

LETTER OF UNDERSTANDING

In respect of the Surrey Langley SkyTrain Project

This **LETTER OF UNDERSTANDING** is entered into as of the 4th day of August, 2022

BETWEEN:

BC INFRASTRUCTURE BENEFITS INC.

AND:

**ALLIED INFRASTRUCTURE AND RELATED CONSTRUCTION
COUNCIL OF BRITISH COLUMBIA**

WHEREAS:

- A. The parties entered into a Community Benefits Agreement dated the 17th day of July, 2018, as amended and restated on March 1, 2022, as may be further amended, supplemented or restated from time to time (the “**Community Benefits Agreement**”) which governs the terms and conditions of employment for Employees in respect of the Projects;
- B. The Community Benefits Agreement contemplates that additional Projects may be added to the Community Benefits Agreement upon agreement between the Employer and the Council; and
- C. The parties wish to formally recognize the Surrey Langley SkyTrain Project as a Community Benefits Agreement Project, and to include within the Community Benefits Agreement an Appendix entitled “Project Definition: Surrey Langley SkyTrain Project”.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby irrevocably acknowledged by each party, the parties agree as follows:


1. All capitalized terms used in this Letter of Understanding but not defined in this Letter of Understanding have the meanings given to those terms in the Community Benefits Agreement.
2. The document attached as Schedule 1 to this Letter of Understanding entitled “PROJECT DEFINITION: SURREY LANGLEY SKYTRAIN PROJECT” shall form an Appendix to the Community Benefits Agreement.
3. This Letter of Understanding shall be governed by and construed in accordance with the laws of the Province of British Columbia and the federal laws of Canada applicable in British Columbia.
4. This Letter of Understanding may be executed by counterparts, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one

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and the same instrument. Delivery by email in portable document format (PDF) of an executed counterpart of this Letter of Understanding is as effective as delivery of an originally executed counterpart of this Letter of Understanding.

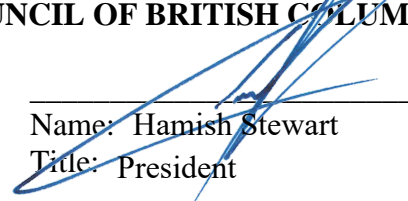
IN WITNESS WHEREOF the parties have executed this Letter of Understanding as of the day and year first above written.

BC INFRASTRUCTURE BENEFITS INC.

Per: 

Name: Irene Kerr
Title: President and CEO

**ALLIED INFRASTRUCTURE AND
RELATED CONSTRUCTION
COUNCIL OF BRITISH COLUMBIA**

Per: 

Name: Hamish Stewart
Title: President

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SCHEDULE 1
PROJECT DEFINITION: SURREY LANGLEY SKYTRAIN PROJECT

(see attached)

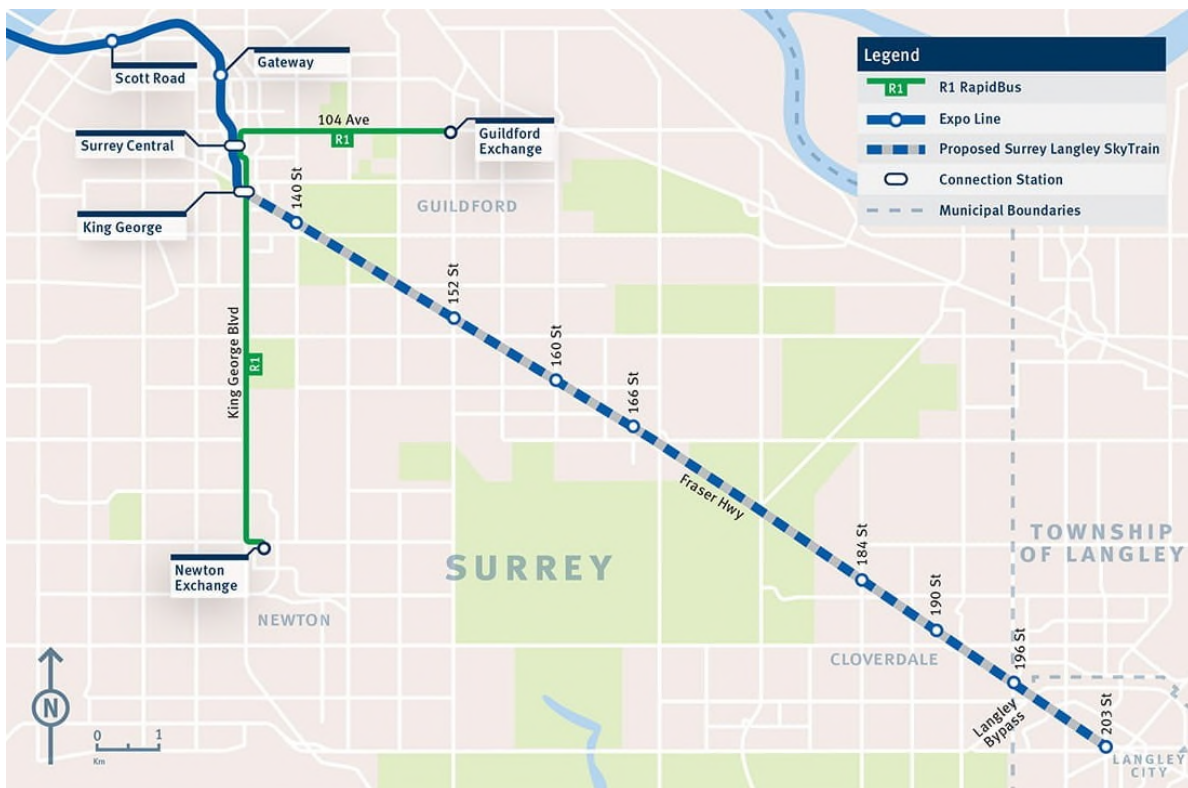
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Project Name: Surrey Langley SkyTrain Project (for the purposes of this Project Definition Appendix, this “Project”).

