
Variation Confirmation

Project:	Ottawa LRT Including 417 Widening		
Project Co.:	Rideau Transit Group GP		
Subject:	Rideau Street Sinkhole Event - Standstill Arrangement (VE - 266)		
VC No:	181	Date Created:	06.28.2016 10:54PM
File No:		Project Co Ref. Number:	06.28.2016 10:54PM
Project No:	078-OLRT		

This Variation Confirmation is prepared in accordance with Schedule 22 of the Project Agreement executed on February 12, 2013 for the Ottawa Light Rail Transit Project.

Variation Description:

The following terms constitute a Standstill Arrangement between the parties. The parties hereby agree that these terms shall be binding until such time as the Standstill Arrangement is terminated.

1. **Defined Terms.** All capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Project Agreement dated February 12, 2013 made between the parties hereto (the "Project Agreement").
2. **Intention.** The standstill arrangement is intended to apply to all claims between the parties arising from the recent sinkhole event (the "Event") including, without limitation, indemnity claims, Relief Events, Delay Events, and Latent Defects, until root cause can be reasonably determined.
3. **Standstill.** As between Project Co and the City, Parties will, on a without prejudice basis, refrain from delivering any notice of claims relating to the Event, or commence any dispute resolution procedures in relation to the Event (such as litigation or arbitration) while the arrangement is in force. However, claims to insurers are permitted, without prejudice.
4. **Tolling of all claims.** While this arrangement is in effect, the effluxion of time will not accrue against applicable limitations periods. This includes any statutory limitations periods, suit and notice periods for claims or relief contained in the Project Agreement (and any related agreements), and any other applicable notice or limitation period. For greater clarity, the time during which this arrangement is in effect will not be included in calculating whether a notice or limitation period has expired. The parties acknowledge and agree that this arrangement is intended to be a business agreement and tolling agreement provided for under Section 22 of the Limitations Act (Ontario), 2002, S.O. 2002, c. 24, Sched. B, as amended, to suspend or extend a limitation period.
5. **Non-waiver.** The standstill arrangement, and all communications between the parties in connection with the Event during the time during which the standstill arrangement is in place, will be deemed to be on a non-waiver, reservation of rights basis, unless the contrary is expressly and unconditionally stated. This includes submittal of plans or other submittals by Project Co and reviews by the City.

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Subject:	Rideau Street Sinkhole Event - Standstill Arrangement (VE - 266)		
VC No:	161	Date Created:	06.28.2016 10:54PM
File No:		Project Co Ref. Number:	06.28.2016 10:54PM
Project No:	078-OLRT		

6. No admissions. Submittal of plans (or other submittals) by Project Co in connection with the resolution of conditions arising in connection with the Event, approval of such submittals by the City, payment of amounts by either side, performance of work by either side, and any other communication or actions done will not constitute admissions in relation to the Event.

7. Submittals in respect of affected work. Technical submittals by Project Co as defined under Schedule 10 to the Project Agreement will have to be resubmitted for the works affected by the Event.

8. Milestones 7 and 8 payments. The City will pay Milestone 7 on the basis that Milestone 7 has achieved Milestone Acceptance subject to Minor Deficiencies in Milestone 7. The City will consider the status of Milestone 8 in light of the Event.

9. Third party storage of evidence. Agreement on the storage location and access arrangements for evidence related to the Event.

10. Sharing of data and results of investigations. Parties will share data and observations resulting from investigations into the Event and related issues (all of which will be provided on a without prejudice basis), but are not obliged share opinions or conclusions.

11. Termination. This arrangement shall be terminated on the earlier of 60 days' notice by either party, 15 days after receipt of an investigation report and November 1, 2016, at which point the standstill term expires, the effluxion of notice and limitation periods will resume, and any protection afforded by this arrangement with respect to non-waiver and reservation of rights will be removed for any work, payment or communications commenced after that point. The reservation of rights will continue to apply to all work, payments, or other actions agreed to or in process, done, or that the parties are obliged to do in the future, as at the date of termination.

12. Confidentiality. Except as may be necessary to enforce a party's rights under this arrangement or to comply with a party's obligation under this arrangement, or as otherwise required by law, the terms of this arrangement are confidential and shall not be disclosed to any third party without prior written consent of each party, provided, however, that each party shall be permitted to disclose the terms of this arrangement, on a confidential basis, to its lenders, insurance providers and brokers and advisers without having to obtain any such consent.

