

# Ottawa Light Rail Commission

Rock Fortier  
on Monday, May 16, 2022



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6	OTTAWA LIGHT RAIL COMMISSION
7	CITY OF OTTAWA - ROCK FORTIER
8	MAY 16, 2022
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12	--- Held via Zoom Videoconferencing, with all
13	participants attending remotely, on the 16th day of
14	May, 2022, 9:00 a.m. to 11:50 a.m.
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COMMISSION COUNSEL:

Christine Mainville, Co-Lead Counsel Member  
Emily Young, Litigation Counsel Member

PARTICIPANTS:

Rock Fortier, City of Ottawa  
Jesse Garner & Lauren Gruenberger, Singleton  
Urquhart Reynolds Vogel LLP

ALSO PRESENT:

Joanne Lawrence, Stenographer/Transcriptionist  
Shahed Abdul-Dayem, Virtual Technician

1 -- Upon commencing at 9:07 a.m.

2           EMILY YOUNG: Good morning,  
3 Mr. Fortier. Just before we get into your evidence  
4 and some questions, I'll give a brief introduction  
5 about the purpose of the interview. The purpose of  
6 today's interview is to obtain your evidence under  
7 oath or solemn declaration for use at the  
8 Commission's public hearings. This will be a  
9 collaborative interview such that my cocounsel,  
10 Ms. Mainville, may intervene to ask certain  
11 questions. If time permits, your counsel may also  
12 ask follow-up questions at the end of the  
13 interview.

14           The interview is being transcribed, and  
15 the Commission intends to enter this transcript  
16 into evidence at the Commission's public hearings,  
17 either at the hearings or by way of procedural  
18 order before the hearings start. The transcript  
19 will be posted to the Commission's public website,  
20 along with any corrections made to it, after it is  
21 entered into evidence. The transcript, along with  
22 any corrections later made to it, will be shared  
23 with the Commission's participants and their  
24 counsel on a confidential basis before being  
25 entered into evidence. You will be given the

1 opportunity to review your transcript and correct  
2 any typos or other errors before the transcript is  
3 shared with participants or entered into evidence.  
4 Any nontypographical corrections made will be  
5 appended to the transcript.

6 Pursuant to Section 33(6) of the Public  
7 Inquiries Act (2009):

8 "A witness at an inquiry shall  
9 be deemed to have objected to answer  
10 any question asked of him upon the  
11 ground that his answer may tend to  
12 incriminate the witness or may tend  
13 to establish his liability to civil  
14 proceedings at the instance of the  
15 Crown or of any person, and no  
16 answer given by a witness at an  
17 inquiry shall be used or be  
18 receivable in evidence against him  
19 in any trial or other proceedings  
20 against him thereafter taking place,  
21 other than a prosecution for perjury  
22 in giving such evidence."

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

1 And if you need a break at any point throughout the  
2 interview, just let us know and we'll take one, but  
3 so that you know in advance, we generally take a  
4 break around 10:30. Does that sound all okay?

5 ROCK FORTIER: Yeah. I'm not too too  
6 sure about the legalese and what that entailed  
7 there, that section that you said in that I may  
8 object at any time. I guess, what does that mean?

9 CHRISTINE MAINVILLE: I don't want to  
10 give you counsel, but it's more in the sense of  
11 affording you protections. I don't know, Jesse, if  
12 you want to elaborate.

13 JESSE GARDNER: Sure. So, Rock, if at  
14 any time there's reason to object to a question,  
15 I'll raise an objection.

16 ROCK FORTIER: Sounds good.

17 EMILY YOUNG: Perfect. So first I want  
18 to talk a bit about your training and experience,  
19 Mr. Fortier, so I'm going to put your CV up on the  
20 screen. Can you see it?

21 ROCK FORTIER: Yeah.

22 EMILY YOUNG: Okay. And can you  
23 confirm for us that this is in fact your CV and  
24 that it is up to date?

25 ROCK FORTIER: I can confirm that, yes.

1                   EMILY YOUNG: Okay. Wonderful. So can  
2 you tell us a bit about your background and  
3 experience as it relates to the work that you did  
4 on Stage 1 of the LRT.

5                   ROCK FORTIER: So just as it relates to  
6 the LRT itself?

7                   EMILY YOUNG: What I'm interested in is  
8 any experience you have or education that you have  
9 that you brought to bear on your work on the LRT.  
10 And we'll talk more in detail about the actual work  
11 on the LRT shortly.

12                  ROCK FORTIER: Okay. So I graduated in  
13 '87, and my wife was military, so we moved around  
14 the country every 3 or 4 years, so I would change  
15 jobs and work for different consulting engineers  
16 based on where we were located. And some of the  
17 work was -- it was all design engineering, so some  
18 of the work was structural design - you know,  
19 industrial buildings, restaurants, A&Ws and that  
20 type of stuff - and so -- and the other type of  
21 work is municipal engineering - so municipal  
22 infrastructure, water mains, sewers, what have you,  
23 roads, and subdivision planning - so, you know,  
24 basically working with the municipalities to -- for  
25 the developer designing subdivisions.

1                   Then when we moved to Ottawa in 2009,  
2 my wife retired, and basically I joined the City in  
3 the construction services division, and I was a  
4 project manager delivering projects for the City,  
5 so basically a construction project manager in  
6 arterial roads, roundabouts installation, public  
7 open houses, that type of stuff. And in 2011, the  
8 LRT was looking for project managers, and I applied  
9 to join the LRT office, I guess, and work as a  
10 project manager for the LRT.

11                   EMILY YOUNG: And your education is in  
12 civil engineering?

13                   ROCK FORTIER: Correct.

14                   EMILY YOUNG: Can you explain just  
15 briefly for a layperson what design engineering  
16 means.

17                   ROCK FORTIER: Doing calculations to  
18 figure out the sizes of a beam, let's say, in  
19 structural engineering terms, the size of  
20 foundations as opposed to -- and then I guess -- so  
21 designing engineering for -- structurally, would do  
22 that type of work, and design engineering for  
23 municipalities -- or for municipal infrastructure  
24 is sizing a sewer, sizing a water main, figuring  
25 out where to put the hydrants and that type of



1 stuff.

2 EMILY YOUNG: Okay. Thank you. Did  
3 you have any experience working in rail before you  
4 started working on the LRT project?

5 ROCK FORTIER: None.

6 EMILY YOUNG: And had you had any  
7 experience working on public-private partnership  
8 projects, also known as alternative financing  
9 procurement?

10 ROCK FORTIER: No P3 experience, no.

11 EMILY YOUNG: And it sounds like, based  
12 on the description you gave earlier, when you first  
13 started with the City, from 2009 to 2011, you did  
14 not do any work that related to the LRT?

15 ROCK FORTIER: Correct.

16 EMILY YOUNG: And then in 2011, 2012,  
17 you started as a senior engineer at the light rail  
18 office.

19 ROCK FORTIER: That's right. My  
20 official title was senior engineer. I was acting  
21 as a project manager, yeah.

22 EMILY YOUNG: Okay. And is the light  
23 rail office, is that also known as the Rail  
24 Implementation Office, or is there a difference  
25 between those two?

1                   ROCK FORTIER: No, that's the same  
2 thing, rail, yeah.

3                   EMILY YOUNG: And who was managing you  
4 at that time, 2011 to 2012?

5                   ROCK FORTIER: Gary Craig.

6                   EMILY YOUNG: Okay. And what you have  
7 in your CV here is that at that time, you were  
8 overseeing Capital Transit Partners' work on  
9 developing the project-specific output  
10 specifications for the civil and environmental  
11 components of the Ottawa LRT; is that right?

12                  ROCK FORTIER: That's correct, yes.

13                  EMILY YOUNG: Can you tell us a bit  
14 more about what that involved?

15                  ROCK FORTIER: Sure. The civil  
16 component into the -- well, the guideway, which is  
17 essentially the right-of-way of the train, so in  
18 the -- in the road fashion, you say the  
19 right-of-way. In a light rail, you say a guideway.  
20 So everything that's in there, from retaining walls  
21 to the track, the ballasts, any of the switches and  
22 that type of stuff.

23                               And so also under the civil umbrella,  
24 you would have any of the road works that are  
25 required to be built by the proponent to -- you

1 know, like, detours. In Ottawa, we had to build a  
2 bridge over one of the stations. We had to build  
3 a -- a number of detours. So you would -- you  
4 would look at the -- that component, and under the  
5 environmental file, one of my colleagues would look  
6 at the process, I guess, of following the City  
7 guidelines for noise abatement and the process  
8 for -- if they had blasting required and that type  
9 of stuff, and I would look at the technical aspect  
10 of that. So what the maximum -- the noise levels  
11 we would -- we would accept, I guess. So we -- I  
12 would look at the technical aspect of the  
13 environmental file.

14 EMILY YOUNG: And in terms of  
15 overseeing CTP's work, does that mean that CTP was  
16 essentially in charge of writing the PSOS?

17 ROCK FORTIER: That's correct, yes. So  
18 we were on the 21st floor of the Bell building, and  
19 they were on the 24th, and we would have a number  
20 of meetings to discuss the PSOS and its  
21 development, and we would red flag and discuss  
22 amongst us as to if -- if what they were writing  
23 was in line with City specs.

24 EMILY YOUNG: And what would -- where  
25 would you get those City specs? Where did those

1 come from?

2 ROCK FORTIER: So the Planning  
3 Department at the City basically has a lot of  
4 guidelines with regards to development of sites,  
5 let's say, right, so that the -- they -- they  
6 develop the guidelines for, you know, the blasting  
7 specs and what have you, and I was exposed to those  
8 at the Construction Services Division because some  
9 of the -- of our roadway, we needed to blast rock,  
10 right? So -- so the City has those guidelines in  
11 place, and we would just merge the two together,  
12 make sure we were following the right -- the right  
13 guidelines.

14 EMILY YOUNG: And were those guidelines  
15 specific to rail in any way?

16 ROCK FORTIER: No. No. The City, not  
17 having any light rail projects on the go, didn't  
18 have any guidelines, so we needed to -- because I  
19 was using the civil aspect of it, you know,  
20 municipal stuff, I would follow the construction  
21 specs and the planning specs. Under the track work  
22 and that type of stuff, we didn't have any  
23 guidelines to follow, so I would depend heavily on  
24 CTP's expertise.

25 EMILY YOUNG: Okay. And then it

1 says -- we have on your CV that from 2012 to 2021,  
2 you worked as a program manager in the same office.

3 ROCK FORTIER: Right. So in 2012, we  
4 started hiring more City staff because we were  
5 getting overwhelmed with the work, I guess, just  
6 very busy, and so I was promoted to program manager  
7 and we -- I had staff that was reporting to me,  
8 developing these guidelines.

9 EMILY YOUNG: And what guidelines were  
10 you developing?

11 ROCK FORTIER: Again, the civil and  
12 environmental file.

13 EMILY YOUNG: Okay. And so your work  
14 changed in the sense that you now had people  
15 reporting to you?

16 ROCK FORTIER: Correct.

17 EMILY YOUNG: Did it change in any  
18 other way from your previous role?

19 ROCK FORTIER: No, not really. No.

20 EMILY YOUNG: Okay. And so just to  
21 drill down a little bit on some of the tasks that  
22 you listed here that you did in that role, you said  
23 that you were involved in evaluating bids during  
24 procurement?

25 ROCK FORTIER: Correct, yeah.

1           EMILY YOUNG: And what would that have  
2 looked like? Was that similar to your work  
3 evaluating the PSOS, or how did that differ?

4           ROCK FORTIER: So we, you know, did  
5 bids review, so we were basically in a separate  
6 room, and so my staff didn't review the bids, I  
7 did, with CTP, and we would comment with regards  
8 to -- look at the bids and look at whether or not  
9 we felt that the bids were met -- met the PSOS,  
10 basically.

