?

10 STAN MCGILLIS: Yeah, they were working
11 concurrently. The earliest part of our services
12 involved coming up with detailed work plans. It
13 was a massive project. So we spent, you know, a
14 fair bit of time at the beginning of the job coming
15 up with, you know, the work plans, how to address
16 all that scope, and a needs assessment.

17 You know, this was the first major LRT
18 project for the City of Ottawa, so we had to do
19 kind of a needs study to see did they have the
20 standards in place to deliver something like this;
21 do we have to develop standards.

22 It was like a gap analysis so that each
23 discipline took upon that to look at what was
24 available and the background information the City
25 could provide us from their earlier studies they'd

1 done, what standards they had in place, you know,
2 through the pilot project, through their Transitway
3 systems already in place.

4 So there was a lot of people brought in
5 to the project. It may be one of the first times
6 they had worked for the City of Ottawa, so learning
7 curve for some, some more than others, but that was
8 the early part.

9 So while that was going on, they were
10 working on the procurement model, but, you know,
11 relatively early in the phase, I'd say. Within the
12 first four to five months, they were getting to the
13 point where they knew what the model would be,
14 because it would affect what we would -- we would
15 be doing in terms of design, level of design that
16 we would be doing depending on the model they
17 picked.

18 KATE MCGRANN: I was actually going to
19 ask you about that, whether the selection of the
20 delivery model had any impact on the work that you
21 were doing, and it sounds like it did.

22 Can you tell me how the selection of
23 the design-build financing model affected the
24 engineering work that was being done?

25 STAN MCGILLIS: It would be more so to

1 the degree that a preliminary engineering would
2 take the project. On a P3 project, you're setting
3 the performance standards that you want, whatever
4 project you're doing to meet, and then you're kind
5 of doing risk assessment at the same time,
6 providing, you know, are you getting all the
7 background studies that would be needed by the
8 proponents that were going to bid on this. Get
9 those underway so you could -- you have a complete
10 set of documents to turn over to bidders.

11 So -- but the level of design is
12 probably the key. How much design you want to do,
13 how much design do you want to prescribe. And in,
14 you know, a normal design-build bid model, you
15 design it all. In a P3 world, you're only taking
16 it to certain levels. You're leaving the -- you
17 know, the ingenuity of the contracting industry to
18 really get involved in the P3 model.

19 KATE MCGRANN: Are there any downsides
20 that come from taking a more advanced or more
21 prescriptive design forward through a P3, like a
22 design-build finance maintain?

23 STAN MCGILLIS: You would be
24 prescribing things in a little more detail, so
25 there would be, you know, less opportunity perhaps

1 for, you know, contractors. These are big
2 contracting consortiums that get together. There
3 would be less opportunity for them to use their
4 engineering ingenuity, perhaps, if you were
5 prescribing.

6 But there's certain aspects. I mean,
7 don't get me wrong. It's not all
8 performance-based. Certain aspects are prescribed.
9 Where you can leave it based on a performance, it
10 leaves you more opportunity to get, you know,
11 ingenuity into the design.

12 KATE MCGRANN: You mentioned a needs
13 assessment or a needs study. Have I got that
14 right?

15 STAN MCGILLIS: A needs study, yes.

16 KATE MCGRANN: What was the output of
17 the work done on a needs study? Was there a
18 report? Were reports put together? What's the --

19 STAN MCGILLIS: I would call it -- we
20 did do a report that would be more of a -- like a
21 gap analysis report, that the various things that
22 people identified that -- and it could lead into
23 some of the design work that we did. If they
24 didn't have certain things and we felt it were
25 necessary, we developed them then.

1 So that was the purpose, to get that
2 done early so you can get it into the work plans
3 and establish that, you know, we need this. So you
4 don't -- you don't have it; we need this kind of
5 stuff.

6 KATE MCGRANN: Do you remember and can
7 you give me an example of something that you
8 identified that the City didn't have that was
9 required for this project that Capital Transit
10 Partners would provide?

11 STAN MCGILLIS: The standards for
12 perhaps, like you say, for -- let's say for track
13 design, if they really didn't have a lot of rail
14 systems in Ottawa, what track design would you use?
15 I mean, there's...

16 (TECHNICAL DIFFICULTIES)

17 KATE MCGRANN: Before that technical
18 break, we had been talking about the needs
19 assessment work that had been done, and I had asked
20 you to provide me with an example of a gap or a
21 need that the City had that was identified in that
22 work. You were speaking to track design standards.
23 Could you just explain what that means?

24 STAN MCGILLIS: Yes. You want to come
25 up with the design standards that you're going to

1 use, the design criteria, and if they -- if they
2 didn't have established criteria in Ottawa, you
3 would look at perhaps what other major
4 municipalities that had similar systems in place.

5 I was mentioning Toronto Transit
6 Commission, Vancouver and Calgary. They all have
7 systems that were up and running. You could look
8 at what standards they were using and important,
9 you know, features to consider; the envelope of
10 where the track is, where are you positioning
11 various components of the infrastructure within the
12 right-of-way that you're developing.

13 And so you're coming up with those
14 standards that you can then provide to the bidders
15 so that when they're advancing the design work and
16 pricing it, they'll have that knowledge to use to
17 put their bids together.

18 KATE MCGRANN: Within Capital Transit
19 Partners, just sticking with the track design
20 piece, who had responsibility for doing work
21 related to the actual rail track --

22 STAN MCGILLIS: Mainly STV, with some
23 involvement from Morrison Hershfield on the
24 drainage components of it and some of the
25 utilities, those sorts of things. Work

1 collaboratively together on those.

2 KATE MCGRANN: In the work that you
3 were doing prior to the release of the RFP to the
4 proponents, was there any consideration about -- or
5 of the need to potentially expand the system in the
6 future to accommodate additions to the system, for
7 example, like Stage 2 that's being done now?

8 STAN MCGILLIS: The City would have
9 that. It would not have been part of the mandate
10 from CTP to put together, but the City themselves
11 and the transportation master plans would have
12 identified future expansions to the systems.

13 KATE MCGRANN: I guess I'm just
14 wondering whether -- well, two things: One,
15 whether the work that you're doing would -- you'd
16 want to be taking into account the fact that there
17 may be potential expansions or extensions built on
18 in the system, if that was incorporated in your
19 work at all?

20 STAN MCGILLIS: Absolutely. A good
21 component of the running way that's being developed
22 is a conversion of an existing bus way in Ottawa
23 into rail. And so where we left off, it was
24 certainly my understanding that in future phases,
25 they would be expanding the rail in that same

1 Transitway corridor, converting it from the current
2 bus Transitway system that was operating to rail.

3 KATE MCGRANN: As part of the design
4 work you were doing or you were supervising, was
5 the opportunity or the option of expanding worked
6 into that work?

7 STAN MCGILLIS: Yes. I can give an
8 example. On the west end of the final station was
9 Tunney's Pasture. We had to develop a bus transfer
10 system there. That would work while you -- where
11 you're doing the next phase of LRT conversion in
12 the future because you'd have to continue to
13 operate that system, you know, converting the bus
14 to rail while you're building the next piece.

15 So certainly we were looking at, you
16 know, how that interface would work in the future
17 and ensure what we built, you know, could continue
18 to operate.

19 KATE MCGRANN: The procurement delivery
20 model, the design-build finance maintain model was
21 chosen after some preliminary engineering work had
22 been done, I believe; is that right?

23 STAN MCGILLIS: Yes, they're being done
24 concurrently.

25 KATE MCGRANN: To your knowledge, did

1 the timing of the selection of the delivery model
2 require any work to be revisited or redone as a
3 result of the model selected?

4 STAN MCGILLIS: No, not to my
5 recollection.

6 KATE MCGRANN: Did you have any
7 involvement in the procurement of rolling stock or
8 the plans to procure rolling stock for this land?

9 STAN MCGILLIS: No.

10 KATE MCGRANN: Did you have any --
11 sorry, go ahead.

12 STAN MCGILLIS: I say no, no
13 involvement.

14 KATE MCGRANN: Some questions about the
15 budget for the project: When you first began work
16 on the project, what did you understand -- or what
17 information was provided to you about the budget
18 that had been set or the affordability cap that
19 would be applied to the project?

20 STAN MCGILLIS: There were budgets
21 established in the earlier phase which is the
22 environmental assessment, and those numbers were
23 public numbers and down to the dollars and cents.
24 It was in the 2 billion range. It was well known
25 that was the number that they were working with.

1 KATE MCGRANN: Was that a firm number
2 when you began working on the project, or was there
3 room to move on that?

4 STAN MCGILLIS: That's the starting
5 number. There was a component of our work that
6 involved cost estimating. We were providing
7 updated cost estimates as designs progressed, as
8 more information gets known.

9 If it impacts the costs that the City
10 are currently budgeting for, we would certainly let
11 them know on a regular basis as part of the work we
12 were doing.

13 KATE MCGRANN: And were there any
14 particular challenges in keeping the costs of the
15 cost estimates within the budget as it was when you
16 started working on the project?

17 STAN MCGILLIS: There's always that. I
18 mean, most budgets include contingency money, so it
19 makes up for the unknowns at the time. The earlier
20 stages of projects have higher contingencies, and
21 later stages of projects, when more things are
22 known, your values of your contingencies get
23 smaller.

