Ottawa Light Rail Commission

Jean-Louis Ozorak
on Monday, May 16, 2022

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OTTAWA LIGHT RAIL COMMISSION

OLRT CONSTRUCTORS - JEAN-LOUIS OZORAK

MAY 16, 2022

--- Held via Zoom Videoconferencing, with all participants attending remotely, on the 16th day of May, 2022, 9:00 a.m. to 11:05 a.m.

COMMISSION COUNSEL:

Fraser Harland, Litigation Counsel Member
Mark Coombes, Litigation Counsel Member

PARTICIPANTS:

Jean-Louis Ozorak, OLRT Constructors

Jesse Wright,
Paliare, Roland, Rosenberg, Rothstein LLP

ALSO PRESENT:

Judith Caputo, Stenographer/Transcriptionist
Elizabeth Deasy, Virtual Technician

INDEX OF EXHIBITS

NUMBER/DESCRIPTION PAGE NO.

1: Curriculum Vitae of Jean-Louis Ozorak. 87

* * The following is a list of documents undertaken to be produced or other items to be followed up * *

INDEX OF UNDERTAKINGS

The documents to be produced are noted by U/T and appear on the following pages: (None).

-- Upon commencing at 9:00 a.m.

JEAN-LOUIS OZORAK: AFFIRMED.

FRASER HARLAND: Mr. Ozorak, my name is Fraser Harland, and I am joined by my colleague, Mr. Coombes. We are both counsel for the Commission.

I'm going to start by just laying out the parameters for the interview this morning. And then we'll move on to a number of questions that we have for you.

So the purpose of today's interview is to obtain your evidence under oath or solemn declaration for use at the Commission's Public Hearings.

This will be a collaborative interview, such that my co-counsel, Mr. Coombes, may intervene to ask certain questions. If time permits, your counsel may also ask follow-up questions at the end of the interview.

This interview is being transcribed, and the Commission intends to enter this transcript into evidence at the Commission's Public Hearings, either at the hearings or by way of procedural order before the hearings commence.

The transcript will be posted to the Commission's public website, along with any corrections made to it after it is entered into evidence.

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

You will be given the opportunity to review your transcript and correct any typos or other errors before the transcript is shared with the participants or entered into evidence. Any non-typographical corrections made, will be appended to the transcript.

Pursuant to Section 33 (6) of the Public Inquiries Act 2009: A witness at an inquiry shall be deemed to have objected to answer any question asked of him or her upon the ground that his or her answer may tend to incriminate the witness, or may tend to establish his or her liability to civil proceedings at the instance of the Crown or of any person, and no answer given by a witness at an inquiry shall be used or be receivable in evidence against him or her in any

trial or other proceedings against him or her thereafter taking place, other than a prosecution for perjury, in giving such evidence.

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

JEAN-LOUIS OZORAK: Okay.

FRASER HARLAND: So if we can begin by just having you explain your education and background that provided you with the skills and experience needed to work on Ottawa's LRT project.

JEAN-LOUIS OZORAK: My background is in testing, well, construction and a lot of testing. Basically testing and commissioning was where I spent most of my career.

And, you know, I was just fortunate enough to be on this project, having some testing background and some construction knowledge. So not an expert in rail car vehicles, but I did have the want to do it, you know.

FRASER HARLAND: So the testing commissioning that you had done previously, was that related to rail projects or other types --

JEAN-LOUIS OZORAK: No, no it was all

construction related. So we're talking about commercial construction.

FRASER HARLAND: Okay. And what's your educational background?

JEAN-LOUIS OZORAK: Mechanical engineering technologist, from Algonquin College.

FRASER HARLAND: I just want to share a document with you.

Can you see that?

JEAN-LOUIS OZORAK: Yeah.

FRASER HARLAND: Do you recognize that document?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: That's your CV, I take it?

JEAN-LOUIS OZORAK: Yes, it is.

FRASER HARLAND: Can you affirm that this is a recent and complete version of your CV? I'll scroll through the second page so you can see it.

JEAN-LOUIS OZORAK: This is the most recent that I have. I believe it dates back to 2019.

FRASER HARLAND: Okay. If we look here on the second page of that CV, there is a number of

positions you've held related to Ottawa's LRT, so I want to go through those briefly with you.

JEAN-LOUIS OZORAK: Okay.

FRASER HARLAND: So June 2014 to September 2014 you were the commissioning manager, but it looks like this was on a Trillium line. So is that separate from Stage 1 of Ottawa's LRT project?

JEAN-LOUIS OZORAK: Yes, that is completely separate. That is with EllisDon and it was basically commissioning signalling system changes that were made to the Trillium line.

FRASER HARLAND: Okay. And the signalling system in that case, that was different from the Thales system being used?

JEAN-LOUIS OZORAK: Oh, absolutely. This is, you know, the red and green signals that you see along the railway line making sure that if a train is in the certain area of the network, that the signalling aspect would either go yellow, green or red, depending on what it needed to.

FRASER HARLAND: Okay. And then we see here from September 2014 to March 2016, you were the mechanical electrical manager; is that right?

JEAN-LOUIS OZORAK: Yeah.

FRASER HARLAND: And then March 2016 to December 2018, the area coordinator and acting operations manager on the LRT project.

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: And then, December 2018 to the present you are the rolling stock quality manager?

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: As the rolling stock quality manager, do you have anything to do with Stage 1 vehicles or is it only Stage 2 vehicles? I notice on your CV it says Stage 2.

JEAN-LOUIS OZORAK: It's Stage 2. I was brought in at the end of Stage 1 to assist with Joseph Manconi, generating punchlists, doing inspections. It was a learning experience for me at the time, Stage 1. You know, to get me ready for helping out more on Stage 2 vehicles.

FRASER HARLAND: So you did have some involvement with the Stage 1 vehicles?

JEAN-LOUIS OZORAK: I did, yeah.

FRASER HARLAND: Are you still in this role? You said the CV isn't current so --

JEAN-LOUIS OZORAK: Yeah, yeah I still am.

FRASER HARLAND: And for those last three positions, it says that you're an employee of OLRT-C? Are you technically still an employee of EllisDon that's been seconded to OLRT-C, or how does that work?

JEAN-LOUIS OZORAK: Yes, I am, I work with EllisDon, still.

FRASER HARLAND: So I'm going to have you explain each of these roles in a bit more detail as we move through the interview, but I'll do that as we get to some questions that sort of are related to the work that it looks like you did in each one.

JEAN-LOUIS OZORAK: Okay.

FRASER HARLAND: So I will stop sharing that document.

One of the first things I was wanting to get your perspective on is the location of construction for the first two LRVs; do you know what the original plan was for where LRV1 and LRV2 would be constructed?

JEAN-LOUIS OZORAK: I only found out during the construction process that LRV1 was being built in Hornell and LRV2 was being assembled here in Ottawa.

I don't know if there was a different original plan to that. I couldn't tell you.

FRASER HARLAND: Okay. Did you have a sense of whether it was better for, was there a difference between LRV1 and LRV2, or was it better for one of them to be built in Hornell versus Ottawa? What is your perspective on that?

JEAN-LOUIS OZORAK: That's quite a big question. I wouldn't know. If I refer to the schedule, or was it another process on the LRVs and Hornell because they always had an established facility?

But maybe I'm assuming maybe to keep up with Canadian content, we've agreed to have one in Hornell to set up the process and have the rest of them built here? I'm just speculating.

FRASER HARLAND: Okay. Maybe we can talk about the MSF and that will help us with this. We saw from September 2014 to March 2016 you were the mechanical electrical manager?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: Can you explain that role to us in a little more detail?

JEAN-LOUIS OZORAK: Yeah, basically building the MSF 1 at 805 Belfast, I was

responsible for coordinating all the mechanical electrical contractors.

We had Alstom mechanical, Spark electrical. We had Viking doing sprinkler systems. We had Vipond putting in fire alarms systems.

Basically, all those types of trades other than structural or architectural I would manage to make sure we would get things, you know, built in the sequential order and hopefully have it ready on time.

FRASER HARLAND: Who are you reporting to in that role at the time?

JEAN-LOUIS OZORAK: I was reporting to Kent Disley.

FRASER HARLAND: Can you spell his last name for me?

JEAN-LOUIS OZORAK: D-I-S-L-E-Y.

FRASER HARLAND: And I take it to do this work you would have been spending time in the MSF?

JEAN-LOUIS OZORAK: Yes, we were -- well we were at the old 805 Belfast, which is an old OC Transpo building while we were building the MSF.

When the MSF building was built enough

to the point where we needed to tear down the old 805 Belfast, we moved into the new MSF under construction.

FRASER HARLAND: In broad terms, would you say the MSF was a suitable facility for train construction?

JEAN-LOUIS OZORAK: Yeah, I would think so, comparing it to what I saw in Hornell when we visited it.

We visited Hornell to see how the platform electrical and compressed air systems needed to be implemented, prior to bringing the platforms here in Ottawa. I would say so; it would have been suitable for that.

