

MTO - ACEC-ONTARIO CONTRACT ADMINISTRATION SUBCOMMITTEE MEETING NOTES

Date: June 25, 2024
Time: 9:00 AM
Location: MS Teams
Adjourn: 11:53 AM

ATTENDEE	ORG	ATTENDEE	ORGANIZATION
Rebecca Li (co-chair)	MTO	Doug DeRabbie	ACEC-Ontario
Seyed Tabib	MTO	Sunil Kothari (chair)	AtkinsRéalis
Gary Weiss	MTO	Bernard James (Vice-chair)	Parsons
Jamie Lauzon	MTO	Sebastian Flaszynski	AECOM
Erika Varga	MTO	Helder Melo	HDRINC
Jeremy Landry	MTO	Phil Hutton	EXP
Pauline Van Roon	MTO	Naveen Kaushik	Conсор Eng.
Mireya, Hidalgo	MTO	Bill LaRosa	Morrison Hershfield
Adriano Cesarone	MTO	Graham Sled	GHD
Andrea Bulanda	MTO	Gord Troughton	AEOM
Maria Apostolakos	MTO		
Dariusz Wodala	MTO		

WELCOME / INTRODUCTIONS / ANNOUNCEMENTS / SAFETY MOMENT

- Mireya Hidalgo has joined the subcommittee as acting Head of Construction Contracts in Contract Management Office
- Jeremy Landry has joined the subcommittee as a representative of Major Planning and Innovations Office.
- Adriano Cesarone has joined the subcommittee as coordinator to replace Finlay Buchanan, who has retired from MTO.

Safety Moment: Signalized intersection awareness and hammerhead worms shared by Gary Weiss.

- Awareness of vehicles running through signalized intersections.
- Provided an update on an invasive hammerhead worm.

OPEN ITEMS:	ACTION BY
<p>June-24-01 AGENDA ITEM: SUBCOMMITTEE WORK PLAN</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> • Refresh the subcommittee workplan, to support the new Terms of Reference. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> • The workplan was reviewed with the following updates suggested: 	

OPEN ITEMS:	ACTION BY	
	<ul style="list-style-type: none"> • Add qualification criteria for construction administration to the list of workplan items. It is to track the working group’s efforts. • MTO provided an update on workplan item 2023-04 (OPSS.PROV 100 (MTO General Conditions of Contract)): <ul style="list-style-type: none"> • Critical path schedule; extended site overhead compensation for EoT’s; advance payment; dispute resolution; environmental incidents. • ACEC-Ontario offered to review any document changes as they become available. <p><i>Action – None.</i></p>	
<p>June-24-02</p>	<p>AGENDA ITEM: STAFF EXPERIENCE EQUIVALENCY FOR IQAF ASSIGNMENTS</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> • On Public-Private Partnership (P3) projects that necessitate a high complexity Independent Quality Assurance Firm [IQAF] role, ACEC-Ontario requested that experience be recognized by MTO. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> • MTO maintains its position that IQAF experience is not the same as CA experience. • MTO identified that the ministry is agreeable to extending time of previous experience where a CA has stepped away from ministry works on other multi-year projects. However, in select complex projects, it may continue to use this restriction. • Language to be developed and added to RFP/RFQ’s. • ACEC-Ontario acknowledged that this will help the situation and requested they have an opportunity to review the language before its implemented. <p><i>Action – MTO to develop language and add to the RFP/RFQ.</i></p>	<p>MTO</p>
<p>June-24-03</p>	<p>AGENDA ITEM: QUALIFICATION CRITERIA FOR CONSTRUCTION ADMINISTRATION – REVISIONS</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> • Qualification criteria for construction administration were updated. • A work group meeting was held on June 17, 2024. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> • Further to the work group discussion, the MTO will adjust the construction administration category for high complexity specialty in the Qualification Procedures for ESP’s to require only one qualified key personnel. • ACEC-Ontario requested that for medium complexity specialty, the MTO remove the requirement for firms to have completed three projects of low complexity with the ministry. 	

