

**RFB #TENDER\_7661**  
**ATTACHMENT #3 – THE DELIVERABLES**

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## **1 THE DELIVERABLES**

This section of the RFB describes what is being procured.

The contents of this section will be in the final Contract if you are successful and you will be expected to deliver and/or perform all requirements set out in this section for the price you propose in the Commercial Envelope.

### **1.1 Background and History**

The planning and design of High Speed Rail (HSR) is being pursued by the Government of Ontario. HSR planning and design will be completed in phases and is subject to the requirements of both the Ontario Environmental Assessment (OEA) Act and the Canadian Environmental Assessment (CEA) Act.

In 2014, the Ministry of Transportation (MTO) was mandated to advance the environmental assessment (EA) of HSR from Toronto to Windsor. Since the early 1990s, there have been a number of studies to assess the viability of HSR within the Windsor to Quebec City corridor. More recent studies have been conducted by MTO including a March 2014 study titled “Toronto-Kitchener-London Pre-Feasibility Study” and November 2016 report titled “Preliminary Business Case for High Speed Rail along the Toronto to Windsor Corridor”.

In October 2015, the Minister of Transportation appointed the Honourable David Collenette as Special Advisor (SA) for HSR to assist the province in bringing HSR to the Windsor, London, Kitchener-Waterloo, and Toronto corridor. Over the term of his appointment, the SA met with a wide range of stakeholders and Indigenous communities, advised on a preliminary business case, undertook market sounding interviews to inform potential financing and delivery models, and met with other jurisdictions to understand best practices for HSR. The SA submitted the final report to the Minister of Transportation on December 2, 2016. The SA’s Final Report confirms that the project is feasible and that a positive business case exists for HSR in the corridor.

The following is a summary of the key recommendations from the SA Final Report on the HSR:

- Implement an electrified, 250 km/h HSR service, which would meet the International Union of Railways definition of HSR.
- Build a seven-stop system: Toronto Union, Pearson International Airport, Guelph, Kitchener-Waterloo, London, Chatham, and Windsor.
  - The Pearson stop is recommended at Malton GO station, with options for direct access to the airport being explored in the future.
- Implement HSR in two phases:

- Phase 1: Toronto-London (target operational date 2025).
  - HSR service between Toronto and Kitchener-Waterloo would run on existing, enhanced shared track with GO Regional Express Rail (RER).
  - HSR service between Kitchener-Waterloo and London would run on new, dedicated track adjacent to and within a hydro corridor.
- Phase 2: London-Windsor (target operational date 2031).
  - HSR service between London and Windsor would run on new, dedicated track adjacent to either the existing Canadian National (CN) Railway or Canadian Pacific (CP) Railway rail corridors.
- Establish a new independent Crown corporation to oversee HSR (HSRCO).
- Phase 2 of the HSR is recommended to be developed once ridership to London and revenues are established. Justification for this segment of the HSR is based on the opportunity for socio-economic and regional development.
- The business case for a Windsor connection could be strengthened if future connections to the United States rail system are planned.
- As key next steps, the SA recommended the province proceed with detailed project planning and advancing the EA process; further engagement with Indigenous communities, and key stakeholders (including municipalities, CP Railway, CN Railway, VIA Rail, Metrolinx, and provincial and federal regulatory bodies).

The HSR corridor currently under consideration extends from Windsor in the west to Toronto's Union Station in the east with proposed stops at London, Kitchener-Waterloo, Guelph, and Malton (Pearson Airport). From Toronto to Kitchener-Waterloo, the planned service will run within Metrolinx's Kitchener Corridor. There are existing GO Transit commuter services, Union Pearson (UP) Express and VIA Rail regional services running on the corridor, and as such, the introduction of HSR services requires careful service integration as well as coordinated infrastructure provision. From Kitchener-Waterloo to London, the service is proposed to predominantly run adjacent to and within an existing Hydro One corridor. From London to Windsor, the service is proposed to run predominantly adjacent to existing CN and/or CP rail corridors.

## **1.2 Deliverables**

The planning, design, and EA approvals for HSR are being pursued in phases. The scope of the first phase is the Kitchener-Waterloo to London segment of the HSR corridor. For the purposes of the Bidder's submission, it is assumed that this phase of the project will proceed as an Individual EA (IEA) under the OEA Act.