FRASER HARLAND: How would the two compare if you were able to see the two? What would the differences have been? What was the differences here?

JEAN-LOUIS OZORAK: Different way of, different path for getting from one assembly station to the next, but really it would have no impact on assembling the vehicles.

FRASER HARLAND: Okay. And we discussed how the second LRV2 was built in Ottawa. It's my understanding, and you don't need to

confirm it, but it's my understanding the original plan was that both LRV2s -- sorry, both LRV1 and LRV2 would have been built in Hornell, and eventually LRV2 was actually built in the MSF.

Were you aware at the time of there being a need to have the MSF ready for Alstom earlier than had originally been planned?

JEAN-LOUIS OZORAK: There were discussions about that during construction. They wanted to move in sooner. There must have been conversations in the background on, you know, how to approach this project properly.

All I know is that we tried to do so and I think we were successful in a lot of cases.

FRASER HARLAND: So that was going to be my next question is the extent to which OLRT-C was able to provide the facility earlier for Alstom? Do you know?

JEAN-LOUIS OZORAK: Yeah, we were able to allow them to come in under I don't know how it got set up, but there was an agreement for them to build vehicles when the building was still considered a construction site. I don't know how this gets set up, but it did.

FRASER HARLAND: I understand that the

handover between the MSF maybe wasn't quite what was expected. There seemed like there was some kind of special arrangement to allow Alstom to operate; were you aware of that?

JEAN-LOUIS OZORAK: Yeah, there was -- I don't know all the details but I do know there was a special agreement. It was supposed to be handed over to them completely but we couldn't, probably because we were still considered a construction site at the time.

But we basically made arrangements for them to be able to do so. And then all their staff had to get trained to be able to work on a construction site, wear hardhats, you know, all the safety, all the PPE, and just understanding how to work on a construction site.

FRASER HARLAND: So would it be fair to say that wasn't an ideal environment, or those weren't ideal circumstances for train construction if it's still a construction site?

JEAN-LOUIS OZORAK: Not 100 percent ideal, but I would say that it was sufficient.

FRASER HARLAND: Do you have a sense of if this had an impact on Alstom's work, the fact that the MSF wasn't fully complete at the time that

they began their construction in the facility?

JEAN-LOUIS OZORAK: Well, I'm sure you're aware that there was a litigation between OLRT-C and Alstom, so I guess there were differences of opinions and of whether it was okay for them to work there or not.

I didn't really get involved in that, other than, you know, trying to defend the fact that we were in fact ready for them to assemble vehicles on the facility.

FRASER HARLAND: So, from your perspective, the facility was --

JEAN-LOUIS OZORAK: It was acceptable for them to perform their work, yes.

FRASER HARLAND: Okay. And so you spoke a bit about how you were involved in installing and commissioning mechanical and electrical systems.

Did this include the power systems in the MSF?

JEAN-LOUIS OZORAK: Slightly. We had another fellow on site that was more of an expert on high voltage distribution. And he's now with the Kiewit extension.

But in that, I just helped coordinate

if they needed to dig trenches or whatever, or [indecipherable] a slab, you know, make sure that they would have time to do that before the slab was poured. So I helped with the coordination on that side. But as far as high voltage distribution, that was basically left up to an expert.

FRASER HARLAND: Who was that at the time?

JEAN-LOUIS OZORAK: His name was Bruce Ferguson.

FRASER HARLAND: As I understand, Mr. Ferguson was perhaps more involved with that than you, but are you able to explain for us the kind of power and the different types of power systems that Alstom would have needed at the time in the MSF to work on construction?

JEAN-LOUIS OZORAK: Yeah, they needed 1,500-volt DC distribution from the overhead power and to the stinger system. And the stinger system is like an on board plug that you would connect right into an outlet on the roof of the car.

And it was important for them to get that system operational for them to do the testing portion of their vehicles.

FRASER HARLAND: So there's two types

of power: One is the overhead catenary, through the pantograph, and the second is a stinger system?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: Is the stinger system used only in the maintenance facility?

JEAN-LOUIS OZORAK: Yes, yes, absolutely. You can't move vehicles with the stinger system.

FRASER HARLAND: Okay.

JEAN-LOUIS OZORAK: It's a cable, basically that you plug into an outlet on the roof so that you can turn the vehicle on and do a certain amount of testing.

FRASER HARLAND: Am I right that there were some issues in terms of making power availability and the timing of that for Alstom's work?

JEAN-LOUIS OZORAK: There were some frustrations there. I don't remember exactly how much delay there was, or if there was any.

FRASER HARLAND: But you said there were some frustrations. Can you give any more detail on that? I understand it's a long time ago.

JEAN-LOUIS OZORAK: One of the frustrations would have been understanding

1500 volts DC in Canada; it's never been done before. So there is no regulations for 1500 volts DC. Hydro One didn't know how to deal with it. So it was something that we had to work hard on when making sure that it came in.

But, again, the details on that are mostly with Bruce Ferguson.

FRASER HARLAND: Were there issues with the fuses and blown fuses as construction was going on?

JEAN-LOUIS OZORAK: Yup, yup.

FRASER HARLAND: Can you explain that to us a little?

JEAN-LOUIS OZORAK: I don't know what the outcome of that was, but I do know that there were fuses blowing in those panels. And the fuses are there as a safety measure, if they blew there must have been a reason for it.

Good thing they blew. There was a reason for it, then, you know, it had to be a known issue. I don't know what the outcome was, though.

FRASER HARLAND: Are you able to speak to whether this was an issue with how Alstom was doing their work, or was it an issue on the infrastructure side? Do we know what the cause was

for these blown fuses?

JEAN-LOUIS OZORAK: There was hearsay. I wasn't directly involved with blown fuses. Steve Nadon was and Bruce a little bit while he was still here.

There was discussion about how the vehicles were being brought in to the bay. But really, I don't know what the outcome was.

FRASER HARLAND: Okay. Do you know if there was ever a replacement of the types of fuses used or a change made in the infrastructure to try and address this issue?

JEAN-LOUIS OZORAK: I don't know what the outcome is, no.

FRASER HARLAND: You said you're not aware of whether this caused delay, or you can't speak to the amount of delay?

JEAN-LOUIS OZORAK: It obviously caused us delay. If you come into a building and the fuses start blowing, you have to order more fuses. They might not have been on hand -- again, I'm speculating.

They might not have been on hand -- they may have taken a week to get. I don't know. There would have been delays, but no catastrophic

delays.

FRASER HARLAND: Okay. I also understand there was an electrical fire or near miss of electrical fire at the MSF at one point; do you have any recollection of that?

JEAN-LOUIS OZORAK: There's something in the back of my head; it's been so long and it was not a critical issue. I don't remember what the details were.

FRASER HARLAND: Okay. Presumably, you know, if it had caused serious issues this would be something that would probably stick in your memory?

JEAN-LOUIS OZORAK: Oh, yes.

FRASER HARLAND: Do you recall any other power issues that Alstom was experiencing in the MSF?

JEAN-LOUIS OZORAK: No, not off the top of my head.

FRASER HARLAND: What was your perspective on Alstom's workers? Were there enough workers to do the work that they needed to in the MSF? Did they have the personnel that they needed?

JEAN-LOUIS OZORAK: I honestly don't know.

I'm not experienced in managing a

production facility, so I can't answer that.

FRASER HARLAND: Okay. And do you have any knowledge of whether the workers had the experience that was needed?

There's been some -- I mean, I think some people who have been concerned that the MSF was a brand new facility with brand new workers that might create problems as far as the construction process goes.

Are you familiar with that --

JEAN-LOUIS OZORAK: Here's my take on that, sorry. Here is my take on this. There's -- Alstom would have had a management team that knows what they're doing. They would have had to do that.

As far as the workers are concerned, they would have had to train them. You know, in general, there's a lot of people available or qualified people -- I'm going to say experienced people, to build rail vehicles, just because of the boom in LRT. There's a boom, everyone wants to build them now. So where do we get the people?

Yes, I heard stories about people who used to work at Lowes, and now they're assembling vehicles. They used to work as framers or

drywallers, and now they're assembling the vehicles.

It was up to the management to make sure they had proper processes in place and proper training in place for them to do it. Again, I'm not a production guy, I'm not a production manager, but this is what I hear, and this is hearsay.

FRASER HARLAND: Okay. In hindsight, it sounds like from your perspective the MSF was a suitable enough facility for train construction?

JEAN-LOUIS OZORAK: Suitable enough, yeah.

FRASER HARLAND: In an ideal world you think it would have been better for trains to be built in an established Alstom facility?

JEAN-LOUIS OZORAK: Yes, absolutely.

FRASER HARLAND: Can you elaborate on that?

JEAN-LOUIS OZORAK: This is my opinion. I would say that if you had an established facility that built railcars and you had, you know, a management team that was used to dealing with railcars in that area, and workers that were used to building railcars in that area, that it probably would have gone a little bit easier on the project.

It would have been easier for us to build the MSF, and have it ready for the project if the vehicles would have been built off site. But that's my opinion only.