OPEN ITEMS:	ACTION BY
<ul style="list-style-type: none"> MTO identified that this request will be brought back for further internal review. <p>Action – MTO to follow up on requirements for the medium complexity speciality.</p>	MTO
<p>June-24-04</p> <p>AGENDA ITEM: SUCCESSION MANAGEMENT</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> Succession management is an item being discussed at the Executive Committee and the Engineering Subcommittee. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> MTO has received ACEC-Ontario’s comments on succession management. ACEC-Ontario has acknowledged that there is good language in the RFP but they are unclear on how it is being scored. MTO and ACEC-Ontario see benefit in coordinating with the Engineering Subcommittee. <p>Action – Schedule a separate, small group meeting to plan for a workshop.</p>	MTO & ACEC-ONTARIO
<p>June-24-05</p> <p>AGENDA ITEM: DISCONTINUATION OF EIT PROGRAM</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> Validation of education and experience for new graduates with the discontinuation of the PEO’s EIT Program. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> MTO identified that graduates of an engineering program who are not registered with PEO as an EIT shall: <ul style="list-style-type: none"> For Canadian graduates: confirm that the engineering degree is from an accredited engineering program listed in the PEO website. For graduates outside of Canada: the engineering degree shall be verified in writing from World Education Services (WES) as indicated on the PEO website. Provide a note from the proponent explaining how the education and work experience is equivalent to RCSI and RCJI designations. ACEC-Ontario indicated that in previous discussions MTO was open to the solution that member firms would indicate the degree, verify that it is accredited, and that MTO would go to the PEO website to confirm. MTO’s position is that the ministry is not the custodian to certify accredited engineering programs. MTO indicated it is developing language to clarify the validation 	

OPEN ITEMS:		ACTION BY
	requirements and will seek feedback from ACEC-Ontario. <i>Action: MTO to develop language and seek feedback before it's implemented.</i>	MTO

NEW ITEMS:	ACTION BY:
<p>Jun-24-06 AGENDA ITEM: WITNESSING PGAC SAMPLING</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> • Issues with plants not having sampling spigots installed to sample PGAC and not accommodating contract administrators to enter. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> • MTO indicated that they've been made aware some plants did not have sampling spigots installed for PGAC sampling. • As an interim requirement, CAIS 1101 will include a requirement to have photograph of PGAC samples taken at the sampling spigot. • MTO indicated this update is currently posted on MTO's Technical Consultation Portal. • ACEC-Ontario had no concerns. <p>Action – Item closed.</p>	
<p>Jun-24-07 AGENDA ITEM: EXCESS SOIL</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> • An update on the status of the best management practices document for excess soils was provided. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> • MTO shared a presentation which provided an overview of an Excess Soil Best Management Practices Guide being developed. The presentation identified key components of the guide, the status, and next steps. • MTO indicated that the guide will be posted to the ministry's Technical Consultation Portal for comments. • ACEC-Ontario indicated that if the MTO is looking to add any requirements for a qualified person in CA assignments, that they include appropriate details so firms can price accordingly. <p>Action – Item closed.</p>	
<p>Jun-24-08 AGENDA: TIMELINE FOR NOTIFICATION OF SUCCESSFUL AWARDS</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> • ACEC-Ontario raised concerns with inconsistency on how firms are notified, or a lack of notification when they are not the successful proponent. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> • ACEC-Ontario indicated firms are not always notified on RAQS if they were unsuccessful. Similarly, notifications are inconsistent on EOI's and RFP's. 	

NEW ITEMS:	ACTION BY:
<ul style="list-style-type: none"> • MTO acknowledged that notification could be more consistent and will work with staff and coordinators to bring better consistency. • ACEC-Ontario inquired if the MTO would consider posting submitted bid prices without tying them to the consulting firms, so firms could understand where they stand in when bidding relative to the lowest bid. • MTO noted that the final selection is based on other factors including the performance rating for all assignments, including RFQ assignments. For RFP, the bid price reflects services provided in the proposal, it would not be comparable. MTO does not plan to release pricing based on the issues. <p><i>Action: Item Closed</i></p>	
<p>Jun-24-09 AGENDA: DEBRIEF PROCESS</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> • ACEC-Ontario raised concern on the level of feedback and inconsistency being provided during the debrief process. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> • ACEC-Ontario identified there was a debrief guide posted to TCP then removed last year and questioned whether firms could receive additional feedback in alignment with the document. • ACEC-Ontario also asked if firms could understand their relative positions to the successful proponent. • MTO identified that the guide being referred too was intended to be internal only and also no longer resides within Contract Management Office. The content is being incorporated into a broader guide to be used by other MTO offices for consistent guidance for all contract types. • MTO acknowledged that additional education/training may be required. • MTO will work with construction staff to remind them of the debrief process. <p><i>Action: MTO will provide a reminder to construction staff as noted. Item Closed.</i></p>	

STANDING ITEMS:		ACTION BY:
Jun-24-10	<p>AGENDA ITEM: CORPORATE PERFORMANCE RATING (CPR) WORKPLAN</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> • MTO first presented a CPR pause workplan at the May 17, 2023, Engineering Subcommittee meeting. • ACEC-Ontario requested the plan to be presented to the CA Subcommittee and become a routine item at future meetings. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> • MTO provided an update on the CPR pause: <ul style="list-style-type: none"> • It's been 14 months since the CPR pause and as of the April 1, 2024 calculation, the Starter CPR's are holding steady, with not much change. More appraisals are needed to see a change in the Starter CPR score. • MTO continues to monitor the Starter CPR score in all categories. • Next refresh is coming on July 1, 2024. • ACEC-Ontario identified that appraisals are not being completed consistently and asked if there is a plan to ensure fairness for firms who are getting regular evaluations versus those that are not. • MTO will send out a reminder to all Managers to reinforce that staff ensure appraisal reviews are being completed. <p><i>Action – MTO will send a reminder as noted.</i></p>	
Jun-24-11	<p>AGENDA ITEM: CONTRACT MANAGEMENT SYSTEM (CMS) UPDATE</p> <p><i>Description:</i></p> <ul style="list-style-type: none"> • ACEC-Ontario requested this be kept as a standing item. <p><i>Discussion:</i></p> <ul style="list-style-type: none"> • Completion and deployment of the Claims Suite. • Completion and deployment of the Completion Suite. • Completion and deployment of 45 unique test code apps for material lab testing functionality. • Developing a Construction Invoice report that displays all items details of the payment along with the payment cover sheet to better assist in invoice reviews. • Developing basis of payment B functionality for change orders. • Developing better roster management tools for contract services to update rosters and prevent the inhibition of approvals and workflow processes more quickly. • Developing Change Request for CA Contracts. • Developing Forecast Report for construction contracts. 	

	<ul style="list-style-type: none"> • Developing Contract Administration Performance Appraisal (new one). • Developing History functionality for internal users, and CA’s. This will allow a user to see the complete history of a record and better understand its progress. • Visibility of draft records – limiting inspector’s view of CA diary, and limiting a user’s ability to see another user’s draft record until it is submitted. • Engineering has gone live. New engineering assignments in Project Delivery will be administered through CMS. <p>Action – None.</p>	
<p>Jun-24-12</p>	<p>AGENDA ITEM: FUTURE MEETINGS</p> <ul style="list-style-type: none"> • Future meetings to be held on: <ul style="list-style-type: none"> • November 12, 2024 (9:00am – noon). Hybrid meeting: at AtkinsRéalis’ Office, 191 The West Mall, Toronto, M9C 5K8, 4th Floor (Note – reception desk is on the 5th floor) and MS Teams. • Wednesday March 5, 2025 (9:00am – noon). Hybrid meeting: Location to be determined and MS Teams. 	

<p>INFORMATION SHARED FOR THIS MEETING</p>		
<p>Document Title</p>	<p>Shared By</p>	<p>Format</p>
<p>MTO-ACECO Contract CA SubComm Work Plan June 25, 2024</p>	<p>MTO</p>	<p>Excel</p>
<p>CPR Pause Work Plan w ACECON 2024-05-06</p>	<p>MTO</p>	<p>Excel</p>
<p>Hammerhead Worm Bulletin</p>	<p>MTO</p>	<p>PDF</p>
<p>Excess Soil Presentation</p>	<p>MTO</p>	<p>PDF</p>