An IEA requires a two-stage approval. First is the development and approval of an EA Terms of Reference (ToR). The second is the planning, preliminary design, and EA study. A ToR is subject to the requirements of the OEA Act, and provides an approved plan/framework that must be followed during the subsequent IEA study. The second stage of work (planning, preliminary design, and EA study) will further define the HSR segment from Kitchener-Waterloo to London in accordance with the plan/framework detailed in the

approved ToR (e.g. HSR route location, station locations, etc.). The ToR will provide a framework for meeting the requirements of both the OEA Act and CEA Act.

The Vendor will prepare the ToR and support the formal Ministry of the Environment and Climate Change (MOECC) review and approval process for the Kitchener-Waterloo to London segment.

To complete the project Deliverables (1.2.1 Project Deliverables) and provide the project Services (1.2.2 Project Services), the following knowledge, skills, and expertise are required at a minimum.

Project Lead:

- Experience:
  - 10 years minimum
  
- Qualifications:
  - Experience managing and coordinating EA studies including management of numerous specialist groups and sub consultants.
  - Professional experience working on EAs related to large-scale transportation and/or other linear infrastructure projects, including new rail and highway projects.
  - **List of staff assigned to support project management**
    - **Role and function of each staff person**
    - **Experience with EA studies including large-scale transportation and/or other linear infrastructure projects**

Individual EA Process (in Ontario) Expert:

- Experience:
  - 10 years minimum
  
- Qualifications:
  - Progressive experience with Ontario individual EAs for linear infrastructure
  - Experience coordinating Ontario EA process requirements with Canadian EA process requirements
  - **List of staff assigned to support EA process requirements**
    - **Role and function of each staff person**
    - **Experience with EA studies including linear infrastructure projects and projects that are subject to both the Ontario and Canadian EA process requirements**

Rail Project Manager:

- Experience:

- 10 years minimum
- Qualifications:
  - Professional Engineer (P.Eng.) licensed to practice in the province of Ontario. **The P. Eng. License requirement is a Mandatory Eligibility Requirement, and if this requirement is not met, the entire Bid is disqualified. A valid license number issued by the Professional Engineers of Ontario must be provided.**
  - Experience managing rail planning and design projects including management of numerous specialist groups and sub consultants.
  - Professional experience working on rail planning and design projects, including new rail projects.
  - **List of staff assigned to support rail planning and design**
    - **Role and function of each staff person**
    - **Experience with rail planning and design projects**

Practice Lead for Rail Electrical Power Supply and Distribution:

- Experience:
  - 10 years minimum
- Qualifications:
  - Professional Engineer (P.Eng.) licensed to practice in the province of Ontario. **The P. Eng. license is a rated criteria. If this requirement is not met, the entire Bid is not disqualified; however, an evaluation score of 0 will be applied to the P. Eng. qualification requirement, and the remaining requirements for this position will be rated accordingly. A valid license number issued by the Professional Engineers of Ontario must be provided.**
  - Previous experience with engineering the electrical elements of rail, including power supply and distribution requirements.
  - **List of staff assigned to support rail electrical power supply and distribution**
    - **Role and function of each staff person**
    - **Experience with projects that include rail electrical power supply and distribution**

Practice Lead for Rail Track and Structural (Civil) Design:

- Experience:
  - 10 years minimum
- Qualifications:

- Professional Engineer (P.Eng.) licensed to practice in the province of Ontario. **The P. Eng. license is a rated criteria. If this requirement is not met, the entire Bid is not disqualified; however, an evaluation score of 0 will be applied to the P. Eng. qualification requirement, and the remaining requirements for this position will be rated accordingly. A valid license number issued by the Professional Engineers of Ontario must be provided.**
- Previous experience with rail track and civil design, including for new rail.
- **List of staff assigned to support rail track and civil design**
  - **Role and function of each staff person**
  - **Experience with rail track and civil design projects**

Practice Lead for Rail Operations and Maintenance:

- Experience:
  - 10 years minimum
- Qualifications:
  - ~~**Professional Engineer (P.Eng.) licensed to practice in the province of Ontario.**~~
  - Previous experience with rail operations and maintenance.
  - **List of staff assigned to support rail operations and maintenance**
    - **Role and function of each staff person**
    - **Experience with projects that include rail operations and maintenance**

Consultation and Facilitation Expert:

- Experience:
  - 10 years minimum
- Qualifications:
  - Experience conducting consultation and facilitation on the planning, design, and EA of large infrastructure projects.
  - Demonstrated experience with a wide-range of stakeholders including but not limited to municipalities, federal and provincial regulatory agencies, the general public, interest groups, and others.
  - **List of staff assigned to support consultation and facilitation**
    - **Role and function of each staff person**
    - **Experience with consultation and facilitation for planning, design, and EA projects**