FRASER HARLAND: Okay. And are you able to speak to why that didn't happen? Do you have any sense of that?

JEAN-LOUIS OZORAK: This is just what I heard. The Mayor wanted it that way; he wanted to bring jobs to Ottawa.

But, again, this is just what I've heard. I'm not an expert on that.

FRASER HARLAND: No, understood. What about the test track? Did you have involvement with the test track at all that was connected to the MSF?

JEAN-LOUIS OZORAK: Yeah, as part of T and C, we were also responsible for turning certain areas over for testing. So I've heard that test track had to be turned over to T and C for testing to allow Alstom to test their vehicles. And there was some difficulty there getting that ready.

FRASER HARLAND: What were those difficulties?

JEAN-LOUIS OZORAK: Maybe perhaps

delays in track work installation, but most of the difficulties I would say would be to get the OCS completed, which would have cascaded from track work delays it's, it's building a project, right? It's very, very, very difficult to build a project on time, a project of this nature.

FRASER HARLAND: So what was the test track supposed to look like, and what ended up happening?

JEAN-LOUIS OZORAK: The test track, from what I hear, was supposed to be from Blair to just beyond Cyville.

How it was split was with the power section, but it can power up the OCS in different sections. So we had to protect that section, so we basically put fencing beyond the OCS section at both ends so that we can shut the fence in -- bring a vehicle in, shut the fence, power the OCS and test the vehicle.

FRASER HARLAND: And so you -- so what you've just described, that's what actually happened with the test track?

JEAN-LOUIS OZORAK: Yes, that's what happened.

FRASER HARLAND: And was there a delay

in providing that?

JEAN-LOUIS OZORAK: Yeah. Not a huge delay, but I would say there was a delay in providing that.

FRASER HARLAND: That was related to the power in --

JEAN-LOUIS OZORAK: Just construction completion. It wasn't ready to be used as a testing facility at the time we were hoping that it would be. And I don't remember how much delay that was, but there was delay.

FRASER HARLAND: And what kind of implications would that have had for Alstom?

JEAN-LOUIS OZORAK: Couldn't test their vehicles on any higher than 15 kilometres per hour.

FRASER HARLAND: Do you know if there were issues with the test track in terms of access for either Alstom or for anyone else who needed to use the test track?

JEAN-LOUIS OZORAK: It was a very difficult thing to coordinate. As an area coordinator, if you remember my CV, my job was to make sure that test track was safe for testing vehicles, which means that if there were any contractors doing any work, we had to physically go

and, what we call sweep the area, to make sure all the contractors were out, first of all.

And that the track and OCS were safe for use, and that the fences were locked. And then we could run a vehicle.

And then when the testing was done, we had to bring the vehicle back and deenergize, and then cancel all permits and give new permits for contractors to come in and do the work.

So it was a daily routine.

FRASER HARLAND: What company was involved in doing the sweep and the permitting? Was there a time when the test track was just sitting unused because of some of these requirements?

JEAN-LOUIS OZORAK: Yes, there were times, but we had to make it safe; that was our number one priority. We had to make sure everyone was safe, every day. That was our number one task. Everyone had to go home at the end of the day.

FRASER HARLAND: Do you know how much time Alstom generally had on the test track in a given day, how much time would they be able to have given these processes that were in place?

JEAN-LOUIS OZORAK: I'm searching my

memory here because that was years ago. I think they were allowed to go from 8:00 a.m. to 6:00 p.m. in most cases, but it changed. It wasn't always the same; it was depending on the requirements.

If we needed to get in with the construction crew for an entire weekend, we would not allow any testing. We would have the construction crew there for the entire weekend. It changed on a weekly basis and that's what we coordinated.

There were delays to getting Alstom there on some days, there were. Because we had to make sure all the contractors were out. We had to make sure that the area was swept.

And it took, we would sweep by hand at first and then got a high rail vehicle and started sweeping with the high rail vehicle; a couple of hours it took to get these things in place.

But for the most part, Alstom had, you know, 4 to 8 hours of testing, I believe, if I remember correctly, when they needed it.

FRASER HARLAND: Do you know if that's what they were expecting? Or were they expecting to have more or...

JEAN-LOUIS OZORAK: There was

discussions about that. That was basically above and beyond my scope of work. My scope of work was to make sure that the area was safe for them to test. Or safe for contractors to come in and do their work.

FRASER HARLAND: And do you have a sense of whether this access issue with the test track had downstream effects in terms of schedule for Alstom's testing and commissions schedule?

JEAN-LOUIS OZORAK: I would say minimal but it did have an impact.

FRASER HARLAND: At this stage of the project, and we're going to get to testing and commissions later. But in this sort of early stage in the MSF, did you see other challenges that Alstom was having, either as a result of the MSF itself, or on its end related to suppliers, quality, anything like that?

JEAN-LOUIS OZORAK: Yeah, I at the time I wasn't really involved with Alstom other than getting the facility ready for them.

FRASER HARLAND: Okay. Are you able to speak to the vehicle design itself, and whether the Citadis Spirit can be considered a proven vehicle?

JEAN-LOUIS OZORAK: That's a tough

question. I don't have the experience to compare the Citadis to other vehicles. I can say that this is not like assembling a hundred thousand Toyotas, you know, it's a small fleet. That's pretty much all I can say. I don't have the experience to qualify that.

FRASER HARLAND: Just so I understand, what do you mean it's not like assembling a hundred thousand Toyotas?

JEAN-LOUIS OZORAK: When you're assembling a hundred thousand Toyotas, you've done it. The assembly line is there and it works. You got to look at vehicle assembly as almost a custom built scenario because you're starting from vehicle zero, sorry, vehicle 1, and you haven't proven the assembly.

And again, hearsay, I'd hear, they struggled with vehicles on the Boston line, they've struggled with vehicles on other projects as well.

FRASER HARLAND: Are you aware of specific issues in terms of suppliers or parts or anything like that?

JEAN-LOUIS OZORAK: Not specific, no.

FRASER HARLAND: In terms of vehicle design, do you know how much the Citadis model from

Europe had to be modified to meet either North American standards or the requirements of the Project Agreement?

JEAN-LOUIS OZORAK: I don't know enough about that, no.

FRASER HARLAND: So you started to explain it a little bit to us, but can you give us a bit more detail on the role that you filled from March 2016 to December 2018 as area coordinator and acting operations manager?

JEAN-LOUIS OZORAK: Yes, so this is where I was involved with handing out permits and coordinating the contractors on site. That was generally my duty.

Acting operations manager came as I was helping coordinate the staff, and just, you know, sometimes review documentation as, you know, assisting the actual commissioning manager and reviewing documentation.

So there were talk about making the operations manager, but it never happened. The project needed me as an area coordinator so I stayed in the role of area coordinator.

All this to say that it was just coordinating contractors on site and vehicle

testing in a safe manner.

FRASER HARLAND: So you're literally coordinating where people are --

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: -- are moving, that kind of thing?

JEAN-LOUIS OZORAK: Yeah, yeah. So if a vehicle is being tested on the test track, no contractors are allowed to get in there. We had specific training to all contractors coming to the OLRT-C site to that effect. They had to deal with their area coordinator, and it was very well marked off what areas needed to be coordinated with the area coordinator.

If it was a T&C area it had to be coordinated with one of us we had a team of area coordinators working daytime, nighttime and overnight so...

FRASER HARLAND: Your CV makes reference to T&C territory. I take it that means testing and commissioning territory?

JEAN-LOUIS OZORAK: You got it.

FRASER HARLAND: What exactly is that territory; what does that mean?

JEAN-LOUIS OZORAK: So if the

construction is done to a point where we can start testing, then we would have a handover from construction to T&C, to testing and commissioning.

This is where the area coordinator would start taking control of that area. Because we would have testing going on and then on the other hand you'd have contractors going on, so you'd essentially basically have to coordinate between the two to make sure that everyone was safe.

FRASER HARLAND: And those doing testing, I guess that could be -- is that Alstom or Thales, or depends on the testing done? Who is doing the testing.

JEAN-LOUIS OZORAK: It could have been testing the OCS system when we first turned it on. Any testing that involved safety aspects, contractors that were not allowed to come in within three metres of the OCS while it was energized. This is what we made sure was implemented.

FRASER HARLAND: Okay. So you would have been involved, I assume, in helping coordinate train moves in the MSF as well?

JEAN-LOUIS OZORAK: Yes, yes.

FRASER HARLAND: Who was responsible

for the train moves?

JEAN-LOUIS OZORAK: Well, at first, OLRT-C was, but it came to a point where there were so many moves that we transferred responsibility to Alstom. Alstom just -- they needed to move a lot of trains, and we didn't have the staff to do it.

FRASER HARLAND: Can you tell me a little bit more about how that happened and why the change happened?

JEAN-LOUIS OZORAK: Well, originally OLRT-C's opinion was that one train had to be moved three times. One out of production into testing, and from testing to -- sorry. Production to train wash, from train wash to testing and from testing to the shed. And that would complete the move for one vehicle.