11           EMILY YOUNG: And were you still  
12 focussed at that time on the civil and  
13 environmental aspects of the project?

14           ROCK FORTIER: Correct. Correct. So  
15 the proponents had the opportunity to present their  
16 proposal to us, and when the civil file came up, I  
17 would attend the presentation. When the station  
18 file came up, I would not attend, for instance, so  
19 just for an example.

20           EMILY YOUNG: Okay. And you mentioned  
21 CTP as on the evaluation team. Was there anyone  
22 else who was on the evaluation team with you?

23           ROCK FORTIER: No.

24           EMILY YOUNG: And from your  
25 perspective, did RTG emerge from that process as

1 the clear winner?

2 ROCK FORTIER: Under the  
3 environmental -- under the civil file, I think all  
4 proponents had equal -- equal bids, I guess.

5 EMILY YOUNG: Were there any particular  
6 issues that arose in respect of the civil file  
7 throughout procurement?

8 ROCK FORTIER: Throughout procurement?  
9 No. We were -- we were worried a bit as to how to  
10 implement the initial detour at Laurier, but we  
11 felt that those details could be worked out during  
12 the detail design.

13 EMILY YOUNG: Were you involved in  
14 preparing the staff report that went to council  
15 recommending the selection of RTG?

16 ROCK FORTIER: No.

17 EMILY YOUNG: Who would have been  
18 responsible for preparing that report?

19 ROCK FORTIER: I'm assuming Gary, from  
20 the technical aspect.

21 EMILY YOUNG: Okay. And can you tell  
22 us what you mean by "review of fixed facilities  
23 milestones"?

24 ROCK FORTIER: So fixed facilities is  
25 the term that we would use to -- to define the...

1 Define the term for, basically, the stations, the  
2 civil works. So when I -- I was asked to review  
3 the milestone payment for the maintenance and  
4 storage facility, for instance, so that's a fixed  
5 facility. I was asked to review the status of the  
6 aboveground stations in the eastern stations, so I  
7 would -- I would review those -- those milestones,  
8 basically just go to the stations, prepare a short  
9 internal document and give it to Gary to -- to show  
10 him the status of those fixed facilities at the  
11 time.

12           EMILY YOUNG: And you've also written  
13 here that near -- towards the end of Stage 1, you  
14 were tracking deficiencies in most of the  
15 infrastructure aspects of the project, including  
16 underground stations, the tunnel, the track work,  
17 and the guideway.

18           ROCK FORTIER: That's correct, yeah.

19           EMILY YOUNG: When did that work start,  
20 that tracking of deficiencies?

21           ROCK FORTIER: When did it start? I  
22 mean, we -- we had staff visit the station on a  
23 weekly basis, take pictures, and -- and track  
24 deficiencies that they saw. So we would not  
25 necessarily sit down with RTG and discuss those



1 deficiencies because they said at the time that  
2 they were still -- it was still a work in progress,  
3 so some of the work they describe as -- this is not  
4 a deficiency; it is just something we haven't done  
5 yet.

6           So we would track it internally so that  
7 we would eventually get to it, I guess. So I think  
8 we probably started doing that, you know, in  
9 construction when we started seeing the finishes  
10 being applied to the stations, so, you know,  
11 2016 -- late '16 to '17 type of deal.

12           EMILY YOUNG: And who would you be  
13 reporting that information to?

14           ROCK FORTIER: We would sit down with  
15 Gary and discuss those.

16           EMILY YOUNG: And you had the staff  
17 that you were supervising who were going out into  
18 the field and taking the photos and assessing the  
19 state of stations, for example?

20           ROCK FORTIER: Correct. So every week,  
21 staff -- basically we sat down on Monday morning as  
22 a group and did a presentation with pictures  
23 showing the progress of the stations, so it  
24 wouldn't really be a deficiency meeting. It would  
25 just be a construction progress update so that the

1 whole staff would understand how the road work's  
2 coming along, how the stations are coming along,  
3 and how the tunnel is coming along.

4 EMILY YOUNG: And are you aware whether  
5 Mr. Craig would then report that on to others?

6 ROCK FORTIER: No, I'm not aware.

7 EMILY YOUNG: You mention here as well  
8 that staff were departing the project during the  
9 later stages. What do you mean by that?

10 ROCK FORTIER: So we had a -- what we  
11 called a tunnel lead and a underground station  
12 lead, so they were responsible for tracking the  
13 progress of the tunnel, basically, or the progress  
14 of the underground stations. Initially I had the  
15 aboveground stations on the east side of the  
16 tunnel, and another program manager had the  
17 aboveground stations on the west side of the  
18 tunnel. So in 2017, we lost both the -- the  
19 underground station lead and the tunnel lead, so we  
20 had to reorganize the office and reorganize our  
21 responsibilities accordingly.

22 EMILY YOUNG: Do you know why you lost  
23 them?

24 ROCK FORTIER: No. Just staff  
25 turnover. They weren't City staff, so...

1                   EMILY YOUNG: They were consultants?

2                   ROCK FORTIER: Correct.

3                   EMILY YOUNG: And after the start of  
4 service, what did your role look like?

5                   ROCK FORTIER: After start of service,  
6 it was mainly tracking the deficiencies and closing  
7 out some of the -- I guess the claim -- the  
8 variation -- variations that we did on the project  
9 that we were still negotiating with RTG.

10                  EMILY YOUNG: And did those all get  
11 resolved?

12                  ROCK FORTIER: Yeah. I mean, we --  
13 yes, up until my departure -- I retired in March of  
14 2021, and there were still some deficiencies on the  
15 fixed facility file that Gary was tracking.

16                  EMILY YOUNG: Okay. And who stepped  
17 into your role when you retired?

18                  ROCK FORTIER: Gary and I were the last  
19 two standing, so basically I left, and he was by  
20 himself.

21                  EMILY YOUNG: And was that because  
22 construction had essentially wrapped up for  
23 Stage 1?

24                  THE WITNESS: That's correct, yeah.

25                  EMILY YOUNG: Okay. So I'll just take

1 down your CV. And, madam reporter, if we could  
2 make that the first exhibit.

3 EXHIBIT 1: CV of Rock Fortier

4 EMILY YOUNG: Could you just clarify  
5 for me what the relationship is between the Rail  
6 Implementation Office and O-Train Construction,  
7 whether they're the same or if there's any  
8 difference?

9 ROCK FORTIER: It's -- it's the same.  
10 It's the same.

11 EMILY YOUNG: And how did you  
12 understand the mandate of the RIO OTC?

13 ROCK FORTIER: Well, RIO basically was  
14 its own -- I'm not sure I'm using the right terms  
15 here, but its own department, whereas later on in  
16 the file, like, we were -- our mandate was to  
17 deliver a project to OC Transpo, who was our  
18 client. Later on in the file, we became a part of  
19 the transportation planning, so we became part of  
20 John Manconi's organization. So -- and then they  
21 rebranded the office because they -- they did the  
22 O-Train construction line 1, line 2, so we would  
23 have the LRT line and the O-Train line, I guess,  
24 that we called.

25 EMILY YOUNG: And did that shift happen

1 when there was the reorganization that occurred in  
2 2015?

3 ROCK FORTIER: That sounds about right.

4 EMILY YOUNG: Did that change your work  
5 in any meaningful way?

6 ROCK FORTIER: It involved more  
7 reporting for Gary to John, and they started -- OC  
8 Transpo started tracking more aggressively the  
9 opening sequence that needed to be done for opening  
10 the -- on time, basically. So what they would  
11 call -- they had the RAMP, and I'm not sure what  
12 the acronym stands for. It's... It's --

13 EMILY YOUNG: Rail Activation  
14 Management Program, perhaps?

15 ROCK FORTIER: Plan --

16 EMILY YOUNG: Plan, okay.

17 ROCK FORTIER: -- maybe program, yeah.  
18 So they had RAMP meetings, and every once in a  
19 while I would act for Gary when he was on vacation,  
20 and I would have to present the status file, I  
21 guess, to the RAMP.

22 EMILY YOUNG: Do you recall when RAMP  
23 started?

24 ROCK FORTIER: I do not.

25 EMILY YOUNG: Was it John Manconi who

1 would have created it or someone else?

2 ROCK FORTIER: I'm -- I don't know. I  
3 guess John was attending, so -- but he had -- he  
4 did have a consultant, Joe North, that was leading  
5 the program, I guess.

6 EMILY YOUNG: Okay. And is Joe North  
7 from STV?

8 ROCK FORTIER: Yeah, I think so.

9 EMILY YOUNG: Okay. And what did you  
10 understand the purpose of RAMP to be?

11 ROCK FORTIER: It -- it was the --  
12 tracking -- tracking to make sure that  
13 everything -- because the LRT program is -- has  
14 very many facets to be able to open, so we needed  
15 to, for instance, make sure that our vehicles were  
16 ready; we needed to make sure that the stations  
17 were ready, the fare gates were ready, and somebody  
18 also needed to make the decision whether or not  
19 fare gates was critical to opening on time, you  
20 know, because there were talks about, you know, if  
21 fare gates are not ready, can we open without fare  
22 for 1 or 2 months, something like that. So those  
23 high-level discussions were done at the RAMP  
24 meetings.

25 EMILY YOUNG: Do you recall who else

1 was involved in RAMP, aside from Joe Manconi, Joe  
2 North, Gary Craig when he was there?

3 ROCK FORTIER: So it's John Manconi,  
4 but --

5 EMILY YOUNG: Sorry.

6 ROCK FORTIER: So the -- yeah, that's  
7 fine. So Richard Holder was there, for instance,  
8 right, and he would -- I think he would track the  
9 vehicles and the systems aspect of the LRT, so,  
10 like, the CCTV cameras and that type of items, you  
11 know, like, the emergency phones and what have you.  
12 And from the LRT office, I think that's pretty much  
13 it.

14 There was also obviously OC Transpo  
15 employees there because they were responsible for  
16 implementation of the fare gates, and they were  
17 tracking -- well, we were tracking the station, so  
18 I do know that we had probably eight people around  
19 the table, and John had three -- three persons who  
20 would fly in from the States every once in a while  
21 to -- to come in and look at those meetings and --  
22 and see how we were tracking compared to -- because  
23 they had a vast experience of implementing LRT  
24 projects.

25 EMILY YOUNG: And when you were

1 involved in RAMP, you would have been reporting on  
2 the status of station construction. Was there  
3 anything else that you were also reporting on?

4 ROCK FORTIER: Well, likely the track  
5 work, how that was progressing. And, you know,  
6 obviously the tunnel.

7 EMILY YOUNG: And do you recall that  
8 there was a go/no-go list that was part of RAMP's  
9 work?

10 ROCK FORTIER: Now that you mention it,  
11 I do recall that there was a go/no-go, but I  
12 don't -- I didn't attend enough meetings to really  
13 understand what that list -- like, it wasn't  
14 really -- it's a high-level discussion, obviously,  
15 and I wasn't part of any of those negotiations.

16 EMILY YOUNG: And do you remember that  
17 it was something that would show, you know, beside  
18 a certain critical element green, yellow, red? Is  
19 that something you remember?

20 ROCK FORTIER: Yeah. So that's --  
21 that's what -- we would colour code our -- our --  
22 our stuff that we were tracking, and -- and I guess  
23 that's part of the discussion where, you know, did  
24 the fare gates really belong on the go/no-go list  
25 and that type of stuff, right? So...



1                   EMILY YOUNG: Right. And so if  
2 something was considered critical and was on that  
3 list, that would mean you can't start service  
4 without it.

5                   ROCK FORTIER: Correct.

6                   EMILY YOUNG: Do you remember whether  
7 there were any debates about what should be  
8 considered critical and what should not be?

9                   ROCK FORTIER: I don't recall. I  
10 don't -- I wasn't part of those discussions, if --  
11 I'm sure they happened, but I wasn't part of the  
12 discussions.

13                   EMILY YOUNG: Do you know whether the  
14 City made decisions or took any action based on  
15 what was being discussed in RAMP and then what the  
16 findings of those reporting to RAMP were?

17                   ROCK FORTIER: Oh, I -- so you're  
18 asking me if I know. You know, obviously it  
19 affected what we were reporting at our level to  
20 Gary, so Gary would say, okay, well, I need to  
21 track these items more aggressively, or that type  
22 of stuff. So I guess it did impact, yeah. So -- I  
23 don't know what else to say to that question.

24                   EMILY YOUNG: So Gary Craig would  
25 receive instructions at RAMP about what his staff

1 should be looking at most closely.

2 ROCK FORTIER: Right.

3 EMILY YOUNG: And would that generally  
4 be based on what the City was worried about?

5 ROCK FORTIER: Yes. Yes.

6 EMILY YOUNG: Do you remember what  
7 those things were?

8 ROCK FORTIER: Obviously the vehicles  
9 were of interest, right? So -- and everything that  
10 is on there, and then after the -- we were -- we  
11 had -- we had leaks in the tunnel, for instance,  
12 that were still happening fairly late in the  
13 process, so we were asked to look at those areas  
14 because it's not too, too bad in the summer months  
15 to have the leaks, but in the winter, it turns to  
16 ice, so we were asked to track the leaks because  
17 they were -- they were injecting -- I guess  
18 pressure injecting sealant so -- to stop those  
19 leaks, so they asked us to track those, for  
20 instance.

21 EMILY YOUNG: And ultimately RTG  
22 finished that work, and they filled all the leaks?

23 ROCK FORTIER: Yes, yeah.

24 EMILY YOUNG: And if you or your staff  
25 or anyone in your office spotted issues with

1 progress or had concerns, what tools were available  
2 to the City to respond to those concerns?

3 ROCK FORTIER: So we would have a  
4 weekly meeting with RTG, so Gary, myself, and the  
5 other program manager would attend these weekly  
6 meetings, and we had opportunities to discuss our  
7 major concerns at that table.

8 EMILY YOUNG: So you would raise your  
9 concerns with RTG, discuss them, and then  
10 presumably monitor the things that you were  
11 concerned about.

12 ROCK FORTIER: Correct.

13 EMILY YOUNG: And these weekly meetings  
14 with RTG, did those happen throughout the entirety  
15 of construction, or did they start at a certain  
16 point in time?

17 ROCK FORTIER: Yeah, I believe that --  
18 yeah, they started at the -- it might have been  
19 biweekly. I can't recall. But I know that we were  
20 actively engaged with them right from the start.

21 EMILY YOUNG: Who would you have been  
22 dealing with on the RTG side at those meetings?

23 ROCK FORTIER: So the technical  
24 director was Roger Schmidt, so he would lead the  
25 technical design type of deal, and on the

1 construction side, it was Tim Stewart that I dealt  
2 with.

3 EMILY YOUNG: And on the City side, it  
4 would be you, Mr. Craig, Mr. Holder? Anyone else?

5 ROCK FORTIER: Abdol Nouraeyan.

6 EMILY YOUNG: And just going back to  
7 RAMP, do you think that RAMP was effective in  
8 achieving its purpose?

9 ROCK FORTIER: Yes, I -- I believe that  
10 it's a necessary tool to be able to track, you  
11 know, what is absolutely required to open the  
12 system.

13 EMILY YOUNG: And would you also have  
14 been receiving reliability reports from Alstom at  
15 that time?

16 ROCK FORTIER: I -- I did not deal with  
17 the vehicles, so...

18 EMILY YOUNG: That was under  
19 Mr. Holder's branch?

20 ROCK FORTIER: Yeah, correct.

21 EMILY YOUNG: Okay. But you, I assume,  
22 would have been aware of some of the challenges  
23 that the trains were facing around 2019 when RSA  
24 was approaching?

25 ROCK FORTIER: Over a beer or something

1 like that, something may have been mentioned,  
2 and -- but let's just say I had enough on our plate  
3 to track and -- that -- to delve into details on  
4 another branch's duties...

5           EMILY YOUNG: Fair enough. Do you  
6 think, going back to RIO and OTC, that your office  
7 had the expertise and the resources that you needed  
8 to do your work?

9           ROCK FORTIER: So as a City staff, not  
10 having any LRT experience, that's the purpose of  
11 hiring subject matter experts who can guide us to  
12 write a proper performance spec and to track the  
13 implementation of that system. So that was the  
14 purpose of hiring CTP, and so that they could guide  
15 us down the right path, I guess.

16           EMILY YOUNG: Were there other subject  
17 matter experts aside from CTP that the City office  
18 also worked with?

19           ROCK FORTIER: Yes. So we -- like, we  
20 had consultants as -- working as -- almost  
21 integrated with City staff. I mentioned the tunnel  
22 lead and the underground station lead. And we also  
23 had a station lead, I guess, that would work very  
24 closely with the architect, CTP's architect, and we  
25 had a vehicle and systems lead that was also a

1 non-City staff, I guess, a consultant. So wherever  
2 our -- Gary felt that he needed expertise, he  
3 reached out to the industry and got that subject  
4 matter expertise.

5 EMILY YOUNG: And who were the  
6 consultants that were reporting to you?

7 ROCK FORTIER: Like, you mean CTP?

8 EMILY YOUNG: CTP or the tunnel lead --

9 ROCK FORTIER: Yeah, so the tunnel lead  
10 didn't report to me. He reported right to Gary,  
11 right? When the tunnel lead left, the tunnel was  
12 basically completed, and he was just at that point  
13 tracking deficiencies. And so when he left,  
14 because our workload as a group also went down, I  
15 took over tracking those deficiencies since I was  
16 in the tunnel already tracking the track work. So  
17 I didn't have any consultants reporting to me other  
18 than basically working with CTP.

19 EMILY YOUNG: And what was the tunnel  
20 lead's name?

21 ROCK FORTIER: Robert Freedman.

22 EMILY YOUNG: You mentioned that  
23 Mr. Craig would look to consultants in the industry  
24 to bolster the City's expertise wherever necessary.  
25 Do you think that there were any gaps left, or did

1 he manage to cover everything?

2 ROCK FORTIER: I believe we were  
3 adequately covered.

4 EMILY YOUNG: Was there any kind of  
5 plan or document that governed your department's  
6 work?

7 ROCK FORTIER: Well, like, I mean, of  
8 course there -- being a City department, you need  
9 to have plans in place, like emergency management  
10 plans and that type of stuff, but I don't think  
11 that's what you're hinting at.

12 EMILY YOUNG: Yeah, something more like  
13 a project management plan or that sort of thing.

14 ROCK FORTIER: No, I don't -- I don't  
15 know. That would be in Gary's hands, I guess.

16 EMILY YOUNG: Okay. And how many  
17 people did you have that were reporting to you?

18 ROCK FORTIER: Probably five or six at  
19 the most, maybe seven.

20 EMILY YOUNG: You reported to  
21 Mr. Craig, and he would then report to Steve  
22 Cripps; is that right?

23 ROCK FORTIER: Correct.

24 EMILY YOUNG: And in your work, did you  
25 have interactions with other parts of the City like

1 OC Transpo and the Executive Steering Committee for  
2 the LRT?

3 ROCK FORTIER: Yeah, so not the  
4 Executive Steering Committee; however, I did  
5 interact with OC Transpo, especially near the end  
6 of the project, that -- 2018, '19 type of deal  
7 where they had substantial challenges implementing  
8 the fare gates.

9 EMILY YOUNG: And the fare gates, I  
10 understand, are a point of dispute between the City  
11 and RTG?

12 ROCK FORTIER: It was, yes.

13 EMILY YOUNG: Okay. So going back a  
14 bit to procurement, could you describe your role in  
15 procurement, to the extent that you haven't told us  
16 about it already, in terms of overseeing the PSOS.

17 ROCK FORTIER: Yeah. So -- no, I think  
18 I've covered it off entirely. I mean, I did  
19 mention the commercial briefing that they did to  
20 us, presentations and that type of stuff, so...

21 EMILY YOUNG: So it sounds like you did  
22 not have any role in reviewing or developing the  
23 PSOS for the vehicles.

24 ROCK FORTIER: That is correct.

25 EMILY YOUNG: Okay. Do you have a view



1 in general on the degree of prescriptiveness of the  
2 City's PSOS?

3 ROCK FORTIER: No. I think  
4 Infrastructure Ontario wanted us to be -- to  
5 leave -- to let the industry decide what is best to  
6 implement so that they would have more ability  
7 to -- as the experts in these systems, they would  
8 have a better ability to implement what they  
9 wanted.

10 EMILY YOUNG: Did the City follow that  
11 advice from Infrastructure Ontario?

12 ROCK FORTIER: We did.

13 EMILY YOUNG: Do you recall any  
14 proponents raising concerns about the  
15 prescriptiveness of the PSOS?

16 ROCK FORTIER: No, I don't recall. I  
17 don't -- they never raised it on my stuff. Yeah.

18 EMILY YOUNG: Do you recall that there  
19 were some changes made to station design in  
20 response to comments from any proponents?

21 ROCK FORTIER: No, I don't recall.

22 EMILY YOUNG: Okay.

23 ROCK FORTIER: I don't -- like, I  
24 wasn't part of those discussions if they happened.

25 EMILY YOUNG: Okay. Would you have any

1 knowledge -- I expect the answer is no, but on the  
2 City's requirement for 100 percent low floor  
3 vehicles?

4 ROCK FORTIER: No.

5 EMILY YOUNG: Okay. And any knowledge  
6 of the Canadian content requirement for vehicles?

7 ROCK FORTIER: Well, I knew that they  
8 needed to have 25 percent Canadian content, but I  
9 don't know anything about how that was reviewed, I  
10 guess.

11 EMILY YOUNG: Okay. And are you aware  
12 of the City ever asking the Province to change or  
13 reduce that requirement?

14 ROCK FORTIER: No.

15 EMILY YOUNG: Do you know why CAF was  
16 rejected as RTG's preferred vehicle supplier?

17 ROCK FORTIER: No. I don't know the  
18 acronym you're using. I don't know.

19 EMILY YOUNG: Okay. Do you have any  
20 recollection of how the specs for the rail line  
21 itself were developed?

22 ROCK FORTIER: So as I mentioned at the  
23 onset, I didn't have any track work experience  
24 myself, and I relied heavily on CTP to do it. I  
25 think their consultant, the overall project lead, I

1 guess, for CTP was Paul Beede who had track work  
2 and lead civil experience, but the track work  
3 design was done I believe out of California.

4 EMILY YOUNG: And do you recall what  
5 firm out of California was doing that?

6 ROCK FORTIER: I would -- I would think  
7 it would be under CT -- STV's umbrella, but I'm not  
8 sure. Like the PSOS, sorry. I said the design,  
9 but I meant the PSOS.

10 EMILY YOUNG: Do you recall how the  
11 speed profile for the system was developed?

12 ROCK FORTIER: The what profile?

13 EMILY YOUNG: The speed profile.

14 ROCK FORTIER: No.

15 EMILY YOUNG: And you mentioned you  
16 were involved in some of the commercially  
17 confidential meetings and some of the design  
18 presentation meetings throughout procurement. Do  
19 you remember any particular challenges or big  
20 issues that came up in those meetings?

21 ROCK FORTIER: No, other than the one I  
22 mentioned with regards to the detour that they were  
23 going to implement at the eastern portal, and we  
24 thought it would be a challenge to implement the --  
25 that detour in place.

1                   EMILY YOUNG: And was it ultimately a  
2 challenge?

3                   ROCK FORTIER: It was a challenge, and  
4 it involved a lot of meetings with OC Transpo as  
5 the reason it's a challenge is because the buses -  
6 and specifically the articulated buses - needed to  
7 navigate two sharp turns and queue up in time, so  
8 we needed a lot of City staff to discuss the signal  
9 design and the lane design, and we also needed  
10 property being leased from Ottawa U and a private  
11 developer on the other side.

12                  EMILY YOUNG: Was OC Transpo involved  
13 in those initial discussions about that detour?

14                  ROCK FORTIER: Not during the  
15 procurement stage, but they were involved during  
16 the design stage.

17                  EMILY YOUNG: Do you think it would  
18 have been helpful to have them involved earlier?

19                  ROCK FORTIER: No, we had an OC Transpo  
20 program manager that was -- had the -- a planning  
21 aspect, that was integrated in the Rail  
22 Implementation Office who was helping reviewing  
23 those bids.

24                  EMILY YOUNG: So you did have somebody  
25 who was bringing an OC Transpo perspective to the

1 procurement review?

2 ROCK FORTIER: Yes.

3 EMILY YOUNG: And did that person stay  
4 on throughout construction in your office?

5 ROCK FORTIER: Yes, I -- he -- he left  
6 late in the project, so at 2017 maybe type of deal.

7 EMILY YOUNG: What's his name?

8 ROCK FORTIER: It will come to me.  
9 I'll -- ask me before the end of the meeting.

10 EMILY YOUNG: Okay. Did you have any  
11 involvement in the discussions and the  
12 decisionmaking about the geotechnical risk?

13 ROCK FORTIER: The name was Rick  
14 Zarzosa.

15 EMILY YOUNG: Oh, that was fast. Thank  
16 you.

17 ROCK FORTIER: If you could repeat your  
18 question.

19 EMILY YOUNG: Of course. My question  
20 was whether you were involved in the discussions  
21 and decisionmaking about geotechnical risk.

22 ROCK FORTIER: I wasn't involved in the  
23 discussion and the decisionmaking process. I --  
24 however, I was aware that the proponents had  
25 options to accept the risk of, you know, the GBR or

1 GDR, whatever it's called, and so -- but I wasn't  
2 involved in the discussions, and I'm not sure what  
3 they meant.

4 EMILY YOUNG: Do you know who would  
5 have been the central people involved in those  
6 discussions?

7 ROCK FORTIER: Gary and the tunnel  
8 lead, the -- Robert Freedman.

9 EMILY YOUNG: Okay. Do you know  
10 whether full risk transfer was a requirement coming  
11 from the City?

12 ROCK FORTIER: I think, as I mentioned,  
13 the proponent had options to do the full transfer  
14 or not.

15 EMILY YOUNG: Are you aware of any  
16 challenges the proponents raised during procurement  
17 about the geotech risk?

18 ROCK FORTIER: I am not aware, no.

19 EMILY YOUNG: Were you involved in  
20 discussions of decisionmaking about what  
21 procurement model to use to deliver the project?

22 ROCK FORTIER: No, I wasn't involved in  
23 it, no.

24 EMILY YOUNG: Were you aware of those  
25 discussions happening?

1                   ROCK FORTIER: Of the type of  
2 procurement? Is that what you said?

3                   EMILY YOUNG: Yeah, sorry. I might not  
4 have been very clear with that question. The type  
5 of delivery model: so design, build, maintain; or  
6 design, build, finance, maintain, those types of  
7 questions.

8                   ROCK FORTIER: Yeah, no, I -- I guess  
9 at the initial stages, I was fairly -- I was just a  
10 senior engineer hired to manage the civil files.

11                  EMILY YOUNG: Were you involved in  
12 discussions and decisionmaking about the liquidated  
13 damages that were included in the project  
14 agreement?

15                  ROCK FORTIER: No.

16                  EMILY YOUNG: Did you have any role in  
17 working on or reviewing the requirements for  
18 testing and commissioning and trial running?

19                  ROCK FORTIER: For testing and  
20 commissioning. So for the trial running itself?

21                  EMILY YOUNG: Yeah. Were you aware of  
22 what requirements were included in the PA about  
23 trial running?

24                  ROCK FORTIER: Well, yeah. I guess  
25 they kept telling us that they needed to have I

1 think 10 or 12 days of free -- without any errors,  
2 I guess, and everything working perfectly. So I  
3 think Richard Holder's team looked at the systems  
4 component aspect of that trial running, so I am not  
5 involved in it, I guess.

6 EMILY YOUNG: When you say "they kept  
7 telling us they would need 12 days," who is "they"?

8 ROCK FORTIER: Lorne Gray, basically.  
9 Lorne was the contract manager.

10 EMILY YOUNG: Okay. So in terms of  
11 people to speak to about those requirements, that  
12 would be more so Lorne Gray and Richard Holder?

13 ROCK FORTIER: I would think so.

14 EMILY YOUNG: And I know that you  
15 weren't involved in the review of the PSOS for the  
16 vehicle, but throughout procurement, what was your  
17 understanding of Alstom's vehicle and whether it  
18 was a proven vehicle or not?

19 ROCK FORTIER: I'm not -- I don't want  
20 to offer an opinion on that because I'm not a  
21 vehicle expert and never been exposed to an LRT  
22 vehicle, so I wouldn't know if it's a proven  
23 vehicle or not, I guess.

24 EMILY YOUNG: Could you describe your  
25 department's role and your role throughout the



1 design phase.

2 ROCK FORTIER: So throughout the design  
3 phase, I would look at all the -- just a minute.  
4 My dog is barking at me.

5 So during the design phase, we were  
6 looking at all the detours that were being planned,  
7 so -- and the implementation in the field, right,  
8 and so -- but during the design phase, we would  
9 closely look at those because our buses needed to  
10 be taken off the transitway and put on the road  
11 network of the City, so that was part of the civil  
12 works in coordination with the traffic planning  
13 folks, and then on the civil end, again, in the  
14 guideway, we had some retaining walls that were  
15 being built. We had the Booth Street Bridge, so  
16 that involved a -- guideways -- elevated guideways  
17 leading into Hurdman Station for (indiscernible).

18 CHRISTINE MAINVILLE: Let's pause.  
19 Mr. Fortier, you are having tech issues. I'm not  
20 sure he's able to hear us right now.

21 ROCK FORTIER: Yeah, it says my  
22 connection is unstable.

23 CHRISTINE MAINVILLE: Okay. I was  
24 going to suggest --

25 ROCK FORTIER: I can hear you.

1 CHRISTINE MAINVILLE: Okay. Why don't  
2 we finish your answer, and then I was going to  
3 suggest we take an early break and we may have time  
4 to resolve it.

5 ROCK FORTIER: Yeah, it says my  
6 internet connection is unstable. Yeah. So I don't  
7 know if you got all that -- what I had to say  
8 there.

9 EMILY YOUNG: No, unfortunately we  
10 didn't.

11 ROCK FORTIER: Okay. So we had a --  
12 quite a bit of elevated guideway and bridge design  
13 work to review; we had the track work, you know,  
14 the overhead catenary foundation system, and some  
15 of the sewer design that they did.

16 CHRISTINE MAINVILLE: Mr. Fortier's  
17 frozen again. Yeah, let's go off record.

18 -- OFF THE RECORD DISCUSSION --

19 -- RECESS AT 10:10 --

20 -- UPON RESUMING AT 10:30 --

21 EMILY YOUNG: Mr. Fortier, when  
22 speaking about some of the issues that you and your  
23 office dealt with during design, you were talking  
24 about the implementation of detours and things like  
25 that that would be needed I think during

1 construction, and my question is whether OC Transpo  
2 was involved in this part of your design review.

3 ROCK FORTIER: So we had -- we had  
4 staff from OC Transpo embedded in the rail office,  
5 so -- at the time. So they were I guess ex-OC  
6 Transpo employees, I suppose.

7 EMILY YOUNG: And they would have been  
8 bringing the OC Transpo sort of perspective to the  
9 work?

10 ROCK FORTIER: Correct.

11 EMILY YOUNG: And did you feel that  
12 there was enough planning in the design phase for  
13 the overall integration of the system? This is,  
14 like, how all the different aspects of the system  
15 would work together.

16 ROCK FORTIER: Yes. You got to recall  
17 that the design is the responsibility of RTG, and  
18 they themselves had lots of internal meetings that  
19 we were not aware of that -- I mean not part of, so  
20 I can't comment as to how the design was developed  
21 at their end, I guess.

22 EMILY YOUNG: But from the City's end,  
23 was one of the things that you were looking at that  
24 broad issue of how is all of this going to  
25 integrate and work together?

1                   ROCK FORTIER: It worked a lot better  
2 once we were part of John's organization.

3                   EMILY YOUNG: Why is that?

4                   ROCK FORTIER: The design review was  
5 further along, I guess, in the process, and we were  
6 getting closer to revenue service, right, so  
7 initially, you know, design on the stations and  
8 stuff like that, we didn't need OC Transpo input so  
9 much, but for instance, once we started discussing  
10 the fare gates and, you know, the -- that type of  
11 stuff, it -- it involves constructing inside the  
12 station that is basically still in RTG's hands. So  
13 it needed a lot of their coordination.

14                  EMILY YOUNG: And who was mainly  
15 responsible for that coordination on the City side?

16                  ROCK FORTIER: Well, I -- myself and  
17 Abdol did a lot of coordination with OC Transpo  
18 with regards to the fare gates and implementation,  
19 and OC Transpo had retained a consultant to deliver  
20 the fare gate project.

21                  EMILY YOUNG: Do you think it would  
22 have been helpful to have had that reorganization  
23 to bring you within OC Transpo's purview earlier on  
24 in the project?

25                  ROCK FORTIER: Yes.

1                   EMILY YOUNG: Are there any issues or  
2 challenges that you think might have been avoided  
3 if that had been done?

4                   ROCK FORTIER: I think the fare gates  
5 is a good example of that.

6                   EMILY YOUNG: And can you speak a  
7 little bit more about what happened with the fare  
8 gates.

9                   ROCK FORTIER: The acquisition of the  
10 fare gates could have -- could have been better  
11 discussed with RTG earlier in the project.

12                   EMILY YOUNG: And what was the result  
13 of not having done that?

14                   ROCK FORTIER: We ended up having to  
15 make slight modifications to the stations to  
16 protect the fare gates from the elements.

17                   EMILY YOUNG: And why do you think that  
18 part was missed earlier on in planning?

19                   ROCK FORTIER: I can't comment on that.  
20 I really don't -- don't really know what -- how  
21 come the fare gates were not part of the station  
22 packages. I think those discussions were done at  
23 another level than mine and early on in the  
24 project, in the procurement process.

25                   EMILY YOUNG: What level? Do you know

1 who that would have been?

2 ROCK FORTIER: Well, I'm assuming John  
3 Jensen would have been part of those discussions.  
4 He was Gary's boss, I guess, and so somebody would  
5 have made the decision to include or not, and it  
6 would have been made at that level, I think.

7 EMILY YOUNG: Are you aware whether  
8 there was anything called a concept of operations  
9 that was devised during the design phase?

10 ROCK FORTIER: I am not aware, no.

11 EMILY YOUNG: And are the fare gates  
12 sort of the only example that you can think of, of  
13 an issue where maybe the City hadn't considered the  
14 broader system early on enough?

15 ROCK FORTIER: I can't think of another  
16 right now, no.

17 EMILY YOUNG: Can you describe your  
18 department's role and your role throughout the  
19 construction process, what you did to oversee RTG's  
20 work?

21 ROCK FORTIER: Yeah. So during the  
22 construction, we were monitoring the construction,  
23 not as -- not as inspectors necessarily but more as  
24 to track the construction progress, and so that  
25 kind of led to eventually being able to report on

1 RAMP the station progress, right, that colour code,  
2 but we were also tracking any site changes that the  
3 constructor chose to do as it pertains to the PSOS.  
4 So sometimes the design -- the final design  
5 drawings, construction drawings were given to the  
6 constructor, and the constructor chose to not  
7 implement those drawings.

8           So, for instance, at Rideau East, we  
9 had an architectural wall between the Rideau  
10 entrance and the bank because we're embedded in the  
11 bank station there, and the design drawing showed a  
12 glass wall basically being implemented. The  
13 constructor decided that it was too expensive to  
14 implement glass, and he just erected a masonry  
15 wall, and so -- so that was something we noticed in  
16 the field, and when we questioned the constructor,  
17 he said that it -- he went back to the PSOS and  
18 that the PSOS did not require this wall to be glass  
19 and that it was his option to implement an  
20 alternative. So basically going back to the  
21 performance spec and choosing to apply the  
22 performance spec. So we were monitoring those  
23 types of changes, for instance.

24           EMILY YOUNG: And when you referred to  
25 the design drawings that had a glass wall, those

1 are the drawings that would have been prepared by  
2 CTP?

3 ROCK FORTIER: No, by RTG.

4 EMILY YOUNG: Oh, okay. So their own  
5 drawings.

6 ROCK FORTIER: Yes.

7 EMILY YOUNG: Okay. So you were  
8 looking to see whether they were diverging in any  
9 way from the design that they had originally come  
10 up with.

11 ROCK FORTIER: Correct, because they're  
12 responsible for the design, and basically sometimes  
13 the constructor chose to deviate from their own  
14 design.

15 EMILY YOUNG: And would that have been  
16 acceptable to the City in some circumstances and  
17 then not in others?

18 ROCK FORTIER: Well, that's the thing  
19 that we did too is we checked the performance spec,  
20 and if the performance spec required something that  
21 they were trying to deviate from, we would bring it  
22 up to those weekly or biweekly meetings with RTG.

23 EMILY YOUNG: Okay. And did that ever  
24 happen that you recall?

25 ROCK FORTIER: Oh, I'm sure it did, but



1 I can't give you an example, I guess.

2 EMILY YOUNG: And what would happen if  
3 there was a dispute about what the PSOS required?

4 ROCK FORTIER: If -- if it was a  
5 dispute and we were -- and it was in the  
6 performance spec, we would go to our contract  
7 manager, Lorne Gray, and inform him that this is  
8 our interpretation of what's required and that they  
9 were not implementing this in the field, and he  
10 would reach out on -- to RTG's contract manager and  
11 discuss, and then basically let us know their  
12 interpretation, our interpretation, and sometimes  
13 it would fix the challenges, I guess.

14 EMILY YOUNG: And if not, would it then  
15 be escalated?

16 ROCK FORTIER: Then it would be  
17 escalated, and -- at our end, and if -- if it was  
18 important enough, then we would issue a variation  
19 directive telling them no, you'll implement this,  
20 and then -- which would lead them to then in some  
21 cases claim -- put a claim to the City for  
22 directing them to do this work.

23 EMILY YOUNG: And can you remember any  
24 of those variation directives at this point?

25 ROCK FORTIER: No, I can't recall any

1 specific ones.

2           EMILY YOUNG: So you oversaw  
3 construction progress throughout that phase. Were  
4 you also looking to oversee the quality of  
5 construction?

6           ROCK FORTIER: No. I would say no.

7           EMILY YOUNG: Do you know if there was  
8 anyone who was doing that?

9           ROCK FORTIER: RTG themselves. They  
10 had their quality assurance team.

11           EMILY YOUNG: Okay. So you were  
12 relying on their quality assurance team.

13           ROCK FORTIER: We did have a discussion  
14 on the quality of architectural concrete, and that  
15 was discussed between our architect and their  
16 construction team. So in some instances, we did  
17 feel that, you know, the architectural concrete -  
18 which is concrete that was exposed to the naked  
19 eye, basically - wasn't up to par, so I guess that  
20 would be an instance of quality assurance, I  
21 suppose. But it was very seldom -- that wasn't our  
22 main purpose, looking at -- at the construction.

23           EMILY YOUNG: Do you think it would  
24 have been helpful to have a quality assurance team  
25 on the City side?

1           ROCK FORTIER: It would have involved a  
2 whole bunch of other -- other staff requirement and  
3 another level of inspection altogether, which is  
4 not really a design build approach to -- that was  
5 chosen.

6           EMILY YOUNG: Can you speak about how  
7 the City handled the second sinkhole, first sort of  
8 in the immediate aftermath of the sinkhole?

9           ROCK FORTIER: How we handled it?  
10 That's the question?

11          EMILY YOUNG: Yes.

12          ROCK FORTIER: So the site was turned  
13 over to our City department, so to RIO, after the  
14 police and -- and fire -- firefighters left, and we  
15 then instructed RTG to fix the -- the -- the issue,  
16 and they in turn started filling the concrete --  
17 the sinkhole with concrete up to the underside of  
18 where the sanitary sewer starts, and then after  
19 that set, we started prioritizing the -- restoring  
20 the services for Cadillac Fairview, Hudson's Bay,  
21 and all the customers that were being affected in  
22 that area. So prioritizing sometimes, you know, by  
23 fixing a short section of the water main, sometimes  
24 you would get three customers online as opposed to  
25 getting a long section that will only get one

1 customer back online, so that type of prioritizing  
2 decisions.

3 EMILY YOUNG: How long was RIO in  
4 charge of the site around the sinkhole?

5 ROCK FORTIER: Before turning over to  
6 RTG?

7 EMILY YOUNG: Yes.

8 ROCK FORTIER: Is that what you mean?  
9 I'd say probably 30 seconds.

10 EMILY YOUNG: Okay. So you sort of  
11 came onsite, you said this is what needs to happen,  
12 and you instructed RTG to do that.

13 ROCK FORTIER: No. No. So how it  
14 happened was I was onsite with the firefighters and  
15 the police services, and we were having hourly  
16 debriefings, and once police and firefighters  
17 decided that they were satisfied nobody had -- the  
18 site was secured and that nobody had suffered  
19 death, I guess, for lack of better words, then  
20 they -- they -- their job is to turn it over to the  
21 City department. Typically it's construction  
22 services because we're responsible for the road.

23 In this case, they felt that the tunnel  
24 had been impacted and that it should be RIO that is  
25 being turned over, so I happened to be there with

1 RTG, and the police turned to RTG and said, So are  
2 you guys ready to fix the sinkhole? And they said,  
3 Yes, you just have to say the word, and they  
4 said -- they turned to me and said, Well, we can't  
5 give you the site. We have to give it to the City  
6 department. So here -- here, we're officially  
7 turning the site over to RIO, Rock, and I turned it  
8 over and said, Okay, well, I'm turning the site  
9 over to RTG to fix.

10 EMILY YOUNG: Okay. So you basically  
11 said, Do what you need to do to fix this.

12 ROCK FORTIER: Yeah.

13 EMILY YOUNG: And do you feel that  
14 their response was effective in the short term?

15 ROCK FORTIER: Yes, I think that they  
16 basically were very prepared to do so. I think  
17 concrete trucks started coming in right away, and  
18 so I think they were -- they had looked at how to  
19 fix this in the interim while the police was  
20 investigating the area.

21 EMILY YOUNG: And did you continue to  
22 monitor that closely as they repaired the damage?

23 ROCK FORTIER: Yes, I was the incident  
24 commander onsite, and I had a small team assigned  
25 to me that would track their progress and work with

1 them to prioritize the fix, I guess, of the  
2 utilities.

3 EMILY YOUNG: And throughout that work,  
4 prioritizing the fixes and implementing them, what  
5 was the relationship between the City and RTG like?

6 ROCK FORTIER: Very collaborative,  
7 I guess.

8 EMILY YOUNG: And can you speak a  
9 little bit about the broader effects that the  
10 sinkhole had on the project a bit more in the long  
11 term.

12 ROCK FORTIER: Well, on the  
13 construction itself, basically the tunnel was  
14 affected downstairs for, oh, I'd say -- I'd say  
15 probably 200 metres we had fill in the tunnel. It  
16 took a long time to clean, and -- and also it took  
17 detailed engineering reports to satisfy the City  
18 that it was safe to restart tunnelling operations.

19 EMILY YOUNG: And were these reports  
20 that RTG was preparing or that consultants were  
21 preparing?

22 ROCK FORTIER: Yes, it was -- their  
23 geotechnical consultants for the tunnel was  
24 Dr. Sauer & Partners, and it was their engineers  
25 who briefed us on the sequence of operation going

1 forward.

2 EMILY YOUNG: And so you were part of  
3 the team that was being briefed and that was  
4 receiving and reviewing the reports?

5 ROCK FORTIER: No, not really. We  
6 still had the tunnel lead at that point. That  
7 was -- I was not at all the briefings or reviewing  
8 the reports.

9 EMILY YOUNG: And did the City itself  
10 take steps to understand the broader effects of the  
11 sinkhole on the project as a whole, on the schedule  
12 for the project?

13 ROCK FORTIER: The tunnel was not on  
14 the critical path, so I believe they looked at  
15 whether or not the critical path was being  
16 affected, but again, I was not part of the -- the  
17 tunnel team, so I don't know.

18 EMILY YOUNG: So that was mainly the  
19 tunnel lead that was looking at that?

20 ROCK FORTIER: Would have been with  
21 Gary and discussed with RTG.

22 EMILY YOUNG: Are you aware of the  
23 discussions about the effect the sinkhole might  
24 have had on the elements of construction that were  
25 on the critical path?

1 ROCK FORTIER: No.

2 EMILY YOUNG: And what about effect on  
3 the construction of stations, for example, which I  
4 understand you were involved to some extent in  
5 monitoring that?

6 ROCK FORTIER: Right. So Rideau  
7 Station would have been affected because when  
8 tunnelling operation resumed, instead of excavating  
9 from the west, they started excavating from the  
10 east, which is where the Rideau Station is, so they  
11 had to just keep a path open so that the excavating  
12 material could be hauled out. I don't think it had  
13 a major impact on Rideau Station itself, and it was  
14 similar at Parliament Station because whatever  
15 material they were excavating from the tunnel to  
16 clean it up, we needed a path of egress to bring it  
17 to the central portal of material.

18 EMILY YOUNG: So do you think that the  
19 later delays that were seen in station construction  
20 were affected at all by the sinkhole?

21 ROCK FORTIER: Yes, possibly, you could  
22 say, you know -- you might have had one or two  
23 months, but I'm not sure that you couldn't have  
24 accelerated and recovered if you felt that it would  
25 impact your critical path.



1                   EMILY YOUNG: Okay. So there might  
2 have been more that RTG could have done to mitigate  
3 and to recover from the sinkhole?

4                   ROCK FORTIER: No. I mean, why would  
5 you incur the expenses if you don't need to, right?  
6 So if it's not on the critical path, then why would  
7 you incur the expense of accelerating and working  
8 overtime to fix something that doesn't need to be  
9 accelerated?

10                  EMILY YOUNG: Were the stations  
11 themselves on the critical path?

12                  ROCK FORTIER: No. No. The stations  
13 were completed prior to the train running,  
14 basically, right?

15                  EMILY YOUNG: Right. But if they were  
16 completed prior to the train running, were they  
17 necessary to have the train run?

18                  ROCK FORTIER: Yes. I mean, to open  
19 the system, you needed to complete it. But we  
20 didn't need to have the stations completed for the  
21 train to run.

22                  EMILY YOUNG: Okay. And would the  
23 sinkhole have potentially had an impact on the  
24 completion of the guideway and the track?

25                  ROCK FORTIER: Yeah. I mean, you could

1 say that obviously we can't do the track work  
2 and -- in that section until it's completed, but  
3 again, the track work in the tunnel was not -- was  
4 completed ahead of trial running.

5 EMILY YOUNG: So in your view, was the  
6 trains running the kind of main source of delay?

7 ROCK FORTIER: I guess from -- I can't  
8 comment on that because I wasn't part of the  
9 discussion as to -- final discussion as to RAMP go  
10 or no-go, so I don't know what ended up causing the  
11 extra time required.

12 EMILY YOUNG: I guess the reason that I  
13 ask is because you're explaining that the track was  
14 completed and the stations were completed before  
15 trains were running, so I'm just trying to figure  
16 out in terms of the schedule and progress what --  
17 why is that significant and what that means.

18 ROCK FORTIER: Right. So I mean, the  
19 way I look at it is the stations were completed,  
20 ready for the train to come through, and it -- it  
21 wasn't done, I guess. So I --

22 EMILY YOUNG: Okay. So the trains --  
23 it's not like the trains were waiting for the  
24 stations or the track. Is that what you're saying?

25 ROCK FORTIER: Well, for the

1 underground stations, I guess the -- in the tunnel,  
2 you -- we needed to hang the catenary system, you  
3 know, for powering the trains, and that was done  
4 fairly late in the process. So I'm not sure if --  
5 what was holding it up, I guess, because it's not  
6 part of the civil works. Like, it's a systems  
7 component.

8           EMILY YOUNG: Okay. And in terms of  
9 the mitigation efforts that were put in place to  
10 try and recover from the sinkhole, what was the  
11 City's involvement in those efforts?

12           ROCK FORTIER: I honestly was not part  
13 of the discussions, and so I think it was done at a  
14 higher level than me.

15           EMILY YOUNG: Are you aware of requests  
16 from RTG and OLRTC for different types of relief in  
17 the aftermath of the sinkhole?

18           ROCK FORTIER: I'm not aware, no.

19           EMILY YOUNG: Okay. Things like a  
20 claim for a delay event or a relief event.

21           ROCK FORTIER: Not aware.

22           EMILY YOUNG: Okay. Do you see that  
23 there were any other effects of the sinkhole on the  
24 project going forward?

25           ROCK FORTIER: Well, sure. I mean, it

1 had a big impact above ground, right? So not  
2 necessarily on RTG itself. It's the city of Ottawa  
3 and its population and the businesses that were  
4 affected because of the -- all the remediation work  
5 that needed to be done even after the fact, and so  
6 OC Transpo and keeping buses running and those  
7 types of challenges and keeping the businesses  
8 satisfied in the area.

9 EMILY YOUNG: And that would have been  
10 the City working on those things, I assume.

11 ROCK FORTIER: No. Everything was --  
12 was responsible -- RTG's responsible for  
13 maintaining the detours, and these works that they  
14 were doing, we felt that these are the works that  
15 you're doing to mitigate the sinkhole, and  
16 basically the City's view was that the sinkhole was  
17 caused by RTG.

18 EMILY YOUNG: Do you have any view on  
19 the -- how well RTG did things like maintaining the  
20 detours and implementing the other mitigations at  
21 that time?

22 ROCK FORTIER: Yeah. I mean, they --  
23 they -- they had a good traffic manager, which kept  
24 us in the loop. Unfortunately, sometimes some of  
25 these detours and changes were done at the last

1 minute and catching us off guard and not being able  
2 to inform the public ahead of time or the  
3 councillor.

4 EMILY YOUNG: Are you aware of any  
5 challenges or delays that arose in construction of  
6 the MSF, the maintenance services facility?

7 ROCK FORTIER: If I'm aware of what?

8 EMILY YOUNG: Any challenges, issues,  
9 or delays that arose in the construction of the  
10 MSF.

11 ROCK FORTIER: I am not aware, no.

12 EMILY YOUNG: So would your team have  
13 been looking at that aspect of construction?

14 ROCK FORTIER: We would have been  
15 tracking its progress, yes.

16 EMILY YOUNG: Okay. And so you don't  
17 recall any issues that your team encountered or  
18 raised on that point?

19 ROCK FORTIER: No.

20 EMILY YOUNG: And what about the  
21 ballasts on the guideway? Were there any  
22 challenges faced there?

23 ROCK FORTIER: We had an inquiry once  
24 as to whether or not the ballast contained an  
25 inordinate amount of asbestos because it came from

1 a quarry in Quebec, and so the -- RTG's quality  
2 assurance team tested the ballast and informed us  
3 that it met the -- all specs. That's about the  
4 extent of it.

5 EMILY YOUNG: So when you say you had  
6 an inquiry, you mean your team raised that with  
7 RTG?

8 ROCK FORTIER: No, actually, it wasn't  
9 us. I don't think it was us. I think it was  
10 somebody on RTG's side of the...

11 EMILY YOUNG: It was something you  
12 were -- obviously became aware of or were  
13 following?

14 ROCK FORTIER: Right.

15 EMILY YOUNG: Did that lead to any kind  
16 of delay or any other challenge?

17 ROCK FORTIER: No.

18 EMILY YOUNG: And what about with the  
19 construction of the track? Were there any issues  
20 in that respect?

21 ROCK FORTIER: No. We had what was  
22 called an L-KOPIA survey requirement in the PSOS.  
23 It's basically a requirement to have them do a full  
24 survey of the track work via an expensive GPS  
25 system, I think. But again, I'm not an expert on

1 track work, right, so -- I just know that it's an  
2 L-KOPIA or equivalent, and RTG said that they were  
3 going to do the equivalent instead of the L-KOPIA,  
4 so that's about the only thing that I recall.

5 EMILY YOUNG: Did that decision have  
6 any implications that you're aware of?

7 ROCK FORTIER: I'm unsure because I  
8 know that the -- you know, that they had some track  
9 work challenges, but I'm not sure if the two are  
10 related.

11 EMILY YOUNG: Can you tell us what you  
12 know about the track work challenges that they  
13 encountered?

14 ROCK FORTIER: No, to be honest. As --  
15 I got stuff from the news, and I wasn't really sure  
16 exactly what -- I know that the train went off the  
17 track, but I don't know what the cause was because  
18 I -- I don't even know anymore.

19 EMILY YOUNG: Okay. So do you recall  
20 any issues coming up related to lubrication of the  
21 track?

22 ROCK FORTIER: No. I don't -- I don't  
23 have any information on that.

24 EMILY YOUNG: On the type of steel used  
25 for the track or the type of track more generally?

1 Are you aware of any issues in that regard?

2 ROCK FORTIER: No. No.

3 EMILY YOUNG: And do you recall any  
4 issues coming up in relation to the turns on the  
5 guideway and how that interacted with the train  
6 times and speeds?

7 ROCK FORTIER: So part of the PSOS had  
8 maximum radiuses to achieve -- or minimum, sorry.  
9 So -- and I knew that basically when we were  
10 reviewing the alignment, there were three areas of  
11 concern and that one of them was exiting Rideau  
12 Station to the east and then the two guideways, I  
13 guess, at -- leading into Hurdman Station were also  
14 fairly tight radiuses. But the idea was that they  
15 felt that they could I guess have automatic  
16 greasers on the trains that would take care of  
17 that, of the squealing.

18 EMILY YOUNG: So there was a concern on  
19 the City's end about those turns?

20 ROCK FORTIER: Well, it was part of the  
21 PSOS, though. They met the PSOS of the minimum  
22 radius allowed.

23 EMILY YOUNG: And when you and your  
24 team were looking at the construction progress, at  
25 the progress of the track, were you mainly focused



1 on what was in the PSOS and are they doing it?

2 ROCK FORTIER: Yeah, yeah. We were  
3 tracking for the progress and essentially the --  
4 the review of the design would have been done  
5 during the design exercise, right? And I don't  
6 think that we had any changes done to the alignment  
7 after the final design drawings were approved on  
8 the track work.

9 EMILY YOUNG: Do you have any view or  
10 understanding of whether those turns could have had  
11 an impact on the issues that later arose with the  
12 system?

13 ROCK FORTIER: I'm not in a -- in the  
14 position to be able to comment on that.

15 EMILY YOUNG: And was the concern that  
16 you mentioned about the sound that would be created  
17 by those relatively, I guess, tight turns?

18 ROCK FORTIER: I'm not sure exactly I  
19 understand what you're asking.

20 EMILY YOUNG: Do you know why there was  
21 a concern in the first place about minimum radius  
22 in the PSOS?

23 ROCK FORTIER: So -- yeah. So  
24 that's -- my understanding is the tighter the  
25 radius is, the more noise you're going to make, and

1 so that's why RTG -- not RTG, CTP came out with  
2 those minimum radiuses.

3 EMILY YOUNG: Are you aware of any  
4 challenges encountered in the construction or  
5 delivery of the overhead catenary?

6 ROCK FORTIER: Well, I -- I'm aware  
7 that the -- during trial running -- not trial  
8 running but during testing of the train, we had  
9 a -- something happen to the catenary system and  
10 the train near Ottawa U, but again, it's not part  
11 of my responsibility. That's more of a systems  
12 aspect of the component, so...

13 EMILY YOUNG: Would you have been  
14 looking at how the catenary would have sort of,  
15 like, integrated with the guideway? Would that be  
16 within your area?

17 ROCK FORTIER: No. Basically, from a  
18 civil end and our end, we were looking at the  
19 foundations of the overhead catenary, and we  
20 weren't tracking the -- or reviewing the overhead  
21 catenary system. So -- so it's a systems component  
22 that is in the guideway, so it's -- when it -- the  
23 review would have come in, it probably would have  
24 been under the guideway umbrella, and I would  
25 have -- I would have flipped it over to systems to

1 comment on it.

2 EMILY YOUNG: Okay. And you mentioned  
3 earlier that the overhead catenary was installed  
4 quite late in the process. Do you have any  
5 sense --

6 ROCK FORTIER: In the underground  
7 tunnel.

8 EMILY YOUNG: And was that a result of  
9 the sinkhole, or were there other causes?

10 ROCK FORTIER: Well, we had tunnel  
11 leaks, right, so they wanted to get done that  
12 aspect as soon as possible, and it did take a while  
13 to finalize the lining of the entire tunnel.

14 EMILY YOUNG: So it was waiting for  
15 that to happen?

16 ROCK FORTIER: Correct.

17 EMILY YOUNG: And did it take a while  
18 to finalize the lining of the tunnel because of the  
19 leak issues or some other reason?

20 ROCK FORTIER: I don't know. Again, I  
21 wasn't a tunnel lead, right, so I can't really --  
22 can't really say because by the time I was  
23 monitoring the tunnel, it was completed, so I don't  
24 know if they were running late or not.

25 EMILY YOUNG: And by the time that you

1 were overseeing the tunnel, had sort of the delays  
2 kind of been dealt with and recovered from?

3 ROCK FORTIER: I -- again, I don't  
4 know. I don't know if we were running late or not.  
5 So I took over, the tunnel was completed, and I saw  
6 the track work and the overhead catenary being  
7 implemented in the tunnel.

8 EMILY YOUNG: Okay. How did the City  
9 oversee systems integration?

10 ROCK FORTIER: I can't comment on that.  
11 That was part of the Richard -- Richard's team.

12 EMILY YOUNG: Okay. Did you have any  
13 insight into how certain other parts of the system  
14 were integrated with the infrastructure that you  
15 were monitoring?