## Indigenous Engagement Expert:

- Experience:
  - 10 years minimum
- Qualifications:
  - Experience with culturally appropriate communication and facilitation methods.
  - Knowledge of Canadian legal framework with regards to Aboriginal and Treaty rights (Duty to Consult and Accommodate, etc.).
  - **List of staff assigned to support Indigenous engagement**
    - **Role and function of each staff person**
    - **Experience with Indigenous engagement projects**

**Additional relevant expertise required to support the completion of the project may include but is not limited to:**

- **Expertise in environmental disciplines (natural environment, socioeconomic, cultural, cumulative effects, climate change).**
- **Expertise in engineering disciplines (storm water management and track drainage, acoustics and vibration, network and communications, tunneling design, bridge design, rail safety, and locomotive and rail vehicle).**

Project team members must be able to demonstrate experience through a summary of qualifications and experience related to this project, and accomplishments on related projects. This experience shall be demonstrated through the submission of a curriculum vitae for each team member **that shall not exceed 5 single-sided pages at 11 font size.**

### 1.2.1 Project Deliverables

#### 1.2.1.1 Project Deliverable 1 – Work Plan and Schedule

As part of the submission to the MTO, the Bidder will develop a proposed work plan and schedule for completing all of the Services and Deliverables specified in this section. At a minimum, the proposed work plan and schedule shall include: the approach to completing the tasks outlined below, staff and other resources (also represented through a project team organizational chart which includes the reporting structure, and roles and responsibilities including all proposed sub-consultants), and timelines to completion.

MTO will work with the Vendor to produce a final approved work plan and schedule. The approval of the final work plan and schedule is in the sole discretion of MTO. The final, approved work plan will be completed within two weeks of Contract award.

The project is scheduled to commence in winter/spring 2018, and must be completed no later than 24 months following commencement. The schedule for completion must include MOECC review and approval of the ToR.

### 1.2.1.2 Project Deliverable 2 – Project Commencement

The ToR will include a formal project commencement that at a minimum meets MOECC's Code of Practice for 'Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario'. The formal Notice of Commencement will be published no later than March ~~30 29~~, 2018. **The Notice of Commencement shall be provided for posting on MTO's website and in local/provincial newspapers. The choice of newspapers is to be determined by the Bidder, and should include at a minimum one newspaper with provincial circulation.**

This will include an approach to developing and delivering website content to support project commencement. The Vendor will not be required to develop and maintain a project website, but will be required to develop and transfer website content (in the appropriate formats) to a website maintained by MTO.

The ToR will be completed in stages, with 2 interim reports provided for MTO review and comment at key milestones.

### 1.2.1.3 Project Deliverable 3 – Interim Report #1

Interim Report #1 includes the identification of the proponent, description of the purpose of the undertaking, description and rationale for the undertaking, description of rationale for alternatives to be considered during the IEA, description of the existing environment and potential effects of the undertaking that will be considered during the IEA.

### 1.2.1.4 Project Deliverable 4 – Interim Report #2

Interim Report #2 includes the approach to assessment and evaluation, mitigation commitments and monitoring, and the consultation plan for the IEA including a plan for engaging Indigenous peoples.

### 1.2.1.5 Project Deliverable 5 – Prepare Draft ToR

Interim reports #1 and #2 will be used to inform the preparation of the draft ToR. The minimum required contents of the ToR are outlined in Appendix A – Minimum Content Requirements for the High Speed Rail Environmental Assessment Terms of Reference.

### 1.2.1.6 Project Deliverable 6 – Consultation and Engagement

Consult with municipalities, **potentially impacted farmers and agricultural interest groups**, provincial and federal regulatory agencies, other transportation and utility service providers, the general public, and other interested stakeholders; and support MTO's efforts to engage Indigenous communities whose Aboriginal and Treaty rights are potentially affected or those Indigenous communities with an interest in the project.

Elements of the consultation and engagement plan shall include but are not limited to the following:

For Interim Report #1 **and 2**:



- Approach to presenting draft materials and obtaining feedback from staff representatives from municipalities, **potentially impacted farmers and agricultural interest groups**, provincial and federal regulatory agencies, and transportation and utility service providers operating within the corridor, including:
  - 2 in-person meetings/workshops with municipal staff within the corridor;
  - **2 in-person meetings/workshops with potentially impacted farmers and agricultural interest groups**;
  - 2 in-person meetings/workshops with provincial and federal regulatory agencies;
  - 2 in-person meetings/workshops with transportation and utility service providers operating within the corridor

**For Interim Report #2:**

- **Approach to presenting draft materials and obtaining feedback from staff representatives from municipalities, potentially impacted farmers and agricultural interest groups, provincial and federal regulatory agencies, and transportation and utility service providers operating within the corridor, including:**
  - **2 in-person meetings/workshops with municipal staff within the corridor**;
  - **2 in-person meetings/workshops with potentially impacted farmers and agricultural interest groups**;
  - **2 in-person meetings/workshops with provincial and federal regulatory agencies**;
  - **2 in-person meetings/workshops with transportation and utility service providers operating within the corridor**

**For both Interim Report #1 and Interim Report #2:**

- Approach to presenting draft materials and obtaining feedback from all other stakeholders and the public
  - At a minimum, online engagement including posting interim reports to the existing HSR website and facilitating feedback
- Approach to supporting MTO's efforts to engage Indigenous communities whose Aboriginal and Treaty rights are potentially affected or those with an interest in the project, through:
  - Logistics (booking of venues, caterers to organize engagement activities)
  - Administrative (note taking, developing a record of consultation)
  - Communications (use of communication strategies such as social media to inform communities of HSR-related events)
  - **Facilitation (facilitation of meetings with Indigenous community leaders and/or community members)**
  - Content (developing materials for meetings and community-wide events)

- Research (collection of traditional land use studies and other information that are relevant for the project, list of community consultation protocols etc.)
- Prepare a record of all feedback and responses to correspondence, including:
  - Input obtained through parallel HSR engagement activities. The results of the parallel activities will be provided to the Vendor by MTO (i.e. early Indigenous engagement activities and outreach with key stakeholders); and,
  - Input obtained during development of the interim reports (i.e. prepare the consultation record)
- All presentation materials including those posted to the existing HSR website must be compliant with the French Language Services Act and Accessibility for Ontarians with Disabilities Act requirements.
- No Public Information Centres are required for interim reports

For the draft ToR:

- Approach to presenting draft materials and obtaining feedback from staff representatives from municipalities, **potentially impacted farmers and agricultural interest groups**, provincial and federal regulatory agencies, and transportation and utility service providers operating within the corridor, including:
  - 2 in-person meetings/workshops with municipal staff within the corridor;
  - **2 in-person meetings/workshops with potentially impacted farmers and agricultural interest groups;**
  - 2 in-person meetings/workshops with provincial and federal regulatory agencies;
  - 2 in-person meetings/workshops with transportation and utility service providers operating within the corridor
- Approach to presenting draft materials and obtaining feedback from all other stakeholders and the public, including:
  - **For bidding purposes, the Bidder shall assume newspaper ads will be required for the following project milestones: Notice of Commencement, notice of Public Information Centres, and notice of Terms of Reference submission for formal review and approval. The choice of newspapers is to be determined by the Bidder, and should include at a minimum one newspaper with provincial circulation.**
  - Schedule and host (including making all arrangements, e.g. bookings and notifications) 1 round of public information centres at the following locations:
    - Kitchener-Waterloo
    - London
    - Rural location to be determined by MTO
  - Online engagement including posting draft ToR to the existing HSR website and facilitating feedback

- Approach to supporting MTO's efforts to engage Indigenous communities whose Aboriginal and Treaty rights are potentially affected or those with an interest in the project, through:
  - Logistics (booking of venues, caterers to organize engagement activities)
  - Documentation (note taking, developing a record of consultation)
  - Communications (use of communication strategies such as social media to inform communities of HSR-related events)
  - ~~**Facilitation (facilitation of meetings with Indigenous community leaders and/or community members)**~~
  - Content (developing materials for meetings and community-wide events)
  - Research (collection of traditional land use studies and other information that are relevant for the project, list of community consultation protocols etc.)
- All presentation materials including those posted to the existing HSR website must be compliant with the French Language Services Act and Accessibility for Ontarians with Disabilities Act requirements.
- Prepare a record of all feedback and responses to correspondence, including:
  - Input obtained through parallel HSR engagement activities. The results of the parallel activities will be provided to the Vendor by MTO (i.e. early Indigenous engagement activities and outreach with key stakeholders); and,
  - Input obtained as part of this ToR development exercise (i.e. prepare the consultation record)

#### 1.2.1.7 Project Deliverable 7 – Prepare Final Draft ToR Document

Modify and prepare a final draft ToR document to reflect input received through consultation and engagement activities.

Include an updated consultation record that describes how input influenced key milestones and decision making.

#### 1.2.1.8 Project Deliverable 8 – Submit Final Draft ToR for Approval

Assist MTO with the submission of the final draft ToR for MOECC approval, including resolution of issues identified during review process, and requests for additional information.

Seek CEA Agency endorsement of ToR insofar as it outlines a planning, design, and EA process that will facilitate a decision under the CEA Act.

### 1.2.2 Project Services

The following Project Services are required to complete the Deliverables outlined above.

#### 1.2.2.1 Project Service 1 – Support for Development of HSR Standards

Through other consultant contract(s), the Ministry will also be developing HSR standards. The Vendor may also be required to provide input and liaise with other consultants to assess the application of HSR standards within the corridor.

**For bidding purposes, the Bidder shall assume 9 days of work will be required by the Project Lead; 18 days of work by the Rail Project Manager; and 9 days of work from each of the Practice Leads for Rail Electrical Power Supply and Distribution, Rail Track and Structural (Civil) Design, and Rail Operations and Maintenance.**

#### 1.2.2.2 Project Service 2 – Support for Development of Coordinated Approach for HSR in the Toronto to London Corridor

As HSR service between Toronto and Kitchener-Waterloo will run on existing, enhanced shared track with GO RER, the Vendor will support the Ministry's efforts to develop an approach for coordinating the planning, preliminary design, and EA for the Kitchener-Waterloo to London HSR segment with the Metrolinx RER planning and design efforts in the Kitchener corridor. The Vendor will prepare, analyze, and document coordination options, including co-proponency, for the planning, preliminary design, and EA process requirements for HSR from Toronto to London. The Vendor will work with MTO and Metrolinx to develop the approach to coordination.

**For bidding purposes, the Bidder shall assume 5 days of work will be required by each of the following roles: Project Lead; Individual EA Process (in Ontario) Expert; Rail Project Manager; and the Practice Leads for Rail Electrical Power Supply and Distribution, Rail Track and Structural (Civil) Design, and Rail Operations and Maintenance.**

The approach for coordination ~~is targeted for completion by March 2018, and~~ will be documented within the ToR.

#### 1.2.2.3 Project Service 3 – Project Team Meetings

The Vendor shall organize, schedule and host 24 monthly in-person project team meetings. **Monthly team meetings will be hosted by the Vendor at a location of their choice within the Greater Toronto and Hamilton Area.** The Vendor will prepare agendas and take minutes for the meetings. Minutes will be provided to the MTO project team for review and endorsement.

#### 1.2.2.4 Project Service 4 – Prepare Formal Presentations

The Vendor shall prepare (in collaboration with the MTO project team) 4 formal presentations (electronic and hand- outs as necessary). The presentations will coincide with the following project milestones:

- Interim Report #1
- Interim Report #2
- Draft ToR
- Final Draft ToR.

#### 1.2.2.5 Project Service 5 – Deliver Formal Presentations

Each formal presentation will be delivered to a minimum of 18 audiences as follows:

- MTO Senior Management
- HSR Planning Advisory Board
- Region of Waterloo Council
- City of London Council
- Oxford County
- Perth County
- Middlesex County
- Indigenous community leaders or representatives, including:
  - Six Nations Elected Council
  - Haudenosaunee Confederacy Chiefs Council
  - Mississaugas of the New Credit First Nation
  - Chippewas of the Thames First Nation
  - Oneida Nation of the Thames
  - Munsee-Delaware Nation
  - Moravian of the Thames First Nation
  - Chippewas of Kettle and Stony Point First Nation
  - Aamjiwnaang First Nation
  - Bekjwanong Territory (Walpole Island First Nation)
  - Caldwell First Nation

#### 1.2.2.6 Project Service 6 - Preparation and Finalization of Documents

All project documents, public information centre display materials, website content, presentation materials, reports and other documents shall be initially provided to the MTO project team as “draft” for review and comment. The Vendor will then work with the MTO project team to revise documents until the project team provides endorsement (i.e. several iterations of materials may be required). The Vendor’s proposed project work plan and schedule will provide a minimum of 5 business days to facilitate MTO’s review and endorsement of all documents and materials.

Documents shall be printed and/or distributed in a manner that ensures all parties receive the materials in a convenient and timely manner. Documents for meetings and workshops shall be provided no less than 48 hours in advance.

All documents must be compliant with the French Language Services Act and Accessibility for Ontarians with Disabilities Act requirements.