Anyone learns, right? We send it to the train wash, and there's a couple of leaks, so we have to send it back to get the leaks fixed and then send it back to train wash, then send it to testing, couple of things fail, then send it back.

There was a lot of trial issues that had to be sorted out. Like I said, it's not a production line vehicle. It's not like we're building Toyotas -- sorry, it's not like they are

building Toyotas. So they had to sort out a lot of issues, which led to a lot more train moves than we anticipated.

It came to a point where we couldn't, we just didn't have the resources to move these trains around, 20 train moves a day. Which basically also counted for getting trains out of the way to move another train into the shed, and it was just a lot. A lot to handle.

FRASER HARLAND: Do you know how that original three-train moves per train had been determined?

JEAN-LOUIS OZORAK: Yeah, I think it was our management team. Again, I'm speculating.

FRASER HARLAND: At least in hindsight, was that a reasonable number or...

JEAN-LOUIS OZORAK: No. No, not when you're building vehicles.

FRASER HARLAND: And that goes partly to what you were saying about how issues are going to be discovered at various stages?

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: On the line particularly, when you're not doing the 100,000 Toyotas, as you put it.

JEAN-LOUIS OZORAK: Yeah, yeah.

FRASER HARLAND: You have to move things back and forth and from one stage to another multiple times instead of from just one to the next to the next?

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: Do you think it would have been simpler to just have Alstom in charge of train moves from the very beginning?

JEAN-LOUIS OZORAK: Yes. But I didn't set it up so -- yeah, probably.

FRASER HARLAND: And was this according to the contracts? Do you know how that scope of work was originally --

JEAN-LOUIS OZORAK: I don't know. I was the guy that was put in charge of moving the trains.

We had a support team that was an actual Alstom support team, we had 8 to 12 people from Alstom at various times in the -- they were supposed to be with OLRT-C for training purposes.

They ended up being seconded to OLRT-C for moving trains. Pretty much the entire team was just moving trains, so we had to put a end to that.

There were power techs involved that were moving trains so we had to think about what was going on and really put a process in place that worked. Because for our team to do it, it wasn't working.

FRASER HARLAND: Were there any derailment in the MSF as a result of train moves?

JEAN-LOUIS OZORAK: Yeah, there was a few.

FRASER HARLAND: Can you tell us what you remember about that?

JEAN-LOUIS OZORAK: One of them, it was the last day before Christmas, and it was an error by the operator going -- actually, he didn't derail the train; he derailed the car mover. And we put the car mover back -- no, I can't think of anything else, during, no. There were incidents, but no derailments.

FRASER HARLAND: Do you know what the cause of those, of that would have been? That was operator error or --

JEAN-LOUIS OZORAK: Yeah, operator error.

FRASER HARLAND: I understand that there's been issues in the MSF with derailments

related to tight curves and the lack of greasing? Is that at all something that you can tell us about?

JEAN-LOUIS OZORAK: I've heard of it. I know where it's happened, but I'm not involved in that to tell you what's going on and what's being done about it.

FRASER HARLAND: Is that something that's happened later; is this at a different time than when you were involved in the train moves?

JEAN-LOUIS OZORAK: Yeah, yeah we were already in the -- if I remember correctly, we were already in revenue service but don't quote me on that.

FRASER HARLAND: Did you have any involvement in systems integration? Was that something you were involved in in your role as the area coordinator?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: Do you know who was responsible for systems integration of the rolling stock and the signalling system?

JEAN-LOUIS OZORAK: First thing that comes to mind is Roger Schmidt.

FRASER HARLAND: And he would have been

OLRT-C? Was that an OLRT-C responsibility?

JEAN-LOUIS OZORAK: Yes, he was.

FRASER HARLAND: What about for overall systems integration on the project? So including, you know the power systems, the track, all of that integration. Who was responsible for that?

JEAN-LOUIS OZORAK: I'm thinking Roger Schmidt on that one as well.

FRASER HARLAND: Do you have any knowledge of EJV, the engineering joint venture being involved in systems integration and there being a question of responsibility there?

JEAN-LOUIS OZORAK: I knew that EJV was writing testing documentation for system integration. But I would say Steve Nadon would be more aware of that.

FRASER HARLAND: Are you aware of interfacing issues between Alstom and Thales in terms of their schedule and the requirements that they had to fulfill in order to have their two systems interface properly?

JEAN-LOUIS OZORAK: There's coordination between the two.

FRASER HARLAND: How did that work, to your knowledge?

JEAN-LOUIS OZORAK: At the time, as an area coordinator, I wasn't involved with that.

FRASER HARLAND: Did you have any interaction with an individual by the name of Jacques Bergeron, who was doing integration work?

JEAN-LOUIS OZORAK: Yes, I knew Jacques.

FRASER HARLAND: Do you know anything about the timing of when he was brought on the project and why he was brought on at that time as opposed to at the beginning of the project?

JEAN-LOUIS OZORAK: I can't speak to that, no.

FRASER HARLAND: Okay. Maybe we can speak a bit more about testing and commissioning, particularly in your role as area coordinator. So what types of testing were you primarily involved in?

JEAN-LOUIS OZORAK: I was able to drive trains as well as an area coordinator. Because of the lack of resources, we didn't have enough people to do so. So I trained myself -- well, I got trained as an operator by Alstom.

But my knowledge was basically listening to what they needed as far as the test is

concerned. If they needed me to go 50 kilometres per hour, and then slow to full service brake or emergency brake, I would just do that. That is the extent of my knowledge on those tests.

FRASER HARLAND: Do you know if those were for validation testing, serial testing, integration testing, the differences between those?

JEAN-LOUIS OZORAK: I know the differences but some of it was integration testing, some of it was validation testing, you know, it all depended -- all depends what they needed.

FRASER HARLAND: So that was as a train driver. Were you involved with the testing and commissioning process outside of actually driving trains?

JEAN-LOUIS OZORAK: No, no. As an area coordinator, I would just basically do the area coordinator duties. If they needed an operator on a certain date and I could allow myself to do so, I would.

FRASER HARLAND: So your CV says that you are responsible for implementing roles and processes related to testing and commissioning activities. Can you explain what that means a little more?

JEAN-LOUIS OZORAK: Okay. So rules and processes were basically accessing and contacting the area coordinator for access, and how to do so with either a telephone or radio. And making sure that every contractor that was coming to our site had the proper training. And you had to do it.

FRASER HARLAND: Okay. Were you involved at all in designing those rules and processes or were you just making sure they were followed appropriately?

JEAN-LOUIS OZORAK: Making sure they were followed.

FRASER HARLAND: With validation testing, I understand that ideally you would validate an entire design or validate one vehicle before you move on to serial production; is that your understanding as well?

JEAN-LOUIS OZORAK: Yeah, there's, you know, there's serial testing and there's type testing which is a just a slight difference. With the type test, you only need to do that test on one vehicle to prove that design. If it's serial testing, then the testing needs to be done on all vehicles.

FRASER HARLAND: And with the type

testing, is that something that ideally you would do -- you would finish type testing before moving on to serial production and serial testing? Do you have knowledge of that?

JEAN-LOUIS OZORAK: Not enough to comment on.

FRASER HARLAND: Okay. Do you know how it -- the timing of the various types of testing operated on this project?

THE WITNESS: No.

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: When you were involved in the train driving for the various types of testing, what was your sense of how well testing was going, how efficiently it was proceeding, that kind of thing?

JEAN-LOUIS OZORAK: I was not really aware because my primary duty was to get the train -- was to move the train for the test. And that in itself, is enough to keep someone busy, just to make sure that they, you know, whatever they need, it is done properly because there's a certain way these vehicles need to be handled, right?

I don't know whether the tests were going well or not. I couldn't speak to that.

FRASER HARLAND: Okay. Do you have any knowledge of winter testing, whether there was specific winter testing done for the trains?

JEAN-LOUIS OZORAK: I know they sent one vehicle to the National Research Council for some cold weather testing. I knew of that because we had to move half of LRV3 off the facility for someone to send it to the National Research Council. That's the extent of my knowledge on that.

FRASER HARLAND: And was there any winter testing done actually on the main line, to your knowledge?

JEAN-LOUIS OZORAK: Not to my knowledge. Could have been. I don't know.

FRASER HARLAND: You mentioned that you were brought on as a train driver partly due to lack of resources; is that what you said?

JEAN-LOUIS OZORAK: Yes. It was partly due to lack of resources and also due to the fact that I'm a rail fan. I really wanted to understand how these vehicles worked and I wanted the opportunity to drive them.

FRASER HARLAND: So generally, who provides test drivers? Was that usually Alstom

providing personnel for that or OLRT-C?

JEAN-LOUIS OZORAK: Alstom provided the test drivers that were trained under OLRT-C to do the tests.

It was OLRT-C's responsibility to do a certain amount of these tests, so Alstom trained some of their staff that were reporting to OLRT-C to test these vehicles, and in the process I was trained as an operator as well.

FRASER HARLAND: Was there a concern about lack of resources at the time? Was that having an impact on any other parts of the project?

JEAN-LOUIS OZORAK: Yes, there was a concern about lack of resources.

FRASER HARLAND: Can you explain that a little more, please?

JEAN-LOUIS OZORAK: Just to have the amount of people do what needed to be done on the project, it never seemed to be enough. Even area coordinators, we fought to get area coordinators on the project.

FRASER HARLAND: Was that primarily on OLRT-C's side that there was an issue with this, or were there other organizations involved in the project as well?

JEAN-LOUIS OZORAK: I know we had a hard time getting area coordinators. That's all I can say to that. I don't know about the rest of the project.

FRASER HARLAND: Was this something that you felt OLRT-C management was aware of?

JEAN-LOUIS OZORAK: Aware of? Yeah, I don't know. Just basically my opinion was we needed more people and I kept on asking for more people. What was going on to that effect, I don't know. It was just one of my concerns.

FRASER HARLAND: Is that still a concern that you have, as.

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: As quality manager?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: So what was the phase in the project where this felt like more of a problem?

JEAN-LOUIS OZORAK: During T&C.

FRASER HARLAND: During T&C.

JEAN-LOUIS OZORAK: Yeah.

FRASER HARLAND: Okay. Did you have a sense that the testing schedule was compressed at all because of earlier schedule delays? Was that

something that you were aware of?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: A different topic. Did you have -- you would have heard of the sinkhole on Rideau Street, I presume?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: Was that something that you saw had an impact on testing and commissioning work, or other work that you were doing on the project?

JEAN-LOUIS OZORAK: I wasn't involved with anything due to the sinkhole. I would say that it delayed us getting that area to T&C, definitely. Sorry, I'm just searching my memory banks here.

And Rideau Station being delayed was delaying T&C as well. Just the completion of Rideau Station, which more than likely was impacted by the sinkhole.

FRASER HARLAND: And when you say delaying T&C, what more specifically was being delayed as a result there?

JEAN-LOUIS OZORAK: Well, just getting the area completed to the point where we could start testing.

FRASER HARLAND: And testing which systems? Were there any particular systems that were most delayed as a result?

JEAN-LOUIS OZORAK: Not one system more than another. Any testing could only commence when the area was turned over to T&C. Whether it was OCS vehicles, fire alarms, anything that had to be tested. Tunnel ventilation, I would say.

FRASER HARLAND: And in your experience, were trains meant to be tested along the whole of the main line, along the entire guideway? Was that something that needed to be done?

JEAN-LOUIS OZORAK: My opinion is, yes, it does need to be tested along the whole guideway.

FRASER HARLAND: The sinkhole would have had an impact on that presumably?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: Is that something that was done, that testing along the entire guideway was able to happen?

JEAN-LOUIS OZORAK: Testing along the entire guideway did happen.

FRASER HARLAND: Was it sufficient in your view?

JEAN-LOUIS OZORAK: I can't comment on that.

FRASER HARLAND: And then in December of 2018, you moved to the position of rolling stock quality manager. Can you tell us a bit more about that role, please?

JEAN-LOUIS OZORAK: Yeah, so I was brought on to help Joe Manconi, generate punchlists on vehicles that were being accepted, and basically it was a learning experience for me at the time.

And the punchlist consisted of items such as scratches and dents on the vehicles, cuff marks on seats and bulkheads. It's just a number of items that are noted during an inspection and during testing as well, if something was tested and didn't meet criteria, then it was over on the punchlist until they came up with a solution and cleaned up punchlists.

FRASER HARLAND: And is that the same kind of work you're doing for Stage 2 vehicles?

JEAN-LOUIS OZORAK: Yes. I'm doing that on Stage 2 vehicles.

FRASER HARLAND: Can you explain to me the interaction or the difference between the punchlist and the minor deficiencies list?

JEAN-LOUIS OZORAK: The minor deficiency list is based on the punchlists. And also based on the independent certifier's deficiency list provided at the time of -- prior to revenue service.

FRASER HARLAND: Is it a combination of the punchlists and independent certifier; is that how it's created?

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: Is there anything else on that list that you're aware of?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: Okay. In terms of the punchlists, did it seem like a normal number of -- well, how many items are we talking about for each train at the time when you're creating the punchlist?

JEAN-LOUIS OZORAK: Approximately 100 items.

FRASER HARLAND: And that's for every train?

JEAN-LOUIS OZORAK: Per vehicle, yeah, yeah. Some of them are the same items repeated on the fleet. Some of them were particular to the vehicle itself.

FRASER HARLAND: Was this a -- did this seem like a normal number for a punchlist at that time of construction? Was it a concerning number for OLRT-C? What was your view of how many you were dealing with?

JEAN-LOUIS OZORAK: I can't compare it to any other project. From what I understood, what I was told, is that this was normal.

FRASER HARLAND: Okay. And then Alstom has to complete punchlist items. Are ones that they complete prior to revenue service, those don't end up on the minor deficiencies list, I presume?

JEAN-LOUIS OZORAK: Correct. Anything prior to revenue service must absolutely be completed prior to allowing that vehicle to roll. If it's a safety concern then it has to be done prior to revenue service, it has to be done prior to revenue service.

FRASER HARLAND: And you recall particular items like that that raised safety concerns that needed to be addressed prior to revenue service?

JEAN-LOUIS OZORAK: Yes. The camera, the platform camera situation, which was mitigated by putting spotters at every station.

FRASER HARLAND: Any other issues that you recall?

JEAN-LOUIS OZORAK: Nothing comes to mind. That's the big one.

FRASER HARLAND: And the minor deficiencies list, how was that supposed to work? What's the process there?

JEAN-LOUIS OZORAK: So Alstom is to work on these deficiencies, to let OLRT-C know that the deficiencies have been completed. And OLRT-C would go and inspect the item that was deemed completed, and either approve it or not approve it.

[Virtual connection difficulties].

[Whereupon, the court reporter read back a portion of the record].

JEAN-LOUIS OZORAK: Sorry.

FRASER HARLAND: If we could just have you repeat your answer about how the minor deficiencies list worked, sorry to ask you to do that.

JEAN-LOUIS OZORAK: That's okay. So Alstom would fix the deficiency, and advise OLRT-C, and OLRT-C would have the opportunity to go and inspect this deficiency which we typically do -- we inspect every deficiency that's been fixed and

either approve the completion, or not agree with it and have Alstom do it.

And if we do approve, then we would give the City the opportunity to also come in and look at the deficiency list.

FRASER HARLAND: And was there a timeframe that the list, minor deficiencies list was supposed to be resolved or completed by?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: What was that?

JEAN-LOUIS OZORAK: Six months.

FRASER HARLAND: And what's -- what's the status of the list? Well, first of all, did that happen, and if not, where are we today?

JEAN-LOUIS OZORAK: It did not happen. We are dealing with it.

FRASER HARLAND: Can you elaborate?

JEAN-LOUIS OZORAK: One of our frustrations -- it's one of our things we're trying to close off with Alstom, and to be honest with you it's frustrating.

They promised to have it done in six months and they didn't.

FRASER HARLAND: And do I understand you're still dealing with issues on the minor

deficiencies list?

JEAN-LOUIS OZORAK: Yes, we are.

FRASER HARLAND: Are any of those issues causing concerns about the reliability of the trains or the system for you?

JEAN-LOUIS OZORAK: No, they are not.

FRASER HARLAND: What kind of items are left on the list that need to be resolved?

JEAN-LOUIS OZORAK: Scratches and dents.

FRASER HARLAND: Why is it taking so long for these issues to be resolved, to your understanding?

JEAN-LOUIS OZORAK: The vehicles are in revenue service and that's the primary function of these vehicles. So getting them parked to address all issues is complicated.

FRASER HARLAND: So it's a vehicle access issue primarily? Is that...

JEAN-LOUIS OZORAK: I would say that, primarily, yes.

FRASER HARLAND: And do some of the issues we discussed about the MSF have any role in creating access issues?

JEAN-LOUIS OZORAK: There are access

issues at the MSF because the MSF is being used for revenue service as well.

FRASER HARLAND: Are you aware of a term sheet that was signed prior to revenue service? Is that something you're familiar with?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: And is it fair to say that there were a number of deferred retrofits that Alstom didn't complete prior to revenue service; do you have knowledge of that?

JEAN-LOUIS OZORAK: There may have been some, yes.

FRASER HARLAND: Do you have any sense of whether this put additional pressure on maintenance, and if maintenance was dealing with more than might have been anticipated earlier in the project?

JEAN-LOUIS OZORAK: I don't. I'd say no to that.

FRASER HARLAND: Can you explain why?

JEAN-LOUIS OZORAK: Because maintenance has priority over production. So maintenance, if they need to maintain a vehicle, if they need to keep things rolling that's the priority of everyone on the project.

FRASER HARLAND: Sir, can you explain that relationship between production and maintenance a little bit more for me so I make sure I understand?

JEAN-LOUIS OZORAK: Yeah, the question is not 100 percent clear.

