

Ottawa Light Rail Commission

Richard Piloseno
on Tuesday, April 12, 2022



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6	OTTAWA LIGHT RAIL COMMISSION
7	AECOM - RICHARD PILOSENO
8	APRIL 12, 2022
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15	--- Held via Zoom Videoconferencing, with all
16	participants attending remotely, on the 12th day of
17	April, 2022, 9:00 a.m. to 12:00 noon
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1 COMMISSION COUNSEL:

2 Kate McGrann, Co-Lead Counsel Member

3 Daniella Muryнка, Litigation Counsel Member

4

5 PARTICIPANTS:

6 Richard Piloseno: AECOM

7 Patrick Leong: AECOM

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9

10 Also Present:

11 Deana Santedicola, Stenographer/Transcriptionist

12 Chandani Joshi, Virtual Technician

13 Omar Ali, PwC Observer

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2 * * The following is a list of documents undertaken
3 to be produced, items to be followed up on, or
4 questions refused **

5
6 INDEX OF UNDERTAKINGS

7
8 The documents to be produced are noted by U/T and
9 appear on the following page/line: 33:7, 91:12

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

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3 RICHARD PILOSENO; AFFIRMED.

4 KATE McGRANN: Mr. Piloseno, the
5 purpose of today's interview is to obtain your
6 evidence under oath or solemn declaration for use
7 at the Commission's public hearings. This will be
8 a collaborative interview such that others may
9 intervene to ask certain questions. If time
10 permits, your Counsel may ask follow-up questions
11 at the end of this interview.

12 This interview is being transcribed,
13 and the Commission intends to enter this transcript
14 into evidence at the Commission's public hearings,
15 either at the hearings or by way of procedural
16 order before the hearings commence. A transcript
17 will be posted to the Commission's public website,
18 along with any corrections made to it, after it is
19 entered into evidence.

20 The transcript, along with any
21 corrections later made to it, will be shared with
22 the Commission's participants and their Counsel on
23 a confidential basis before it is entered into
24 evidence. You will be given the opportunity to
25 review your transcript and correct any typos or

1 other errors before the transcript is shared with
2 the participants or entered into evidence. Any
3 non-typographical corrections made will be appended
4 to the transcript.

5 Pursuant to Section 33(6) of the Public
6 Inquiries Act (2009), a witness at an inquiry shall
7 be deemed to have objected to answer any question
8 asked of him or her upon the ground that his or her
9 answer may tend to incriminate the witness or may
10 tend to establish his or her liability to civil
11 proceedings at the instance of the Crown or of any
12 person, and no answer given by a witness at an
13 inquiry shall be used or be receivable in evidence
14 against him or her at any trial or other
15 proceedings against him or her thereafter taking
16 place, other than a prosecution for perjury in
17 giving such evidence.

18 As required by section 33(7) of the
19 Act, you are hereby advised that you have the right
20 to object to answer to any question under Section 5
21 of the Canada Evidence Act.

22 If at any point during this interview
23 you need to take a break for any reason, just let
24 us know, and we will go off the record. By that, I
25 mean we'll stop transcribing the interview and we

1 can take a break, and the same thing, of course,
2 goes for everybody else who is in attendance here
3 today.

4 Do you have any questions about any of
5 that?

6 RICHARD PILOSENO: No, I do not.

7 KATE McGRANN: So in advance of the
8 interview, your Counsel provided me with a little
9 bit of information about the work that you did on
10 Stage 1 of Ottawa's Light Rail Transit Project,
11 which is what we are here to talk about today, so I
12 just want to confirm that information with you, and
13 then I'll start asking you some questions.

14 I understand that you were the On-Site
15 Facilities Design Lead working out of the City's
16 office from 2010 to the end of 2012; is that right?

17 RICHARD PILOSENO: That's correct.

18 KATE McGRANN: Okay, and when I say you
19 were working out of the City's office, what does
20 that mean?

21 RICHARD PILOSENO: So I was co-located
22 in the City of Ottawa's office with their staff.

23 KATE McGRANN: Okay. And did that
24 speak only to where you physically worked, or was
25 it a work arrangement, like a secondment or

1 something like that?

2 RICHARD PILOSENO: I was not seconded
3 to them. It was just a work arrangement to keep
4 the communication, you know, close, quick, tight.

5 KATE McGRANN: Okay. And then I also
6 understand that during the evaluation of the
7 consortia's submissions in response to RFQ and RFP,
8 you were the Facilities Lead for the technical
9 evaluation; is that correct?

10 RICHARD PILOSENO: Only for the RFP. I
11 was not involved in evaluation of the RFQ.

12 KATE McGRANN: And is it correct that
13 you assisted with representing the City during the
14 negotiation of the Project Agreement up to close of
15 that agreement?

16 RICHARD PILOSENO: Yeah, for technical
17 issues related with the station facilities, yes.

18 KATE McGRANN: And then from 2012 until
19 project close, you were Capital Transit Partners'
20 Facilities Lead for design review; is that correct?

21 RICHARD PILOSENO: Correct.

22 KATE McGRANN: And in that role, you
23 reported to City staff?

24 RICHARD PILOSENO: Correct.

25 KATE McGRANN: Who did you report to

1 during that time?

2 RICHARD PILOSENO: Peter
3 Schwartzentruber and then later on Rajan Shrichand.

4 KATE McGRANN: And then towards the end
5 of 2014, you took on an additional role of Capital
6 Transit Partners' Project Manager for the contract
7 and stayed in that role through to the end of
8 project close; is that correct?

9 RICHARD PILOSENO: That is also
10 correct.

11 KATE McGRANN: And in your role as
12 Project Manager, what was the scope of the project
13 that you were responsible for?

14 RICHARD PILOSENO: So my role was to
15 provide the City with staff, what we called subject
16 matter experts, to assist with design review,
17 responses to RFIs, any issues that would come up in
18 construction where the City would need advice from
19 the technical experts.

20 KATE McGRANN: Okay, so in that role,
21 you are not only looking at facilities, you are
22 looking at the entire project?

23 RICHARD PILOSENO: Well, yeah, I would
24 look -- I would provide through our JV certain
25 subject matter experts as required for the

1 situation.

2 KATE McGRANN: Okay. Can you speak
3 generally to AECOM's experience in light rail
4 projects?

5 RICHARD PILOSENO: AECOM as a whole?

6 KATE McGRANN: Yeah.

7 RICHARD PILOSENO: I really can't talk
8 to the breadth of their experience other than it is
9 extensive in both facilities and systems and rail
10 maintenance facilities, et cetera.

11 KATE McGRANN: Okay.

12 RICHARD PILOSENO: I can't quote any
13 numbers on how many projects, et cetera.

14 KATE McGRANN: To your knowledge, has
15 AECOM worked on the construction of a light rail
16 project before?

17 RICHARD PILOSENO: Yes.

18 KATE McGRANN: And have you worked on a
19 light rail construction project before?

20 RICHARD PILOSENO: A design project?
21 Yes, prior to this project. Those were not
22 constructed. They were only designed.

23 KATE McGRANN: So you worked in the
24 design phase but did not remain through the
25 construction of the project?

1 RICHARD PILOSENO: Correct.

2 KATE McGRANN: Can you give me the
3 names of the light rail design projects that you
4 were involved with before?

5 RICHARD PILOSENO: The Scarborough SRT,
6 and then it was also the Scarborough Conversion
7 with Metrolinx, so it was basically the same
8 project twice, Honolulu Area Rapid Transit project,
9 and a maintenance facility in Denton County, Texas.

10 KATE McGRANN: And then speaking more
11 broadly than your areas of focus, can you just
12 describe for me generally what AECOM's role was in
13 the preliminary engineering phase of the Ottawa
14 LRT, Stage 1?

15 RICHARD PILOSENO: Yes, so initially we
16 had a project controls -- we were Project Controls
17 Lead. We were the Facilities Design Lead. We did
18 have a sub-consultant of Perkins&Will, which at
19 that time was Busby, and then Busby Perkins & Will.
20 So the station facilities design, and we also had a
21 civil design lead who managed other JV partners for
22 that portion of the project, which was -- included
23 the rail drainage grading and property support.

24 KATE McGRANN: And who was that person?

25 RICHARD PILOSENO: Paul Beede.

1 KATE McGRANN: Any other areas of
2 responsibility during the preliminary engineering
3 phase?

4 RICHARD PILOSENO: No, no.

5 KATE McGRANN: And then during the
6 procurement phase, what was AECOM's role on the
7 project during that time?

8 RICHARD PILOSENO: It was basically
9 similar roles, that I was leading the facilities,
10 development of the PSOS, Paul beady was leading the
11 development of the civil PSOS, the project-specific
12 output specifications, and then we also had -- at
13 that time a gentleman joined, Charles Wheeler, who
14 kind of led -- co-lead, you know, the entire
15 writing of the Project Agreement and the
16 project-specific output specifications, along with
17 negotiation of some integrated entrances.

18 KATE McGRANN: And then moving from the
19 procurement phase to the construction phase, what
20 was AECOM's role during that time?

21 RICHARD PILOSENO: So we had a similar
22 role. We reviewed the design for the station
23 facilities and the civil -- Paul was still leading
24 the civil design for compliance with the output
25 specifications, and then we had a minimal --

1 minimum role really in construction. We did have
2 one employee who was on-site, like we called them
3 site monitors, who monitored the construction again
4 for conformance with the project output
5 specifications and the design documents that were
6 provided by the design builder.

7 KATE McGRANN: Who filled that role?

8 RICHARD PILOSENO: A gentleman called
9 David Tersigni.

10 KATE McGRANN: And did he remain in
11 that role for the entirety of construction?

12 RICHARD PILOSENO: Yes, he did,
13 virtually. He left very near prior to the -- he
14 left AECOM prior to the end -- or he left not AECOM
15 but the project prior to complete closure of the
16 end, but for all intents and purposes was there for
17 the entire construction, yes, on the -- looking at
18 facilities, station facilities.

19 KATE McGRANN: Okay. So his role as
20 Site Monitor was specifically with reference to
21 station facilities?

22 RICHARD PILOSENO: Correct.

23 KATE McGRANN: Okay. Did Capital
24 Transit Partners have other Site Monitors working
25 at the same time focussed on other areas of the

1 project?

2 RICHARD PILOSENO: So I believe all of
3 our site -- we had three Site Monitors that were
4 employed by CTP, and they were all at stations. So
5 it was David Tersigni --

6 KATE McGRANN: So --

7 RICHARD PILOSENO: Sorry, they were all
8 at stations, David Tersigni, Robert Plummer, and
9 Robert Goulet.

10 KATE McGRANN: When you say they were
11 all at stations, what does that mean?

12 RICHARD PILOSENO: They were
13 responsible to monitor station constructions, the
14 same role as David.

15 KATE McGRANN: Do you have any
16 knowledge as to how the City monitored the
17 construction of the other aspects of the system?
18 Like who would have filled that kind of role for
19 the other aspects of the system?

20 RICHARD PILOSENO: They were all either
21 City engineers or City junior engineers. It was
22 all City staff.

23 KATE McGRANN: And would they have been
24 in a similar site monitor type role to what you
25 and -- not you, what Mr. Tersigni and the other two

1 gentlemen you described were doing?

2 RICHARD PILOSENO: Yes, they would be,
3 for -- yeah, for various different disciplines.
4 There were some civil folks, some systems
5 communications folks, train control folks. There
6 were other -- they had other disciplines covering
7 each part of the construction.

8 KATE McGRANN: So I will come back to
9 that because we are going to kind of try as best
10 possible to work through the project
11 chronologically.

12 RICHARD PILOSENO: Yes.

13 KATE McGRANN: So starting with your
14 work as Facilities Design Lead, you commenced in
15 2010. Do you remember when about in 2010 you
16 started work on this?

17 RICHARD PILOSENO: Yeah, it was the
18 like first or second weekend in October because I
19 believe my first trip I came home on your
20 Thanksgiving weekend and missed my flight.

21 KATE McGRANN: And what was the status
22 of the project when you joined on a weekend in
23 October?

24 RICHARD PILOSENO: Well, we were
25 putting -- we were doing -- our first trip that we

1 did was to review some of the existing VRT stations
2 from a facilities point of view, and we were also
3 at that time working on developing the work plan
4 for the reference concept -- for the preliminary
5 engineering, because at that time we didn't know we
6 were doing a reference concept because the delivery
7 of the project was unknown at that point in time.

8 KATE McGRANN: Okay, so two questions
9 about that. What is a reference concept?

10 RICHARD PILOSENO: A reference concept
11 is a design really to use to establish kind of the
12 needs of the project and property requirements for
13 the project and to give one way to solve the
14 problem to a design builder who is free to redesign
15 as long as they meet the requirements of the
16 contract. But it is to show, you know, it is a
17 buildable project.