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Project Co.: Rideau Transit Group GP
Subject: Rideau Street Sinkhole Event - Standstill Arrangement (VE - 266)
VC No: 181
File No: Date Created: 06.28.2016 10:54PM
Project Co Ref. 06.28.2016 10:54PM
Number:
Project No: 07B-OLRT

Impact Description:
No impact to costs
No impact to schedule

Cost Impact: \$0.00
Method of Payment: N/A
Change Category: D Other


Reference Documents and Attachments
(where noted):

Item	No.	Dated
None		

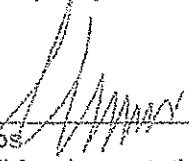
Variation Confirmation

Project:	Ottawa LRT Including 417 Widening		
Project Co.:	Rideau Transit Group GP		
Subject:	Rideau Street Sinkhole Event - Standstill Arrangement (VE - 266)		
VC No:	181	Date Created:	06.28.2016 10:54PM
File No:		Project Co Ref. Number:	06.26.2016 10:54PM
Project No:	078-OLRT		

Recommended By:

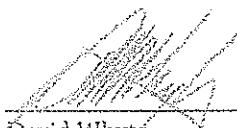
Signature:  Date: 19 JUN-16
Gary Craig, Chief, Light Rail
Design and Construction

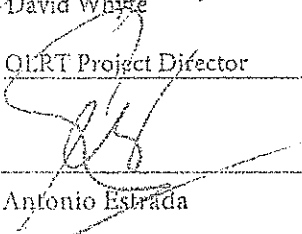
Authorized By City of Ottawa:

Signature:  Date: 2016 06 29
Steven Cripps
Director, Rail Implementation
Office

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Subject:	Rideau Street Sinkhole Event - Standstill Arrangement (VE - 266)		
VC No:	181	Date Created:	06.28.2016 10:54PM
File No:		Project Co Ref. Number:	06.28.2016 10:54PM
Project No:	078-OLRT		

Acknowledged By Rideau Transit Group General Partnership:

Name:  Date: June 29, 2016
 Title: OLRT Project Director

Name:  Date: June 29, 2016
 Title: Project Co. Representative

Distribution:

Variation Confirmation

Project:	Ottawa LRT Including 417 Widening		
Project Co.:	Rideau Transit Group GP		
Subject:	Standstill Arrangement - 4th extension to termination date (VE - 294)		
VC No:	190	Date Created:	12.16.2016 10:52AM
File No:		Project Co Ref. Number:	12.16.2016 10:52AM
Project No:	078-OLRT		

This Variation Confirmation is prepared in accordance with Schedule 22 of the Project Agreement executed on February 12, 2013 for the Ottawa Light Rail Transit Project.

Variation Description:

With reference to Article 11 of the Standstill Arrangement issued under VC-181, and further to the 3rd extension of the termination date under VC- 189, this Variation confirms the agreement between the parties to further extend the earliest date of termination to January 31, 2017.

Impact Description:

No impact on cost or schedule

Cost Impact:	\$0.00
Method of Payment:	N/A
Change Category:	D Other

**Reference Documents and Attachments
(where noted):**

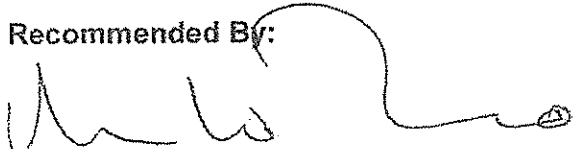
Item	No.	Dated
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None

Variation Confirmation

Project: Ottawa LRT Including 417 Widening
Project Co.: Rideau Transit Group GP
Subject: Standstill Arrangement - 4th extension to termination date (VE - 294)
VC No: 190
File No: Date Created: 12.16.2016 10:52AM
Project Co Ref. 12.16.2016 10:52AM
Number:
Project No: 078-OLRT

Recommended By:



Signature:

Date:

Dec 16 / 16

Claudio Colaiacovo,
Manager, Rail Program
Management

Authorized By City of Ottawa:



Signature:

Date:

2016 12 19

Steven Cripps
Director, O-Train Construction

Variation Confirmation

Project:	Ottawa LRT Including 417 Widening		
Project Co.:	Rideau Transit Group GP		
Subject:	Standstill Arrangement - 4th extension to termination date (VE - 294)		
VC No:	190	Date Created:	12.16.2016 10:52AM
File No:		Project Co Ref. Number:	12.16.2016 10:52AM
Project No:	078-OLRT		

Acknowledged By Rideau Transit Group General Partnership:

Name:

E. Creamer

Date: December 20th, 2016

Eugene P. Creamer, P.Eng.

Title:

Project Director

Name:

Antonio Estrada

Date: December 19, 2016

Title:

ProjectCo Representative

Distribution: