

City Councillor

Jamaal Myers 麥智謀 ஜமாால்
Ward 23 Scarborough North



Toronto City Hall

100 Queen Street West
2nd Floor, Suite A8
Toronto, Ontario M5H 2N2

John Elvidge, City Clerk Toronto City Hall
100 Queen St. West Toronto, ON M5H 2N2

May 8, 2026

Administrative Inquiry re: SmartTrack Invoicing

Dear Mr. Elvidge,

I am submitting this Administrative Inquiry under Municipal Code S27-7.11 to clarify the City's response to the Chief Procurement Officer and Director of Internal Auditor's report about the lack of invoices from Metrolinx about work done on SmartTrack (AU 12.4, "Future Contract Considerations for SmartTrack and Other Capital Project Agreements").

Since the inception of the SmartTrack project in 2018 the Chief Procurement Officer and Director of Internal Auditor's report notes that "despite best efforts" no invoices have been received by the city for work done, but that there have been approximately \$184 million of costs incurred that are payable from the City's portion of the funds dedicated to the project. This, the report further states, has a number of risk implications for the City given the sizeable payments apparently due to Metrolinx, which will deliver SmartTrack on behalf of the City. At its meeting on May 1, 2026, the Audit Committee also heard from City staff that since 2018, staff have made monthly requests to Metrolinx for these invoices and that "Metrolinx has not been able to provide us with the information, the invoices to date."

Understanding the City's portion of the SmartTrack costs is further complicated by Metrolinx's use of contractors to deliver its own Go Expansion as well as delivering the SmartTrack stations project. Metrolinx does not distinguish between contracts with contractors who are delivering SmartTrack station and other components of GO expansion, and the work is often done within the same contracts. This means that the City is at risk of potentially paying for costs not properly incurred by the delivery of the SmartTrack program. Delineating between the two may be difficult as the work now spans eight years. The City is attempting to mitigate this risk by requesting "a detailed rationale for costs," and supporting documentation to substantiate the costs being billed.

Given that the City does not have the capacity to audit a provincial agency, like Metrolinx:

- 1) Can staff please give City Council the exact dates from 2018 to present at which staff contacted Metrolinx about the outstanding invoices regarding SmartTrack? Staff had indicated at the Audit Committee, that they had made such enquiries once per month.



CllrJamaalMyers



Tel: 416-338-2858 - Fax: 416-392-7155



Councillor_Myers@toronto.ca

City Councillor

Jamaal Myers 麥智謀 ஜமாால்
Ward 23 Scarborough North



Toronto City Hall

100 Queen Street West
2nd Floor, Suite A8
Toronto, Ontario M5H 2N2

- 2) Can staff please give City Council Metrolinx's rationale for not being able to provide the information and/or invoices to such requests?
- 3) Can staff please confirm that they have approached Metrolinx through the Steering Committee or the Finance Working Group or through the Transit Partnership Meetings to ask for the SmartTrack invoices, the detailed rationale, and the documentation necessary for audit purposes?
- 4) If confirmed, can staff please provide the date such request was made and the response from Metrolinx regarding the latest ask for invoices and the documentation necessary for audit purposes?
- 5) Can staff please provide to City Council a detailed description of the dispute resolution process identified in the SmartTrack Main Agreement if discrepancies arise between the City's estimates and Metrolinx's invoices for SmartTrack costs once the three-tiered process for reviewing invoices is completed (staff indicated that they first do a staff review, then use a "cost consultant" to independently review the invoices for the SmartTrack stations, and finally this is reviewed by the Executive Director, Transit Expansion)?
- 6) Can staff please confirm that since May 1 that the City's estimate for \$186 million for costs related to SmartTrack are still current and if there is any variation, has an invoice been issued for such variance?

Respectfully,

Councillor Jamaal Myers



CllrJamaalMyers



Tel: 416-338-2858 - Fax: 416-392-7155



Councillor_Myers@toronto.ca