#### 1.2.2.7 Project Service 7 - Issue Management

The Vendor shall provide issue management support through activities that include but are not restricted to:

- Respond to routine information requests by the public and other external stakeholders **(for bidding purposes, the Bidder shall assume 5 information requests per month for a total of 120 information requests);**
- Prepare information upon request to support preparation of briefing notes, letters, etc., for government representatives and executives **(for bidding purposes, the Bidder**

**shall assume 1 information request to support briefing notes, letters, etc. per month for a total of 24 information requests):**

- Provide timely advice on local issues of concern related to the project;
- Co-ordinate responses to contentious technical issues as directed by the MTO project team in consultation with the HSR Planning Advisory Board (**for bidding purposes, the Bidder shall assume 20 contentious technical issues)**; and
- Advance the project objectives with external stakeholders.

#### 1.2.2.8 Project Service 8 - Media Relations

The Vendor shall provide media relations to support MTO and the HSR Planning Advisory Board through activities that include but are not restricted to:

- Provide media relations support at all public information centres / public information meetings that are identified through the Vendor's proposed work plan;
- Co-ordinate responses to the media as directed by the MTO project team in consultation with the HSR Planning Advisory Board (**for bidding purposes, the Bidder shall assume 20 responses to the media)**; and
- Co-ordinate and participate in media events requested by the MTO project team (**for bidding purposes, the Bidder shall assume 5 media events)**.

#### 1.2.2.9 Project Service 9 - Monthly Project Status Report

Each month, the Vendor shall submit a monthly project status report accompanying the monthly invoice that shall include the following, at a minimum:

- Work accomplished during the previous month, including a breakdown of staff time and hours by project Deliverable and interim Deliverable
- Anticipated work items for the upcoming month
- Real or anticipated problems on the project
- Update of previously approved work plan and project schedule, including explanations for any delays or changes
- Information and decisions needed from the MTO project team
- Copy of Verbal Contact Records for the period
- Updated Project Record (see below)

Should the progress of the project or issues dictate a need, a bi-weekly interim report may be required to be submitted.

#### 1.2.2.10 Project Service 10 - Project Record

The Vendor shall maintain a "living" project record that includes a history of significant events (changes, comments, etc.) that influenced the preparation of the ToR. The project record is to be submitted to the MTO project team as part of the monthly report and should be made available as requested by MTO.

### 1.2.3 Competitive Extra Services

The HSR project is the first program of its kind in Canada and there is no previous EA work in Canada that can act as a model for the preparation of an EA ToR for HSR in

Ontario. As such, it is recognized that the scope outlined in this RFB may change after Contract award as the project moves forward. Competitive extra services have been added to reduce the need for potential change orders and change requests. This shall not be considered a constraint on the Services that are determined to be necessary to complete the Deliverables, or on any additional Services that the Vendor may choose to provide within the costs of their Bid.

The competitive extra services shall be provided only upon the written direction of the Ministry Representative. These competitive extra services are specified below.

<b>SERVICE</b>	<b>SPECIFIED COMPETITIVE EXTRA SERVICE</b>
Meetings and workshops for interim reports	Price for each of 8 additional in-person meetings/workshops
Meetings and workshops for the draft ToR	Price for each of 8 additional in-person meetings/workshops
Public Information Centres	Price for 1 additional round of Public Information Centres (at 3 locations)
Project team meetings	Price for each of 8 additional in-person project team meetings
Prepare formal presentations	Price for the preparation of each of 2 additional formal presentations
Deliver formal presentation	Price for the delivery of each of 36 additional formal presentations

# **APPENDIX A – MINIMUM CONTENT REQUIREMENTS FOR THE HIGH SPEED RAIL ENVIRONMENTAL ASSESSMENT TERMS OF REFERENCE**

## **Coordinated approach for federal and provincial EA approvals**

The scope of work defined through the preparation of the ToR must also meet the CEA Act requirements for a project description. Ideally, the subsequent EA process will produce one document that complies with the requirements set forth by both agencies; however, developing multiple documents may be required.

The Vendor will support MTO in working with MOECC and the CEA Agency to identify and define a single coordinated approach that is documented within the ToR.

## **Approach for coordinating Metrolinx and MTO HSR design and EA processes between Toronto and London**

HSR from Toronto to Kitchener-Waterloo is planned to run within Metrolinx's Kitchener Corridor. There are existing GO Transit commuter services, UP Express and VIA Rail regional services running on the corridor, and as such, the introduction of HSR services requires careful service integration as well as coordinated infrastructure provision.

The Vendor will propose an approach for coordinating the planning, preliminary design, and IEA for the Kitchener-Waterloo to London segment with the Metrolinx RER planning and design efforts in the Kitchener corridor. The final approach for coordinating the two processes shall be documented within the ToR.

## **Identification of Proponent**

A proponent statement must be included in the ToR identifying name, address, and contact person.

## **Purpose of the Study or Undertaking**

The purpose of the undertaking is to establish HSR services in the Kitchener-Waterloo to London corridor. This statement shall be included in the ToR. No additional analysis is required.

## **Description of and Rationale for the Undertaking**

A description and rationale of the undertaking must be included in the ToR. This description and rationale shall be prepared using the information provided in the preliminary business case and the SA report, at a minimum, as identified in the supporting reference materials.

## **Description of and Rationale for Alternatives**

### *'Alternatives to' HSR within the Identified Corridor*

The project is limited to HSR in the Kitchener-Waterloo to London corridor and will not include any additional assessment of 'alternatives to' (i.e. other transportation modes). The



justification for the limitation shall be documented in the ToR and obtained from recent MTO Minister mandate letters, previously completed studies, and relevant government policy statements and directives.

### *'Alternative Methods' of Delivering HSR within the Identified Corridor*

A process by which a reasonable range of 'alternative methods' (i.e. track routes and alignments, locations and initial layout for stations, proposed overhead catenary infrastructure to support electrification, connection and substation options to support electrification, grade separations and crossings, location of maintenance facilities, etc.) are assessed and evaluated must be outlined and documented in the ToR. As this segment will be established within a new corridor, track routes are required to be included as an 'alternative method'.

### **Description of the Existing Environment and Potential Effects of the Undertaking**

The corridor identified in the SA report shall be treated as 'representative' and is subject to change. Secondary source data will be used to define a study area within which track route alternatives can be generated, assessed, and evaluated.

Secondary source data will be used to determine the existing environmental conditions and the potential effects within the study area. The results must be documented in the ToR including a 1: 20,000 scale map. The analysis area map will extend from the Kitchener GO/VIA station to west of the City of London, and may be adjusted as appropriate.

Existing environmental conditions and potential effects must be described and mapped for the following, as a minimum:

- Natural Environment
  - Physical characteristics of the study area
    - Climate
    - Air quality
    - Geology/physiography
    - Surface and groundwater hydrology
  - Environmentally significant areas (ANSIs, ESAs)
  - Wetlands
  - Waterbodies, fish habitat, and aquatic ecosystems
  - Wildlife and habitat
  - Vegetation, woodlands, and forest resources
  - Landscape connectivity
- Socio-economic environment
  - Existing land use and proposed developments
  - Commercial activities
  - Community profile
  - Mineral and aggregate resources
  - Waste disposal sites/contaminated sites
- Transportation network

- Freeways, provincial highways, regional roads, local roads
- Railways, including rail crossings and safety concern areas
- Transit infrastructure (e.g. stations) and routes
- Airports
- Indigenous Peoples
  - Lands with Aboriginal or treaty rights or assertions
  - Reserve lands
  - Archaeology
- Cultural environment
  - Archaeology
  - Heritage and cultural sites and landscapes
  - Parks
  - Conservation areas
  - Recreational facilities
- Agriculture
  - Agricultural soil capability
  - Agricultural infrastructure, including tile drainage
  - Agricultural land use

### **Approach to Assessment and Evaluation**

An approach to assessing and evaluating the alternative methods (i.e. planning and design alternatives) must be included in the ToR.

The assessment and evaluation approach shall be based on the following principles:

- The evaluation of alternatives must be comprehensive;
- The process must be understandable;
- The results must be replicable;
- The data must be traceable;
- The entire activity must be completed through engagement and consultation with Indigenous peoples;
- The entire activity must be completed in consultation with municipalities, provincial and federal regulatory agencies, other transportation and utility service providers, the general public; and,
- Flexible to accommodate new or evolving factors and/or criteria.

The approach must include, as a minimum: the identification of factors, criteria, and indicators for assessing potential effects to the environment (e.g. natural, socio-economic, transportation, Indigenous Peoples, cultural, agricultural, climate change, cumulative effects, etc.).

An approach to evaluating alternatives in order to select the preferred alternative(s) must also be included in the ToR. This approach must be based on the potential for impacts, and the results of consultation and engagement activities. The evaluation method must

include an approach for scoring the impacts and weighting the level of importance of each impact.

### **Approach to Accommodating New Circumstances**

The ToR must include an approach to accommodating new circumstances e.g. emerging technologies that can impact alternative methods, changes to relevant legislative requirements, etc.