FRASER HARLAND: Well, you said that maintenance is given priority over construction. So are these different entities that are involved in construction and maintenance?

JEAN-LOUIS OZORAK: Yes, there are two different groups at Alstom. There's the Alstom production group and Alstom maintenance group. And Alstom maintenance has priority.

FRASER HARLAND: So if Alstom maintenance needs to do something, they have priority over Alstom construction?

JEAN-LOUIS OZORAK: Absolutely.

FRASER HARLAND: So does that go to partly why the minor deficiencies list hasn't been completed; would you think?

JEAN-LOUIS OZORAK: Partly. Yes.

FRASER HARLAND: Can you speak to, at all, more about whether maintenance might have been dealing with more than expected due to the

retrofits, the punchlists, any other issues that were unresolved going into revenue service?

JEAN-LOUIS OZORAK: Well, here's the thought. The maintenance team, even though they're focusing on the keeping the system going, they are dealing with -- we are dealing with production vehicles that are on this site as well that are brought in from Brampton and they are tested on the main line.

So any movement of these vehicles in the yard might impact maintenance. They might because you know obviously if they weren't there, then they would be one less thing for maintenance to contend with. But Alstom's production is there.

FRASER HARLAND: And you mentioned vehicles coming in from Brampton. I understand that at a certain point, Alstom decided to move its production for Stage 2 to Brampton; do you know when that was?

JEAN-LOUIS OZORAK: I don't remember the date.

FRASER HARLAND: But it was after revenue service, I presume?

JEAN-LOUIS OZORAK: Yes, it was. Because they started with LRV47 in Brampton.

FRASER HARLAND: Do you know why that move was made from MSF to Brampton?

JEAN-LOUIS OZORAK: I don't know offhand. I can speculate, though.

FRASER HARLAND: What was your perspective or OLRT-C's perspective on Alstom doing that? Was that something that was helpful for Stage 2 and maintenance, or did it create concerns for you? What's your perspective there?

JEAN-LOUIS OZORAK: My perspective is that it would have been helpful for the project.

FRASER HARLAND: Can you explain that?

JEAN-LOUIS OZORAK: Because we could turn this facility over to maintenance and not be a vehicle production area.

FRASER HARLAND: But you said there's still some production activities happening in the MSF. Can you just explain that a little more so I understand, please?

JEAN-LOUIS OZORAK: Yeah, the production activities is when the vehicle comes up from Brampton. It comes from two halves, it gets reassembled and it does do its dynamic testing, they do the dynamic testing here in Ottawa.

So there are some movements from

delivery to the shed, and for dynamic testing and inside for fixing certain items on the punchlist, because there are punchlists generated for the Stage 2 vehicles as well.

FRASER HARLAND: And dynamic testing is happening at the same time as regular service?

JEAN-LOUIS OZORAK: Some of it does. But it's mitigated. The preliminary dynamic testing occurs in engineering hours. So we go out once revenue is shut down.

And we're parked, so we don't -- early enough so we don't affect the launch in the morning. And some dynamic testing is allowed to go, like there's a burn-in on the vehicle that's allowed to go from 8:00 p.m. on, because and that's based on revenue service...

[Court Reporter intervenes for clarification].

JEAN-LOUIS OZORAK: So something in the back of my mind saying we shouldn't be talking about Stage 2 here because it's a Stage 1 inquiry, but I'll give you the information anyway.

The system is not busy from 8:00 p.m. on; it's when they have the least amount of vehicles. So actually, no. Let me rephrase.

Off peak burn-in is allowed to go from 8:00 p.m. on, because, again, there's less people taking the transit at that time. There are test decals and door barriers on these test vehicles.

And they basically follow a revenue vehicle very closely so that there's no people on the platform trying to get on the vehicle that they can't get on.

So this is allowed to go for Stage 2.

FRASER HARLAND: And you're right. The focus is absolutely on Stage 1. The reason I'm asking the questions is to make sure I understand if there's an impact on Stage 1 and the operation of the vehicles from Stage 2 activities.

So that's where those questions are coming from. Related to that, you mentioned a burn-in that the Stage 2 vehicles undertake. Do you know if that was a requirement for the Stage 1 vehicles?

JEAN-LOUIS OZORAK: No, the Stage 1 vehicles, there was more kilometres put on the vehicles, just for testing in general. I think we had an average of 4,000 kilometres per vehicle, by the time we were done testing all of them.

But basically Stage 2, it was decided

because it was industry standard, to burn-in at a thousand kilometres.

FRASER HARLAND: I just want to make sure I understand that. I understand there would have been many kilometres put on the Stage 1 vehicles as they were going through all of the testing, including type testing.

But would they have had a thousand kilometres or more put on them once they were ready for service?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: The Stage 1 vehicles would have had that?

JEAN-LOUIS OZORAK: I would think so.

FRASER HARLAND: Just so I understand, with Stage 2 burn-in that's the time it happens, right? The vehicle has been determined to be ready and then it goes through this 1,000-kilometre burn-in period; is that right?

JEAN-LOUIS OZORAK: Correct, yes.

FRASER HARLAND: You think the same thing would have happened for the Stage 1 vehicles?

JEAN-LOUIS OZORAK: Stage 1 had more kilometres put on.

FRASER HARLAND: And again I understand

that, but I guess my question is, did they get the same number of kilometres that the Stage 2 burn-in vehicles are getting at the time that the trains were actually determined to be ready for service, if you understand my question?

JEAN-LOUIS OZORAK: Yes, I understand the question. When revenue service commenced, I'm going to say that all vehicles had definitely had more than a thousand kilometres.

FRASER HARLAND: Okay. I think now might be a good time to take a break, so we can take a 15-minute break and come back around 10:30.

JEAN-LOUIS OZORAK: Okay.

-- RECESS TAKEN AT 10:14 --

-- UPON RESUMING AT 10:30 --

FRASER HARLAND: Mr. Ozorak, you've explained the role of quality manager to us. I just want to ask you a couple of more questions about that role.

So you explained how you inspected vehicles for the punchlist; is that right?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: And that would have been for the purpose of accepting the vehicle?

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: Okay.

JEAN-LOUIS OZORAK: But just to be clear. Joseph was the lead on this, and I generated the punchlist at the time. It was a learning experience for me.

FRASER HARLAND: That was Joseph Manconi?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: Is there a role for the quality manager outside of the acceptance process? Are there routine inspections done, or anything like that?

JEAN-LOUIS OZORAK: On the maintenance side?

FRASER HARLAND: On maintenance or construction side? Just in terms of Alstom's work I guess in general?

JEAN-LOUIS OZORAK: They have their own quality team with their own quality processes.

FRASER HARLAND: Okay. I just wanted to make sure I understood. So the quality manager's role is really most involved at that acceptance process?

I just didn't know if there was any other ways that quality is being inspected and

managed, if there are sort of -- yeah, regular inspections of Alstom's construction line?

I'm not sure, you know, what would be permitted by Alstom. I just want to make sure I understand where it is this role is focused in terms of the train construction?

JEAN-LOUIS OZORAK: Okay, so our role starts as quality manager at the acceptance process. When the vehicle is ready to be accepted it's completed its assembly.

FRASER HARLAND: You do provisional acceptance and then there's a final acceptance that's conducted by the City; do I have that right?

JEAN-LOUIS OZORAK: Correct, and we co-ordinate those efforts?

FRASER HARLAND: What happens between provisional and final acceptance, if anything?

JEAN-LOUIS OZORAK: Between provisional and final, yes, there is the integration testing.

FRASER HARLAND: Okay. So provisional is to say, as far as Alstom is concerned and as far as OLRT-C is concerned, a vehicle is ready to operate. And then at final acceptance, it's to sort of say it has operated on the system successfully; is that fair?

JEAN-LOUIS OZORAK: Correct. In a nutshell.

FRASER HARLAND: I wanted to ask, did you have any involvement in trial running?

JEAN-LOUIS OZORAK: I did not. Other than coordinating the efforts of allowing trial running to occur as an area coordinator. If they were done with trial running at a certain time of day, we would allow contractors to come in.

FRASER HARLAND: Okay. So it was continuing to play that role of facilitating access to the line for testing or for contractors?

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: Okay. But you didn't have involvement or awareness of criteria for trial running, or how trial running was going, anything like that?

JEAN-LOUIS OZORAK: No, I did not.

FRASER HARLAND: And were you aware of any issues that maintenance was experiencing during trial running?

JEAN-LOUIS OZORAK: No, I did not have those details, nor did I have the time to get into those details or to ask for those details. I'm busy enough with what I had to do.

FRASER HARLAND: Fair enough.

In terms of revenue service, in your view were the trains ready for revenue service?

JEAN-LOUIS OZORAK: I'm assuming, I don't know, it wasn't my role at the time.

FRASER HARLAND: And we spoke a bit about this before, but was it your view or was it understood that RTM was inheriting or accepting a system that was in greater need of maintenance than might have been anticipated or planned for?

JEAN-LOUIS OZORAK: I have no, nothing to compare to as another project; I don't have that experience.

FRASER HARLAND: Do you know how Alstom maintenance performed after RSA?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: And you mentioned that Alstom maintenance, and I don't know if we call them Alstom rolling stock, or Alstom construction, that these are two different entities, correct?

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: Did you have any understanding of what the relationship between those two entities looked like? Were they at odds with one another, competing with one another,

working well together? What was your sense of that?

JEAN-LOUIS OZORAK: I can't really comment on that because I'm not there with them.

FRASER HARLAND: Okay. You mentioned that the priority, if there is a -- if there needs to be one, in terms of the two entities, the priority would be given to maintenance; is that right?

JEAN-LOUIS OZORAK: That's my understanding.

FRASER HARLAND: Would that have an impact on Alstom's ability to complete retrofits; do you think?

JEAN-LOUIS OZORAK: It might.

FRASER HARLAND: And what would the implications of that be for the trains and for the system?

JEAN-LOUIS OZORAK: Just to have floor space to perform the work.

Floor space is given to Alstom maintenance as a priority.

FRASER HARLAND: And so the construction team wouldn't have the floor space is what you're saying?

JEAN-LOUIS OZORAK: In some cases, yeah, because it's prioritized.

FRASER HARLAND: And a number of these retrofits in the minor deficiency list, are these being completed over a warranty period; or is that for work that shows up during revenue service that hadn't been accounted for prior?

JEAN-LOUIS OZORAK: Yeah, it's supposed to be completed during the warranty period. But the warranty period, in my understanding, is two years and we've gone beyond that already. So, commercially, I don't know how that gets handled.

On what my involvement with these minor deficiencies is to, whenever Alstom report that they're done in certain deficiencies, myself and my colleagues would go, or my colleagues would go and inspect and see if we're satisfied with the work. As far as the whole getting it done, getting complete, it's beyond me.

FRASER HARLAND: Okay. And do you have any understanding or knowledge of there being a significant number of work orders from the City to maintenance? This may be outside of your scope, but I just want to make sure I cover off all the key issues with you.

JEAN-LOUIS OZORAK: I know there are work orders being generated and closed, that's -- I don't know. I don't get involved with that side of things.

FRASER HARLAND: And what about issues with spare parts for maintenance? Has there been any issues with that in terms of having the parts that are required in order to get trains back on the main line for service?

JEAN-LOUIS OZORAK: Yeah, I don't get involved with that.

[Virtual connection difficulties].

[Whereupon, the court reporter read back a portion of the record].

FRASER HARLAND: Go back on record.

Mr. Ozorak, I'd expect that as revenue service commenced, and there was a transfer of various maintenance requirements from OLRT-C to RTM, that OLRT-C began to wind down in a certain respect as an organization; is that a fair assessment?

JEAN-LOUIS OZORAK: Yeah, that's not something I was involved with. I would say that yes, once things were transferred over, that OLRT-C backed out of it and they still are.

FRASER HARLAND: Did you have any sense of whether that happened too quickly or whether there were issues that needed to be taken care of by OLRT-C that weren't being finished because the organization was essentially no longer there? Do you have any understanding of that?

JEAN-LOUIS OZORAK: Yeah, I'm going to give you my opinion on this. No, OLRT-C is still active on Stage 1 completion. So I would say that, no, they did not wind down too early. But that's my opinion.

FRASER HARLAND: Yeah, understood.

For some train projects, they implement what's called a soft start or a progressive start to revenue service. Do you have any opinion on whether or not doing that would have been beneficial in this project?

JEAN-LOUIS OZORAK: The topic did come up with a soft start. But what would have been included in the soft start? That's a whole other discussion.

I mean, would you have -- would the City have appreciated a soft start with the downtown stations to Blair and not to Tunney's? I don't think it would have worked on this project.

FRASER HARLAND: When you say the topic did come up, how did it come up and what was your knowledge of it, of that discussion?

JEAN-LOUIS OZORAK: It was just overhearing discussions about possibly running service from Rideau Station to Blair, at least getting people into town, and it was me overhearing these conversations in meetings.

I don't know where it went -- obviously it went nowhere because it never happened. But my opinion is that it wouldn't have worked because you couldn't drop everyone off at Rideau Station and expect them to find their way to the downtown, Ottawa downtown core. It wouldn't have worked, so that's just my opinion.

(Reporter sought clarification).

FRASER HARLAND: So on your CV as area coordinator you were responsible for coordinating requirements with RTM operations? Can you explain what that would have involved for us, please.

JEAN-LOUIS OZORAK: Well, I see there's well some... so it's basically again it was coordinating work and we did get involved with RTM operations, with the control room. And this is, yeah, they did take over -- okay, so this is more I

would say with the control room.

Because RTM was operating the yard control room, the YCC they called it. We had to coordinate with them because at some point they took over certain areas and we had to start coordinating with them.

FRASER HARLAND: Sorry, they were operating, you said the yard control room?

JEAN-LOUIS OZORAK: Yeah, the yard control room which is currently how it operates. RTM operates the yard control room, and so they operate the yard and at the time, they were training to do that. So this is where we were coordinating with them.

FRASER HARLAND: Okay. And the yard was designed to be operated using automatic train control; is that right?

JEAN-LOUIS OZORAK: Yes.

FRASER HARLAND: And is that up and running now, or what's the status of that?

JEAN-LOUIS OZORAK: It is not up and running yet.

FRASER HARLAND: Has that had any implications for the project that you've seen?

JEAN-LOUIS OZORAK: Yes. OLRT had to

support that aspect by hiring, or by allowing Alstom to hire yard hostlers to move vehicles around.

FRASER HARLAND: And that's equipment for the purpose of moving vehicles?

JEAN-LOUIS OZORAK: Yard hostlers are people that are moving the equipment, instead of the unattended train operation, go on your keyboard and press train XY, to go to the handle. Now it's actually people moving these until the testing gets finalized and integrated.

FRASER HARLAND: Just so I understand, you said the yard's control room. So are there two separate control rooms, one for the main line and one for the yard?

JEAN-LOUIS OZORAK: Correct. OTC is the main line and YCC is the yard.

FRASER HARLAND: Did you have any involvement with the main line control room and the operators there?

JEAN-LOUIS OZORAK: We did, actually we did at the time, because the main line control used to be at 805 Belfast until they moved into their own facility. I'm not sure where it is, but it's down Belfast Road a little ways.

FRASER HARLAND: Did you have any knowledge or awareness of the handover between OLRT-C and RTM for maintenance work?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: And you weren't involved during the information handover in terms of maintenance manuals and other key documentation that was being transferred from one organization to the other?

JEAN-LOUIS OZORAK: I just heard that it was happening. I did not get involved with that.

FRASER HARLAND: What interaction, if any, did you have with the operator, OC Transpo?

JEAN-LOUIS OZORAK: OC Transpo, at the time, it was basically allowing their operators to take permits to go and test vehicles after a certain -- when they were trained -- when they had trained operators, we would interact with their trained operators to allow them to take vehicles to the main line to test them.

FRASER HARLAND: And they were testing or they were training?

JEAN-LOUIS OZORAK: Testing/training. It was part of their training, I would say, that

they would drive these vehicles in real life.

FRASER HARLAND: How did their training work? Who was responsible for their training?

JEAN-LOUIS OZORAK: I don't know. I can't speak to that. The City.

FRASER HARLAND: Was it your view that the operator was ready for revenue service? They had received sufficient training and were ready to operate the system?

JEAN-LOUIS OZORAK: I can't speak to that, no.

FRASER HARLAND: Are you aware of any difficulties that were caused between two different work order systems, one that was used by the City and a different system used by Alstom and Alstom maintenance?

JEAN-LOUIS OZORAK: I'm not involved in that. I hear there's work orders; that's pretty much the extent of it.

FRASER HARLAND: I understand there was a significant change in management in OLRT-C around 2018; were you aware of that change?

JEAN-LOUIS OZORAK: There's been change in project directors, four or five times, but that's it.

FRASER HARLAND: Do you know why the changes in project directors was happening?

JEAN-LOUIS OZORAK: No. It could have been personal. It could have been -- I have no idea.

FRASER HARLAND: Did those changes have an impact on your work?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: You didn't discern any difference in what you were needing to do or in what was going on in your organization in the project direction?

JEAN-LOUIS OZORAK: None whatsoever.

FRASER HARLAND: Did you have any sense that there changes in the relationships between OLRT-C and Alstom under different project directors?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: Did you notice any changes around May 2018 when revenue service, the original revenue service date, was missed?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: You would have been aware of that date, though, the revenue service date?

JEAN-LOUIS OZORAK: I was.

FRASER HARLAND: And was there a sense within the organization that having missed that date was a problem, or that there was additional pressure to get the work done after that time?

JEAN-LOUIS OZORAK: There was a sense of urgency, but there's always been a sense of urgency on this project.

FRASER HARLAND: Did you know of any mitigation measures that were undertaken by OLRT-C at the time in order to try and meet the next revenue service date?

JEAN-LOUIS OZORAK: No, I wasn't involved at that level.

FRASER HARLAND: And so you didn't feel any heightened sense of urgency or demands from May 2018 going forward in your work, pressure from management or other colleagues?

JEAN-LOUIS OZORAK: Not an increase in pressure. The pressure was there from day one.

FRASER HARLAND: And what does that pressure look like? Just describe that for me, please.

JEAN-LOUIS OZORAK: It's an everyday challenge, right? It's an everyday challenge to

make sure that everything is done.

And the pressure could vary from getting building occupancy, or to -- you know, somebody wanting to get a vehicle tested and us having to try and to make it happen safely without contradicting our skill set, violating any of our rules that were implemented.

FRASER HARLAND: Did you have any awareness that if OLRT-C missed that revenue service date in May 2018, that they would owe liquidated damages to RTG for the time it took for them to pass?

JEAN-LOUIS OZORAK: Yeah, that's above my pay grade.

FRASER HARLAND: So that issue wouldn't have changed your day-to-day work at any time after revenue service?

JEAN-LOUIS OZORAK: No.

FRASER HARLAND: And the financial impact on OLRT-C of missing revenue service, that's not something you were aware or were dealing with, I take it.

JEAN-LOUIS OZORAK: I wasn't dealing with it. I was aware of it, but I wasn't dealing with it. My daily tasks were daunting enough. I

didn't need to get involved at that level and it wasn't my job to do so.

FRASER HARLAND: So as you, I think are probably aware, the Commission's mandate is to look at the commercial and technical circumstances that led to breakdowns and derailments on the main line and for the system.

I just wanted to speak to you a bit about those specifically and any knowledge that you might have about those.

So there was a first derailment in August of 2021. What's your knowledge of that incident?

JEAN-LOUIS OZORAK: Only that the report has finally been provided on that, and there are certain aspects that still need to be sorted out, like wheel-flange lubrication and that's the one that comes to mind. That's the better way to do it.

FRASER HARLAND: What was the issue with that first derailment, to your knowledge?

JEAN-LOUIS OZORAK: I can't speak to -- I don't know what the issue was. It derailed. And now they're pointing at -- actually, they're pointing at the track design and wheel-flange

lubrication. So I don't enough about it to comment on this any further.

FRASER HARLAND: As quality director, I mean, having two derailments that may have something to do with Alstom's quality, does that impact your role at all? Or what was the effect of having these derailments on the work that you were doing?

JEAN-LOUIS OZORAK: The effect of having the derailment was significant because we couldn't go test on the main line, testing of our Stage 2 vehicles on the main line. And this is how we got impacted on Stage 2.

But other than that, no, it had no other impact.

FRASER HARLAND: And the reason for that was that they had to shut the system down for a period of time?

JEAN-LOUIS OZORAK: Correct.

FRASER HARLAND: Do you have any knowledge of the second derailment that happened in September of 2021?

JEAN-LOUIS OZORAK: I do have knowledge.

FRASER HARLAND: What do you know about

that? What can you tell us?

JEAN-LOUIS OZORAK: Only what I heard is that it was an operator error, about torquing some bolts.

FRASER HARLAND: And from OLRT-C's side, did you have any involvement in responding to that issue or working to ensure that Alstom's processes were modified as necessary to address those issues?

JEAN-LOUIS OZORAK: Not involved. Not in my scope of work.

FRASER HARLAND: What about the wheel flats that I understand were seen on some of the trains? Do you have any knowledge of that or involvement in that?

JEAN-LOUIS OZORAK: I hear that they're happening. Why they're happening, it is being sorted out by someone else.

FRASER HARLAND: That would be the same for the cracked wheels?

JEAN-LOUIS OZORAK: Yeah. Yeah. They've implemented a change to the wheels. They've removed some bolts and inserted some plastic plugs to make sure that these wheel cracks didn't occur.

And they're inspecting every vehicle before they go out on the main line to make that there are no wheel cracks. As to how they do that, that's not mine to worry about, because they're revenue vehicles, but I hear it's happening.

FRASER HARLAND: When you say "they"?

JEAN-LOUIS OZORAK: RTM. RTM would be the ones that's looking at that.

FRASER HARLAND: We spoke briefly but in terms of Stage 2, the vehicles are now being maintained in Brampton.

Is it your view that that would have been a better model for the project as a whole to have vehicles constructed out of that facility?

JEAN-LOUIS OZORAK: Yeah, you said maintained so that kind of -- it did not maintain in Brampton. I want to make sure we're 100 percent clear.

FRASER HARLAND: That's my mistake. I certainly meant constructed.

So let me state the sentence again for the purposes of record. For Stage 2, Alstom eventually set up a production facility in Brampton for some of the Stage 2 vehicles.

And my question is whether it would

have been a better model for the project as a whole and for Stage 1 to have the trains built out of that production facility?

JEAN-LOUIS OZORAK: My opinion is yes. You want to build a vehicle in a production facility. It would have helped the project along with not having to worry about turning this into a production facility, then turning it back into a maintenance facility.

And if, you know, in the railway world, I guess you would want the vehicle built in a production facility. Same as back to your Toyota, right. You'd want that built in a Toyota plant.

FRASER HARLAND: Other than scheduling, do you have any knowledge of the impact that not having a separate production facility had on the project?

JEAN-LOUIS OZORAK: I'm sorry, I'm just not 100 percent with the question. In terms of --

FRASER HARLAND: You're saying it would have been better for the project and you've explained a bit. I guess I'm trying to understand what is it that you saw on the project that created issues or difficulties that you might not have had if there was a dedicated production facility?

JEAN-LOUIS OZORAK: Yeah, it would have been -- it would have reduced the amount of movement we had in the yard because the vehicles would have come, would have been delivered, up to a certain extent tested.

Because they do perform some testing in the plant in Brampton, water tests and serial testing. So that would have had a definite positive impact on the construction of the project here in Ottawa if we didn't have to contend with any of that.

FRASER HARLAND: We spoke of the burn-in period which was a change to the testing undertaken between Stage 1 and Stage 2.

Have there been any other changes to the testing and commissioning requirements between Stage 1 and Stage 2 to your knowledge?

JEAN-LOUIS OZORAK: No, no the burn-in had to be established because there was no set markers. I don't think there was a set mark in the Stage 1. There was a trial running protocol and there were criterias that were set out, but I wasn't involved with it.

All I know is that when we came to Stage 2, we had to establish the criteria. And

this is where Joseph came in with his 30 years of experience in rail instruments that 1000 kilometres should do.

FRASER HARLAND: Are there any other differences you've seen between Stage 1 and Stage 2, or any lessons that you feel had been learned by OLRT-C between Stage 1 and Stage 2?

JEAN-LOUIS OZORAK: Nothing comes to mind.

FRASER HARLAND: Just while I review my notes, I'm going to ask my colleague Mr. Coombes if he has any other questions for you.

JEAN-LOUIS OZORAK: Okay.

MARK COOMBES: I don't have any other questions for the witness.

FRASER HARLAND: Just a final couple of questions, Mr. Ozorak.

As I said, the Commission's mandate is to look into the commercial and technical circumstances that led to the breakdowns and derailments. Are there any topics or areas that we haven't discussed today that you think the Commission should be looking at in its work?

JEAN-LOUIS OZORAK: No, it's covered the fact that the, you know, it would have been

better to have the vehicles assembled in an actual vehicle production facility. Which was my big thing. I think it would have helped the project a lot.

Other than that, based on conversations, you know, I'm exposed to a lot of this stuff during my workdays, this project is no worse than other projects around the world.

FRASER HARLAND: And a related question, and you may feel you already answered it, but the Commissioner's been asked to make recommendations to prevent similar issues going forward.

And so do you have any specific recommendations that you would suggest for the Commissioner's recommendation and his consideration? One might be related to the MSF, but do you have any other recommendations that you might make?

JEAN-LOUIS OZORAK: No, no I think overall it was, you know, project went well. As well as you can expect. It is a complicated project and no, I have no other recommendations.

FRASER HARLAND: Ms. Wright, do you have any follow up for the witness?

JESSE WRIGHT: No, no questions for me, thanks.

FRASER HARLAND: We can go off record.

EXHIBIT NO. 1: Curriculum Vitae of Jean-Louis Ozorak.

-- Concluded at 11:05 a.m.

REPORTER'S CERTIFICATE

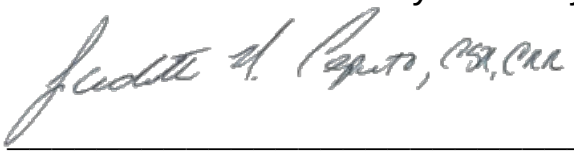
I, JUDITH M. CAPUTO, RPR, CSR, CRR, Certified Shorthand Reporter, certify;

That the foregoing proceedings were taken before me at the time and place therein set forth; at which time the interviewee was put under oath by me;

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

That the foregoing is a Certified Transcript of my shorthand notes so taken.

Dated this 17th day of May, 2022.



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