24 But certainly they were working. They
25 had contingencies there, but it's more -- you know,

1 you get into more detail on things like the tunnel.
2 The tunnel was a big component of Stage 1.

3 As you get into a lot of the
4 geotechnical reports and analysis of what they will
5 be tunnelling through, you know, you could refine
6 the cost estimates that were done previously when
7 they did not have that information. There
8 potentially could be things there that you'd want
9 to consider that they had -- maybe not had
10 considered before.

11 KATE MCGRANN: I'd like to understand
12 from the work that you were doing whether there
13 were any particular challenges to staying within
14 the 2.1 billion budget the City had.

15 Do you recall any particular obstacles
16 to staying within that budget from your area of
17 focus?

18 STAN MCGILLIS: Not my -- my area of
19 focus on roadways and traffic stayed fairly
20 constant from beginning to end. There was no major
21 surprises there.

22 KATE MCGRANN: And when you say there
23 were no major surprises, I take it you mean from a
24 cost estimate perspective. As you moved from where
25 the project stood when you joined to more specific

1 designs, there were no unexpected costs; the cost
2 estimate stayed roughly the same?

3 STAN MCGILLIS: Yeah, and it's really
4 the scope of work never changed too much.
5 Generally when there's a process that changes the
6 scope somehow, it expands or becomes smaller, one
7 or the other, and that will affect costs, but in
8 terms of the stuff I was working on on the roadways
9 and traffic, it stayed fairly constant.

10 KATE MCGRANN: More generally with
11 respect to the work that Capital Transit Partners
12 was doing in the preliminary engineering cost
13 estimates, do you recall learning of any particular
14 obstacles to staying within budget?

15 STAN MCGILLIS: Nothing particular
16 jumps out, but there was a -- you know, a
17 15 percent completed -- we were doing, you know, a
18 30 percent complete design, you know, roughly is
19 what they asked us for in the terms of reference
20 from the City.

21 When we got about halfway through that,
22 they -- we undertook a value engineering analysis
23 where you bring in some independent team to look at
24 what's been done thus far and see, you know, if
25 they saw anything that could be improved upon or

1 was any major risk to the project's budget and
2 scope, schedule, that sort of thing.

3 And there were some recommendations
4 that came out which changed -- like, for instance,
5 changed the alignment of the tunnel both in terms
6 of horizontally, where it was to be located, and
7 vertically, how deep it was.

8 So that's -- but that -- that was
9 identified in a value engineering exercise that CTP
10 participated in.

11 KATE MCGRANN: Do you remember any
12 other recommendations flowing out of that value
13 engineering exercise?

14 STAN MCGILLIS: There were a number,
15 but, I mean, the major one was tunnel relocation.
16 It affected a couple of stations when they did that
17 as well.

18 During the phase of the project that
19 we're working in, you're constantly, you know,
20 changing things slightly as you're learning things.
21 You know, you're working with regulatory agencies.
22 You're working with NCC. You're trying to, you
23 know, set up their approval process.

24 So you may make some adjustments, but
25 that's occurring all the time. You don't just make

1 changes based on cost. There's a lot of
2 considerations when you're doing engineering work
3 as to why things, you know, do change.

4 But other than that major tunnel -- I
5 wouldn't say anything major other than that tunnel
6 realignment that was -- to me, was the biggest
7 thing that we identified at the study.

8 KATE MCGRANN: Couple more questions
9 about the independent value engineering analysis
10 before we move on from that topic.

11 What led to the independent value
12 engineering analysis? Was it planned as part of
13 the work plan, or was there something that led to
14 that team being brought up?

15 STAN MCGILLIS: It was -- it was part
16 of the scope.

17 KATE MCGRANN: And who worked on that
18 team?

19 STAN MCGILLIS: I don't recall all of
20 the individuals. I don't know. From our firm,
21 there was an individual named Bruce Miller, very,
22 very senior engineer in our firm, sat in on it.

23 My recollection was we tried to use
24 independents that weren't -- people who hadn't
25 already been working on the project to bring a new

1 perspective to things.

2 STV brought in a very senior project
3 manager, I recall. Tony Venturato I think is his
4 name, something like that. A lot of experience in
5 light rail. Amongst others. I mean, as I say, I
6 don't recall the names of all the individuals that
7 were brought in, but a team.

8 KATE MCGRANN: Okay. Speaking
9 generally, it's a team composed of people from the
10 companies making up Capital Transit Partners, and
11 the independence comes from the fact that the
12 members of this team had not been working on the
13 preliminary engineering and other work undertaken
14 by Capital Transit Partners prior to their
15 involvement in the team?

16 STAN MCGILLIS: Right.

17 KATE MCGRANN: About how long did that
18 value engineering exercise take? Do you remember?

19 STAN MCGILLIS: It would be a week or
20 two. Not a very long exercise, but a week or two.
21 They may have gotten some information sent to them
22 in advance of their actually getting together to do
23 the workshop, and then they spent a little time
24 afterwards putting their notes and reporting
25 together. So overall, those usually take a

1 couple -- two to three weeks at the most to get
2 those.

3 KATE MCGRANN: And you did mention an
4 acronym in there, NCC. What is that?

5 STAN MCGILLIS: Oh, sorry. That's
6 National Capital Commission.

7 KATE MCGRANN: You talked about the
8 major change that you recall coming out of the
9 value engineering exercise being the change to the
10 alignment and depth of the tunnel, and you also
11 identified that at this point in the project,
12 changes can be implemented or required for a number
13 of reasons.

14 Do you remember any major changes in
15 the project other than the depth and the alignment
16 of the tunnel between when you started up until the
17 release of the RFP?

18 STAN MCGILLIS: There was also the east
19 portal of the tunnel through -- the EA process was
20 considerably longer than -- well, we ended up
21 terminating it. We terminated it up in the
22 vicinity of the University of Ottawa campus.

23 It was, you know, plus or minus
24 another at least a half a kilometre or longer in
25 the EA process, but some of our early analysis

1 indicated that that piece of tunnel that had been
2 very difficult to build was in very poor soils,
3 amongst other things.

4 So, you know, our team came up with the
5 concept of shortening the tunnel, and the bidders
6 that bid the project all bid it that way. They
7 didn't -- nobody suggested to go back to the way it
8 was in the previous version.

9 So that was another, you know, fairly
10 significant change to what we started with at --
11 that our team came up with as well as, you know,
12 eventually implemented.

13 KATE MCGRANN: And just so I can
14 understand what you said about how the bidders
15 reacted to the east end of the tunnel, were they
16 given the option of different lengths of tunnel or
17 different approaches to the tunnel in the RFP
18 process?

19 STAN MCGILLIS: They are given the --
20 the preliminary engineering that we prepare,
21 they're given that, and it's called a reference
22 design concept, and they're not held to it, to
23 follow it verbatim.

24 They can -- they can make whatever
25 changes they feel that -- you know, that they feel

1 would be beneficial to their bid, and it will be
2 evaluated as part of their submission. So there's
3 leeway there for them to do that as part of the
4 process.

5 KATE MCGRANN: Okay. So the reference
6 design that went out saw the tunnel ending where
7 your team had suggested or thought it should end,
8 and nobody approached it any differently with
9 respect to that particular piece of the project; is
10 that right?

11 STAN MCGILLIS: No. In general terms,
12 I would say if they were a few metres different one
13 way or the other, that that's not a change. They
14 didn't go back to a half a kilometre longer.
15 They'd be very similar to what we came up with.

16 KATE MCGRANN: With respect to the
17 tunnel and geotechnical risk more generally, what
18 work, if any, did Morrison Hershfield do on that
19 aspect of the project?

20 STAN MCGILLIS: Our only involvement, I
21 would say, would be drainage and, you know, if
22 there was environmental impacts. I mean, there
23 was -- if there was contaminated soils involved or,
24 you know, how is the tunnel going to be drained,
25 those sorts of things were part of our scope of

1 work.

2 KATE MCGRANN: And how would you become
3 aware of a potential environmental impact posed by
4 the tunnel in particular or the geotech aspects of
5 this project more generally?

6 STAN MCGILLIS: How would I become --
7 through the studies, the testing of the materials,
8 testing of the water, testing of the materials
9 being drilled in boreholes. They would identify
10 what's in there.

11 You know, there was known -- like, for
12 instance, known contamination of the LeBreton Flats
13 area of the city. It's well known. So when they
14 took the boreholes down there, if they found there
15 was some contamination in them, it was understood
16 there probably was going to be. There's --
17 previous boreholes in that area would have
18 identified that previously.

19 KATE MCGRANN: Okay. And the kind of
20 testing that would bring that information to your
21 attention, was that the responsibility of Morrison
22 Hershfield, or was another company in the Capital
23 Transit Partners doing that assessment work? How
24 was that --

25 STAN MCGILLIS: The majority of it was

1 done by the firm of Golder Associates. They were
2 initially brought on to the project in direct
3 contract with the City, but in the bid documents
4 that we responded to as Capital Transit Partners,
5 it was clear in there once they selected the
6 owner's engineer role that our firms were doing,
7 that the Golder contract would transfer to us to
8 oversee.

9 So they became part of -- to a
10 subconsultant agreement to one of our JV partners.
11 They worked with the CTP team once we were
12 contracted to the City, and they did most of that
13 work.

14 KATE MCGRANN: And when CTP was hired
15 by the City, had Golder already begun the work that
16 it eventually did in assessing the geotech risk for
17 the tunnel and otherwise?