Owner: The “Owner” pursuant to Master Section Article 2.317, is Transportation Investment Corporation on behalf of the BC Transportation Financing Authority.

Location: This Project will extend the existing Expo Line SkyTrain system by 16km from its current terminus at King George Station in the City of Surrey, through the Township of Langley, to a new terminus at Langley City Centre. Figure 1 below shows the proposed Project alignment.

Figure 1.



Project Description: Construction of a 16km SkyTrain extension from the existing King George Station along an elevated guideway with eight new stations to a new terminus at Langley City Centre.

This Project includes:

- elevated guideway;
- eight new stations;
- roadwork, including widening and modifications;
- construction of three new transit exchanges and provision for parking; and
- installation of track work and traction power.

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Scope of Work: The work to be performed under the terms of the Community Benefits Agreement with respect to the components set out in the Project Description above is set out in Schedule “A” attached hereto. Work that is excluded from the scope of the Community Benefits Agreement is set out in Schedule “B” attached hereto. The actual scope of work may vary as it will encompass the final design prepared by the contractor(s).

Applicable Community Benefits Agreement Documents: The following documents constitute the complete Community Benefits Agreement applicable to this Project.

- 1) Master Section
- 2) Addenda:
 - a. Owner Operator
 - b. Lower Mainland Road Building
- 3) Appendices:
 - a. Project Definition: Surrey Langley SkyTrain Project
- 4) Trade Sections
 - a. Trade Provisions
 - b. Wages (as set out below)

Applicable Project Trade Section Wage Scales: The following wage tables are applicable to work performed on this Project. Where noted, different wage tables may be applicable to different components of the work.

AFFILIATED UNION	TRADE SECTION – WAGES Applicable Wage Table
British Columbia Regional Council of Carpenters	CA (for Stations (except Station excavation)) CA1-BSP (for all other work)
Construction Maintenance and Allied Workers (Carpenters)	CA (for Stations (except Station excavation)) CA1-BSP (for all other work)
International Association of Bridge, Structural, Ornamental & Reinforcing Ironworkers Local Union 97	IR-IND
International Association of Heat & Frost Insulators & Asbestos Workers Local Union 118	IN
International Association of Sheet Metal, Air, Rail and Transportation Workers Local Union 280, Local Union 276	SH, SHR
International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers Lodge 359	N/A

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AFFILIATED UNION	TRADE SECTION – WAGES Applicable Wage Table
International Brotherhood of Electrical Workers Local Union 213, Local Union 993, Local Union 1003, and Local Union 230	Industrial (for substations and high voltage main line power) EW-213 (for all other work)
International Brotherhood of Teamsters Local Union 213	TER-LM (for road building work) TE (for all other work)
International Union of Bricklayers & Allied Craftworkers Local Union No. 2	BR
International Union of Operating Engineers Local Union 115	OPR-LM (for road building work) OP-BSP (for all other work)
International Union of Painters & Allied Trades District Council 38 Painters 138, Glaziers 1527, and Drywall Finishers 2009	PA, GL, DR
Labourers International Union of North America Construction and Specialized Workers Union Local 1611	LAR-LM (for road building work) LA, LAM, LAP (for Stations (except station excavation)) LA1-BSP, LAM1-BSP (for all other work)
Move Up – A Movement of United Professionals	OF
Operative Plasterers’ and Cement Masons’ International Association of the United States and Canada Local Union 919	CE-LM (for road building work) CE, PLA (for Stations (except station excavation)) CE1-BSP (for all other work)
United Association of Journeymen and Apprentices of the Plumbing & Pipefitting Industry of the United States and Canada Local Union 170, Local Union 516, Local 324	PL, RE
United Brotherhood of Carpenters and Joiners of America Floorlayers Local Union 1541	FL
United Brotherhood of Carpenters and Joiners of America Millwrights, Machine Erectors & Maintenance	MW