18 KATE McGRANN: Okay. You said that the
19 delivery is unknown. You mentioned that a
20 reference concept would be given to a design
21 builder to use. So when you say the delivery is
22 unknown, what do you mean?

23 RICHARD PILOSENO: So when we began the
24 project, it was not clear right at the beginning if
25 this would be a straight design/build project, if

1 it would be a design/build/finance project or a
2 design/build/finance/maintain. There were several
3 ways that it could be procured, and that was -- at
4 the beginning, that was not known. You know, it
5 could have been a design/bid/build too, but we were
6 still unclear. The City hadn't made that decision
7 when we started.

8 KATE McGRANN: Okay, and did the fact
9 that the delivery model was unknown at the time you
10 started have any impact on the way that you
11 approached the work that you were doing?

12 RICHARD PILOSENO: No, we were still
13 looking, you know, to do what would be called the
14 30 percent design. You know, that would be a
15 departure for -- it could be a departure for any of
16 the delivery methods. So it really had no impact
17 at that point in time.

18 KATE McGRANN: What was the status of
19 the project budget when you joined?

20 RICHARD PILOSENO: I am unclear on your
21 question. What do you --

22 KATE McGRANN: What information were
23 you given to work with in terms of how much the
24 City thought it could spend or could be spent on
25 Stage 1 of the LRT?

1 RICHARD PILOSENO: I believe that we
2 were provided with a budget number of construction
3 cost I believe of, I want to say, 2.1 billion.

4 KATE McGRANN: And --

5 RICHARD PILOSENO: Hard construction.

6 KATE McGRANN: Sorry, say that again.

7 RICHARD PILOSENO: Hard construction
8 cost.

9 KATE McGRANN: And when you say it is a
10 hard construction cost budget, what does that mean?

11 RICHARD PILOSENO: So that wouldn't
12 include property. It wouldn't include fees for any
13 of the City staff to support the project, et
14 cetera.

15 KATE McGRANN: And when you say it
16 wouldn't include property, does that include
17 property acquisitions required for the stations or
18 other things?

19 RICHARD PILOSENO: Yes, I believe that
20 to be the case, yes.

21 KATE McGRANN: Did you have a view in
22 and around the time you started about whether the
23 2.1 billion budget for hard construction costs was
24 sufficient for what the City wanted to accomplish
25 with Stage 1 of the LRT?

1 RICHARD PILOSENO: Another tough
2 question. I think we did do some changes. We did
3 not think the original scope would have fell inside
4 that envelope.

5 KATE McGRANN: The original scope would
6 have fell inside --

7 RICHARD PILOSENO: Would not have.

8 KATE McGRANN: Would not have.

9 RICHARD PILOSENO: Would not have.

10 KATE McGRANN: And when you say you did
11 some changes --

12 RICHARD PILOSENO: Yes.

13 KATE McGRANN: -- what was the impetus
14 to do the changes that you mentioned there?

15 RICHARD PILOSENO: It was probably to
16 make it affordable inside that target budget that
17 we were provided.

18 KATE McGRANN: I am going to come back
19 to that in a second, but let me back up for a
20 minute. So you come on the project and your focus
21 is on the facilities design.

22 RICHARD PILOSENO: Yes.

23 KATE McGRANN: How did your work
24 integrate with others who were working on the 30
25 percent engineering piece, so people who were

1 looking at vehicles, the rail aspects? How did
2 that work all integrate?

3 RICHARD PILOSENO: So there is various
4 touch points there. When we started, there was not
5 a vehicle. Like there was no vehicle design, no
6 vehicle selected. So we were working with -- at
7 least part of our team was working with the service
8 requirements, the passenger demand, the headways,
9 to try and determine, you know, what the vehicle
10 requirements would be and, of course, that affects
11 platform lengths.

12 You know, the stations -- I think
13 originally in the RFP, the -- I think it was in the
14 RFP. I probably should have went back and checked.
15 You know, there was an anticipation that it may
16 be -- you know, they called it a light rail, but it
17 was something in the neighbourhood of
18 180-metre-long vehicle, which isn't really a light
19 rail vehicle. You know, it normally backs out
20 around 120 to 130.

21 So we did work on identifying, you
22 know, vehicles, lengths and capacities, which
23 adjusted station lengths, and so that is the size
24 of the station; you know, and then also alignment
25 of the stations, where they were located, whether

1 they were underground, above-ground, or elevated,
2 in a trench. So those were all integrated in
3 looking at trying to fit into the 2.1 construction
4 budget.

5 KATE McGRANN: And can you describe to
6 me the composition of the team that was working on
7 this part of the project?

8 RICHARD PILOSENO: In which regard?
9 Like the entities that were working on it from
10 CTP's point of view?

11 KATE McGRANN: Like what I am trying to
12 understand is how did the project go from where it
13 was when you arrived in October 2010 to the 30
14 percent design. So who was managing all of that
15 work and who was involved in doing it?

16 RICHARD PILOSENO: We had a very large
17 team. We had a core team of people located in
18 Ottawa.

19 KATE McGRANN: Okay.

20 RICHARD PILOSENO: As I said, some were
21 located, like myself, in the City's office. Other
22 parts of the joint venture were located in the same
23 building but not in the City's office.

24 So our Project Manager, overall Project
25 Manager, was Keith MacKenzie from STV. We had

1 several design leads. So we had Paul Beede, who
2 did the civil and the property. He was located in
3 Ottawa. Keith was located in Ottawa. Paul did sit
4 in the City's office, as did I. We had a
5 gentleman, John Murray, from Jacobs Associates who
6 was the Tunnel Lead.

7 Who else? We had a few people that
8 went through the Systems Lead, which were Ed Rose,
9 and I am blanking on my last person, but Ed Rose
10 was instrumental when we were writing the PSOS.
11 Mark Peterson, even though part of facilities, he
12 kind of managed the maintenance facility design and
13 requirements. And Joseph North was kind of the
14 Planner/Operator for the system, the train, the
15 delivery of the -- you know, the operations of the
16 system.

17 And everybody from STV -- or everybody
18 from STV. Everybody from CTP pretty much had a
19 counterpart that they reported to in the City. So
20 it wasn't an integrated team. It was a consultant
21 with the City, but they were always kind of paired
22 up with someone.

23 KATE McGRANN: Okay, which company was
24 Ed Rose working with?

25 RICHARD PILOSENO: STV.

1 KATE McGRANN: And Mark Peterson?

2 RICHARD PILOSENO: STV.

3 KATE McGRANN: Joe North?

4 RICHARD PILOSENO: STV. Oh, and I
5 mean, when Paul did manage the facilities, there
6 were several -- or the facilities, the civil.
7 There are several components in the civil. There
8 is the track grading, drainage, and there were kind
9 of, you know, sub-leads for each one of those
10 categories too. We had Stan McGillis from MH,
11 Morrison Hershfield, led a lot of the civil design
12 and the stormwater. Kaoru McCullough with STV was
13 with the track, along with Andy Sokol, also from
14 STV.

15 So I think that's about the whole team.
16 Obviously, there is probably a -- I am sure there
17 is several work charts somewhere around. I wasn't
18 unable to unearth all of them right now.

19 KATE McGRANN: That is okay. The
20 information that you have given me is very helpful.

21 And so who was your counterpart at the
22 City for the work that you were doing?

23 RICHARD PILOSENO: Peter
24 Schwartzentruber.

25 KATE McGRANN: Yes, you mentioned that

1 already, okay.

2 RICHARD PILOSENO: Yes.

3 KATE McGRANN: What work had the City
4 done to ascertain what its needs for Stage 1 of the
5 LRT system were when you joined?

6 RICHARD PILOSENO: There was obviously
7 the environmental assessment, and there was
8 another -- there was a project planning report, I
9 believe, yeah, the EPR, that kind of laid out where
10 they thought the stations were, what they needed to
11 connect to, where the alignment was, the passenger
12 capacity that they required, et cetera.

13 KATE McGRANN: And what does EPR stand
14 for?

15 RICHARD PILOSENO: Environmental
16 planning report. So it is part of the EA
17 assessment, environmental assessment submission.

18 KATE McGRANN: You mentioned the length
19 of the vehicle at 180 metres.

20 RICHARD PILOSENO: Uhm-hmm.

21 KATE McGRANN: I take it from what you
22 said that is longer than what an LRT or an LRV
23 would normally look like; have I got that right?

24 RICHARD PILOSENO: Yeah, typically, it
25 is longer, yes.

1 KATE McGRANN: When you are looking at
2 a vehicle of that length, if it is not an LRV, what
3 would it be?

4 RICHARD PILOSENO: We would call it
5 heavy rail or subway.

6 KATE McGRANN: To your knowledge, was
7 there any consideration of using a heavy rail
8 approach to the City's -- what the City is trying
9 to accomplish with Stage 1 of the LRT?

10 RICHARD PILOSENO: Not that I am aware
11 of or that I recall.

12 KATE McGRANN: And did the 180-metre
13 length remain true? Is that what the system ended
14 up having?

15 RICHARD PILOSENO: No, it was not.

16 KATE McGRANN: What did that ultimately
17 become?

18 RICHARD PILOSENO: Ultimately, we are
19 at 90 metre -- 90 metre -- I guess two 45-metre
20 cars coupled. I think they end up being 96 metres
21 long. Station platforms are 90 metres with the
22 train being capable and the stations being capable
23 to extend another 10 metres.

24 KATE McGRANN: Could you explain to me
25 what that means?

1 RICHARD PILOSENO: So they could -- we
2 have -- the station designs are set up so the
3 platform could be extended 10 metres, so you could
4 build 10 more metres of station, and they could put
5 a -- I believe it is a 15-metre module inside one
6 of the cars to make them longer to extend the
7 length of the train for more capacity.

8 KATE McGRANN: Okay, and just so I can
9 visualize what you are describing, you are
10 basically putting an insert into the middle of the
11 car to make it longer?

12 RICHARD PILOSENO: Correct. So, you
13 know, the car -- the trains are articulated, so it
14 can come apart, and you could take it apart and add
15 another module inside and put another articulation.

16 KATE McGRANN: Okay, and I am guessing
17 that the reason for the planning to allow for the
18 train to become -- the train car to become larger,
19 the platform to become larger, is to build in the
20 capacity for the system to deal with more
21 passengers, more passenger volume in the future?

22 RICHARD PILOSENO: Correct. That's
23 correct. And the underground stations were --
24 actually, they were built a little bit longer,
25 because when we are digging a hole in the ground

1 underneath the city, we put an extra 10 metres in
2 there if the vehicle ever changed or -- you know,
3 just to have some flexibility in those underground
4 stations.

5 KATE McGRANN: Okay, so generally
6 speaking, the above-ground stations, you leave the
7 ability to create the additional 10-metre platform.
8 With the underground stations, you just get it all
9 done at the front end, they already have that
10 additional the 10 metres built in?

11 RICHARD PILOSENO: That's correct.

12 KATE McGRANN: I understand that this
13 wasn't your area of focus, but the vehicle design
14 would have a direct impact, I am guessing, on your
15 station design.

16 RICHARD PILOSENO: Yes.

17 KATE McGRANN: Vehicles in the stations
18 have to be able to work together. Do you know what
19 led to the change in the vehicle from the
20 originally envisioned 180-metre setup to the two
21 times 45-metre couple cars?

22 RICHARD PILOSENO: Not -- I can't
23 really speak to that, no. I mean, I have heard
24 some things, but it would all be anecdotal.

25 KATE McGRANN: Okay. I would be

1 interested in hearing what you heard through your
2 work on the project, to the extent that you
3 remember.

4 RICHARD PILOSENO: So, I mean, one is,
5 as I said, a -- I don't think that a 180-metre
6 vehicle was ever studied, considered really. You
7 know, I think it was just putting together numbers
8 of passengers that you needed, and so capacity. I
9 don't know if there was ever really a study done to
10 support that.

11 So our Joe North and the vehicle team
12 went through iterations of, you know, looking at
13 the capacity that we needed to have for opening day
14 and in the future, and they looked, you know, doing
15 outreach into the industry trying to determine what
16 is available, what is common, what will work for
17 this. The width of the cars matter. The length of
18 the cars matter. You know, how many people you
19 actually design the floor space for and the number
20 of seats, and that also goes to the operator, you
21 know, what will they permit for density in the
22 trains.

23 And so all that works together to
24 figure out what kind of train you can have, and
25 also ties into the systems because you have to be

1 able to run at a headway, you know, the time in
2 between one train at the station until the next one
3 comes to get to the capacity.