18 STAN MCGILLIS: They had done some
19 work. I can't say exactly what. They had been
20 contacted by the City. As to where they were and
21 work they -- I don't have knowledge on that, but
22 they had been previously contacted by the City.

23 KATE MCGRANN: And did you or Morrison
24 Hershfield more generally have any involvement in
25 determining how the risk associated with the tunnel

1 should be positioned within the RFP?

2 STAN MCGILLIS: There were risk
3 workshops, you know, discussions held with both
4 City and other firms the City contracted with in
5 determining the risk profile for the project.

6 Quite possibly -- you know, not me
7 personally, but quite possibly someone from our
8 firm sat in on those workshops.

9 KATE MCGRANN: And what was the purpose
10 of those workshops, sorry?

11 STAN MCGILLIS: Was to develop a risk
12 profile that you can put into the document so that,
13 you know -- sometimes we would refer to it as a
14 risk baseline so bidders know what they're bidding
15 on and what risks that they're being asked to take
16 versus what the owner is willing to keep.

17 And, you know, so discussions -- and
18 discussions were held, I believe, through the RFP
19 process, through the request for information from
20 the bidders to -- you know, to really fine-tune
21 that risk profile.

22 That's quite normal on major projects,
23 that there's some back-and-forth on who's assuming
24 risk and to be very clear on who's assuming the
25 risk.

1 KATE MCGRANN: Okay. So I think I
2 understood you to be saying that there were risk
3 workshops conducted specifically with respect to
4 the tunnel; is that right?

5 STAN MCGILLIS: Well, the tunnel and
6 other systems, like utilities for example. We had
7 to identify what utilities are in the corridor.
8 And, you know, you try to -- they're all buried.
9 You cannot see them, so you do your best to try and
10 find out where all these things are.

11 Is it perfectly accurate? Those
12 utilities have been in the ground for literally 100
13 years, some abandoned, some live. So you try to
14 develop a profile of what's there and suggest that
15 to the bidders as to how you would like to proceed.

16 If they don't like it, they'll question
17 it back through the request for information. It
18 would normally go during a bid process as to if
19 they felt, you know, it wasn't something that they
20 could take on, they would try to have a change
21 perhaps. You know, that would be one approach they
22 might take.

23 KATE MCGRANN: And I guess before you
24 get to the risks as set out in the RFP, some work
25 would have been done on the front end to try to

1 assess what risks the bidders are likely to take on
2 and what risks may pose more of a challenge with
3 respect to what the private component will be
4 willing to accept; is that fair?

5 STAN MCGILLIS: Absolutely. That's how
6 you determine the amount of studies and things
7 you're going to do, how much up-front work needs to
8 be done before you go to the RFP stage, because
9 they'll need that. You know, if they don't have
10 it, it's very difficult for them to bid.

11 So, you know, as professionals that
12 have been through the process before, you kind of
13 get an idea of what they will need, and you'll
14 provide that so that they can provide the best bid
15 as possible.

16 KATE MCGRANN: And within Morrison
17 Hershfield's area of focus, were there any risks
18 that the City was seeking to transfer to its
19 private partner that were seen potentially as a bit
20 of a challenge or somewhat less palatable to
21 potential partners and others?

22 STAN MCGILLIS: I mean, it's always a
23 challenge to come up with the right risk profile.
24 I don't think anything out of the ordinary was
25 provided in this RFP document that you don't see in

1 other major ones like this.

2 As I say, utilities is always a major
3 issue. Geotechnical is a major issue because
4 you're relying strictly on some boreholes you put
5 out, and you don't know exactly what's happening in
6 between those boreholes, so, you know, there's
7 challenges with that. The condition of, you know,
8 the soil, the rock.

9 I mean, there's various things that we
10 would prefer to have no risk, and if a problem
11 occurs, it's all the owner's, but there's has to be
12 a shared -- you have to come up with some formula
13 that shares it, and, you know, we -- you try to do
14 the best you can to, you know, think of where the
15 industry would be willing to accept it.

16 KATE MCGRANN: What are the benefits of
17 sharing large potential risks on a project like
18 Stage 1 of the OLRT?

19 STAN MCGILLIS: Well, it's the only way
20 to proceed forward, otherwise you're -- you know,
21 you have no control of the project. You have to
22 provide -- someone has to take on a risk profile.
23 There's always risk, so you have to -- the formula
24 really is to find out if you can put the risk with
25 whoever has the best control of it, who can control

1 it, and they will control it if it's in their
2 power, but if you don't do that, then, you know,
3 it's very difficult to move forward with a project
4 without that kind of thought process being done.

5 KATE MCGRANN: And the thought process
6 you're describing there, just to be clear, is an
7 assessment of who has the most control over
8 potential risks arriving?

9 STAN MCGILLIS: Absolutely. Who best
10 can control. No one can say for certainty whether
11 it's going to show up or not. You know, if there's
12 a reasonable probability that it's going to occur,
13 then have it in the hands of the best people who
14 can deal with it when it happens.

15 KATE MCGRANN: And in this particular
16 project, I understand that the geotechnical risk
17 with respect to the tunnel was transferred entirely
18 to the private partner; is that your understanding?

19 STAN MCGILLIS: My understanding was
20 there's -- there was a baseline, and where that
21 fell, I mean, I wasn't personally involved in it.

22 There was some degree of a baseline
23 established, and you may be correct if you've seen
24 documents that say it was all transferred. I don't
25 have knowledge of exactly where that baseline

1 landed.

2 KATE MCGRANN: I'm not sure that I
3 actually understand what you're referring to when
4 you say there was a baseline. So when you say
5 there was a baseline, what do you mean?

6 STAN MCGILLIS: There was studies done,
7 boreholes, you know, as much geotechnical
8 information as the owner and their advisors, namely
9 CTP, felt was necessary to define what the tunnel
10 would be constructed through.

11 And they provided that to the bidders
12 with some degree of language in there of how much
13 that they would guarantee of what they were
14 providing was what would be found when you actually
15 built the tunnel.

16 That's the profile that you build. You
17 try to establish, you know, as concise information
18 as you possibly can.

19 KATE MCGRANN: Do you remember any
20 discussions about different possible scenarios for
21 the allotment or responsibility for the
22 geotechnical risk and which was most likely in the
23 eyes of people who were preparing this project for
24 RFP?

25 STAN MCGILLIS: No, it was not an area

1 I was involved in at all.

2 KATE MCGRANN: Did you have any
3 involvement in identifying milestones throughout
4 the implementation of the project that would form
5 the basis for milestone payments?

6 STAN MCGILLIS: Personally not any
7 involvement, but definitely our staff worked with
8 other members of CTP in putting together those
9 types of documents that looked at schedule, looked
10 at various components of the work when we felt it
11 would -- could be done.

12 That was ongoing throughout the project
13 and really formed the basis of some of the
14 narrative in the RFP documents for sure. So we did
15 have staff involved in that, working with, you
16 know, supporting some people that were really
17 leading that exercise.

18 KATE MCGRANN: Who was involved in
19 leading that exercise?

20 STAN MCGILLIS: To my recollection, an
21 individual named Scott Ashley from STV was taking
22 considerable lead on that, along with people from
23 the City. It wasn't just Scott. I mean, there was
24 a team. As usual, there are many aspects of the
25 work. There was a team of people that were focused

1 on various components of that.

2 KATE MCGRANN: Okay. But in terms of
3 who was heading up that effort from the Capital
4 Transit Partners side of things, you recall it
5 being Scott Ashley?

6 STAN MCGILLIS: Yeah.

7 KATE MCGRANN: And looking forward to
8 when the project was in the implementation phase,
9 did you have any involvement in considering whether
10 any changes should be made to the milestone
11 payments that were provided for in the project
12 agreement?

13 STAN MCGILLIS: No.

14 KYLE LAMBERT: Pardon me, Kate, a quick
15 point of clarification. When you say "did you have
16 any involvement," do you mean Mr. McGillis
17 specifically or anyone from Morrison Hershfield?

18 KATE MCGRANN: Thank you for jumping in
19 with that. I was referring specifically to
20 Mr. McGillis.

21 But, Mr. McGillis, do you know if
22 anyone from Morrison Hershfield more generally was
23 involved in the consideration of any changes to the
24 milestone payments?

25 STAN MCGILLIS: No one to my

1 recollection was involved, no.

2 KATE MCGRANN: Are you aware of any
3 changes to the milestone payments during the
4 implementation phase?

5 STAN MCGILLIS: No.

6 KATE MCGRANN: Can you speak to the
7 involvement of Infrastructure Ontario in the work
8 that was being done prior to and then preparing the
9 RFP documents to head out to public?

10 STAN MCGILLIS: They were, you know, in
11 my recollection, advisors to the City. They had
12 done, you know, a number of P3 projects in the
13 province. None specifically a transit system like
14 we were building, but they had done some major
15 billion-dollar projects. Had developed, you know,
16 a good model for procurement, and they were -- they
17 were working with the City and implementing that or
18 parts of that into this project.

19 And so they were -- they sat in on the
20 meetings and offered advice as we were preparing
21 the document, gave us some samples. And, you know,
22 they brought in some senior people from IO that had
23 a lot of experience in preparing an RFP, so they
24 assisted with advice.