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AFFILIATED UNION	TRADE SECTION – WAGES Applicable Wage Table
United Brotherhood of Carpenters and Joiners of America Piledrivers Local Union 2404	PI
UNITE-HERE Local 40	CU

Modifications to Community Benefits Agreement for this Project: The following modifications are made to the Community Benefits Agreement only for and only in respect of this Project:

- (a) Article 2.309(i) of the Community Benefits Agreement is modified to read as follows:
 - “(i) Persons and firms performing relocation work for municipal sewer and water works and utility companies (e.g. telecommunications and internet, natural gas supply, cable T.V. companies, electric power lines, etc.), and any other work on Site for utility companies and municipal works, and persons or firms performing work for or engaged by TransLink (including its subsidiaries), Thales, Ministry of Transportation and Infrastructure, Transportation Investment Corporation, City of Surrey, City of Langley, Township of Langley and Technical Safety BC.”
- (b) Notwithstanding anything to the contrary contained in Article 8.600 of the Community Benefits Agreement, with respect to the crew working in conjunction with the operation of any segmental erection truss, including truss moving, erecting and dismantling:
 - 1. the operator(s) of each segmental erection truss shall not be an Employee; and
 - 2. the Employer shall have the right, for itself and each Contractor, to hire as follows:
 - (i) name request from the Affiliated Union each other member of the crew; and
 - (ii) in the case where such name requested individual(s) is not available, ‘name hire’ any other required member of the crew,

provided that such name requests and/or name hires have all certifications required by the segmental erection truss owner.
- (c) Each operator of a segmental erection truss shall be paid at CBA wage rates for comparable work, at a minimum.
- (d) Upon identification of a Contractor who will be operating a segmental erection truss, a business representative of the AIRCC and the International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers Local Union 97 shall meet with the Employer and such Contractor to discuss crew requirements for the segmental erection truss and the potential name requests that will be made. The business representatives shall make reasonable efforts to ensure that such individuals are available to be hired on this Project.

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- (e) The Parties acknowledge that during this Project's procurement, a proponent may request a provision for additional name requests and/or name hires and will endeavor to respond to such requests within 72 hours.

In the event of any conflict between the above provisions and any other provision, express or implied, in the remainder of the Agreement, the above provisions shall take precedence.

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Schedule "A"

Work Included In Scope Of Community Benefits Agreement

1. Site preparation – including demolition, worksite set-up and pick-up of embankment material
2. Roads, including bus exchanges and active transportation – except for any work carried out by the City of Surrey, the City of Langley or the Township of Langley
3. Traffic Management (excluding work covered by the City of Surrey, the City of Langley and Township of Langley)
4. Station structure – including site preparation, excavation, support of excavation and platform structures
5. Elevated guideway, similar to existing rail transit
6. Station fit-out – including finishes, fittings, electrical, mechanical and stationhouse structure
7. Track work and Linear Induction Motor (LIM) rail
8. Electrical and Power Systems – including installation of power rail, feeder cables and duct bank and sub-stations
9. Propulsion Power Sub-Stations
10. Casting Yard (if purpose-built)

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Schedule "B"

Work Excluded From Scope Of Community Benefits Agreement

1. BC Rapid Transit Company support during implementation including testing and commissioning activities
2. TransLink Faregate Installation and supporting equipment (such as fare vending machines/fare add cards) installation (but not construction work that supports such equipment)
3. Automatic Train Control (ATC) – Control of train movement, including additional head-end hardware at the Control Centre, up-dating and additional software to operate the extension
4. Conveyance works, such as elevator and escalator installation (but not construction work that supports such equipment)
5. Architectural and design work performed by those individuals employed in a professional capacity
6. Casting Yard (if an existing facility is used)
7. Utility relocations
8. Specialized systems works, including radio, camera, communications installations (but not construction work that supports such systems)
9. Public art installation (but not construction work that supports such art)