4 It is a very complex way to determine
5 how much train station, et cetera, that you need.

6 KATE McGRANN: You have used the term
7 "headway" a couple of times. What does that mean?

8 RICHARD PILOSENO: The headway is the
9 time in between trains arriving at stations.

10 KATE McGRANN: Okay.

11 RICHARD PILOSENO: So a 4-minute
12 headway would mean if you were standing on a
13 platform and you missed that train, the next train
14 should be arriving in 4 minutes.

15 KATE McGRANN: Okay, so the headway
16 could be seen as like the passenger wait time for
17 the next train?

18 RICHARD PILOSENO: The frequency of
19 train arrival, yes.

20 KATE McGRANN: Okay, so we had been
21 talking about -- sorry, did I cut you off?

22 RICHARD PILOSENO: No, I think
23 everybody froze. It is probably my network there.
24 So I just wanted to make sure I didn't miss
25 anything.

1 KATE McGRANN: All right. We had been
2 talking about the information that was available
3 about the City's needs for you to work with when
4 you first joined. So you mentioned that the
5 environmental assessment had been done. You had
6 access to the EPR. Was there any other information
7 available about the City's needs or that otherwise
8 would have helped define the work that you were
9 doing?

10 RICHARD PILOSENO: I am not certain,
11 but I could -- I am not certain I can identify any
12 items right now off the top of my head.

13 KATE McGRANN: And do you recall any
14 major changes to the needs or the purposes as
15 articulated by the City of what it needed from the
16 system that affected your work through the
17 preliminary design phase?

18 RICHARD PILOSENO: No, I think the -- I
19 think the needs, the requirements of the system,
20 were pretty -- stayed fairly consistent. You know,
21 the budget item, the target that we were looking
22 at, everything pretty much held the course, the
23 number of passengers that we wanted to carry. It
24 was all very steady.

25 KATE McGRANN: Can you describe to me

1 at a high level how the team that you outlined for
2 me approached the budget and how that affected the
3 work that you did on the preliminary engineering
4 piece?

5 RICHARD PILOSENO: We first started
6 looking at the budget, I think, probably more
7 in-depth after kind of our first -- I think our
8 first submittal, which I think was called an ISR, I
9 think, interim submittal report, you know, and we
10 started looking at the budgets and started trying
11 to consider, you know, some options of how we could
12 reduce some of the cost.

13 One of the first items that came up
14 that we didn't make was what the University of
15 Ottawa station which -- or Ottawa University -- U
16 of Ottawa station, which was campus station, was
17 initially intended to be an underground station.
18 Due to what we had discovered with the soils, the
19 soils reports, et cetera, you know, one of the
20 first things we did to approach some cost savings
21 was to, we'll say, change the vertical alignment to
22 bring that station above grade because the soils
23 were very poor, and it would have been very
24 expensive to build an underground station in that
25 location.

1 So it did -- it shortened the tunnel
2 construction and lowered whatever risk there would
3 be to building an underground there. So that was
4 like one of the first budget items that we looked
5 at.

6 KATE McGRANN: Okay.

7 RICHARD PILOSENO: They kind of changed
8 the scope from where it was, right, because it was
9 an underground station and now it is an
10 above-ground station.

11 You know, we were always looking at
12 items, how to try and, you know, make a -- still
13 provide value and make changes in any way we could.
14 We always do that.

15 We didn't get any, I think, significant
16 changes in what we thought the scope of the project
17 was probably until around -- I think it was June
18 2011. I think that was '11, yes, where we did our
19 first comprehensive cost estimate, and we were over
20 the intended target budget, so we had some work to
21 do.

22 We looked at various things. Like at a
23 certain point we had, you know, a specific type of
24 finish on the station platforms, so we, you know,
25 had to try and roll some of that in, different

1 types of glazing, different types of roofing
2 materials. We had certain things we had to look at
3 from the station side to reduce some cost.

4 And then I am not exactly -- there were
5 items that were looked at for the other
6 disciplines, but I am not really aware of what kind
7 of changes we would have -- you know, value-added
8 or value-engineering items that we would have done
9 there.

10 KATE McGRANN: Okay, a couple of
11 questions about the information you just shared.
12 In your experience, is it normal when you start on
13 a project, at the stage that you started here, to
14 have a budget already set in the fashion that it
15 was set on this project?

16 RICHARD PILOSENO: Yes.

17 KATE McGRANN: The first comprehensive
18 cost estimate that you put together, if I was to go
19 looking for that document, like what is the
20 document titled? How would I go about looking to
21 find that?

22 RICHARD PILOSENO: I mean, it should be
23 part of the -- I can't recall what the submittal --
24 there was a submittal. Again, I think it was one
25 of the -- I mean, I get these names -- we called

1 them the IR -- ISRS. There is two. It would have
2 been that submittal that has that estimate in it.

3 KATE McGRANN: Do you remember --

4 RICHARD PILOSENO: We could probably
5 find that.

6 KATE McGRANN: Sorry, go ahead.

7 U/T RICHARD PILOSENO: No, I said we can
8 probably find that one fairly easily, but it was
9 June 2011 that it was prepared.

10 KATE McGRANN: If you could find that
11 document and provide it to your Counsel. We'll
12 send you a note, Mr. Leong, after this interview
13 with these kinds of undertakings, but if you could
14 take a look for it and provide it to your Counsel,
15 that would be useful.

16 Sitting here today, do you remember
17 generally what the budget number coming out of that
18 first estimate was, how far beyond the 2.1 billion
19 you were?

20 RICHARD PILOSENO: I believe we were
21 close to 600 million over-budget.

22 KATE McGRANN: And then can you
23 describe to me the approach that was taken to bring
24 the project back within budget? I am going to give
25 you an example that is overly simplified, so just

1 bear with me, to give you a sense of the kind of
2 information I am looking for.

3 Did you sit down and say, Okay, we are
4 600 million over budget. Facilities, we need you
5 to find a way to bring your work down by 200
6 million; other group, we need you to do the same
7 thing?

8 Or how was this approached?

9 RICHARD PILOSENO: Pretty similar to
10 that, yes.

11 KATE McGRANN: Okay, could you describe
12 it for me?

13 RICHARD PILOSENO: Well, we did
14 some -- you know, there were lots of things that we
15 did, you know, that at least from a facilities
16 point of view that, you know, are nice-to-have
17 things, aren't probably necessary.

18 So we made a decision that not every
19 station would have escalators. So escalators are a
20 tremendous cost on a project, specifically in this
21 environment, like around a million-plus dollars
22 apiece to install and weather-protect.

23 So when we had 13 stations and a lot of
24 stations had four escalators, so one was to come up
25 with a way to say we need to put escalators in

1 stations where they are higher volume, you know,
2 specific transfer stations. You know, if you are
3 going so many levels, like if you had to transfer
4 more than one level, it would have escalators.

5 So that is how we -- that was one
6 of -- that was a significant number because we
7 didn't like to do it, but it was, you know,
8 something we had to do.

9 And it was a similar thing with
10 elevators, that every station would have two
11 elevators on every platform. We did look at a few
12 stations to remove what we'll call a redundant
13 elevator, if there was an alternative means to --
14 if the elevator was out, to accommodate people with
15 accessibility challenges. So that was one of them.

16 I have already mentioned the flooring,
17 some material changes, and some roof coverage
18 requirements. Like we had entire 90 metres, every
19 station, fully-covered tracks with the roof. We
20 reduced that to you then have -- you know, not
21 covering the tracks, and then at certain stations
22 shortening the amount of roof coverage because of
23 the ridership.

24 So those were kind of the items that
25 were on the facilities list.

1 KATE McGRANN: Okay. Who on the
2 Capital Transit Partners side of things headed up
3 the budget-related work that was being done? Who
4 was coordinating that effort?

5 RICHARD PILOSENO: The estimating or
6 the managing, trying to adjust scope, we'll call
7 it?

8 KATE McGRANN: Both.

9 RICHARD PILOSENO: So the lead
10 estimator was Vinny Kissoon with STV, and, of
11 course, Keith MacKenzie pretty much headed up the
12 effort.

13 KATE McGRANN: Okay.

14 RICHARD PILOSENO: And along with the
15 City. I mean, the City was with us. We didn't do
16 our work in a silo. I mean, we were all in one
17 room with the City doing this work.

18 KATE McGRANN: So who would have been
19 the lead estimator's counterpart at the City?

20 RICHARD PILOSENO: That is a very good
21 question. I am not sure.

22 KATE McGRANN: And who would have been
23 Mr. MacKenzie's counterpart with respect to leading
24 up the efforts to bring things within budget at the
25 City?

1 RICHARD PILOSENO: Gary Craig. He just
2 passed away a couple of weeks ago. He was a good
3 friend of mine.

4 KATE McGRANN: I am very sorry. My
5 condolences.

6 So you mentioned that you were all in
7 the same room, and I take that to mean both
8 literally. I know that you are embedded in the
9 City's offices, and there were other people within
10 the same building.

11 RICHARD PILOSENO: Yes.

12 KATE McGRANN: But was it also the case
13 that you were working hand in hand with your
14 counterparts at the City as you went through this
15 preliminary engineering exercise?

16 RICHARD PILOSENO: So on the cost
17 adjustments, yeah, I mean, we were literally in one
18 conference room. We might break out for a little
19 bit and come back, but we had several days, you
20 know, working on that together.

21 KATE McGRANN: Okay.

22 RICHARD PILOSENO: And all disciplines,
23 both from the City and CTP, in that conference
24 room.

25 KATE McGRANN: Okay, so I was going to

1 ask you how long that part of the work took. So
2 you mentioned a couple of days. Were you able
3 to --

4 RICHARD PILOSENO: It was pretty much a
5 couple of days to kind of identify all the things
6 that we needed to look at, and then it was probably
7 another week to, you know, solidify it and talk to
8 other people to say, you know, can we do this, can
9 we not do this, because we did have other
10 stakeholders involved.

11 KATE McGRANN: Approximately when was
12 that work done?

13 RICHARD PILOSENO: That was in June of
14 2011.

15 KATE McGRANN: And then did the results
16 of that work go to someone or a group of people at
17 the City for review and sign-off?

18 RICHARD PILOSENO: Yes, I believe it
19 was -- I mean, the results of that was --
20 included -- so right about at that same time was
21 the discussions with IO and how to procure the
22 project, right, so that all happened like within a
23 month.

24 So I am assuming -- I can only assume
25 that a substantial amount of that information was

1 included in the FEDCO report in July 2011. I think
2 it was around July 7th.

3 KATE McGRANN: What can you tell me
4 about IO's involvement in June of 2011?

5 RICHARD PILOSENO: I have no knowledge
6 of their involvement in June. I mean, I only know
7 that in that first, second week of July is when, so
8 this is how we are going to procure the project,
9 and that changed, you know, or at least guided our
10 path to where we went with the IO procurement
11 model.

12 KATE McGRANN: Okay. So maybe taking a
13 step back from the time frame, when did you first
14 understand that IO was becoming involved in the
15 project?

16 RICHARD PILOSENO: Probably the end of
17 June, the beginning of July, probably before the
18 FEDCO report and meeting.

19 KATE McGRANN: Okay.

20 RICHARD PILOSENO: Knowing that they
21 were going to make a decision on it.

22 KATE McGRANN: Okay, and then what
23 insight did you have into -- or what did you
24 understand IO was doing, I should say, once they
25 came on in July 2011?

1 RICHARD PILOSENO: So, I mean, we -- I
2 think I was under the -- it was my understanding
3 that, you know, we were using their tried and
4 true procurement model of the
5 design/build/finance/maintain, which they had a
6 Project Agreement. They had certain, you know,
7 samples of how the project-specific output
8 specifications would be written, and really trying
9 to learn, you know, the true writing of how to
10 write something that is performance -- truly
11 performance-based without any real -- without using
12 things that we normally do, like people's
13 materials, right. We wouldn't normally specify
14 someone's material and say we are equal. But we
15 really didn't do that. It was really a learning
16 process, I mean, and they guided us on how to write
17 items. They actually, you know, would give us kind
18 of, we'll call them, short seminars on how to
19 write. So it was really, you know, writing, and we
20 were doing their process but using our information.
21 That is kind of how I understood it.

22 KATE McGRANN: And had you worked with
23 IO on a design/build/finance/maintain project
24 before?

25 RICHARD PILOSENO: No, no, my

1 understanding was that this was the first kind of
2 light rail vertical project that they have done.

3 KATE McGRANN: So the project-specific
4 output specifications or the PSOS work that was
5 done, were you working from precedents that IO
6 provided, or was it more they were providing you
7 with seminars and more conceptual guidance that
8 they were giving you?

9 RICHARD PILOSENO: So it was kind of
10 conceptual, but it was precedents from -- there
11 were a few. They had some other civil-type
12 projects that they used as an example. So we were
13 kind of extracting, you know, our -- because there
14 was a lot that was mostly roadway work, but we were
15 trying to put that into how we would write for
16 stations, which I think that ended up, I think,
17 fairly well, at least from a facilities point of
18 view.