25 KATE MCGRANN: Do you remember any

1 pieces of advice that Infrastructure Ontario
2 provided that weren't ultimately taken up?

3 STAN MCGILLIS: Well, the document
4 itself, the RFP document is really based upon their
5 model, so, you know, we followed it reasonably
6 close, and because the industry that was -- you
7 know, was ultimately going to bid on this was very
8 familiar with that document, the agreement
9 component of it, you know, tried and tested in the
10 industry for these types of projects.

11 And the City, you know, for the most
12 part, I would say followed the -- that template
13 fairly well.

14 KATE MCGRANN: When you say that their
15 agreement was tried and tested for these kinds of
16 projects, what were you referring to?

17 STAN MCGILLIS: Large-scale
18 infrastructure projects. There was, you know, a
19 major highway, for instance, in the Windsor area
20 that was built. You know, again, it's a similar
21 size and dollar value, not in terms of the transit
22 project per se with trains, but large-scale
23 infrastructure building projects that they'd
24 undertaken the model.

25 KATE MCGRANN: So I don't think I got a

1 direct answer to my question, which is do you
2 remember any pieces of advice that Infrastructure
3 Ontario provided that weren't ultimately followed?

4 STAN MCGILLIS: They were just, as I
5 say, advisors. They would -- they would help us --
6 you know, nothing in particular comes to mind in
7 the work that I was doing that I could say that was
8 directly what they requested. More in an advisory
9 role. They work with you and help you develop
10 things.

11 KATE MCGRANN: And did you have -- what
12 kind of interaction did you have with
13 representatives of Infrastructure Ontario in the
14 work that you were doing?

15 STAN MCGILLIS: They sat in on the
16 meetings as we were developing the RFP document,
17 the schedules to the document, the compliance
18 criteria we would use to evaluate the bids as they
19 came in. They were just part of the process that
20 we were there offering to help.

21 KATE MCGRANN: Would you provide me
22 with a bit more detail about the work that you did,
23 you specifically, Mr. McGillis, in the preparation
24 of the RFP documents?

25 STAN MCGILLIS: There's a section

1 called the project specific output specifications,
2 short-term people refer to as PSOS. That's the
3 technical component of the document.

4 Personally, I was involved in writing
5 the section involving roadways and the bus
6 infrastructure that would interface with the rail,
7 assisted some of our staff with the bridge
8 components, put together the majority of the
9 traffic and transit management plans that -- they
10 were developed really to ensure that an acceptable
11 level of bus service, you know, was maintained
12 during the construction.

13 As you were taking the backbone bus
14 system out of service to convert it to rail, you
15 had to have, you know, detours in place and other
16 things, you know, temporary stations to -- you
17 know, for passengers to get on and off buses. I
18 was developing most of those specifications.

19 We also participated in working with
20 others that would come up with the quality control
21 requirements that the bidders would need to
22 provide. Various -- input to various schedules. I
23 mean, there's some 30, 40 schedules in the RFP.

24 Individuals responsible for authoring
25 those may come to you and ask you for any component

1 that would involve work, that you were -- you were
2 needing to help them incorporate that.

3 And the design standards, I think it's
4 called Schedule 11, the submission requirements
5 that you'd want the bidders to -- or for a
6 proponent that's got the project, what do you want
7 him to submit for design reviews, for instance.
8 You need to develop those criteria for that.

9 KATE MCGRANN: Up to the time that the
10 RFP is released to the bidders for their
11 consideration and work, did you have any
12 involvement in considering how the riderships would
13 ultimately be transferred from bus service that
14 would exist throughout the implementation phase to
15 the light rail system when it became available for
16 public service?

17 STAN MCGILLIS: Not when they would
18 turn it over, but more during the construction of
19 the system, as I was explaining. As they took
20 sections of the transit bus service out and put it
21 into detour conditions, that's what we were mostly
22 concerned with.

23 How are we going to remodel it? How
24 are we going to maintain the same level of service
25 for that ridership in a detoured position than what

1 currently existed so we wouldn't have major delays,
2 major queues of traffic. It was just chaos trying
3 to get through a core of the city without a plan.
4 So we were mostly looking at that.

5 KATE MCGRANN: Okay. And did you look
6 at all at how those plans would transition once
7 Stage 1 of the LRT became available for public
8 service?

9 STAN MCGILLIS: We certainly did it at
10 the transfer stations. There would have been
11 three. Tunney's Pasture where the west Transitway
12 enters and, you know, people leave the buses and
13 get on the train system.

14 The Hurdman station where the people
15 from the southeast come up a Transitway bus system,
16 and it interfaces with the trains. And in the east
17 end, it was the Blair station that we had to build
18 in.

19 So certainly sizing the number of
20 berths for buses to come in, unload, pick up
21 passengers and leave was certainly part of our work
22 and part of the design that we did.

23 KATE MCGRANN: It sounds to me like
24 that work was focused on how to move people on to
25 Stage 1 of the LRT when it was in public service

1 and then how to move them off and on to their final
2 destination; is that fair?

3 STAN MCGILLIS: Yes, that's right.

4 KATE MCGRANN: Did you do any work at
5 all on what would happen when the city is
6 transitioning from bus service with detours and
7 otherwise to public service on the LRT, what that
8 transition would look like?

9 STAN MCGILLIS: How a person would move
10 from a bus onto the trains? That's more of an
11 operation readiness kind of feature that was done
12 by others. We wouldn't get involved in that.

13 We just ensure that the infrastructure
14 would be in place that would allow it to happen,
15 and the logistics of doing it would be left to --
16 more so to the operator like at OC Transpo to work
17 on that.

18 Not to say that we wouldn't help them
19 understand what we were providing to them, but they
20 were ultimately responsible for the passengers.

21 KATE MCGRANN: Did you have any
22 involvement in preparing the plan for the
23 transition from bus service to LRT service and
24 whether, for example, there would be a parallel bus
25 service run for a period of time or anything like

1 that?

2 STAN MCGILLIS: No, but the specs
3 would -- the specifications -- the output
4 specifications that PSOS would develop would have
5 had some guidance in there in terms of if you were
6 taking the -- for instance, the LRT system out of
7 service for a maintenance reason, that, you know,
8 how would -- how would you transfer back the buses.
9 So there were some guidelines in the PSOS to have
10 that infrastructure.

11 Again, it's all about is the
12 infrastructure available for them to be able to do
13 that. The logistics of doing it would be left to
14 the operator.

15 KATE MCGRANN: Okay. So when the
16 system actually goes into full revenue service in
17 the middle of September 2019, we know, for example,
18 that a parallel bus service was run for three
19 weeks. I take it you didn't have any involvement
20 in the decisions about how to structure that kind
21 of a parallel service or anything like that?

22 STAN MCGILLIS: No.

23 KATE MCGRANN: Before I move on to the
24 next area of questions, I just want to check with
25 my colleague. Ms. McLellan, do you have any

1 follow-up questions on anything we've discussed so
2 far?

3 LIZ MCLELLAN: No, I don't.

4 KATE MCGRANN: Do you recall any
5 changes being made to the PSOS as a result of
6 feedback received from the bidders before the
7 deadline for the responses to the RFP had passed?

8 STAN MCGILLIS: They had the ability
9 through requests for clarifications -- well, RFIs,
10 request for information, to request -- you know, or
11 clarifications, and sometimes a clarification may
12 result in a change looking at it differently based
13 on what they -- the question they were asking.

14 There was also design review meetings
15 and commercially confidential meetings between
16 various bidding consortiums, and then those would
17 lead to, you know, addendums being issued.

18 So, you know, as to whether they were
19 coming from the bidders themselves or just -- you
20 know, we gathered more information through that
21 period of time as well, and we may want to make
22 changes that came either -- I mean, that come from
23 the City or CTP themselves.

24 The combination of all those things
25 were created during that bid process, but if you've

1 gotten something from the bidders that they felt
2 that needed to happen in order for, you know, them
3 to put in a compliant bid, we'd look at it and
4 decide whether that's something that we should
5 change or not.

6 That definitely was part of the
7 process. There was a lot of RFIs, which is quite
8 normal during a long process that they had to bid
9 on this thing. It was from October till May the
10 following year, so you can see there were many
11 months of going back and forth.

12 KATE MCGRANN: Do you remember any
13 significant changes to the PSOS that came from
14 requests from the bidders?

15 STAN MCGILLIS: Nothing that I can
16 think of that, you know, jumps straight out at me
17 as to changes. I mean, for instance, so my
18 involvement, as I mentioned, was in the traffic
19 management component of it.

20 Some of the -- some of the
21 presentations they were making, they were following
22 reasonably close to -- you know, the guideline that
23 we put out there as well would be a suitable
24 alternative for detours, but they weren't exactly
25 aligned with what we did.

1 So, again, we'd look at it more from a
2 compliant point of view saying, "If they did it
3 their way, does it still work?" And if it does, we
4 say, "Fine, we can do it their way."

5 We -- there's not only just one way to
6 do something. If they had a way that we still felt
7 was compliant to, you know, the performance that we
8 asked for, then so be it; we'd allow it.

9 KATE MCGRANN: Okay.

10 STAN MCGILLIS: But they were coming to
11 find out -- they didn't want to be noncompliant and
12 so they'd make those presentations. You're going
13 to accept this, right.

14 You know, and if it -- if it meant
15 changing something to make it acceptable, we would
16 look at that obviously, but nothing, as I say,
17 comes out specifically that I can point to to say,
18 yeah, this thing changed.