### **Mitigation and Monitoring Commitments**

- The ToR must include:
  - A comprehensive list of the EA process commitments made during the development of the ToR, including a description of how these will be dealt with in the IEA
  - A commitment to document all planning, design, and mitigation commitments made during the development of the IEA. These may include but are not limited to:
    - Impact management measures (such as, mitigation measures);
    - Additional works and studies to be carried out;
    - Monitoring;
    - Public consultation and contingency planning;
    - Documentation and correspondence.
  - A commitment to develop a monitoring framework during the preparation of the IEA. The monitoring framework will consider all phases of the proposed undertaking (planning, design, construction, and operation).

Where appropriate, this framework may include the following types of monitoring:

- Compliance monitoring\*; and,
- Effects monitoring\*\*.

*\*Compliance monitoring is an assessment of whether an undertaking has been constructed, implemented and/or operated in accordance with the commitments made in the EA and the conditions of the EA Act approval.*

*\*\*Effects monitoring consists of activities carried out by the proponent after approval of the undertaking to determine the environmental effects of the undertaking.*

### **Consultation Plan**

Consultation is an integral component of the IEA process. Consultation provides opportunities to input and two-way communication with affected and interested stakeholders. Consultation activities also enable the identification of potentially significant

environmental issues early in the decision making process and ensure that they are given the appropriate consideration.

The ToR must include a plan to consult with municipalities, provincial and federal regulatory agencies, other transportation and utility service providers, the general public, and other interested stakeholders during the IEA.

The consultation plan shall be based on the following principles:

- All reasonable efforts will be made to ensure that potentially affected or interested parties are given the opportunity to participate in the process;
- Stakeholders may provide input at any time during the study; however, structured opportunities for input will occur at key study stages;
- MTO will constructively address input received during the consultation process;
- MTO will make reasonable efforts to resolve concerns;
- Includes innovative approaches and techniques that improve efficiency and effectiveness; and,
- Consultation plans and process will be sufficiently flexible to permit responses to new issues that may arise as the study proceeds.

The consultation plan must include, at a minimum, the following:

- Preparation and delivery of materials to be posted on the project website (managed by the province of Ontario) that provide:
  - Ongoing project status, interim reports, and technical information
  - Opportunities to provide comments and ask questions
- Approach to identifying interested parties and stakeholders, and initial list of interested parties and stakeholders
- Approach to obtaining and using input and feedback to influence key milestones and decision making, including but not limited to:
  - Consultation tools and techniques including approach to the Public Information Centres, number of and approach to meetings/workshops
  - Approach to notification
  - Identification of key milestones and decisions that interested parties and stakeholders can provide input to
  - Need for and role of advisory group(s)
- Issue resolution strategies
- Documentation of input including a description of how input influenced key milestones and decision making (i.e. to prepare the consultation record that includes responses to feedback received)
- Approach to addressing new or evolving issues that may arise as the study proceeds

- Approach to meeting the requirements of the Freedom of Information and Protection of Privacy Act, French Language Services Act, and Accessibility for Ontarians with Disabilities Act.

## **Plan for Engaging Indigenous Peoples**

The ToR must include a plan for engaging potentially affected and interested Indigenous peoples.

Engagement with Indigenous peoples is an integral component of the IEA process. Engagement provides opportunities to input and two-way communication with affected and interested Indigenous peoples. Engagement activities also enable the identification of potentially significant environmental issues and potential adverse impacts on Aboriginal or treaty rights or assertions early in the decision making process and ensure that they are given the appropriate consideration.

The engagement plan shall be based on the following principles:

- All reasonable efforts will be made to ensure that potentially affected or interested Indigenous peoples are given the opportunity to participate in the process;
- Indigenous peoples may provide input at any time during the study; however,
- structured opportunities for input will occur at key study stages;
- MTO will constructively address input received during the engagement process;
- MTO will make reasonable efforts to resolve concerns;
- Includes innovative approaches and techniques that improve efficiency and effectiveness; and,
- Engagement plans and process will be sufficiently flexible to permit responses to new issues that may arise as the study proceeds.

The engagement plan must include, at a minimum, the following:

- Approach to identifying interested and potentially affected Indigenous communities
- Approach to obtaining and using input including traditional knowledge to influence key milestones and decision making, including but not limited to:
  - Engagement tools and techniques including number of and approach to community meetings/workshops
  - Approach to notification
  - Identification of opportunities to influence key milestones and decisions
- Issue resolution strategies
- Documentation of input including a description of how input influenced key milestones and decision making (i.e. to prepare the consultation record that includes responses to feedback received)
- Approach to addressing new or evolving issues that may arise as the study proceeds.

- Approach to meeting the requirements of the Freedom of Information and Protection of Privacy Act, French Language Services Act, and Accessibility for Ontarians with Disabilities Act.

**[End of The Deliverables]**