19 And I think they did the same -- you
20 know, did similar things with the rail and all the
21 local roadways and bridges and structures, et
22 cetera, you know, to make them non-prescriptive.
23 That was the word I was looking for earlier.

24 KATE McGRANN: So we'll talk a little
25 bit more, I think, about the work done to put

1 together the PSOS and things like that, but before
2 we dive into that, I just want to understand, when
3 the decision is made to proceed by a
4 design/build/finance/maintain, what impact did that
5 have on the work that you were doing?

6 RICHARD PILOSENO: Well, because we
7 were -- I think we were probably close to complete
8 with, you know, reference concept drawings. It was
9 really writing technical requirements that would
10 semi-reflect our design but give the design builder
11 room to make improvements as they would see fit but
12 still, you know, meet the overall requirements of
13 the City.

14 So it didn't -- it just kind of
15 transitioned into writing the technical
16 specifications in the contract. And then we did
17 continue during that time frame to do some more of
18 what we'll call value engineering looks, one
19 of -- you know, we had a very substantial change,
20 which was to change the underground alignment
21 significantly that we did during that time.

22 KATE McGRANN: And when you say "change
23 the underground alignment significantly", are you
24 referring to changing the depth of the tunnel that
25 was planned as part of the system?

1 RICHARD PILOSENO: Depth and location.
2 It was -- the original design is what is called a
3 cross-country alignment, so it wouldn't follow any
4 streets. It would go under buildings, et cetera,
5 which caused it to be very deep, you know, because
6 a lot of buildings have underground parking garages
7 and then you have to be a certain distance below
8 that if you are going to build a tunnel.

9 So that was one of the large -- larger
10 impacts on our -- you know, that came out of our
11 study, our estimate, you know, was to change that
12 alignment. And so we continued to be working on a
13 reference kind of design to what we call was the
14 Queen Street alignment. So it does now run
15 essentially right under Queen Street from -- was it
16 from Bronson -- or west of Bronson all the way to
17 Elgin, and then it comes off a little bit because
18 it has to get to a little curve there to get down
19 to the mall, to the Rideau Centre.

20 KATE McGRANN: Okay. Did the change in
21 the tunnel alignment, what did it do to the length
22 of the tunnel and the distance between stations in
23 that section of the line?

24 RICHARD PILOSENO: I think it changed
25 the length of the -- it had to change the length of

1 the tunnel because we came down and around. This
2 is more of a straight shot. It may have made the
3 stations -- they may have been slightly closer
4 together. I mean, I think they would have to be.
5 I can't remember where they were situated in
6 relation to each other, but the number of
7 underground stations didn't change. It was just
8 their locations.

9 KATE McGRANN: Okay. And the reason I
10 was --

11 RICHARD PILOSENO: And their depth --

12 KATE McGRANN: Sorry, go ahead.

13 RICHARD PILOSENO: And their depth was,
14 you know, reduced greatly with this change.

15 KATE McGRANN: The reason that I was
16 asking about whether it changed the length of the
17 tunnel is that I am trying to understand what the
18 implications of the tunnel changes were for other
19 aspects of the project. So, for example, you know,
20 did it have an impact on the headway? You know,
21 were the stations farther apart such that now you
22 have got to do something to ensure that you are
23 getting the train frequency that you need? Any
24 other implications from the change in alignment
25 that you can think of?

1 RICHARD PILOSENO: I don't recall any
2 impacts on the headway. I mean, the major impacts
3 were the length of the tunnel, the depth of the
4 tunnel, which, as I said, you know, with
5 escalators, that also -- you know, we were -- off
6 the top of my head, I think we were somewhere in
7 the 70-metre deep stations, which is very deep and,
8 you know, with banks of escalators, you know, back
9 and forth, back and forth, back and forth to get
10 there, which, you know, excavation, escalators, all
11 kinds of cost savings with the outline of Rideau
12 Street -- or Queen Street, sorry.

13 KATE McGRANN: And you said that that
14 change to the tunnel depth and alignment came a bit
15 later in the process. Do you recall approximately
16 when that change was brought in?

17 RICHARD PILOSENO: I mean, we
18 determined that and got approval for that change, I
19 believe, before we issued the first -- before we
20 opened procurement, which would have been, you
21 know, September or October of 2011.

22 KATE McGRANN: Okay.

23 RICHARD PILOSENO: I think that was in
24 the original.

25 KATE McGRANN: Just so that it is clear

1 on the transcript, when you refer to opening
2 procurement, were you referring to the release of
3 the RFP?

4 RICHARD PILOSENO: Correct, correct,
5 which I believe was the end of October. I think
6 October -- like October 25th, I think, was the
7 first release of it when it was given to the
8 proponents, yes.

9 KATE McGRANN: I am going to ask for a
10 short break, five minutes. So can we go off the
11 record, please.

12 [Discussion Off The Record.]

13 -- RECESSED AT 10:08 A.M.

14 -- RESUMED AT 10:15 A.M.

15 KATE McGRANN: Before the break, we had
16 been discussing some changes to the tunnel depth
17 and alignment as part of some value engineering
18 work that was being done, and that work was done I
19 think after the first -- I want to say after the
20 first budget submittal. We have referred to an
21 IRSR or ISRS.

22 RICHARD PILOSENO: Yes.

23 KATE McGRANN: But can you just help me
24 ground in time when that tunnel alignment work was
25 done with respect to that budget document that we

1 are talking about?

2 RICHARD PILOSENO: So that work would
3 have been -- the budget or the estimate was
4 performed in the middle of June or near the end of
5 June. The Queen Street alignment option that we
6 looked at was performed July/August/September of
7 2011, so just following, on the heels of that
8 budget, because it was, you know, one of the items
9 to look at. But of course, we couldn't, you know,
10 put that all together. We knew it would save
11 money, so we had an estimate of how much it would
12 save by saying we are taking out this many
13 escalators, shortening, et cetera, but we had to
14 actually do a reference concept, you know, to show
15 that it was a possibility, you know, to be able to
16 design it in that fashion, design and construct it
17 in that fashion.

18 KATE McGRANN: Okay.

19 RICHARD PILOSENO: So we did that
20 concurrently with writing the PSOS in the Project
21 Agreement.

22 KATE McGRANN: Were there any other
23 changes made along the same lines as the tunnel
24 alignment to try to achieve cost savings during the
25 summer of 2011?

1 RICHARD PILOSENO: I don't recall. I
2 mean, we did the tunnel alignment, which was two
3 pieces. It was the Queen Street in and a slight
4 turn to Rideau Street also. No, I can't think of
5 anything specifically or major other than what was
6 discussed, you know, in the June meetings.

7 KATE McGRANN: Okay. The June
8 meetings, were there agendas put together for those
9 meetings?

10 RICHARD PILOSENO: I don't recall.

11 KATE McGRANN: Okay.

12 RICHARD PILOSENO: I don't --

13 KATE McGRANN: Do you know if anyone
14 was tasked with taking minutes of those meetings?

15 RICHARD PILOSENO: I don't recall.

16 KATE McGRANN: Do you know if any other
17 records were generated from those meetings, to-do
18 lists, action items, proposed schedules, anything
19 like that?

20 RICHARD PILOSENO: I don't recall off
21 the top of my head, no.

22 KATE McGRANN: I think you mentioned
23 before our break that the work done to change the
24 tunnel depth and alignment was done before the
25 first RFP release; have I got that right?

1 RICHARD PILOSENO: Correct, before the
2 beginning of the open period, yes.

3 KATE McGRANN: And when you say the
4 first RFP release, that leads me to want to ask,
5 were there subsequent releases of the RFP? Like
6 why did you say the first RFP release?

7 RICHARD PILOSENO: Well, there were,
8 through the process, you know, in response to
9 information requests from the proponents, from
10 various what they call confidential -- commercial
11 confidential meetings, you know, with discussions
12 with the proponents about language in the Project
13 Agreement or language in the PSOS that needed to be
14 addressed that they didn't agree with or -- I mean,
15 there are several processes that go in during the
16 procurement, and so there were amendments to the
17 RFP and the PA, you know, throughout the project.
18 I am not exactly sure how many. I believe we did
19 maybe somewhere around 20, 21 amendments.

20 KATE McGRANN: Okay. So shifting the
21 focus to the -- I'll call it the procurement
22 period, but post the first release of the RFP,
23 could you just describe to me a little bit more
24 about what your role was during this time?

25 RICHARD PILOSENO: So during that time,

1 I would respond to requests for information from
2 the proponents. So if they had questions about the
3 language, you know, what did you intend for this or
4 this conflicts with this, so it was responding to
5 the RFIs.

6 At that same -- I think at the same
7 time there were probably some reviews from internal
8 people from the City that weren't actually part of
9 what was the Rail Implementation Office at that
10 time that we may be making some modifications due
11 to their input. I think there was some of that
12 also from OC Transpo, because they got more deeply
13 involved after this -- after the procurement model
14 type was chosen, so there were some things to work
15 on with them that, you know, may have ended up in
16 some cases to be an addendum, an amendment to the
17 contract that we were working on.

18 Also, it was to participate and prepare
19 checklists for what they call DPMS, which were
20 design presentation meetings. So the proponent
21 had -- each proponent had, you know, a specific
22 amount of time, sometimes it was an entire day, to
23 present with their process, where they were at, and
24 we wanted to see how they were progressing on their
25 designs. And it would give us -- we would go

1 through the PA, and we would have a checklist of
2 items that we wanted them to present to ensure that
3 they were -- you know, the way they were
4 progressing we thought was conformant with the
5 project. So we would sit in these. We would go to
6 their presentations. We would have their
7 documentations. We would review it and then give
8 them feedback as to whether we thought what they
9 were proposing was conformant with the project
10 requirements or not.

11 KATE McGRANN: Okay.

12 RICHARD PILOSENO: So that was -- those
13 were the main tasks pretty much through the design
14 as well as trying to -- we would interface with
15 some of the external stakeholders such as the NCC
16 and the Urban Design Review Panel to keep them
17 abreast of where we were, how we were progressing,
18 and any input that we would need to get from them.

19 KATE McGRANN: Okay. In terms of how
20 the proponents interacted with the City and its
21 advisors throughout the procurement phase, I
22 understand that they interact through requests for
23 information or RFIs.

24 RICHARD PILOSENO: Yes.

25 KATE McGRANN: And they interact

1 through the design presentation meetings.

2 RICHARD PILOSENO: Correct.

3 KATE McGRANN: Any other modes in which
4 the proponents could interact with the City through
5 the procurement phase?

6 RICHARD PILOSENO: Yeah, it would be
7 the CCM, which is a commercial confidential
8 meeting, and there would be -- there was also some
9 other meetings, I think, with the procurement --
10 more just with the procurement people, not
11 necessarily technical staff, that were similar to
12 a CCM, but they would pretty much have -- they
13 would have all three proponents at the same time in
14 them.

15 KATE McGRANN: Oh, like a panel meeting
16 almost?

17 RICHARD PILOSENO: Yeah, yes. And I
18 think they called those -- those were some ad hoc
19 meetings.

20 KATE McGRANN: Okay. With respect to
21 the RFIs, first of all, I gather that there is no
22 schedule applicable to those? The proponents can
23 engage in a request for information at any point as
24 needed; is that fair?

25 RICHARD PILOSENO: Yes, up until a

1 certain date. There was a date where we said, you
2 know, we can't respond to an RFI, because if you
3 give us an RFI and we need to make a change to the
4 PA, it will be a never-ending circle, that we won't
5 be able to say you are done on this date.

6 So there was a cutoff date. I can't
7 recall, you know, how close it was to the date that
8 they had to submit proposals.

9 KATE McGRANN: Okay.

10 RICHARD PILOSENO: You know, we were --
11 there was also a date where we said this is the
12 last day that we will issue an amendment or an
13 addendum because they need to get their work done
14 to get us a submission. So that would all be laid
15 out -- that is all laid out in the contract
16 somewhere. I don't recall the dates and the time
17 frame.

18 KATE McGRANN: Who managed the RFI
19 process? Who received the requests and determined
20 who they would go to for a response and things like
21 that?

22 RICHARD PILOSENO: That would be
23 someone in our procurement team. I am not -- I am
24 not sure exactly who that would have been.

25 KATE McGRANN: With respect to the

1 design presentation meetings, was there a pre-set
2 schedule for those, or -- I mean, were they set at
3 predictable intervals so that the proponents would
4 know, okay, we have got three DPMS three months
5 apart kind of thing? We have got to prepare for
6 them and all of that kind of thing?

7 RICHARD PILOSENO: Yes, and they had
8 specific topics too. So those were all -- you
9 know, would already have been laid out in the RFP
10 that said, you know, DP-1 is 'x', you know, and
11 DP -- I think, you know, from memory, like DPM-4
12 was stations, DPM-5 were NCC stations, so they were
13 broken into different -- the facilities were broken
14 into different groups.

15 KATE McGRANN: Did the DPMS factor into
16 the evaluation ultimately of the proponents?

17 RICHARD PILOSENO: Not -- they were
18 never revisited, but you did -- I mean, it gave
19 you -- it gave everyone, you know, an idea of where
20 they were going. So we kind of -- I would say we
21 thought we knew what we would be expecting to see
22 when they submitted, and that is the whole point,
23 to make sure that we -- that they have -- they are
24 on the right track and they provide us with a
25 conformant submission, which, as I understood, was

1 that is the purpose of the DPMs.

2 So it didn't really factor in directly
3 to the evaluation, no.

4 KATE McGRANN: And then with respect to
5 the CCMS -- and those are commercially confidential
6 meetings, have I got that right?

7 RICHARD PILOSENO: Correct.

8 KATE McGRANN: How were those
9 scheduled? Were they set out ahead of time with
10 specific topics like the DPMs or were they
11 different?

12 RICHARD PILOSENO: There were scheduled
13 CCMS. I don't recall what they were regarding. I
14 am certain some of them were about the Project
15 Agreement, you know, and on and on. And then there
16 were ad hoc CCMS.

17 There were -- there was some CCMS where
18 we had with some private owners about an approach
19 for integrated entrances. So we had owners who
20 were considered wanting to have an entrance on
21 their property, and we would -- we had a meeting
22 with them to ask each proponent, you know, how they
23 would approach this type -- because we didn't want
24 to do a design. We wanted them to have some input
25 because it wasn't a PA requirement. We asked for

1 their input on how best to do this and what would
2 work for each one of their designs. And the reason
3 why it is commercially confidential is because each
4 of where the integrated entrances are, you know,
5 all the tunnelling options were different between
6 the contractors and would have various impacts on
7 integrated entrances.

8 So that was kind of the purpose of a
9 CCM, as an example, that I was involved in.

10 KATE McGRANN: With respect to the ad
11 hoc CCMs, was it the case that they could be
12 scheduled at the request of the City and its
13 advisors when there was a need identified for one?

14 RICHARD PILOSENO: Yes, or the
15 proponents could also ask for a CCM.

16 KATE McGRANN: Okay, and that was going
17 to be my next question. To your recollection, did
18 the proponents request ad hoc CCMs?

19 RICHARD PILOSENO: I can't -- I don't
20 recall for sure.

21 KATE McGRANN: Okay. You'll have seen
22 that another person has joined the meeting. That
23 is a colleague of mine from the Commission. Ms.
24 Murynka has just joined the meeting, just so you
25 know who she is.

1 You mentioned that after the first
2 release of the RFP there were some additional
3 reviews from the City. I take it that those people
4 were in coming from outside of the team that had
5 worked on the preliminary engineering and the
6 drafting of the RFP?

7 RICHARD PILOSENO: Correct.

8 KATE McGRANN: Who from the City was
9 engaged in those post first RFP release reviews and
10 modifications?

11 RICHARD PILOSENO: As I said, I mean,
12 OC Transpo was part of that additional, additional
13 people from OC Transpo, additional resources,
14 looking at different items. You know, when we
15 change, when we modify kind of the alignment, I
16 think there was also - and this is speculation -
17 there was probably some input required from
18 traffic, some other people, traffic, utilities,
19 because those items would be impacted from some of
20 the things that we were proposing to change.

21 You know, we did our work during PA,
22 during development of the PA -- PE with them, but
23 when we made the change -- you know, when we make
24 changes to the contract, we would need to review
25 certain things with those people, with those staff

1 members.

2 KATE McGRANN: Okay, and just so that I
3 can be sure that your answer is clear on the
4 transcript, I think you said you did your work in
5 the development of the PE, so that is preliminary
6 engineering?

7 RICHARD PILOSENO: Yes.

8 KATE McGRANN: And then you mentioned
9 when there would be changes to the PA, and that is
10 the Project Agreement?

11 RICHARD PILOSENO: Yes, during
12 procurement, we would also go back and discuss with
13 those stakeholders changes that we are making,
14 because we didn't want to change the PA without
15 their knowledge.

16 KATE McGRANN: Do you remember, sitting
17 here today, if there were any changes that you
18 sought to make to the Project Agreement that were
19 ultimately not made?

20 RICHARD PILOSENO: Not that I am aware
21 of, no.

22 KATE McGRANN: You speak a little bit
23 about the role of OC Transpo, so what was OC
24 Transpo's role in the preliminary engineering work?

25 RICHARD PILOSENO: They were not

1 involved very -- in very much depth, at least, you
2 know, on the facilities. They weren't really
3 integrated into the team. So they were a reviewer,
4 but they were not integrated into the team I guess
5 is the -- there was a staff member from OC Transpo,
6 I believe, in the Rail Implementation Office.

7 KATE McGRANN: With respect to the
8 review role that OC Transpo had in the preliminary
9 engineering work, were there any particular aspects
10 of the preliminary engineering work that you
11 understood them to be working on or focussed on?

12 RICHARD PILOSENO: No, not really.

13 KATE McGRANN: And then, I take it,
14 there was a change in OC Transpo's role after the
15 preliminary engineering work was done; is that
16 right?

17 RICHARD PILOSENO: Yeah, I think part
18 of, you know, the procurement process and the
19 procurement decision, knowing that -- the design
20 builder and they were maintaining it, you know,
21 brought OC Transpo much closer into needing to
22 integrate with the team and the understanding of
23 the project because they were ultimately the
24 operator of something that someone is going to
25 design for them, build for them, and maintain it.

1 So they then became much more involved in the
2 project following that decision in July.

3 KATE McGRANN: To the extent that
4 you can, can you help me understand why moving
5 from a design and build approach to a
6 design/build/finance/maintain approach would lead
7 to more involvement by OC Transpo in the
8 procurement phase?

9 RICHARD PILOSENO: Well, I mean, if we
10 continue to do a more detailed design/build package
11 release after July, what I -- I think that the
12 main -- I think the main involvement or concern
13 would be that they weren't maintaining that system.

14 So I think they would have to have just
15 as much involvement as a regular design/build if
16 they were operating and maintaining it, but I think
17 it is just -- that decision was made that is the
18 way it was moving forward. So I think when you
19 write performance -- as I said, because it could
20 have been a design/bid/build which would have been
21 very prescriptive. I think at that point when that
22 decision was made and we knew how we were moving
23 forward, it was just really the time for them to
24 get involved.

25 KATE McGRANN: Okay. So the trigger,

1 if you will, for OC Transpo's increased involvement
2 was the decision on the delivery model?

3 RICHARD PILOSENO: Yeah, yes.

4 KATE McGRANN: Was it unusual in your
5 experience that OC Transpo was not involved in the
6 preliminary engineering?

7 RICHARD PILOSENO: Well, I mean, they
8 were involved. It was just not really a deep,
9 deep, deep involvement. As I said, they did have a
10 staff member in the Rail Implementation Office.

11 You know, it varies, right. I mean, it
12 varies by agency how much involvement that they do
13 put in in preliminary engineering.

14 KATE McGRANN: And just to make sure
15 that I have got this right, the question of who
16 would be maintaining the system was an open
17 question until the delivery model was selected; is
18 that right?

19 RICHARD PILOSENO: Correct. I believe
20 so. That is my understanding, yes.

21 KATE McGRANN: With respect to the
22 operation of the system, was that also an open
23 question until the delivery model was selected?

24 RICHARD PILOSENO: I am not sure. It
25 may have been.

1 KATE McGRANN: Okay. And then once the
2 delivery model is selected, what did OC Transpo's
3 involvement in the procurement phase look like?

4 RICHARD PILOSENO: So they were
5 involved in reviewing -- I believe they reviewed
6 the Project Agreement. They gave us comments on
7 the Project Agreement and the PSOS. They
8 participated in the design presentation meetings.
9 They were an active participant.

10 KATE McGRANN: Any changes to the PSOS
11 resulting from OC Transpo's review and engagement
12 with those materials?

13 RICHARD PILOSENO: Yes.

14 KATE McGRANN: Okay, and what changes
15 do you recall?

16 RICHARD PILOSENO: There was a specific
17 list of items that they wanted addressed. I really
18 can't recall any of the specifics other -- I mean,
19 one was, you know, an examination of the number of
20 bus platforms and bus lay-bys that we needed at
21 specific stations. That is one that I do recall.

22 KATE McGRANN: When you say there was a
23 list, are you referring to an actual physical list
24 that we could go and find, or is that more like a
25 concept, they had several things that they wanted

1 you to look at?

2 RICHARD PILOSENO: I think there is
3 probably a list that -- an actual list, a table, at
4 least from the station facilities portion. I am
5 not sure about the other disciplines, I guess. I
6 have to make -- in most cases I am talking
7 particularly about facilities and stations, not
8 overarching items.

9 KATE McGRANN: Okay. And then arising
10 out of the interactions with the proponents, were
11 there any changes to the PSOS that came out of
12 those exchanges?

13 RICHARD PILOSENO: There would have
14 been out of CCMs sometimes because they -- but the
15 intent was not and I don't think any times the
16 intent was not to change -- make a change to the
17 PSOS to help or based on a proponent's design. It
18 was generally and always independent of what they
19 present because it would provide an unfair
20 advantage if that was done.

21 KATE McGRANN: So I understand that you
22 couldn't and wouldn't in a fair process change the
23 PSOS in response to a specific performance design,
24 but I could imagine that more generally, based on
25 feedback received from one or more proponents, a

1 change could be made to the PSOS to address an
2 issue identified with whether an aspect of the PSOS
3 is actually workable or is aimed at getting the
4 City what it needs.

5 Is what I am saying making any sense to
6 you, first of all?

7 RICHARD PILOSENO: Yes, and generally
8 if those came up during a design presentation
9 meeting, we would ask them to submit an RFI so that
10 that change would go to all the proponents.

11 KATE McGRANN: Okay.

12 RICHARD PILOSENO: Now, there was a
13 process that is a confidential RFI, and that was
14 generally submitting a question about something
15 that they wanted to do to interpret, again, before,
16 if it wasn't at a DPM, to say if this is what we
17 are intending to do, is this conformant with the
18 PA, and they would do that as a commercially
19 confidential RFI so that their idea wasn't, you
20 know, broadcast to all of the proponents. And in
21 all cases, the procurement team reviewed those to
22 go, no, this is not -- if you want to ask this
23 question, you need to send it as a regular RFI
24 because everyone needs to know.

25 So there was a process, a fairness

1 process in there.

2 KATE McGRANN: Okay. Just speaking
3 generally, you know, we have talked about whether
4 there were changes to the PSOS as a result of OC
5 Transpo's involvement. Were there other changes
6 made to the PSOS through the period that the
7 procurement was open?

8 RICHARD PILOSENO: Yes.

9 KATE McGRANN: And can you describe to
10 me what you remember those changes being?

11 RICHARD PILOSENO: I mean, some of them
12 may result in as we are looking at the PA and the
13 PSOS, trying to review the proponent's submission
14 from a DPM or an RFI, we would find an error in our
15 language not necessarily even related to their
16 question, but you are just reading -- you know, you
17 read the contract and, well, you know, that
18 language is incorrect and that could be a change.

19 There were -- I mean, there was one I
20 will say significant change that occurred due to
21 the relationship issues with the NCC where we were
22 looking to have approval on our designs for several
23 stations and the approval was not provided. So we
24 opened up the station designs to be more consistent
25 with the entire line as opposed to specifically

1 towards the -- geared towards NCC stations. That
2 was a significant change in the PA for us.

3 KATE McGRANN: I'm sorry, and what does
4 NCC stand for?

5 RICHARD PILOSENO: National Capital
6 Commission. And these were stations that are
7 located on or near federal lands where we needed to
8 have, you know, a property agreement with them for
9 use of the lands, through the FLUDTA.

10 KATE McGRANN: Any other significant
11 changes to the PSOS that you remember being made
12 during the procurement phase?

13 RICHARD PILOSENO: I believe we added
14 in the open procurement phase an integrated
15 entrance, and we realigned again, re-realigned, the
16 underground station to take a portion of it to
17 Rideau Street on the east end.

18 Those were two, I think, significant
19 changes from my point of view from facilities.
20 There may have been some others, either with
21 systems, vehicles, structures or alignment, but I
22 am not aware of those.

23 KATE McGRANN: To your recollection,
24 were there any changes to the PSOS that were sought
25 to be made that were not ultimately made, that your

1 team wanted to make that were not ultimately made?

2 RICHARD PILOSENO: Not that I am aware
3 of.

4 KATE McGRANN: With respect to the
5 evaluation of the responses to the RFP, what was
6 your role in that work?

7 RICHARD PILOSENO: So I was the -- I
8 guess call it with Peter Schwartzentruber the Lead,
9 we call it, Compliance Reviewer.

10 So I reviewed each of the submittals
11 myself for conformance with the PA, and then also I
12 had other -- we had other subject matter experts, a
13 structural engineer, mechanical, electrical, civil,
14 landscape, who also looked at those, and part of my
15 role was not only to do the conformance review but
16 was to compile and confirm the SMEs that were in my
17 discipline in the facilities, confirm that their
18 reviews were what we'll say accurate. Like if they
19 said something was non-conformant, you know, we
20 would go to check and see, try and evaluate if it
21 was non-conformant, or go back to them and talk to
22 them why they thought it was non-conformant before
23 we issued a final, quote, "list" of
24 non-conformance.

25 KATE McGRANN: Okay, a couple of

1 questions about that. You referenced SMEs. Is
2 that capital S-M-E, subject matter experts?

3 RICHARD PILOSENO: Yes, ma'am, sorry.

4 KATE McGRANN: And so was it the case
5 that you would receive any aspects of their
6 evaluation that touched on your area of expertise
7 and then they would then receive aspects of your
8 evaluation that touched on theirs, and everybody is
9 performing a sort of second review on other's
10 comments with their area of designation or...

11 RICHARD PILOSENO: No, generally I was
12 just reviewing theirs to confirm. Most of the --
13 it was more just a double-check on their
14 information and then also, you know, my kind of
15 we'll call them -- my checker was, you know, Peter
16 Schwartzentruber, also reviewed the documents, and
17 then we kind of combined and compared all of our
18 comments into the final facilities review document.

19 So I was the Lead for the JV CTP. He
20 was the City Lead. So like I said, we weren't an
21 integrated team, so I would give my information to
22 him.

23 KATE McGRANN: Okay. And so you in
24 this role are reviewing for the responses for
25 compliance with the PSOS and the Project Agreement

1 requirements; is that right?

2 RICHARD PILOSENO: Yeah, for specific
3 to station facilities, I think it was Part 5 for
4 this contract, 15-2, Part 5.

5 KATE McGRANN: Is this compliance
6 review separate and apart from the concept of
7 scoring the responses to the RFP?

8 RICHARD PILOSENO: Yes.

9 KATE McGRANN: Did you have any
10 involvement in the scoring of the responses to the
11 RFP?

12 RICHARD PILOSENO: No, you couldn't do
13 both. That was part of it. You could not do both.
14 And there was no -- like no communication between
15 the evaluators - they were evaluators, I believe
16 they were called - and the conformance or
17 compliance review.

18 KATE McGRANN: Do you remember the
19 names of the other subject matter experts that were
20 working on the compliance review along with you?

21 RICHARD PILOSENO: Like for the station
22 facilities or the other disciplines?

23 KATE McGRANN: Both.

24 RICHARD PILOSENO: So I would have
25 had -- electrical, I would have had a gentleman

1 Sharl Melamed. Structural, I believe, was -- it
2 might have been -- it was James Dixon or George
3 Yin. Paul Vincent also did an architectural
4 review. Bruce Zhan did mechanical.

5 You know, I can't -- my landscape urban
6 design reviewer, which was also under my purview,
7 was Martha Lush or Steve Sunderland. I can't
8 recall who was involved at that time.

9 And then Mark Peterson from STV did
10 the -- I guess I should say who those folks were.
11 So Martha Lush and Steve Sunderland are from Corush
12 Sunderland Wright. They were our landscape
13 partner.

14 I am trying to think if I had anybody
15 else in the facilities. There were -- I think
16 there were a few more mechanical and electrical
17 folks from STV that reviewed information for Mark
18 on the maintenance facilities.

19 And then our other reviewers from other
20 disciplines were Ed Rose, Paul Beede. That is
21 about -- from CTP point of view, that is all I
22 recall.

23 KATE McGRANN: Okay. And I understand
24 that you weren't involved in the evaluation at all,
25 by virtue of your work on the compliance review and

1 otherwise, but based on what you saw, was there any
2 surprise to you that RTG was selected as the
3 successful proponent?

4 RICHARD PILOSENO: No. They -- no.

5 KATE McGRANN: Okay. And I am about to
6 shift my area of focus from the RFP process and
7 evaluation over to your work as Facilities Lead for
8 design review in 2012, but before I do that, I just
9 want to check in with my colleague, Ms. Murynka.
10 Did you have any follow-up questions on any of the
11 questions that I asked on the procurement piece?

12 DANIELLA MURYNKA: I would check the
13 spelling of certain names if we could, but other
14 than that, those would be my questions.

15 So you mentioned a Peter --

16 KATE McGRANN: Can I just interrupt you
17 for a second, Ms. Murynka. The court reporter is
18 going to take care of the spelling questions at the
19 end of the interview after we go off transcript.

20 DANIELLA MURYNKA: No, then that is
21 perfect.

22 KATE McGRANN: All right. So moving
23 swiftly along then, after close of the RFP and the
24 selection of the successful proponent, did you have
25 any involvement in the negotiation of the Project

1 Agreement?

2 RICHARD PILOSENO: Yeah, yes, I did.

3 KATE McGRANN: Would you please
4 describe to us what your involvement in that was?

5 RICHARD PILOSENO: So my role during
6 that phase was, when we did our compliance review
7 or our compliance evaluation, there were
8 non-conformances or non-compliances - I can't
9 remember what we called them on that contract -
10 that they had to agree to bring those into
11 conformance.

12 And there were some items that were
13 what are called an observable where we needed more
14 information to determine if their solution would
15 indeed be conformant or not.

16 So the majority of the work was working
17 with RTG, what was called -- at that time they were
18 called the FNP, right, the first negotiating
19 proponent, was to work with their designers on our
20 non-conformances, get information back from them,
21 review it with them, you know, and evaluate it
22 again for, you know, if that would be a sufficient
23 solution to bring it into compliance.

24 We also, I believe, were working on
25 with them an integrated entrance solution for the

1 Rideau Centre, that we worked, you know, kind of
2 doing workshops with them and then reviewing their
3 design and trying to come to a solution how we can
4 get that integrated in language in the PA that may
5 need to -- that would need to be added to make that
6 solution viable and conformant.

7 So that was another aspect. So it was
8 really around conformance and, you know, that
9 one -- I think the one small change of the
10 integrated entries. Well, a big change, but...

11 KATE McGRANN: And your work during
12 this part of the project, negotiation of the PA,
13 still focussed on facilities design?

14 RICHARD PILOSENO: Yes.

15 KATE McGRANN: And so would you have
16 had -- there were people in a similar role to you
17 looking at different aspects of the project?

18 RICHARD PILOSENO: Correct.

19 KATE McGRANN: And would it have been
20 the same people who were doing the compliance
21 evaluations of the RFP responses, did they continue
22 on to then work on the PA negotiations, or were
23 there changes to that lineup?

24 RICHARD PILOSENO: No, it would have
25 been the same subject matter experts, and possibly

1 at that point in time I think then some of the
2 evaluators, because they were -- some of them were
3 leaders of our group, as -- Keith MacKenzie, I
4 believe, was an evaluator, so he would have been
5 involved in these discussions also. You know, so
6 the evaluators would have got back into it.

7 KATE McGRANN: Any major snags or
8 obstacles that you recall encountering in the
9 negotiation phase in terms of the PA?

10 RICHARD PILOSENO: No, not that I am
11 aware of.

12 KATE McGRANN: And then following the
13 finalization of the PA, how did your role change?

14 RICHARD PILOSENO: So at that point, it
15 kind of semi-diminished as that I was not located
16 in Ottawa anymore, I was back in my home office,
17 and I would not have been -- was not working on the
18 project full-time. It was only when either RFIs
19 would come in or design review submissions would
20 come in that I would be involved.

21 KATE McGRANN: And you were in the role
22 of Facilities Lead for design review from 2012 to
23 2014, and then I think you continued in that role
24 with additional responsibilities beyond that point;
25 is that right?

1 RICHARD PILOSENO: Correct. Correct.

2 KATE McGRANN: To the extent that you
3 can in the 2012 to 2014 period, can you give us a
4 sense of how much of your work time is devoted to
5 your work on Stage 1 of the LRT?

6 RICHARD PILOSENO: You know, it would
7 vary based on those submissions. As I said, you
8 know, it was probably, I would say, around 50
9 percent maybe.

10 KATE McGRANN: And I just want to
11 understand how the RFI process worked once the
12 project was underway. How did you receive requests
13 for information? How were they sent to you?

14 RICHARD PILOSENO: So I would get a
15 request to review or, you know, to respond or to
16 comment on an RFI would come from Peter
17 Schwartzentruber. Generally it would come from
18 Peter Schwartzentruber. Rarely, but on some -- you
19 know, it would come from another of the City's
20 design leads or, I guess, discipline leads. But in
21 general, it was Peter Schwartzentruber and then
22 later on Rajan Shrichand.

23 KATE McGRANN: And then the work that
24 you would do to respond to these requests for
25 information, was it subject to City review and

1 sign-off?

2 RICHARD PILOSENO: Oh, yes, everything
3 was.

4 KATE McGRANN: And who were you
5 reporting your work back to? Who was involved in
6 the review and sign-off of your work?

7 RICHARD PILOSENO: Peter
8 Schwartzentruber and Rajan Shrichand.

9 KATE McGRANN: Were there any -- was
10 there any means of categorizing the importance of
11 the RFI with respect to, you know, the
12 construction-critical path or other timelines or
13 deadlines or its impact on other aspects of the
14 project? So were some categorized as urgent, you
15 know, for example?

16 RICHARD PILOSENO: No, not really,
17 unless -- I mean, some of the RFIs, the contractor
18 or the design builder or ProjectCo, however we want
19 to refer to them, would, you know, try to
20 categorize it as urgent or -- I think there was
21 a -- I think the PA may have contained a number of
22 working days that the response was required by, I
23 believe.

24 KATE McGRANN: Okay. And beyond the PA
25 requirements for response times, were there any

1 expectations put in place with respect to your work
2 on these RFIs in terms of response times?

3 RICHARD PILOSENO: I don't recall. I
4 don't recall.

5 KATE McGRANN: And do you recall at any
6 point during your time working as Facilities Lead
7 for design review, you know, up until 2014 or
8 afterwards, where there was a delay that you recall
9 either in getting a response together or in getting
10 sign-off from the City on a response to an RFI?

11 RICHARD PILOSENO: No, I don't recall
12 anything specific, no.

13 KATE McGRANN: With respect -- so we
14 talked about RFIs. You also mentioned design
15 reviews. Can you explain to us what design reviews
16 are in the context of the construction of the
17 project?

18 RICHARD PILOSENO: So the PA required
19 submission of the proponent's design -- or sorry,
20 DBCo's, ProjectCo's design submittals of what they
21 intend to build, and the PA required -- had certain
22 requirements for each submittal, which was
23 contained in Schedule 10. There were generally --
24 I believe there were four submittals that they were
25 required to do, which was a Pre-Final Final Design,

1 so a PFDD, Pre-Final Design Development, a Final
2 Design Development, a Pre-Final Construction
3 Document, and a Final Construction Document
4 submittal. So I believe there were four submittals
5 in the facilities section. I believe Peter and
6 ProjectCo negotiated out one of the construction
7 document submittals, so we only had three.

8 KATE McGRANN: So when you say they
9 negotiated it out, it was removed as a requirement
10 from the PA, the Project Agreement?

11 RICHARD PILOSENO: Yes.

12 KATE McGRANN: Do you remember
13 which --

14 RICHARD PILOSENO: I -- go ahead,
15 sorry.

16 KATE McGRANN: I was going to say do
17 you remember which of the four stages you described
18 was removed?

19 RICHARD PILOSENO: I believe it was the
20 Pre-Final Construction Document submittal.

21 KATE McGRANN: And to the extent you
22 can, can you just give us a brief description of
23 the purpose of each of those four documents, so the
24 Pre-Final Design and onwards?

25 RICHARD PILOSENO: Pre-Final Design

1 Development would be -- in a traditional
2 architectural- or facilities-type construction
3 would be something that is called like a schematic
4 design, so kind of just -- a little bit more than
5 the concept design, kind of give you an overall
6 feel of how the building is going to look, where
7 items are going to be, you know, generally the
8 look, the feel, and the arrangement of all the
9 components.