19 KATE MCGRANN: Okay. And then speaking
20 more generally, do you remember any significant
21 changes being made to the PSOS while the RFP was
22 outstanding, for any reason?

23 STAN MCGILLIS: Updated many times the
24 red line with some changes as we went through.
25 Again, I don't recall the details of those changes,

1 but they were, you know, reissued on several
2 occasions with changes in them to some of the
3 language in the PSOS. How significant, I just
4 don't recall.

5 KATE MCGRANN: What was your role once
6 the bidders had returned their responses to the RFP
7 in evaluating or assessing the bids?

8 STAN MCGILLIS: I was involved in a
9 compliance check. We had looked at each one that
10 was brought in to ensure what they submitted we
11 thought was compliant to the bid.

12 The other thing that we looked at was
13 if we felt there were things in the -- in their
14 submissions that we felt were really good and that
15 we'd want to have that if they were awarded the
16 project, we call those proposal extracts.

17 We would suggest to the City you want
18 to -- and then there's a schedule that gets created
19 to the winning bid that we say, you know, "Didn't
20 say specifically in the RFP you had to do
21 something, but we like what you suggested. We want
22 you to do that, so we're putting that in now. As
23 an acceptance of your bid, we're going to request
24 that you do that."

25 So we were identifying those things

1 that we felt were -- you know, were quite good that
2 we'd want to make sure that they did them.

3 KATE MCGRANN: Was anyone at Morrison
4 Hershfield involved in evaluating the bids, like
5 scoring them?

6 STAN MCGILLIS: No.

7 KATE MCGRANN: And then was anybody at
8 Morrison Hershfield involved in the negotiation of
9 the project agreement?

10 STAN MCGILLIS: No.

11 KATE MCGRANN: Moving into the
12 implementation phase, I believe that Morrison
13 Hershfield was involved in design reviews and
14 on-site field monitoring; is that right?

15 STAN MCGILLIS: Correct, yeah.

16 KATE MCGRANN: Any other areas of
17 responsibility that Morrison Hershfield had?

18 STAN MCGILLIS: Just continuing on the
19 project management side of our joint venture. We
20 still had to submit, you know, various things to
21 the City, you know, involved with invoicing and
22 other such things.

23 We had people involved on our project
24 management side that continued to do that. Might
25 have been a little bit of document control going on

1 as well. We were -- we were looking after a shared
2 SharePoint site that maintain a lot of
3 documentation that CTP was doing. So we were
4 upkeeping as host of that site, keeping that up to
5 date as need be. So some people involved in that
6 sort of thing.

7 KATE MCGRANN: Okay. So on the project
8 management side, you mentioned invoicing. Any
9 other responsibilities falling under the project
10 management that Morrison Hershfield was doing?

11 STAN MCGILLIS: Just resource
12 management. I mean, if the City needed certain
13 things by resources to them, to do that, you know,
14 they would come to us. If we could accommodate it
15 and provide those staff to do that, certainly would
16 do it.

17 KATE MCGRANN: Who was responsible for
18 receiving those requests from the City and then
19 seeing that they were filled?

20 STAN MCGILLIS: It would really go to
21 discipline leads a lot of the time. You know,
22 sometimes come directly to me as they knew I was
23 doing internal project management and had control
24 of staff we could put on a project.

25 But many times they'd go just directly

1 to the person they were working with. Like, if it
2 was -- if our lead person, say, for instance, was
3 in environmental and they needed someone to come
4 out and identify some trees, they might just go
5 right through our environmental lead and say,
6 "Could you send out your arborist to have a look at
7 these trees?" You know, so they might do it that
8 way as well.

9 So it wasn't, you know, totally
10 structured they had to follow a certain process,
11 you know, and that the environmental lead would
12 come to me and say, "I'm putting so and so." Well,
13 they can request it.

14 We had an on-demand service. We had a
15 budget set up that they could work within for each
16 of the disciplines, so we worked within those
17 budgets.

18 KATE MCGRANN: What was involved in the
19 design review work that Morrison Hershfield did
20 throughout the implementation phase of the project?

21 STAN MCGILLIS: Again, we'd be
22 looking -- once the RFP closes and are awarded a
23 contract, then they start the process of providing
24 exactly what it is that they're going to design for
25 the project.

1 In some cases, you know, they might
2 bring forward something that was in the RFP or they
3 may start completely different than what they had
4 submitted during the RFP processes that we hadn't
5 brought it forward as a proposal extract.

6 So, again, we're checking for
7 compliance to the specification, and there's a
8 whole checklist of things that we'd be looking for,
9 that the -- the standards that were set out in the
10 PSOS are being met in the design that's being put
11 forward.

12 Generally, you know, you have to put
13 notes on your design reviews that would refer to
14 the PSOS itself as to what the comment was, you
15 know, specific about that you were making.

16 KATE MCGRANN: And over what period of
17 time was that design work done?

18 STAN MCGILLIS: Oh, it's a long
19 process. I can't say for sure, but, you know, it
20 started in -- it closed sometime in -- probably
21 started sometime in 2013, and I would say it would
22 be close to two years before all of the designs are
23 in.

24 They're coming in at various times. I
25 mean, that's one of the benefits of a P3-type

1 project. You don't have to design the whole thing
2 before you start building it.

3 So whatever they want to work on first,
4 they submit the designs in for that, you get them
5 approved, and they start the construction of that
6 component while they work on designing something
7 else.

8 So it's an ongoing process. It's not
9 just one submission. There's a preliminary
10 submission, a submission that's more or less
11 complete, and then there's the completed one that
12 goes to construction. So there's -- I believe
13 there was three sets of submissions, designs that
14 they had to go through.

15 And when you -- you did the preliminary
16 one with your comment, and when you got the second
17 one, you were going back to check that they
18 addressed all the things that you asked them to
19 address the first time you reviewed it.

20 KATE MCGRANN: You said that you
21 thought it was close to two years until the designs
22 were in. Was there ongoing design review work
23 after that first two-year-or-so period came to a
24 close?

25 STAN MCGILLIS: As I say, it depends on

1 the -- on the discipline as well. I mean, for
2 instance, in the first couple years, they
3 concentrate on getting the running way work done,
4 getting the roads and detours built, all those
5 sorts of things, and they held off on doing much,
6 for instance, on stations.

7 And, you know, towards the latter part,
8 all the station designs would come in later in the
9 process. So it varies, but, I mean, it almost
10 lasts the majority of the construction schedule.

11 There's some design things coming in as
12 they're building it. They may have to do a design
13 variation themselves in the field while they're
14 building something. Something is not working out
15 quite the way the plans had it, and they'll submit
16 a design variation. You know, that's late in the
17 process, but it happens.

18 KATE MCGRANN: Do you remember any
19 particular challenges coming up on this project
20 with respect to the areas that you were doing
21 design review work on?

22 STAN MCGILLIS: No. No, it was well
23 done. It was well done.

24 KATE MCGRANN: With respect to the
25 on-site field monitoring work that Morrison

1 Hershfield was doing, what did that involve?

2 STAN MCGILLIS: We called them field
3 compliance coordinators. Really they were out
4 there to observe. The responsibility of building
5 things and ensuring the quality processes needed to
6 be done were all with the consortium to do.

7 So they were more like auditors, and at
8 the same time, they would be looking at the
9 progress, taking some photos, looking at the
10 schedule and comparing it to the progress they were
11 seeing, and provide those reports to the City for
12 their internal purposes, construction meetings and
13 presentations that they were making.

14 KATE MCGRANN: When you say that they
15 were more like auditors, what were they auditing
16 for?

17 STAN MCGILLIS: Well, for compliance.
18 Monitoring that the consortiums are following all
19 the correct requirements that it spelled out in the
20 technical specification.

21 KATE MCGRANN: And the field compliance
22 coordinators from Morrison Hershfield on the
23 project, were they focusing on the aspects of the
24 project that you previously described to me that
25 Morrison Hershfield took charge of?

1 STAN MCGILLIS: No, they were more
2 assigned -- my recollection again, they reported
3 pretty much exclusively to City staff that were
4 overseeing that phase of the project, but they
5 broke it down into segments.

6 So we may have someone on a segment,
7 you know, that's downtown, for instance, between
8 two stations. Anything that happens in the segment
9 you're going to look at.

10 So, no, it wouldn't be -- it wouldn't
11 be so much by discipline. It would be more by
12 segment that they were auditing compliance checks.

13 KATE MCGRANN: When you say "segment,"
14 you mean like a physical geographical segment --

15 STAN MCGILLIS: Yes.

16 KATE MCGRANN: -- of the line?

17 STAN MCGILLIS: Yes.

18 KATE MCGRANN: And if I'm a field
19 compliance coordinator working on that segment, I'm
20 responsible for auditing compliance across the
21 segments?

22 STAN MCGILLIS: Yes.

23 KATE MCGRANN: And were the
24 observations of the field compliance coordinators
25 amalgamated or prepared -- like, turned into

1 reports overall on the system, or were they
2 reporting back directly on their segment to the
3 City?

4 STAN MCGILLIS: Directly to the City,
5 yes.

6 KATE MCGRANN: Who designed that
7 approach to field compliance?

8 STAN MCGILLIS: The City.

9 KATE MCGRANN: Do you know if the City
10 had any advice or assistance from any third parties
11 in designing that approach?

12 STAN MCGILLIS: They may very well
13 have. I'm not aware.

14 KATE MCGRANN: Do you know if any
15 changes were made to that field compliance
16 monitoring approach over the implementation of the
17 project?

18 STAN MCGILLIS: Depending, I think, on
19 the degree of work that was occurring in any one
20 area. They would adjust the number of staff
21 obviously. If it was really busy, there would be
22 more, and as the work was winding down, there would
23 be less requirement for people. The resource alone
24 can change as the project progressed.

25 KATE MCGRANN: Okay. Do you know if

1 there were any changes in resource loads or field
2 compliance personnel doing that work based on any
3 factors other than the amount of work being done in
4 any particular section?

5 STAN MCGILLIS: No, other than a new --
6 when new things like the systems came into place,
7 if they're putting in the control systems, then
8 that specialist would come for that.

9 They wouldn't be there all the time,
10 but when the control systems, for instance, were
11 being built or perhaps when the rail was being
12 laid, they'd bring in -- some specialist would be
13 brought to the project that would look specifically
14 at those specialty things, you know, traction
15 power, electrical systems.

16 You know, the architects might go out
17 when there's, you know, station design being
18 implemented, roofing systems. They would bring in
19 some specialists for sure. The compliance -- field
20 compliance, we're talking more generalists. Not
21 the specialist fields.

22 KATE MCGRANN: Okay. And who would
23 identify when a specialist was required?

24 STAN MCGILLIS: Well, it would be
25 the -- with the City and their teams on those

1 disciplines, whether it was for electrical or
2 systems.

3 You know, STV obviously stayed heavily
4 involved in the systems. They would -- they would
5 identify when they would need their specialist
6 depending on the progress of the work, whether
7 their specialists should be -- should be on-site
8 having a look at how work was progressing.

9 KATE MCGRANN: I think that you've
10 largely answered this, but just to be clear, who
11 was managing the on-site field monitoring work
12 that's being done by these generalists?

13 STAN MCGILLIS: The City. The City
14 staff was doing that.

15 KATE MCGRANN: So beyond the -- pardon
16 me. Field compliance coordinators are provided by
17 Morrison Hershfield. Others at CTP as well?

18 STAN MCGILLIS: Yes, others at CTP as
19 well.

20 KATE MCGRANN: But their work is being
21 dictated and managed by the City?

22 STAN MCGILLIS: Yes.

23 KATE MCGRANN: To your knowledge, did
24 the City ever seek advice or feedback from Capital
25 Transit Partners about the adequacy of its

1 monitoring for compliance with the PA throughout
2 the implementation phase?

3 STAN MCGILLIS: Not to my knowledge.
4 There continued to be some meeting at the senior
5 management level that certainly could have been
6 discussed that I'm unaware of. So I wouldn't say
7 it did not happen, but, you know, not to my
8 knowledge.

9 KATE MCGRANN: From where you were
10 sitting, were there any steps that could have been
11 taken by the City to assess the progress of the
12 implementation phase or compliance with the PA,
13 project agreement, that were not taken?

14 STAN MCGILLIS: No, I think the role
15 that was spelled out that the City would take was
16 implemented.

17 KATE MCGRANN: In your view, did the
18 City have the resources and expertise it needed to
19 evaluate compliance with the project agreement
20 throughout the implementation phase?

21 STAN MCGILLIS: Yes. Including
22 technical advisors with CTP that they could call
23 upon. Not just for their own staff but with their
24 team that it was contracted to.

25 KATE MCGRANN: It's my understanding

1 that the City enlisted the help of an independent
2 assessment team in and around 2017. Do you have
3 any knowledge about this team that was brought in?

4 STAN MCGILLIS: No.

5 KATE MCGRANN: Are you aware of any
6 request for increased monitoring from CTP of the
7 implementation work being done in 2017 --

8 STAN MCGILLIS: Not to my knowledge,
9 no.

10 KATE MCGRANN: Did you have any
11 involvement in the preparation for the operations
12 of the system at all?

13 STAN MCGILLIS: There is a part of the
14 PSOS specification that's operation and maintenance
15 and rehab during the in-revenue period. This has
16 a -- I believe it's a 30-year maintenance contract
17 as part of this P3 contract. A member of MH's
18 staff was involved in the preparation of those
19 documents.

20 KATE MCGRANN: Could you say the last
21 part of what you said again?

22 STAN MCGILLIS: A member of our staff,
23 of MH staff, was involved in the preparation of
24 those documents.

25 KATE MCGRANN: Okay. And speaking

1 about Morrison Hershfield generally, did Morrison
2 Hershfield have any involvement in the actual work
3 done to prepare for operations and maintenance?

4 STAN MCGILLIS: No.

5 KATE MCGRANN: Provide any information
6 or advice to the City about the work that it was
7 doing for preparation for operations and
8 maintenance?

9 STAN MCGILLIS: We may have been asked.
10 Again, it's not an area that I personally was
11 involved in, but since we had staff that helped
12 prepare that document, they certainly could have
13 reached out and asked for, you know, clarification
14 of what the document had indicated. So certainly
15 that could have been occurring that I wouldn't be
16 aware of.

17 KATE MCGRANN: With respect to the
18 trial running period for the system in between
19 substantial completion and the achievement of
20 revenue service availability, did you have any
21 involvement in that trial running exercise?

22 STAN MCGILLIS: Personally no
23 involvement, but, again, we would have had a couple
24 field coordinators that were out there while this
25 was occurring doing their normal work getting

1 things completed, so -- but, no, personally no
2 involvement at all.

3 KATE MCGRANN: Okay. What would the
4 field coordinators' work have involved during the
5 trial running period?

6 STAN MCGILLIS: Well, the trial running
7 period was occurring while there was still work
8 being completed. They were still working on
9 deficiencies we call them, that work is not 100
10 percent to contract requirements. May be
11 uncompleted work or unsatisfactory completed work.
12 They were still working on resolving those.

13 May not have affected the -- that trial
14 run, but, you know, it could be things,
15 architectural things in the station perhaps that
16 were still being worked upon, and our coordinators
17 were still out there observing that this was being
18 taken care of.

19 KATE MCGRANN: Okay. So any
20 outstanding work that was being done during trial
21 running, there would be those compliance monitors
22 in the field doing the same kind of audit work that
23 they had been doing throughout the implementation
24 phase?

25 STAN MCGILLIS: Correct.

1 KATE MCGRANN: Any changes to the
2 duties of those individuals during the trial
3 running period?

4 STAN MCGILLIS: Not to my knowledge.

5 KATE MCGRANN: And then can you speak
6 more generally to the involvement of Capital
7 Transit Partners in the trial running period?

8 STAN MCGILLIS: Again, I'm not
9 personally involved, but, again, we had -- we have
10 involvement with the commissioning specs having
11 developed them. Certainly the City would be
12 reaching out for the specialists that were
13 identified on our team.

14 Most of that was with the STV
15 individuals, and, you know, their exact involvement
16 I don't have the details on. They were working
17 directly with the City on that.

18 KATE MCGRANN: And then during the
19 period between the end of the trial running period
20 and the achievement of revenue service on the one
21 end and the opening of the system to public service
22 on the other, what if anything was Morrison
23 Hershfield still doing during that period of time?

24 STAN MCGILLIS: Just the field
25 coordinators out there ensuring things were getting

1 completed. Other than that, very little was going
2 on at that point. We were pretty much wrapped up.

3 KATE MCGRANN: Do you know if Morrison
4 Hershfield or Capital Transit Partners more
5 generally had representatives riding the lines,
6 moving through the station to try to simulate what
7 normal use would look like to assist in a sort of
8 understanding and assessment of the system for
9 readiness?

10 STAN MCGILLIS: Again, no personal
11 involvement, but I believe what you're saying is
12 accurate. That would be part of a normal process
13 that we'd be observing to ensure that those
14 requirements in the contract were being met.

15 KATE MCGRANN: Okay. But you don't
16 have any knowledge of what that looked like on this
17 particular project?

18 STAN MCGILLIS: No.

19 KATE MCGRANN: I think this has been
20 implied by your answers so far, but just to be
21 clear, did you or Morrison Hershfield more
22 generally have any involvement in assessing revenue
23 service availability and whether that milestone had
24 been achieved?

25 STAN MCGILLIS: No, no involvement in

1 that.

2 KATE MCGRANN: Did you or anybody at
3 Morrison Hershfield more generally have any
4 involvement in considering when the system should
5 be opened up to the public in full service?

6 STAN MCGILLIS: No, no involvement.

7 KATE MCGRANN: Are you aware of any
8 discussions at any time about a soft start to
9 public service? And by that I mean, because I
10 think this phrase can mean different things to
11 different people, starting with less than what the
12 project agreement required in the way of full
13 service and ramping up to those requirements over
14 time?

15 STAN MCGILLIS: No, no information. I
16 was not involved in any discussions on that.

17 KATE MCGRANN: Are you aware of any
18 discussions on that topic?

19 STAN MCGILLIS: Nothing that I -- that
20 I can't say I didn't just read in the papers, but
21 nobody was looking for advice from us on that.

22 KATE MCGRANN: So it's 3:38 according
23 to the clock that I can see right now. I'm going
24 to ask that we take a ten-minute break. So that
25 has us coming back at ten to 4. Does that work for

1 everybody?

2 STAN MCGILLIS: Okay.

3 KATE MCGRANN: So we're off the record.

4 -- RECESSED AT 3:39 P.M. --

5 -- RESUMED AT 3:50 P.M. --

6 KATE MCGRANN: Okay. Mr. McGillis,
7 some questions that I'm going to bounce around
8 through the chronology of the project here a little
9 bit, but I'll try to keep it clear.

10 Stepping back to the outset of the work
11 that Capital Transit Partners did on the project,
12 was working at a cost and schedule baseline part of
13 the work that Capital Transit Partners did?

14 STAN MCGILLIS: In terms of our
15 contract?

16 KATE MCGRANN: In terms of the
17 construction Stage 1 of the LRT.

18 STAN MCGILLIS: The costs associated
19 with the engineering costs or the project costs as
20 a whole?

21 KATE MCGRANN: Project costs as a
22 whole.

23 STAN MCGILLIS: Yes, we would have ran
24 a cost estimate from beginning to end and also
25 looking at project schedule from beginning to end,

1 regular updates, yes.

2 KATE MCGRANN: Did CTP have any
3 involvement in determining the amount of
4 contingency that the City provided for with respect
5 to Stage 1 of the LRT?

6 STAN MCGILLIS: Sorry, any cost
7 estimating we would have done would have included a
8 contingency allowance for unknowns, yes. It's
9 general practice in cost estimating to include
10 that.

11 KATE MCGRANN: The parameters that
12 helped determine that contingency analysis, where
13 did they come from, or what was used?

14 STAN MCGILLIS: I don't have the
15 specifics of that, but a big component usually
16 comes from the risk. Was there any areas of risk?
17 So you would include money to cover risk. If you
18 couldn't define the scope well, then you have a
19 bigger contingency.

20 KATE MCGRANN: Are you aware of any
21 restrictions that came from the City on the total
22 amount of contingency that could be set aside?

23 STAN MCGILLIS: No, I'm not aware.

24 KATE MCGRANN: To your knowledge, did
25 the transfer of the geotech risk, with respect to

1 the tunnel in particular but more generally, have
2 any impact on the overall contingency that the City
3 had planned for this project?

4 STAN MCGILLIS: I don't have the
5 details on that, but in general terms, the more
6 risk you put on to the bidders, the higher the
7 costs would be. If you -- if you want to continue
8 to assume risk and put them at less risk, you could
9 get a, you know, more optimal pricing from them.

10 But if they have to price in the risk,
11 then their bids are going to usually be higher. So
12 you're trying to fine-tune that as much as you can,
13 give them as much information to reduce risk and
14 then get better bid pricing.

15 KATE MCGRANN: Okay. And do you have
16 any knowledge about whether the City made any
17 adjustments to its contingency plans once it became
18 clear that the geotech risk would be accepted by
19 its private partner?

20 STAN MCGILLIS: No.

21 KATE MCGRANN: And do you have any
22 knowledge about whether -- when the second sinkhole
23 happened, whether that had any impact on the
24 City's -- first of all, its approach to contingency
25 for this project?

1 STAN MCGILLIS: No, no knowledge.

2 KATE MCGRANN: Second of all, do you
3 know whether the second sinkhole had any impact on
4 the City's oversight of the project?

5 STAN MCGILLIS: Well, it definitely
6 caused delays, so there would have been some
7 increased time involved, and then also the repair
8 of the sinkhole, obviously there's costs associated
9 with that. The oversight from the City probably --
10 it was involved in that as well.

11 KATE MCGRANN: Okay. So increased time
12 due to delays, did I understand you to be saying
13 that the City implemented specific oversight with
14 respect to the repair of the sinkhole?

15 STAN MCGILLIS: Certainly they would,
16 yes. They'd want to ensure that it was repaired
17 properly.

18 KATE MCGRANN: Any other changes to the
19 City's approach to oversight of the implementation
20 of the project after the sinkhole that you're aware
21 of?

22 STAN MCGILLIS: Not that I'm aware of.

23 KATE MCGRANN: I think that you've
24 largely answered this question, but I want to make
25 sure that I have your answer.

1 With respect to project management
2 services provided through the implementation phase,
3 I believe that those are all being controlled or
4 directed by the City and staffed on an as-demanded
5 basis by people provided by CTP; is that right?

6 STAN MCGILLIS: Correct.

7 KATE MCGRANN: To your knowledge, did
8 CTP have any role in identifying where the City may
9 need additional resources outside of its sort of --
10 the staff that it had dedicated to the project?

11 STAN MCGILLIS: Well, CTP maintained a
12 project manager through that phase, so those would
13 have been discussions between our project manager
14 and the City to see if additional resources were
15 needed, whether they come from CTP or the City
16 could provide them internally.

17 KATE MCGRANN: Who filled that project
18 manager role?

19 STAN MCGILLIS: The majority is Rich
20 Piloseno, who was a member of AECOM.

21 KATE MCGRANN: Okay. And anybody else
22 who was doing that work?

23 STAN MCGILLIS: There was somebody
24 prior to him, and his name doesn't pop into my head
25 right now, but the -- he was definitely -- you

1 know, the latter of the project, he was -- he was
2 the project manager. It may come to me. It was
3 there before, but I can't think of the name right
4 now.

5 KATE MCGRANN: Okay. If it comes to
6 you, just let us know.

7 It's my understanding that the Rail
8 Implementation Office at the City produced four
9 reports. I'm going to tell you the names of four
10 of them that I'm aware of: RIO monthly report, a
11 schedule report, a quarterly report to the
12 Executive Steering Committee, and a key indicators
13 report. Are you aware of any of those reports?

14 STAN MCGILLIS: No, never seen them.

15 KATE MCGRANN: To your knowledge, did
16 CTP play a role in any of the City's committees
17 that were struck to -- in relation to Stage 1 of
18 the OLRT?

19 STAN MCGILLIS: If I don't have a list
20 of what the committees are, I would be hard-pressed
21 to be able to answer that accurately. I mean,
22 there's so much that was going on through those
23 years. There's a potential that someone may have
24 made it. You know, I can't spell it out without
25 getting into details.

1 KATE MCGRANN: Fair enough. For
2 example, are you aware of CTP having a role within
3 the City's contingency management committee?

4 STAN MCGILLIS: I'm not aware, but if
5 we were preparing cost estimates, they may have
6 want -- like, for instance, they'd want to have
7 someone there with direct knowledge of those
8 estimates to answer questions for the committee.

9 KATE MCGRANN: To your knowledge, did
10 CTP have any role with the City's Risk Review
11 Board?

12 STAN MCGILLIS: I don't know for
13 certain, but we would, again, have been part of the
14 developing the risk management on the project, so
15 quite possibly someone -- no one from MH that I'm
16 aware of, but someone from CTP could definitely
17 have been involved.

18 KATE MCGRANN: And the last committee
19 that I'll ask you about specifically is the City's
20 Change Control Board. Do you know if anybody from
21 CTP had any direct involvement with that committee?

22 STAN MCGILLIS: Personally don't know,
23 but that -- you know, there's a potential that
24 someone like Rich Piloseno could be involved. I'm
25 not aware he was, but quite possibly he could have

1 been.

2 KATE MCGRANN: Are you aware of any
3 major events on the project -- leaving aside the
4 2016 sinkhole for a second, are you aware of any
5 major events in the implementation of the project
6 that required an increased response from CTP?

7 STAN MCGILLIS: Nothing specific.
8 There would be times, for instance, at various
9 stages of the tunnel work that they'd bring in a
10 specialist to look at certain things, conditions of
11 the rock, those sorts of things, but nothing that I
12 would say, you know, out of the ordinary that, you
13 know, you wouldn't expect that, you know, at some
14 point a project of this magnitude, you might bring
15 some people in at various components of completion
16 to look at things.

17 KATE MCGRANN: Are you aware of CTP
18 authoring or contributing to any reports responding
19 to events that took place during the implementation
20 of the project?

21 STAN MCGILLIS: I would say nothing
22 specific that I can identify for you today, but,
23 you know, as we provide those services through that
24 period of time, certainly we would have been doing
25 some degree of reporting on the services that were

1 provided to the City.

2 KATE MCGRANN: Can you describe to me
3 what you saw of the relationship between the City
4 and RTG over the life of the project?

5 STAN MCGILLIS: So when you say "the
6 life of the project," that would be post RFP, and
7 my involvement in anything that had both the City
8 and RTG at the same table was very cordial, very
9 professional, but that's -- you know, we -- at that
10 stage, you know, most of our work is being done
11 remotely through design reviews and stuff.

12 I'm not -- I'm not sitting on a regular
13 basis across the table from them. Any reports, you
14 know, that I'm aware of was always professional
15 relationships between the parties.

16 KATE MCGRANN: Okay. So based on your
17 direct involvement with representatives of the City
18 and RTG, what you saw was professional and cordial;
19 is that right?

20 And then based on information that may
21 have come to you directly or indirectly, what was
22 your understanding of the nature of that
23 relationship over the implementation phase of the
24 project?

25 STAN MCGILLIS: Nothing overly negative

1 that I was made aware of, just normal contractor
2 owner relationships, you know. Through our staff
3 out there, there's nothing being reported that was,
4 you know, out of the ordinary that we've not seen
5 on construction projects.

