

McKenzie Professional Corporation

Barristers and Solicitors
P.O. Box 253, Stn. Main
Orillia, Ontario L3V 6J8

Ph: (705) 331-3636

Fax: (888) 883-4133

May 14, 2014

To be sent by personal delivery

Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2
Phone: 416-397-9256
Fax: 416-397-4100

Attention: Public Works and Infrastructure Committee

Re: PW 31.18 Temporary Suspension of Trisan Construction and PW 31.19 Contract Awards for Tender Calls 319-2013 and 70-2014

Dear Chair and Members of the Public Works and Infrastructure Committee,

I act for 614128 Ontario Ltd. o/a Trisan Construction who on May 8, 2014, learned of the existence of a report containing allegations of poor performance on two City of Toronto projects which is to be presented at your meeting today.

This is extremely surprising and disheartening to learn as Trisan had no formal interaction with the City of Toronto with respect to these allegations of poor performance, nor did it have a chance to do its own investigations to dispute the allegations. Trisan admits that there may have been some construction issues due to the very difficult nature of the work being done but none of them beyond the normal constructions issues that occur on most construction sites.

We understand that at today's meeting there is also to be a recommendation to prevent Trisan from bidding on upcoming City of Toronto projects based on the report which is a draconian measure as Trisan has not had a chance to deal with the allegations. Trisan relies on City of Toronto projects for the bulk of its work and has been working for the City of Toronto for 13 years and its principal has been working for the City of Toronto for 33 years with no problems and Trisan prides itself on its good reputation.

Furthermore, Trisan is currently the low bidder on two imminent projects for the City of Toronto and to disqualify Trisan based on this unsubstantiated report would be an extremely serious measure for the City of Toronto to take and we would ask that you at least have them held in abeyance until it has a review with the staff.

As such, Trisan respectfully requests a deferral of the report before you today so that it can discuss with staff the allegations written about its workmanship on the projects set out in the report and perhaps to deal with any issues in a more productive manner as Trisan has a vested interest in ensuring its reputation with the City of Toronto remains good.

Thank you for your assistance and please do not hesitate to contact me should you have any questions or concerns.

Yours very truly,

McKenzie Professional Corporation

A handwritten signature in cursive script that reads "Krista McKenzie".

Krista J. McKenzie, B.A.(Hons.), LL.B., LL.M.