10 Design Development is -- pretty much it
11 expands on that or the final, what we call the FDD,
12 the Final Design Development. It expands on that,
13 and it kind of includes every item that should be
14 part of the project. It may not be detailed, so
15 somebody doesn't know how to -- you wouldn't be
16 able to, quote "build it", but you would know there
17 was a trash can in this location, or there is a
18 room over here and it contains all of the
19 mechanical equipment, et cetera.

20 And then that Pre-Final Construction
21 Document is really just a -- would be like a
22 progress submittal of making sure that nothing
23 changed from your -- when you started doing
24 construction documents, making sure that nothing
25 changed from your Final Design Development Document

1 so that there would be no surprises when you had a
2 Final Construction Document.

3 And then the Construction Documents are
4 what they, you know, sound like they are. They are
5 for -- they are final. This is what the contractor
6 is going to build from.

7 So that would be, you know, the purpose
8 of all four of those.

9 KATE McGRANN: Okay, and were you
10 involved in reviewing for your area the three
11 documents that remained as a requirement, providing
12 feedback and comment to the City?

13 RICHARD PILOSENO: Yes. Yes. And as
14 well, I would distribute -- I was responsible to
15 distribute to my other, quote, "disciplines" in the
16 facilities and compiling, again, all of the
17 comments in trying to ensure that their comments
18 were conformance or compliance comments and not
19 engineering preference, et cetera, before we
20 returned them to, again, Peter Schwartzentruber and
21 Rajan Shrichand for the final compilation.

22 KATE McGRANN: With respect to the
23 negotiation of the removal of the pre-final
24 construction piece of these four documents, do you
25 know when the negotiations to remove that

1 requirement were completed?

2 RICHARD PILOSENO: I don't recall.

3 KATE McGRANN: Do you know why that
4 requirement was removed?

5 RICHARD PILOSENO: I wasn't really
6 involved in the discussion. I am not exactly sure.
7 I can't say why it was removed.

8 KATE McGRANN: And over what period of
9 time were these plans reviewed by you?

10 RICHARD PILOSENO: Probably beginning,
11 you know, in mid to late 2013 to -- well, until --
12 I mean, we were still getting documents to review
13 up through the end of the project, but the bulk of
14 it was probably until 2016.

15 KATE McGRANN: And was there original
16 schedules set for the delivery of these documents
17 to the City and then the City's response back on
18 them in the PA or otherwise?

19 RICHARD PILOSENO: The only -- they
20 were to provide a schedule for the submittals. I
21 think the PA required it. They did submit a
22 schedule. You know, we had for the PA, I believe,
23 15 -- you know, 15 days to do a review on each
24 submittal. The PA had language for, you know, if
25 they provided too many submittals at one time, that

1 we could request additional time, et cetera.

2 But from the facilities point, you
3 know, they probably did not generally adhere to
4 their schedule.

5 KATE McGRANN: They did not generally
6 adhere to their schedule?

7 RICHARD PILOSENO: No.

8 KATE McGRANN: And when did you first
9 start to see a slippage in the schedule?

10 RICHARD PILOSENO: It was probably
11 pretty early, and then -- but the schedule really
12 wasn't updated. It would be -- what I would hear
13 or what I would know from our meetings is they
14 would say, We are going to submit to you a design
15 development or the FDD drawings for this station,
16 you know, next week. And so we would try to get
17 all of our -- because we weren't working on it
18 full-time. All of our other -- you know, all of
19 our reviewers have, you know, other projects they
20 are working on, try to schedule their time and say,
21 It is coming next week, and then it doesn't come.
22 You know, and it may come a week later and then it,
23 you know, would become problematic for us.

24 That is how I recall that I know they
25 were slipping on their schedule at certain times.

1 KATE McGRANN: Okay. At any point in
2 time did the slippage in the schedule raise
3 concerns for you about the ultimate delivery
4 timeline for the project?

5 RICHARD PILOSENO: Not -- no, not
6 really, not that I recall.

7 KATE McGRANN: In 2014, you take on an
8 additional role as a Project Manager for Capital
9 Transit Partners. What did that role involve?

10 RICHARD PILOSENO: So the role at that
11 point in time, as, you know, most of the design
12 review was complete, most of the major items
13 that -- the property issues and so forth and
14 integrated entrances were already addressed.

15 So it was really a position of ensuring
16 that the City had the resources that they asked
17 for, either for design review, for any on-site
18 reviews that they would request from our staff, and
19 then just in general making sure that people were
20 keeping up on their responsibilities and making
21 their own -- you know, their deadlines and review.
22 If the City sent them something and it didn't get
23 reviewed in time or the City staff felt that it was
24 not being answered in a -- not being addressed in a
25 proper amount of time, they would come to me and

1 then I would go and try and, you know, ensure that
2 we get our work done.

3 And then also invoicing and -- what is
4 it? I can't recall what we -- you know, our --
5 keeping an update on our budget and forecasting our
6 budget going forward so the City knew if we needed
7 to increase our contract value for a release of
8 money. The word I was looking for was "releases".
9 We did quarterly releases so that we had money to
10 fund our work.

11 So that was the majority of the work.

12 KATE McGRANN: Would a quarterly
13 release be a -- is it like a pre-payment so you are
14 being paid in advance for work in the quarter to
15 follow?

16 RICHARD PILOSENO: No, it is not a
17 payment. It is just that the funds are made
18 available.

19 So what we -- because our work, we were
20 hourly, as requested, so there would be -- they
21 would release a contract value of, say, \$200,000
22 for the month of October because we anticipated
23 this much work, so then at the end of the month,
24 when we sent an invoice, there was contract value
25 to be able to pay our invoice.

1 We had a PO number, but we didn't
2 release the full amount for us to charge to it at
3 one time.

4 KATE McGRANN: Okay. With respect to
5 the work that you did to ensure that the City had
6 the expertise it needed, who identified what
7 expertise the City needed at any given time while
8 you were in this role?

9 RICHARD PILOSENO: So it would come
10 from their -- generally from their discipline
11 leads. If they needed like a specific review of
12 something, like a catenary, so the overhead power
13 lines for the trains, they wanted someone with the
14 expertise to look at the installation to see if
15 that was conformant with the PA. They would come
16 to me because they may not know who that person was
17 in CTP, and that would go to our specific joint
18 venture partner if I didn't already know who that
19 staff member was to be and say, We need somebody
20 available to come up, you know, to review this
21 on-site. Who is that person, you know, going to be
22 from our resource group?

23 KATE McGRANN: And so was it the case
24 that the City was self-assessing what expertise it
25 needed at any given point in time and then would

1 bring the results of its self-assessment to you and
2 you would work to fill those needs?

3 RICHARD PILOSENO: Yes.

4 KATE McGRANN: To your knowledge, like
5 were you or anyone at CTP ever involved in
6 assessing the City's pool of expertise in
7 recommending that it be supplemented in any way?

8 RICHARD PILOSENO: No, I am not aware
9 of that.

10 KATE McGRANN: And was there generally
11 a plan in place that provided the City with access
12 to CTP team members and then you are filling
13 additional gaps as they arise, or was it really an
14 on-demand relationship throughout the construction?

15 RICHARD PILOSENO: I mean, there were
16 assigned people. Generally that was during, you
17 know, the very heavy design review. But as it
18 proceeded more into construction and, you know,
19 after several years, you know, some people were not
20 with the company, some people have moved on, some
21 people were not available because they just are not
22 available anymore because they are completely
23 booked on other jobs.

24 So it kind of fluctuated. There was a
25 core group of people, and then it kind of branches

1 out from there.

2 KATE McGRANN: How big was the core
3 group of people through the construction phase?

4 RICHARD PILOSENO: From CTP?

5 KATE McGRANN: Yes.

6 RICHARD PILOSENO: Excluding our three
7 people who were on-site, you know, maybe like ten.

8 KATE McGRANN: Okay. With respect to
9 the work that you did, I think you had mentioned
10 that you were ensuring that people were keeping up
11 with their deadlines.

12 RICHARD PILOSENO: Yes.

13 KATE McGRANN: Who did those people
14 work for? Whose deadline work were you managing?

15 RICHARD PILOSENO: It would have been
16 the City's, basically. I mean, so if they had
17 received an RFI, I guess regardless of when it was
18 actually received, you know, they may send it to
19 one of our staff members and ask for a response in
20 a day, you know, just trying to keep up on whatever
21 the City had asked for on the deadlines.

22 KATE McGRANN: And was that a challenge
23 on this project at times?

24 RICHARD PILOSENO: Sometimes it was,
25 yes, because some of the expertise is very limited.

1 You know, I mean, there are certain people who were
2 involved with some of the design review. If there
3 was a certain issue, they really probably needed to
4 look at that, and they might not have been right
5 available to do that or to, you know, make an
6 appearance on-site in a quick turn-around.

7 So it was a challenge at some points,
8 but nothing significant.

9 KATE McGRANN: And just so that I make
10 sure I understand what you are saying, when you say
11 that certain experience was limited, I think that
12 you mean that the number of people who could fulfil
13 that need were limited.

14 RICHARD PILOSENO: Correct.

15 KATE McGRANN: They have all the
16 expertise. There were only a couple of them?

17 RICHARD PILOSENO: No, correct, like
18 they were familiar with what ProjectCo's design was
19 and how it should be implemented. It would be
20 better that they review that than someone else.
21 That is absolutely correct, yes.

22 KATE McGRANN: And the kind of deadline
23 challenges that you are describing here, were they
24 unusual in your experience as compared to other
25 projects?

1 RICHARD PILOSENO: No.

2 KATE McGRANN: Did you ever run into
3 any issues meeting deadlines or otherwise as a
4 result of the way in which CTP's work for the City
5 was structured?

6 RICHARD PILOSENO: Not that I recall
7 directly, no.

8 KATE McGRANN: To your knowledge, was
9 CTP involved at all in assessing RTG's project
10 progress during construction to help the City
11 understand how the construction was progressing or
12 otherwise?

13 RICHARD PILOSENO: I will say
14 indirectly, yes, we were. Through our contract,
15 the City had asked for some people of high- level
16 expertise - and these are very senior people in all
17 of our companies - to participate in, you know, a
18 schedule review, construction progress review, and
19 kind of opine on the status and what RTG was
20 proposing. But they were independent.

21 The only thing that I as CTP's Project
22 Manager was involved in was providing a scope for
23 approval to Gary Craig to review to allow us to get
24 the money for our work release, but we didn't --
25 there was to be an independent review, so no one

1 who was involved with the project really was
2 reviewing that work and making that opinion because
3 the City wanted it to be independent.

4 KATE McGRANN: With respect to that
5 independent review, over what period of time did
6 that review take place?

7 RICHARD PILOSENO: I would have to
8 confirm, but I believe we started the first one
9 possibly -- I want to say it was maybe November of
10 2017, and I think we -- again, from memory, we did
11 three, maybe three reviews.

12 KATE McGRANN: Were these reviews part
13 of the role for STV that was originally envisioned,
14 or was this a part of a request that came from the
15 City later in the project?

16 RICHARD PILOSENO: I think it was --
17 you know, it could be construed that providing
18 advice during construction, it would be part of the
19 contract, but it was something that, you know, was
20 not apparent that we were going to provide early on
21 in the negotiation of the construction support
22 contract.

23 KATE McGRANN: Do you know who formed
24 part of this independent review team?

25 RICHARD PILOSENO: Yes.

1 KATE McGRANN: And could you tell me
2 who was on that?

3 RICHARD PILOSENO: So it would be Joe
4 North, Anil -- I can't remember Anil's last name or
5 how to say it, Parikh. Steve -- I think it is
6 Steve Rocco. I mean, I can get a list of this, of
7 their names.

8 KATE McGRANN: If you could get a list
9 of their names and which organization they worked
10 with, that would be very useful. So we'll put that
11 on our list of follow-ups for you.

12 U/T RICHARD PILOSENO: That is fine. Some
13 of them work for both companies or two companies.

14 KATE McGRANN: Whoever they work for,
15 one or more, that would be great.

16 RICHARD PILOSENO: Yes.

17 KATE McGRANN: Were you involved in
18 interacting with RTG at all through the
19 construction phase of the project?

20 RICHARD PILOSENO: Yes. I mean, I
21 worked with -- during the design review, you know,
22 we did have meetings, like I think biweekly
23 meetings with the design team. And then I was
24 involved in one quality review of their process.
25 And then later on, you know, in review of

1 compliance issues, and we'll call them the
2 close-out issues with conformance, so we did have
3 some interaction and some meetings on-site, solving
4 some site issues.

5 So every now and then, yes, we had an
6 input.

7 KATE McGRANN: You mentioned close-out
8 issues with respect to conformance. Can you tell
9 me a little bit more about what you were talking
10 about there?