6 KATE MCGRANN: Okay. The Commission
7 has been asked to look at the commercial and
8 technical circumstances that led to the breakdowns
9 and the derailments on the system.

10 Based on your involvement in the work,
11 are there any topics that you think we should be
12 looking at that we haven't discussed with you
13 today?

14 STAN MCGILLIS: We haven't really
15 talked about the maintenance side of, you know, the
16 contract, that RTG has to maintain the system. You
17 know, you would think when you have a derailment,
18 you know, you look at how the maintenance of the
19 system is being done.

20 That's -- not to point the finger at
21 that, but that's just naturally one of the
22 components that you'd be looking at. You're
23 looking at how it's being operated, you're looking
24 at how it's being maintained, and try and zero in
25 on, you know, what would be the root cause of

1 something like that occurring.

2 So we haven't really talked much about
3 maintenance, but obviously an important part of any
4 system is is being well-maintained.

5 KATE MCGRANN: Anything else other than
6 the maintenance piece that you just identified?

7 STAN MCGILLIS: The other is is there
8 any flaw? You know, like, has anybody
9 identified -- is there a flaw that caused this to
10 happen?

11 And that's what you do in an
12 investigative stage of anything where an incident
13 happens to determine, you know, what caused this to
14 happen and if you have to make a change to
15 something. Is there a flaw in the system?

16 Again, these -- there was
17 investigations, and I assume that these types of
18 things would have been looked at.

19 KATE MCGRANN: And just coming back to
20 the maintenance piece for a second, I think I
21 understood your evidence to be that you and
22 Morrison Hershfield more generally didn't have any
23 involvement in the operations or maintenance of the
24 system; is that accurate?

25 STAN MCGILLIS: Correct, other than the

1 preparation of that document that's referred to as
2 15.3 that defines the requirements of the operation
3 and maintenance plans. That would be my only
4 involvement.

5 KATE MCGRANN: Do you know if you or
6 anybody at CTP more generally was ever asked to
7 revisit that document after the RFP was completed?

8 STAN MCGILLIS: Well, it had to be
9 reviewed while we were working on Stage 2. The
10 City looked at the requirements for maintenance for
11 Stage 2 and felt they did not want to have two
12 different consortiums looking after things. It's
13 just duplication of costs.

14 And so they negotiated as part of
15 Stage 2 to have RTG look after the maintenance of
16 Stage 2. So they -- there was a modification to
17 that document to incorporate the maintenance of
18 Stage 2.

19 Other than that, I'm not -- I'm not
20 aware of any other changes that have occurred to
21 that document post RFP.

22 KATE MCGRANN: Okay. So that document
23 was amended to allow for RTG to take on Stage 2
24 maintenance, but no changes made to the
25 requirements of what that maintenance needed to be

1 or include; is that fair?

2 STAN MCGILLIS: That's my
3 understanding.

4 KATE MCGRANN: Do you remember around
5 what time that amendment was made?

6 STAN MCGILLIS: Well, it was post 2015.
7 I'm thinking it's probably around the 2017
8 timeline.

9 KATE MCGRANN: One of the things that
10 the Commissioner has been asked to do in this
11 public inquiry is to make recommendations to try to
12 prevent issues like what we've seen with the
13 breakdowns and derailments of Stage 1 from
14 happening again.

15 Are there any specific recommendations
16 or areas of recommendation that you would suggest
17 he consider as part of that role?

18 STAN MCGILLIS: There's always, I
19 guess, risks associated with, you know, putting a
20 new system into implementation. There has to be
21 some degree of time allowed for it to operate as
22 designed.

23 So, you know, it's difficult when you
24 throw passengers on something immediately and then
25 expect everything to work fine. I mean, cars have

1 warranty. You buy a brand new car and, you know, a
2 month after you own it, the engine light is on and
3 you're back to the dealer to find out why.

4 I mean, some things happen. I mean,
5 should a derailment occur? Probably not, but some
6 degree of break-in period is probably necessary and
7 expected, and, you know, you try to control that,
8 mitigate it as much as you can.

9 We have talked extensively about risk.
10 I mean, that's part of putting a new system in
11 place. There's some risk of how well it will
12 perform, and I think the City was very prudent to
13 have a -- you know, a parallel system for the first
14 month to gauge how it was operating.

15 And it worked, I think, up to their
16 expectation to the point where they decided after a
17 month they no longer needed to continue that
18 parallel system. Other points in time, they had to
19 put it back in place if they -- if something broke
20 down, a train broke down. Had to figure out why,
21 put some buses on to keep the -- keep the
22 passengers moving.

23 So nothing in my mind comes out as
24 specifically done wrong. I think they reacted
25 quite well when instances occurred and tried to,

1 you know, keep the system functioning at the
2 highest level possible in the circumstances they
3 were facing.

4 KATE MCGRANN: Were you called in to --
5 you or anybody at Capital Transit Partners more
6 generally called in to help determine how to
7 respond when there were incidents during operation
8 that required replacement buses or otherwise?

9 STAN MCGILLIS: My understanding, CTP
10 were involved through -- mainly through STV.

11 KATE MCGRANN: Do you know what their
12 involvement was focused on?

13 STAN MCGILLIS: Again, just advisory of
14 how to deal with the issue and perhaps to talk
15 about the contractual requirements of RTG, were
16 they being met.

17 KATE MCGRANN: Ms. McLellan, do you
18 have any questions following up on --

19 LIZ MCLELLAN: I do not, no.

20 KATE MCGRANN: Mr. Kopp or Mr. Lambert,
21 do you have any follow-up questions?

22 KYLE LAMBERT: I have a couple going
23 back to earlier discussion related to risk profile
24 and the -- I guess the decisions that the Capital
25 Transit Partners and the City would make once

1 certain risks were identified.

2 Mr. McGillis, once a risk was
3 identified, who ultimately decided whether some
4 kind of change or adjustment to the RFP documents
5 would be made?

6 STAN MCGILLIS: The program management
7 team both at the City and CTP would be involved in
8 those types of discussions and determine if a
9 change needed to be made to better allocate that
10 risk properly, or in some cases, you know, if time
11 permitted, we may want to do a little bit more work
12 on the subject to try and take away the risk. You
13 know, is there a way to reduce the risk? Is there
14 something we could be doing?

15 So those discussions would happen and
16 see -- you know, if you're talking geotechnical,
17 for instance, if someone was concerned about a
18 certain area, could you go out and gather some more
19 information in that area to try and narrow down
20 what the unknown perhaps was that was causing
21 people to think there was risk there.

22 So those types of discussions would
23 happen on -- you know, on a regular basis at the
24 senior levels of the -- of the program.

25 KYLE LAMBERT: And when that risk

1 assessment and the possible need for adjustment
2 based on that assessment ultimately worked its way
3 into negotiating pricing with a proponent, who was
4 responsible for that negotiation?

5 STAN MCGILLIS: It would be the entire
6 City team. I mean, there's also legal advisors on
7 the team as well that are -- and, you know, risk
8 experts who would tell you, you know, what -- you
9 know, what their advice was, the best way to handle
10 that risk.

11 Those types of individuals were part of
12 the overall management team at the City to seek the
13 best solution to those things. So they would --
14 they would make that call.

15 KYLE LAMBERT: Thank you. And then one
16 last question on a different issue. This is just a
17 point of clarification regarding the role of CTP or
18 Morrison Hershfield personnel on some of the
19 committees that Ms. McGrann mentioned or referred
20 to.

21 And I wasn't clear. When you said that
22 there would be some involvement with the committee,
23 are you talking about being called to speak to the
24 committee -- give evidence is probably too formal,
25 but give an opinion or give advice to the

1 committee, or are you talking about having an
2 actual seat on any of those committees?

3 STAN MCGILLIS: I would say both. I
4 mean, you know, for sure -- we mentioned National
5 Capital Commission before. They had a huge say on
6 some of the station design. We would certainly be
7 at those meetings presenting designs, working with
8 NCC staff to come up with acceptable standards for
9 those stations.

10 That's just one committee. There are
11 many, many committees that would have been involved
12 in this project, and whether we sat as a member of
13 that committee or were invited to the meetings, it
14 could be one or the other.

15 KYLE LAMBERT: Thank you. That's all
16 for me.

17 KATE MCGRANN: That's it from our end
18 as well. So thank you very much for your time this
19 afternoon.

20 STAN MCGILLIS: Thank you.

21 KATE MCGRANN: And that brings our
22 interview to a close.

23 KYLE LAMBERT: Thank you.

24 -- Adjourned at 4:13 p.m.

25

1 REPORTER'S CERTIFICATE

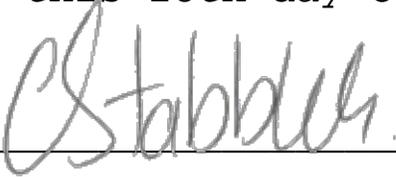
2
3 I, CARISSA STABBLER, Registered
4 Professional Reporter, certify;

5
6 That the foregoing proceedings were
7 held remotely via Zoom videoconference at the time
8 therein set forth, at which time the witness was
9 put under oath by me;

10
11 That the testimony of the witness
12 and all objections made at the time of the
13 examination were recorded stenographically by me
14 and were thereafter transcribed;

15
16 That the foregoing is a true and
17 correct transcript of my shorthand notes so taken.

18
19 Dated this 18th day of April 2022.

20
21 
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