16 ROCK FORTIER: Well, so I knew that --  
17 like, the CCTV camera system inside -- inside the  
18 stations, right, so I knew that they needed to be  
19 reviewed by somebody to make sure that there wasn't  
20 any blind spots, I guess, and, you know, some of  
21 the emergency phones in the system needed to be --  
22 like, you needed a camera on it to make sure that  
23 if somebody pushes the emergency button that the  
24 MSF basically knows what's happening at that  
25 emergency call. So yes, I knew something was

1 happening, but I'm not the one that was reviewing  
2 that systems integration -- of that system, I  
3 guess.

4 EMILY YOUNG: Are you aware of any  
5 challenges in integrating other aspects to your  
6 sort of infrastructure area?

7 ROCK FORTIER: No. I -- I'm not aware  
8 of those.

9 EMILY YOUNG: Did you have a sense of  
10 what the City was doing throughout construction to  
11 monitor the integration of the whole system with  
12 maintenance and then with OC Transpo operations?

13 ROCK FORTIER: Again, if you're talking  
14 about systems, I honestly don't know the -- how it  
15 was managed.

16 EMILY YOUNG: I suppose that question  
17 is maybe a bit broader. It's just about, you know,  
18 what was the City doing throughout construction to  
19 think about how is this whole system going to work  
20 with operations, with maintenance.

21 ROCK FORTIER: Okay. So at the later  
22 stages of the project, when we started the --  
23 thinking about the maintenance -- the winter  
24 maintenance, let's say, so we started looking at,  
25 okay, so who's going to maintain what, and where is

1 the demarcation between the City cleaning the snow  
2 in the winter and snow and ice removal or sanding  
3 operations and that type of stuff, right? So I had  
4 meetings with RTM to discuss those and to make sure  
5 that we were all on the same page, and also with  
6 our properties group because, like, let's say  
7 Ottawa U, for instance, where we -- we are on City  
8 land, we are on Ottawa U land, and we are within  
9 RTG's umbrella.

10 So we had a lot of discussions with  
11 Ottawa U and RTM, and we also had a lot of  
12 discussions with OC Transpo because some of the new  
13 infrastructure we built to access the stations,  
14 like the MUPs, so the multiuse pathways leading to  
15 Pimisi Station, for instance, we needed to have a  
16 City department responsible for it, and whether  
17 that's OC Transpo or Public Works. And so we  
18 needed to make sure we tried and foresaw all the  
19 issues, so that's the type of discussions I had.

20 EMILY YOUNG: Do you remember about  
21 when those kinds of discussions started happening?

22 ROCK FORTIER: Oh, I'd say probably --  
23 again, we opened in September 2019, I think. So we  
24 probably had those discussions in 2019, early 2019,  
25 late 2019. So that -- 2019, the stations are

1 pretty much completed, and we would have -- start  
2 thinking about these challenges that were not being  
3 maintained properly.

4 EMILY YOUNG: Are those types of things  
5 things that could have been accounted for earlier  
6 in the design phase, for example?

7 ROCK FORTIER: RTG themselves had very  
8 scant personnel that basically was RTM, so RTM I  
9 don't think reviewed all the drawings. It's  
10 something that they wanted to focus basically on --  
11 no. They knew that they were going to maintain the  
12 stuff, and they wanted to pay particular  
13 attention -- like, if I was doing it, I would pay  
14 particular attention to some of the items that are  
15 high maintenance, but -- so I can't comment as to  
16 what type of discussions were done during the  
17 design stage on the high maintenance items.

18 EMILY YOUNG: Okay. But you didn't  
19 really have interaction with RTM at that earlier  
20 stage on those items?

21 ROCK FORTIER: No, not really. No.  
22 Not early in the project, no.

23 EMILY YOUNG: And your view is that it  
24 might have been helpful to have that considered  
25 earlier with RTM?

1                   ROCK FORTIER: No, I don't think so. I  
2 think -- I think we -- we managed well on the civil  
3 aspect. You know, it might have been easier for us  
4 internally between City departments if those  
5 discussions would have happened a bit earlier  
6 because after the fact, after everything's built,  
7 then, you know, it's hard to convince OC Transpo to  
8 take it over if they're not involved in the  
9 decisionmaking process.

10                   EMILY YOUNG: Okay. So, I mean, it  
11 sounds like it could have been helpful to have them  
12 a little bit more involved in the decisionmaking  
13 process in the early stages.

14                   ROCK FORTIER: Well, not RTM so much,  
15 but the City departments for sure.

16                   EMILY YOUNG: Okay. And did any  
17 issues, delays, anything arise from these  
18 discussions?

19                   ROCK FORTIER: Not on the civil end,  
20 no.

21                   EMILY YOUNG: So you managed to resolve  
22 everything?

23                   ROCK FORTIER: Yes. I mean, there  
24 was -- there was those multiuse pathways and some  
25 of the lighting requirements of those multiuse



1 pathways that weren't accounted for initially  
2 because we don't -- the City doesn't have  
3 requirements to light multiuse pathways, but we  
4 felt that it was the correct thing to do to make it  
5 safe for our users to walk at night, and so we  
6 decided to implement lighting on the multiuse  
7 pathways.

8           EMILY YOUNG: So the lighting wasn't  
9 something that was part of the design that RTG had  
10 to implement.

11           ROCK FORTIER: That's correct.

12           EMILY YOUNG: Did you have any  
13 interactions with SEMP or the safety auditor?

14           ROCK FORTIER: No. No. SEMP is --  
15 I've heard the acronym, but I haven't had a  
16 discussion with them.

17           EMILY YOUNG: And the independent  
18 safety auditor?

19           ROCK FORTIER: No.

20           EMILY YOUNG: Were you involved in the  
21 testing and commissioning process?

22           ROCK FORTIER: No.

23           EMILY YOUNG: And trial running?

24           ROCK FORTIER: No.

25           EMILY YOUNG: Are you are familiar with

1 the minor deficiencies list that RTG and the City  
2 agreed to before substantial completion?

3 ROCK FORTIER: Yes.

4 EMILY YOUNG: What do you know about  
5 that list?

6 ROCK FORTIER: I know probably every  
7 item that is on the fixed facilities list.

8 EMILY YOUNG: Were you involved in  
9 creating the list?

10 ROCK FORTIER: Yes. It was part of our  
11 duties as program managers.

12 EMILY YOUNG: Can you explain that  
13 process.

14 ROCK FORTIER: Well, it's part of our  
15 team's -- as mentioned, when we were visiting fixed  
16 facilities, and when we came to -- to a reasonable  
17 point that the construction was fairly elevated,  
18 we -- we prepared a list and then we sat down with  
19 RTG with probably Peter Lauch, with Gary, and  
20 agreed to what should be on that list.

21 EMILY YOUNG: And how did you determine  
22 whether the deficiencies on the list were minor or  
23 not?

24 ROCK FORTIER: We discussed with OC  
25 Transpo whether or not they felt that it was a

1 major deficiency or a minor deficiency, and so some  
2 of the items we felt might have been minor but OC  
3 Transpo was of the opinion that some of the items  
4 should be major, so it was in discussion with OC  
5 Transpo.

6 EMILY YOUNG: And did OC Transpo have  
7 the authority to make the ultimate determination on  
8 whether it's minor or not?

9 ROCK FORTIER: Well, sure. I mean, we  
10 were part of the same organization, so if -- if  
11 stuff got escalated, John would make the final  
12 decision.

13 EMILY YOUNG: Do you remember what any  
14 of the deficiencies that your department thought  
15 were minor but OC Transpo thought were major were?

16 ROCK FORTIER: Sure. Some of the stuff  
17 was, you know, having all the signage in place, the  
18 wayfinding signage. OC Transpo said, you know,  
19 people are not going to be familiar with the  
20 system; we need all the signage in place, and so  
21 some of the items are -- you know, the braille  
22 buttons in the elevators, do they need to be in  
23 place on Day 1 and that type of stuff. So OC  
24 Transpo was pretty adamant that they needed to be  
25 in place and they informed us of that, and once

1 they explained the rationale, I guess we agreed to  
2 them, so that prompted a more urgent response from  
3 RTG.

4 Another item would have been -- so the  
5 lanterns basically are a wayfinding element, so  
6 they're supposed to be brightly lit at night, and  
7 some of the lanterns, the frame that holds the  
8 glass panel in place caused a shadow, let's say, in  
9 the lantern, and OC Transpo felt that they needed  
10 something -- that they didn't want the public to  
11 complain that this lantern looks different than the  
12 other lantern, it's got blemishes, and we felt it  
13 was minor, and I think that one ended up saying as  
14 minor. So those are two examples.

15 EMILY YOUNG: So you convinced OC  
16 Transpo on that one.

17 ROCK FORTIER: Well, we were cognizant  
18 of not bringing everything -- every disagreement to  
19 John, so we worked collaboratively with them to  
20 come to a reasonable list.

21 EMILY YOUNG: And basically the  
22 consequence of a decision that something could not  
23 go on that list is that RTG has to complete it to  
24 make substantial completion?

25 ROCK FORTIER: Yes. That's -- yes.

1 Basically that's it.

2 EMILY YOUNG: Do you recall whether  
3 there were any items that OC Transpo wanted to put  
4 on the list as minor that your group thought were  
5 major?

6 ROCK FORTIER: I can't recall any  
7 specific example.

8 EMILY YOUNG: Do you recall any items  
9 that RTG wanted to put on the list that the City  
10 said no to?

11 ROCK FORTIER: Hmm. You're asking me  
12 if RTG wants to put deficiencies on their list that  
13 we don't have. I don't recall any of those, no.

14 EMILY YOUNG: Do you recall that RTG  
15 had applied for substantial completion a bit  
16 earlier, in 2019?

17 ROCK FORTIER: Yes, yeah.

18 EMILY YOUNG: And that was rejected.

19 ROCK FORTIER: Correct. It was  
20 rejected.

21 EMILY YOUNG: Do you remember there  
22 being a minor deficiencies list at that time as  
23 well?

24 ROCK FORTIER: I'm sure there was. But  
25 I don't know what status it would have been in, I

1 guess.

2                   EMILY YOUNG: So do you remember  
3 whether any of the items on that first list became  
4 part of the second list?

5                   ROCK FORTIER: Oh. I would assume that  
6 we would have used the same list and compared it  
7 and tracked whether or not the items that failed  
8 the first time were done for the second go-around.  
9 But again, the -- when we're talking about  
10 deficiency lists, I'm only looking at the fixed  
11 facilities, right?

12                   EMILY YOUNG: Fair enough. Fair  
13 enough. Do you recall that, you know, the City  
14 didn't accept some items in the first iteration but  
15 then later, I guess, changed position and did  
16 accept them as minor deficiencies?

17                   ROCK FORTIER: I don't -- I don't  
18 recall any example, but I'm fairly certain it would  
19 have happened in discussion with OC Transpo.

20                   EMILY YOUNG: Do you have any sense of  
21 why the City might have changed its mind on some of  
22 those points?

23                   ROCK FORTIER: Again, if I don't have a  
24 concrete example, I would only guess that, you  
25 know, some progress was made and that we felt that

1 was good enough. Like, the -- if the signage is an  
2 example, then it might have been that, you know,  
3 they were just missing a last iteration on signage.  
4 I don't know.

5 EMILY YOUNG: Do you know if there were  
6 any deficiencies that the City didn't recognize as  
7 minor but just sort of waived and said --

8 ROCK FORTIER: No, I don't.

9 EMILY YOUNG: You don't -- okay.

10 ROCK FORTIER: I don't recall those.

11 EMILY YOUNG: Are you familiar with the  
12 term sheet that RTG and the City entered into  
13 before revenue service availability?

14 ROCK FORTIER: No. I -- like, the term  
15 "term sheet" was used in the properties group, but  
16 I'm not sure if that's what you're meaning.