11 RICHARD PILOSENO: So there is a -- I
12 can't remember what the form is called. There is a
13 large document that basically has, you know, every
14 line in the PA that is supposed to be, you know,
15 completed to say that you are conformant with the
16 requirements of the Project Agreement, and it
17 should have, you know, how was it proven that you
18 were conformant. It could be through design; it
19 could be through construction documentation, et
20 cetera.

21 And there were probably -- there were
22 several that, you know, were challenged whether
23 they were or were not conformant, or if the
24 documentation was provided, et cetera. So we had
25 several meetings and discussions regarding those

1 items.

2 And then, of course, there were some
3 items in dispute that we interacted with them on.

4 KATE McGRANN: With respect to the
5 proof of conformance for the various live items
6 that you identified, was the manner of proving
7 conformance defined in the Project Agreement, or
8 was that an approach that was sort of worked out as
9 you went through it?

10 RICHARD PILOSENO: I don't recall if it
11 was specific in the Project Agreement. I believe
12 it was, but I can't confirm that right now.

13 KATE McGRANN: What were the major
14 items that posed a problem with respect to
15 conformance?

16 RICHARD PILOSENO: So, I mean, in
17 general, from the facilities point of view, I don't
18 know if we had anything that was major. Some of it
19 would -- some of the items may have been -- like
20 there is 13 stations. There may be some
21 non-conformances of -- we have something to say
22 like benches need to be no further than 'x' metres
23 apart, and they may have been further because of
24 something on-site, and it really would just need
25 some documentation that that item was not

1 conformant and we agreed to it not being conformant
2 because of this issue or that issue.

3 So there was nothing that was overly
4 concerning from the stations point of view.

5 KATE McGRANN: In your facilities work
6 through the construction phase, were you also
7 looking at the MSF?

8 RICHARD PILOSENO: So the MSF, I mean,
9 again, Mark Peterson of STV was the main
10 conformance reviewer of that, but as I said, he
11 fell underneath the facilities.

12 So, no, we didn't really -- I didn't
13 have much oversight in that.

14 KATE McGRANN: And did you have any
15 view into how the station construction interacted
16 with the plan for actual commissioning and testing
17 of the vehicles?

18 RICHARD PILOSENO: No, I was not really
19 involved in the testing and commissioning of the
20 vehicles.

21 KATE McGRANN: To your knowledge, did
22 the progress of the station construction have any
23 impact on the plan for the commissioning and
24 testing of vehicles?

25 RICHARD PILOSENO: Not that I am aware

1 of, no.

2 KATE McGRANN: With respect to the
3 staffing requests that you received from the City
4 during your time as Project Manager, can you speak
5 to what areas of expertise the City called upon
6 Capital Transit Partners to fill?

7 RICHARD PILOSENO: Yeah, we had
8 some -- generally, I think most came from -- the
9 ones that I had to look for was the catenary, so
10 the traction power was a main -- one of the main
11 concerns that I recall through that, and there was
12 maybe one request for track construction.

13 KATE McGRANN: Do you remember any of
14 the details of the track construction request?

15 RICHARD PILOSENO: No, it was just
16 some -- they wanted another -- I think another
17 reviewer to look at the track work.

18 KATE McGRANN: And when you say
19 "another reviewer", would that be in addition to
20 the people within the City staff who were doing the
21 review, or were there others involved as well?

22 RICHARD PILOSENO: Correct, in addition
23 to the City staff.

24 KATE McGRANN: Okay. Are you aware of
25 any complaints coming from either the City or RTG

1 with respect to the time that the work CTP did
2 during the construction period took?

3 RICHARD PILOSENO: No, I am not.

4 KATE McGRANN: Are you aware of any
5 complaints from RTG with respect to the City's
6 response time during the construction period?

7 RICHARD PILOSENO: No, I am not.

8 KATE McGRANN: Are you aware of any
9 concerns arising from the City or its advisors
10 regarding the timeliness of requests for
11 information provided by RTG through the
12 construction period?

13 RICHARD PILOSENO: No, not really, no.

14 KATE McGRANN: With respect to the work
15 that you were doing, what was the impact of the
16 Rideau Street sinkhole on your work?

17 RICHARD PILOSENO: It really did not
18 have any -- you know, any impact. All of the
19 mitigation items, et cetera, that were done I think
20 were handled through our joint venture member
21 Jacobs & Associates with very little -- you know,
22 very little need of any involvement from myself.

23 KATE McGRANN: Going back in time to
24 the preliminary engineering phase, were you
25 involved in a consideration of the geo-technical

1 risk and who would be best positioned to bear it?

2 RICHARD PILOSENO: I was not involved
3 in the discussions, but I know that they occurred
4 and, I mean, I was in some of the meetings where it
5 was discussed but not an active participant, nor
6 did I have any real role in making that decision.

7 KATE McGRANN: Do you recall, were
8 there particular people or groups who were pushing
9 for the complete transfer of the geo-technical risk
10 to the private service provider or private partner?

11 RICHARD PILOSENO: I don't recall
12 anybody specifically, you know, pushing the risk.
13 I know there was a -- I think -- I just recall
14 discussions about how to -- you know, either to
15 give them options to take on risk or not take on
16 risk, you know, and what that impact to the project
17 cost or to the City may or may not be. That is
18 about all I recall from those discussions, that
19 they happened.

20 KATE McGRANN: And we know that the
21 delivery of a system - and by that, like the
22 achievement of revenue service availability - was
23 delayed from what was originally envisioned in the
24 Project Agreement. From where you were sitting,
25 what were the major contributors to the delay?

1 RICHARD PILOSENO: To me, it was just
2 construction progress in general. I mean, I don't
3 think that it proceeded as quickly as they
4 anticipated. I am not sure if it was -- I am not
5 sure what the cause of that was, but it didn't
6 proceed as fast as anticipated, I think by -- you
7 know, from the contractor's point of view.

8 KATE McGRANN: We are just coming up on
9 11:40. I am going to take a five-minute break, and
10 then we'll come back up for wrap-up questions on
11 our end and any follow-up questions from your
12 Counsel.

13 So same deal with turning off your
14 microphone during the time that we are away, and
15 we'll reconvene at 11:45.

16 RICHARD PILOSENO: Okay, thanks.

17 -- RECESSED AT 11:40 A.M.

18 -- RESUMED AT 11:45 A.M.

19 KATE McGRANN: Just a couple of
20 follow-up questions based on what we discussed
21 today.

22 Can you speak to how the contingency or
23 any contingencies were built into the City's budget
24 for the project, how that affected the value
25 engineering work you did in the preliminary

1 engineering phase that you described to us?

2 RICHARD PILOSENO: I am just -- I am
3 not even sure that we were aware of what the City's
4 contingency budget was. I mean, we knew they had a
5 contingency. We did not know what the contingency
6 budget was, nor did we account for it, I believe,
7 while we were doing our work.

8 KATE McGRANN: In any of the work that
9 you have done since you started on the project,
10 have you been involved in any assessment of
11 project-related risks and communicating those to
12 the City?

13 RICHARD PILOSENO: Early, early on
14 during PE, we did participate in a risk review
15 process to identify some risks that we thought --
16 you know, prior to doing the PE or, you know,
17 during the early parts of the PE to try and either,
18 you know, design the risks out, you know, have a
19 plan to mitigate them.

20 We did do a review following the
21 signing of the close of the contract of items in
22 the stations that we think, you know, that we
23 needed to probably pay more attention to because
24 they could cause us or cause the City or cause the
25 contractor some issues if they weren't addressed

1 properly during design.

2 KATE McGRANN: And were the results of
3 that post-contract design review amalgamated into
4 one report or document that we would be able to
5 find?

6 RICHARD PILOSENO: I believe it was in
7 a document. I would not say it was a report, I
8 don't believe. It was prepared by Peter
9 Schwartzentruber.

10 KATE McGRANN: All right, so the
11 results of that review were collected and
12 amalgamated into a document by the City?

13 RICHARD PILOSENO: Yes. At least --
14 again, at least for the facilities portion of the
15 work.

16 KATE McGRANN: With respect to the
17 construction of the stations, I believe that there
18 was a change to the schedule and a compression to
19 the schedule in or about May 2014 with respect to
20 the delivery of certain stations, including - and I
21 may not pronounce this properly - Pimisi Station,
22 Lyon Station, Parliament Station, Rideau and
23 Hurdman Stations. Does this ring a bell for you?

24 RICHARD PILOSENO: No.

25 KATE McGRANN: If there was a change to

1 the schedule for the delivery of the stations, is
2 that something that you would have expected to
3 become aware of in your work?

4 RICHARD PILOSENO: Only in the amount
5 that it would have affected the design review that
6 was being undertaken.

7 KATE McGRANN: And with respect to the
8 stations, when was the design review phase complete
9 for those facilities?

10 RICHARD PILOSENO: I mean, I would say
11 it was substantially complete -- as you said,
12 Pimisi through Rideau?

13 KATE McGRANN: Yeah.

14 RICHARD PILOSENO: Maybe 2015, 2016.

15 KATE McGRANN: You don't recall being
16 advised of any changes to the delivery schedule for
17 those stations at that time or otherwise?

18 RICHARD PILOSENO: No.

19 KATE McGRANN: With respect to the
20 value engineering that you described to us earlier
21 with respect to finishes, glazing, escalators, et
22 cetera, did those changes or those decisions have
23 any impact on station delivery, to your knowledge?

24 RICHARD PILOSENO: No.

25 KATE McGRANN: Before I move to some

1 final questions, I just want to check with my
2 colleague. Ms. Murynka, do you have any follow-up
3 questions based on what we have discussed?

4 DANIELLA MURYNKA: I do not, no.

5 KATE McGRANN: Okay. The Commission
6 has been asked to investigate the commercial and
7 technical circumstances that led to the breakdowns
8 and derailments of the stations. Are there any
9 topics or areas that you think that the Commission
10 should be looking at that we haven't discussed this
11 morning, within your areas of expertise?

12 RICHARD PILOSENO: No, I don't think
13 so.

14 KATE McGRANN: The Commission has also
15 been asked or the Commissioner has also been asked
16 to make recommendations to prevent similar
17 situations from happening in the future. Do you
18 have any specific recommendations or areas that you
19 would suggest for his consideration as part of that
20 work?

21 RICHARD PILOSENO: I do not.

22 KATE McGRANN: That is the end of the
23 questions that I have for you. Mr. Leong, do you
24 have any follow-up questions for the witness?

25 PATRICK LEONG: Just one. So I know we

1 have spoken a lot about our involvement in like the
2 design reviews and the scope around that. I just
3 want to clarify, when we talk about reviews,
4 that -- because I mean a lot of times when we say
5 "reviews", it is either review for a general
6 conformance or a review for actual
7 technical -- that something actually works, right,
8 or meets the intent of the actual design.

9 So I just want to clarify with respect
10 to the extent that we did design reviews, whether
11 it is the former or the latter, whether it is for
12 general conformance or whether it is for actual
13 like technical workability or, you know, that kind
14 of thing?

15 RICHARD PILOSENO: Yeah, the reviews
16 are for conformance with the specifications in the
17 Project Agreement, not a technical -- not a third
18 party technical review, anything of that, for pure
19 conformance to the Project Agreement.

20 PATRICK LEONG: Okay, thank you.

21 KATE McGRANN: Okay. Well, that brings
22 our questions for today to an end. We will follow
23 up through Mr. Leong with the few items that you
24 agreed to go and take a look at for us, and I know
25 that the court reporter has asked that you stay

1 behind after we have finished to help with some
2 spellings, but for our purposes, thank you very
3 much for your time this morning.

4 RICHARD PILOSENO: Just so I am clear,
5 I had the -- we're looking for maybe the cost
6 estimate document and the names of the independent
7 reviewers, are really the two items that I am
8 looking for; is that correct?

9 KATE McGRANN: At least those two, and
10 once we have received the transcripts, we'll take a
11 spin through, and if there are any other questions,
12 we'll make sure that we alert Mr. Leong that so he
13 knows to follow up.

14 RICHARD PILOSENO: Okay, thank you.

15 KATE McGRANN: So we'll go off the
16 record for now. Thanks again.

17 RICHARD PILOSENO: Okay, thank you.

18

19 -- Adjourned at 11:54 a.m.

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REPORTER'S CERTIFICATE

I, DEANA SANTEDICOLA, RPR, CRR,
CSR, Certified Shorthand Reporter, certify:

That the foregoing proceedings were
taken before me at the time and place therein set
forth;

That the statements of the
presenters and all comments made at the time of the
meeting were recorded stenographically by me and
were thereafter transcribed;

That the foregoing is a true and
certified transcript of my shorthand notes so
taken.

Dated this 12th day of April, 2022.



NEESONS, A VERITEXT COMPANY,

PER: DEANA SANTEDICOLA, RPR, CRR, CSR

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