September 2, 2015
Special Meeting

Members Present: Mayor L. Jeffrey (left meeting at 9:45 a.m. – personal)
Regional Councillor G. Gibson – Wards 1 and 5
Regional Councillor E. Moore – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor M. Medeiros – Wards 3 and 4
Regional Councillor G. Miles – Wards 7 and 8
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4 (Acting Mayor – chaired meeting from 9:45 a.m. to 2:15 p.m.)
City Councillor P. Fortini – Wards 7 and 8
City Councillor G. Dhillon – Wards 9 and 10

Members Absent: Regional Councillor J. Sprovieri – Wards 9 and 10 (vacation)

Staff Present: Mr. D. Cutajar, Chief Operating Officer and Acting Chief Administrative Officer
Mr. J. Patteson, Chief Public Services Officer
Mr. P. Simmons, Chief Corporate Services Officer
Mr. J. Pitushka, Executive Director, Public Works, and Acting Chief Planning and Infrastructure Services Officer
Mr. P. Honeyborne, Executive Director, Finance and Treasurer, Corporate Services
Mr. R. Zuech, Acting City Solicitor, Corporate Services
Mr. D. Squires, Deputy City Solicitor, Corporate Services
Mr. P. Fay, City Clerk, Corporate Services
Mr. E. Evans, Deputy City Clerk, Corporate Services
Ms. T. Brenton, Legislative Coordinator, Corporate Services
Ms. C. Urquhart, Legislative Coordinator, Corporate Services
The meeting was called to order at 9:34 a.m. and recessed at 9:57 a.m. Council moved into Closed Session at 10:00 a.m. and recessed at 10:05 a.m. Council reconvened in Closed Session at 10:22 a.m. and recessed at 10:36 a.m. Council reconvened in Closed Session at 10:47 a.m. and recessed at 11:15 a.m. Council returned to Open Session at 11:23 a.m. and adjourned at 2:15 p.m.

Mayor Jeffrey outlined the purpose of the meeting to consider the LRT Facilitator proposals, receive presentations from Bidders, and make a decision on the LRT Facilitator.

A. **Approval of the Agenda**

The following motion was considered.

C269-2015 Moved by City Councillor Bowman  
Seconded by City Councillor Whillans

That the agenda for the Special Council Meeting of September 2, 2015 be approved as printed and circulated.

Carried

The following supplementary information was provided at the meeting:

Re: Item D 1 (Presentation Proposal – Peter Robertson, Robertson Consulting):  
- copy of presentation

Re: Item D 3 (Presentation Proposal – Lee Parsons, Malone Given Parsons Ltd.):  
- copy of presentation

Re: Items D 1, D 2 and D 3:  
- Individualized Evaluation Scoring Sheet for each Bidder:  
  o Robertson Consulting (green)  
  o Davies Howe Partners LLP (blue)  
  o Malone Given Parsons Ltd. (yellow)

Mayor Jeffrey outlined an ethical conflict that she felt she had, as a result of a lobbying effort on the part of one of the bidders. She provided comments with respect to the process for the selection of a facilitator, and timelines for a decision by Council on the LRT.

The Mayor removed herself from consideration of this matter and left the meeting. City Councillor Bowman, Acting Mayor, assumed the position of Chair.
B. Declarations of Interest under the Municipal Conflict of Interest Act – nil

C. Report

C 1. Report from Peter Honeyborne, Executive Director, Finance and Treasurer, Corporate Services, dated August 27, 2015, re: Hurontario-Main Light Rapid Transit Facilitation Services For City Council (File: BH.a).

Staff provided an overview of the subject report, highlighting the following:
- synopsis of the process to obtain bids
- Evaluation Principles
- Proposed Special Procedural Rules
- the Evaluation Principles and Proposed Special Procedural Rules are before Council for adoption

Council discussion took place with respect moving into Closed Session to receive advice from the Acting City Solicitor.

The following motion was introduced to move into Closed Session. As the motion was procedural in nature, a seconder was not required.

C270-2015 Moved by Regional Councillor Miles

That Council move into Closed Session to receive advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Council reviewed the recommendations in Report C 1, and considered the following motion.