17 EMILY YOUNG: It was an agreement that  
18 included -- I guess I would describe it as sort of  
19 relaxation of certain expectations. Like, it  
20 provided that at the start of service that RTG  
21 could put 13 trains into service at peak times  
22 instead of 15 trains. That's one of the major  
23 things on the term sheet, but it would have had  
24 agreement on other issues like that.

25 ROCK FORTIER: Yeah, okay. So I do

1 recall, you know, those discussions happening. I  
2 just don't recall what was put on the term sheet in  
3 regards to fixed facilities.

4 EMILY YOUNG: Do you remember who was  
5 involved in those discussions?

6 ROCK FORTIER: I'm -- well, I would  
7 assume it's RAMP, which Gary is part of.

8 EMILY YOUNG: Okay. Do you know  
9 whether the items on the minor deficiencies list  
10 were later resolved?

11 ROCK FORTIER: Yes. I mean, the --  
12 we -- in 2019, after revenue service, that was my  
13 main goal was to make sure that this deficiency  
14 list is tracked to conclusion, I guess.

15 EMILY YOUNG: And was it tracked to  
16 conclusion, as far as the things that you were  
17 looking at in your role?

18 ROCK FORTIER: As I said, when I  
19 retired, there was maybe 20 items left on Gary's  
20 plate.

21 EMILY YOUNG: And my apologies if I  
22 already asked you this, but who would have taken  
23 over the tracking of those last 20?

24 ROCK FORTIER: Gary himself.

25 EMILY YOUNG: Do you have any views on



1 what caused or contributed to the delays in the  
2 arrival at substantial completion and revenue  
3 service availability?

4 ROCK FORTIER: No. I mean, I -- you  
5 know, I was tracking the stations, and stations  
6 were -- were ready to be opened, so it had to fall  
7 under the systems -- or the vehicles, I guess.

8 EMILY YOUNG: Were the stations ready  
9 to be opened for the original planned RSA date?

10 ROCK FORTIER: Again, there would have  
11 been items missing, I think, on that deficiency  
12 list, such as probably the signage, and so I don't  
13 recall exactly what was missing off the original  
14 date, no.

15 EMILY YOUNG: But it sounds like your  
16 recollection is that the stations weren't the  
17 ultimate source of the delays.

18 ROCK FORTIER: Right. I mean, we still  
19 had work happening in the stations - some of the  
20 tiles being replaced because they were cracked, you  
21 know - because -- and -- but that doesn't mean that  
22 we couldn't have roped off that area and treated it  
23 as a minor construction site within the station,  
24 so...

25 EMILY YOUNG: Okay.

1 ROCK FORTIER: Again --

2 EMILY YOUNG: So you --

3 ROCK FORTIER: Yep, yeah.

4 EMILY YOUNG: So you don't remember  
5 exactly what the deficiencies were and was missing  
6 in May 2018, which was the first planned revenue  
7 service availability date.

8 ROCK FORTIER: Right. I would not have  
9 been involved in any discussion with regards to the  
10 ultimate decision of opening or not, and I don't  
11 recall.

12 EMILY YOUNG: Did your department do  
13 any work in evaluating or assessing RTG's schedules  
14 throughout the project? Can you hear us,  
15 Mr. Fortier?

16 JESSE GARDNER: Looks like he's frozen.

17 EMILY YOUNG: Maybe we can just go off  
18 the record for now.

19 -- OFF THE RECORD DISCUSSION --

20 ROCK FORTIER: So you were asking about  
21 the tracking of the scheduling.

22 EMILY YOUNG: That's right.

23 ROCK FORTIER: So at a very high level,  
24 on a monthly basis, I guess RTG would give us a  
25 look at their scheduling and their -- what they

1 felt was their critical path and their progress on  
2 it.

3 EMILY YOUNG: Do you recall having  
4 disagreements with them about that?

5 ROCK FORTIER: Not disagreements per  
6 se, just questions on it. Ultimately, they are  
7 their construction managers, and they knew how to  
8 best implement their work.

9 EMILY YOUNG: Were you involved in any  
10 of the City's efforts to assess their schedules for  
11 accuracy towards the end of the project?

12 ROCK FORTIER: No.

13 EMILY YOUNG: Did you have any  
14 involvement in Stage 2?

15 ROCK FORTIER: I never worked for  
16 Stage 2. I was asked to sit down with them and  
17 discuss a lessons learned exercise list that we had  
18 done with them.

19 EMILY YOUNG: Can you speak a bit about  
20 what the lessons learned that you discussed were.

21 ROCK FORTIER: Well, there was --  
22 throughout the project, we kept stuff that we felt  
23 could be better done during Stage 2, and we gave  
24 them that list. Some of the items are the traffic  
25 management aspect could have been done better, we

1 felt, on Stage 1, I guess, so some of the language  
2 with regards to coordinating with the City better.  
3 Some of the items on the warranty aspect, the  
4 infrastructure model, Infrastructure Ontario model  
5 basically talks to the warranty period extending  
6 2 years past substantial completion, but on a  
7 project of this magnitude, where you have work  
8 being done for the City ahead of time, so the  
9 substantial completion is achieved a lot earlier --  
10 like, in 2015 we had stuff that RTG was turning  
11 over to the City, so it didn't make sense for that  
12 warranty period to extend to 2021, for instance,  
13 right? So --

14 EMILY YOUNG: So would you have  
15 suggested that the 2 years for a certain aspect of  
16 the infrastructure start running as basically when  
17 it was handed over?

18 ROCK FORTIER: Yes. Yeah.

19 EMILY YOUNG: So for the example you  
20 gave, something handed over in 2015, warranty until  
21 2017.

22 ROCK FORTIER: Correct.

23 EMILY YOUNG: Do you think that that  
24 had any implications on the project, or was that  
25 just a suggestion?

1                   ROCK FORTIER: It was just a suggestion  
2 to better paper it, because that's what we ended up  
3 having to do because it didn't make sense -- like I  
4 said, Blair Station, landscaping was done in 2016,  
5 so you couldn't really ask them to come back and,  
6 you know, repair trees that were basically dead in  
7 2020, something like that, so...

8                   EMILY YOUNG: And you mentioned  
9 something else before you went to the warranty  
10 issue, and now I forget what you said. What was  
11 the item before that?

12                   ROCK FORTIER: Oh, the traffic. The  
13 traffic management.

14                   EMILY YOUNG: Okay. And could any of  
15 these things have been better accounted for in the  
16 initial stages of the project?

17                   ROCK FORTIER: Yeah. I think -- again,  
18 the Infrastructure Ontario model, which we were  
19 forced to use because -- if we wanted provincial  
20 funding, it had never been used for an LRT project  
21 is my understanding, and so once you start dealing  
22 with traffic management at a City level, on a  
23 project that's 13 kilometres long, you're going to  
24 have a lot of traffic impact to the residents, and  
25 traffic management done at the City level involves

1 us notifying the councillors ahead of time, doing  
2 public service announcements ahead of time, and  
3 some of that stuff we were not able to capture in  
4 Stage 1 properly. So we had a lot of last-minute  
5 work done by RTG, last minute and ended up  
6 having -- getting a phone call from whomever,  
7 saying, Hey, what's happening over here, and we  
8 sent somebody to the site, and we didn't know the  
9 work was happening yet, so I think it's something  
10 that was frustrating for some of the residents of  
11 Ottawa.

12           EMILY YOUNG: And you mentioned the  
13 Infrastructure Ontario template. Do you feel like  
14 if you hadn't had to use the template, you would  
15 have better been able to deal with those issues?

16           JESSE GARDNER: I think we're frozen  
17 again.

18           EMILY YOUNG: Okay. Let's go off the  
19 record.

20           -- OFF THE RECORD DISCUSSION --

21           EMILY YOUNG: So the question was  
22 whether you think it would have been easier to deal  
23 with some of those issues you've been speaking  
24 about, including traffic management, if you weren't  
25 required to use Infrastructure Ontario's template

1 agreement.

2 ROCK FORTIER: There was a lot of  
3 pushback from Infrastructure Ontario about  
4 modifying any of their templates. They felt that  
5 the model had been proven in the past on multiple  
6 projects and that it would suffice for LRT. But  
7 for -- for us, being the first in line, I guess,  
8 for the LRT, we made substantial -- we finally were  
9 able to convince them to make substantial changes  
10 to it. We added -- we added clauses to -- for  
11 items that would ultimately be built by RTG and  
12 become municipal infrastructure, so new municipal  
13 infrastructure is an example of work that is done  
14 by RTG, and it's not LRT stuff - it's, like, the  
15 Booth Street bridge. It's not an LRT  
16 infrastructure. It's a City of Ottawa  
17 infrastructure. So you -- we had to build the new  
18 sewers, new water mains, and new detours along  
19 Belfast leading to the MSF.

20 So that was all stuff that needed to be  
21 done and was not accounted for in the  
22 Infrastructure Ontario model because it's usually  
23 meant for, like, a hospital or bridge or something  
24 like that where you have a very defined site so  
25 it's easier to manage, but on a 13-kilometre-long

1 project, it was a challenge.

2           EMILY YOUNG: And do you think that  
3 the, I guess, relative kind of rigidity of the  
4 Infrastructure Ontario model had any effects on the  
5 project later on other than the ones you've talked  
6 about?

7           ROCK FORTIER: I mean, you try as a  
8 team to capture everything that you can, but  
9 ultimately you don't, so there was impacts. I  
10 can't recall any other examples specifically. But  
11 I think -- I believe now it's being used on other  
12 projects in Southern Ontario and Toronto area and  
13 that they have built upon the base of the model in  
14 Ottawa.

15           EMILY YOUNG: The Commission has been  
16 asked to look into the commercial and technical  
17 circumstances leading to the breakdowns and  
18 derailments on Stage 1. Are there any areas that  
19 you feel the Commission should be looking into that  
20 we haven't discussed this morning?

21           ROCK FORTIER: No, I'm not aware of  
22 any, no.

23           EMILY YOUNG: And the Commissioner has  
24 been asked to make recommendations to try to avoid  
25 issues like those that have occurred from happening



1 in the future. Are there specific recommendations  
2 or any areas of recommendation you suggest be  
3 considered?

4 ROCK FORTIER: No. No. I think we  
5 passed on everything we could to Stage 2 through  
6 that lessons learned exercise.

7 EMILY YOUNG: And just to confirm,  
8 Mr. Craig is not available for us to speak to.

9 ROCK FORTIER: You're asking me to  
10 confirm that?

11 EMILY YOUNG: Yeah, just so that we  
12 have it on the record.

13 ROCK FORTIER: Yes, that's correct.  
14 Gary passed away.

15 EMILY YOUNG: Okay. Thank you. Are  
16 there any questions from counsel or from  
17 Ms. Mainville?

18 CHRISTINE MAINVILLE: No. I just want  
19 to make clear, in respect of many of the questions  
20 we asked, I take it from your answers Mr. Craig  
21 would have been the most appropriate person to  
22 speak to about many of these issues if he had been  
23 available?

24 ROCK FORTIER: That's correct.

25 CHRISTINE MAINVILLE: I don't have any

1 questions, then.

2 JESSE GARDNER: I don't have any  
3 questions. Thank you.

4 EMILY YOUNG: Okay. Then I think we  
5 can go off the record.

6 -- Concluded at 11:50 a.m.

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1 REPORTER'S CERTIFICATE

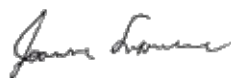
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3 I, JOANNE A. LAWRENCE, Registered  
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5 That the foregoing proceedings were  
6 taken before me at the time and place therein set  
7 forth, at which time the witness was put under oath  
8 by me;

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

13 That the foregoing is a true and  
14 correct transcript of my shorthand notes so taken.

15  
16 Dated this 1st day of June, 2022.

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22 COURT REPORTER  
23  
24  
25

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