C271-2015 Moved by City Councillor Bowman
Seconded by City Councillor Whillans

1. That the report from Peter Honeyborne, Executive Director, Finance and Treasurer, Corporate Services, dated August 27, 2015, to the Special Council Meeting of September 2, 2015, re: Hurontario-Main Light Rapid Transit Facilitation Services For City Council (File: BH.a) be received; and,

2. That the Evaluation Principles, as described in the report, be adopted to guide Council's evaluation of the respective Bidder Proposals; and,
3. That the Special Procedural Rules, as described in the report, be adopted as the decision-making process for Council’s consideration and decision for facilitation services.

Carried

D. Proposal Presentations

D 1. Mr. Peter Robertson – Robertson Consulting

Mr. Peter Robertson provided a presentation on his proposal, and responded to questions from Council.

During Mr. Robertson’s presentation, he was reminded not to speak about the financial aspects of his proposal.

In accordance with the Evaluation Principles and Special Procedural Rules that were adopted pursuant to Resolution C271-2015 above, no bidders were in the meeting during Council’s consideration and evaluation of Mr. Robertson’s proposal.

Following Council’s evaluation, Peter Honeyborne, Executive Director, Finance and Treasurer, Corporate Services, announced that Mr. Robertson received a score of 298 out of a possible 1000.

D 2. Mr. Jeff Davies – Davies Howe Partners LLP

Mr. Jeff Davies joined the meeting via remote access, and responded to questions from Council on his proposal.

In accordance with the Evaluation Principles and Special Procedural Rules that were adopted pursuant to Resolution C271-2015 above, no bidders were in the meeting during Council’s consideration and evaluation of Mr. Davies’ proposal.

Following Council’s evaluation, Peter Honeyborne, Executive Director, Finance and Treasurer, Corporate Services, announced that Mr. Davies received a score of 659 out of a possible 1000.

D 3. Mr. Lee Parsons – Malone Given Parsons Ltd

Mr. Lee Parsons provided a presentation on his proposal, and responded to questions from Council.
In accordance with the Evaluation Principles and Special Procedural Rules that were adopted pursuant to Resolution C271-2015 above, no bidders were in the meeting during Council’s consideration and evaluation of Mr. Parson’s proposal.

Following Council’s evaluation, Peter Honeyborne, Executive Director, Finance and Treasurer, Corporate Services, announced that Mr. Parsons received a score of 838 out of a possible 1000.

A summary of scores for the three bidders was displayed for Council’s reference. Mr. Honeyborne announced that Mr. Parsons received the highest final score.

In accordance with the process adopted by Council, the price schedule for Mr. Parsons’ bid was announced, as follows:

- To provide all services, materials, labour and equipment necessary to complete the Project described in the Terms of Reference including the cost of all related disbursements, all in accordance with the Proposal Document:
  - $54,030.95 (including HST)
- Additional Price:
  - $9,310.00 per full-day workshop
- Where the Bidder receives written instructions from the Owner to provide services that are clearly in addition to the scope of work described in the Bid Document:
  - Hourly Rates:
    - Lee Parsons: $350.00
    - Grainne Fahy: $160.00
    - Nicole George: $150.00

In response to questions from Council, Mr. Honeyborne provided the following:

- timelines can be imposed on the winning bidder during the Purchasing Agent’s negotiations
- if negotiations are not successful with the winning bidder, the Purchasing Agent will advise the City Clerk and request that a Special Council meeting be arranged to obtain further direction from Council

Council discussion took place with respect to LRT facilitation services, and included:

- concern about the cost associated with the facilitation process
- ability to undertake the facilitation process prior to the Special Council Meeting of September 16, 2015
A motion was introduced to not select a facilitator nor proceed with any facilitation process, and that any questions from individual Members regarding the HMLRT be provided to staff for a response to Council.

Council discussion on the motion included:
- varying opinions with respect to the need for a facilitation process
- potential postponement of the Special Council meeting to provide additional time for the facilitation process
- need for a final date for Council’s decision to be identified by the Province
- requirement for additional information and responses to questions from Council prior to a decision on the HMLRT

During Council discussion, a procedural motion to call the question was introduced. In accordance with the Procedure By-law, Members who had not spoken on this matter were given the opportunity to do so.

The procedural motion to call the question was voted on and carried.

The motion to not proceed with facilitation services was considered as follows.

\textit{C272-2015 Moved by Regional Councillor Medeiros Seconded by City Councillor Fortini}

\textit{That an LRT facilitator not be selected and Council not proceed with any facilitation process, due to timelines and costs of the facilitator, and that any questions that individual Members have re the HMLRT be provided to staff for a response to Council.}

A recorded vote was requested and the motion \textit{lost} as follows:

\begin{tabular}{l l l}
\textbf{Yea} & \textbf{Nay} & \textbf{Absent} \\
Fortini & Gibson & Jeffrey \\
Medeiros & Miles & Sprovieri \\
Dhillon & Bowman & \\
& Palleschi & \\
& Whillans & \\
& Moore & \\
\end{tabular}

Lost
3 Yeas
6 Nays
2 Absent
A motion was introduced to proceed with the facilitation process, request that the Mayor reschedule the September 16th Special Council Meeting, and request that the Mayor consult with the Province of Ontario for a deadline date for a Council decision on the HMLRT.

In response to questions from Council, staff provided the following:

- the scope of facilitation discussions will be at Council’s discretion
- confirmation that any motions placed at the Special Council Meeting of July 8, 2015, that were not voted on, are null and void
- overview of Council’s August 12, 2015 Resolution that the facilitation process include the opportunity for Council to validate the information and statistical data provided by Metrolinx

The motion to proceed with the facilitation process was considered as follows.

C273-2015  Moved by Regional Councillor Miles  Seconded by City Councillor Whillans

1. That the following proposal presentations, to the Special Council Meeting of September 2, 2015, be received:
   1. Peter Robertson, Robertson Consulting
   2. Jeff Davies, Davies Howe Partners LLP
   3. Lee Parsons, Malone Given Parsons Ltd.; and,

2. That the contract for Hurontario-Main Light Rail Transit Facilitation Services for City Council be awarded to Malone Given Parsons Ltd., who received the highest score of 838; and,

3. That the Purchasing Agent be authorized to enter into contract negotiations and execute the contract for services with the winning Bidder, in order that the work plan timelines can be achieved prior to the Special Meeting Council holds on the HMLRT matter, and should negotiations fail, the Purchasing Agent advise the City Clerk and request that a Special Council meeting be arranged to obtain further direction from City Council; and,

4. That, given the proposed facilitation work plan timeline as recommended by Malone Given Parsons Ltd. in their proposal, the Mayor be requested to re-schedule the date of the scheduled Special Council Meeting on September 16, 2015 at 7:00 pm., to a future date to allow time for the Council-awarded facilitation process to occur prior to the Special Meeting; and,

5. That the Mayor be requested to consult with the Province of Ontario in order to obtain a deadline date for a Council decision on the
HMLRT, in order that Council can convene a Special Meeting and make a decision before such date.

A recorded vote was requested and the motion carried as follows:

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<thead>
<tr>
<th>Yea</th>
<th>Nay</th>
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<td>Gibson</td>
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Carried
6 Yeas
3 Nays
2 Absent

E. **Public Question Period**

1. George Startup, Brampton resident, asked about the timelines for Council’s decision on the HMLRT.

2. Don McLeod, Brampton Focus, asked about potential conflicts of interest for Members of Council, in the event that any of the three bidders made contributions to Members’ election campaigns. Staff indicated that all three bidders indicated in their proposals that they do not have a conflict, and that the proposals can only be evaluated based on what was submitted.

F. **Confirming By-law**

The following motion was considered.

C274-2015 Moved by City Councillor Whillans
Seconded by City Councillor Bowman

That the following By-law before Council at its Special Meeting of September 2, 2015 be given the required number of readings, taken by the Mayor and the City Clerk and the Corporate Seal affixed thereto.

196-2015 To confirm the proceedings of the Special Council Meeting held on September 2, 2015

Carried
G. **Adjournment**

The following motion was considered.

**C275-2015**  Moved by City Councillor Bowman
Seconded by City Councillor Whillans

That this Council do now adjourn to meet again for a Regular Meeting of Council on Wednesday, September 16, 2015 at 1:00 p.m., or at the call of the Mayor.

Carried

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City Councillor J. Bowman, Acting Mayor

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P. Fay, City Clerk