

MTO – ORBA EXECUTIVE COMMITTEE MEETING NOTES

Date: June 26, 2024
Time: 1:00 pm – 4:00 pm
Location: MS Teams

ATTENDEE

Andrew Weltz (ORBA) (Chair)
 Malcolm Croskery (ORBA)
 Walid Abou-Hamde (ORBA)
 Mark Mallet (ORBA)
 Steven Crombie (ORBA)
 Doubra Ambaiowei (ORBA)

ATTENDEE

Eric Doidge (MTO)
 Alain Beaulieu (MTO)
 Michelle McGrath (MTO)
 Andrew Alkins for Sherri Graham
 Michelle Pasqua (MTO)
 Kevin English for Malvika Rudra (MTO)
 Bruce Cane (MTO)
 Becca Lane (MTO)
 Frank Lucente (MTO)
 Megan Chochla (MTO)
 Sharene Dubroy (MTO)

1. INTRODUCTION / ANNOUNCEMENTS

- Andrew Weltz opened the meeting and welcomed everyone. A round table of introductions occurred.

MTO

- Michelle McGrath is the Acting Director of the Capital Program Delivery Branch.
- Kevin Boudreau has retired.
- Becca Lane is the Director of the Design and Engineering Branch.
- Logan Purdy is the Director of Operations Branch, Central.
- David Kerr has retired as the Manager of Construction, East and a competition is being finalized.

ACTION: ORBA requested an updated org chart, MTO will share once it has been finalized.

OPEN ITEMS	Lead
<p>2. Review of previous minutes/action items (A)</p> <ul style="list-style-type: none"> • Quarterly minutes for March 2024 posted on TCP on, June 26, 2024, with supporting documents. <p>ACTION: ORBA will review and share any comments or questions at the November meeting.</p>	<p>MTO / ORBA</p>

OPEN ITEMS	Lead
<p>3. Major Projects Update</p> <ul style="list-style-type: none"> • ORBA - Major Project Group Update <ul style="list-style-type: none"> ○ Next steps include looking into implementing the Group’s recommendations as well having focused meetings moving forward. ○ ORBA will reach out to ask for MTO/IO to meet more frequently to discuss items including working on low-lying fruit and developing pilot projects to move things along on larger front. ○ MTO agreed on the approach to move things along but cautioned that MTO has limited ability to influence IO and Metrolinx projects • Garden City Skyway (GCS) update <ul style="list-style-type: none"> ○ MTO - 2nd version of the GCS RFP was to be released June 21. Now planning to get out as early as the week of July 1st. ○ MTO/IO is reviewing and responding to proponent questions/concerns • ORBA - CMGC model <ul style="list-style-type: none"> ○ ORBA concerned that once construction stage starts, the collaborative piece seems to stop and revert to conventional administration. ○ ORBA also commented on lack of continuity from the CM stage to GC stage on the MTO side. Establish good relations during CM, once new staff are added need to re-establish that relationship • ORBA - General Comments: <ul style="list-style-type: none"> ○ Move forward from legacy projects ○ Important to contractors to protect overheads ○ Need to have the right stipends when bidding on design build projects ○ Contractors who self perform work should not be discriminated against ○ ORBA would like input on what is considered a major project and also would like to see larger projects broken into smaller projects so smaller local contractors can bid on them 	<p>KEVIN ENGLISH</p>

<p>4.</p>	<p>Capital Program/Highway Projects (A)</p> <p><i>24/25 budget</i></p> <ul style="list-style-type: none"> • MTO total highway capital budget has increased significantly - it's now \$4.0B, compared to \$3.3B last year. <ul style="list-style-type: none"> ○ Other transportation programs increased by 200M, largely due to the funding provided to Toronto for the Gardiner and DVP ○ Property and design funding increased by about 260M, which will help us prepare for future construction projects, including the BBP and Hwy 413 ○ Construction funding had the largest increase, almost 300M, from \$2.3B to \$2.6B, which MTO intends to fully spend. • The annual budget funds both carryover work and the current year value of new procurement activity. • Carryover can often account for a large proportion of the spending in a given year. <p><i>Quarterly Slide</i></p> <ul style="list-style-type: none"> • MTO is expecting to issue between 81-107 tenders this year, with a total value of up to \$1.5B <ul style="list-style-type: none"> ○ This is a higher planned volume than last year, with 83 tenders issued • It's important to note that these projections represent MTO-tendered contracts only. <p><i>Regional Slide</i></p> <ul style="list-style-type: none"> • These tenders provide opportunities across the province, with ~60% in the South and 40% in the North <p><i>Budget Distribution Slide</i></p> <ul style="list-style-type: none"> • This chart shows how the 24/25 construction budget has been allocated to the 5 regional areas (Central region has higher value projects, including the Garden City Skyway). • As a reminder, this budget funds carryover work, plus the current year impact of new tenders <p><i>23/24 Actual Tenders - total & by region</i></p> <ul style="list-style-type: none"> • 83 tenders were advertised last year, including 45 in the final quarter; the final quarter was higher than the projected 37 that were included on the early tenders list. • Tenders were distributed throughout the province 	<p>MICHELLE PASQUA</p>
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	<ul style="list-style-type: none"> • MTO is also finalizing the spring/summer 2024 OHP; it's currently in the approval stage and targeting publication in the next few weeks. <p>ORBA asked for a detailed list of planned upcoming contracts, in addition to expected volumes. MTO committed to providing a tenders list in the fall for the October to December quarter. As the program is fluid and can change on a daily basis, a resource-intensive validation is required to ensure the latest information is provided.</p>	
<p>5.</p>	<p>Reducing Risk (Indexing and Communications)</p> <p>1. Open item on materials indices Fuel Price Index for RAP and HIR MTO completed the review of fuel price index for Reclaimed Asphalt Pavement (RAP) and Hot in Place Recycling (HIR). This information was shared at the April 3, 2024, MTO-ORBA Contracts and Documents Subcommittee meeting and agreed to at the meeting, Caissons The ministry has reviewed the Caisson Piling item, and determined additional data is required. A request for data went out recently to ORBA (request e-mail sent June 11, 2024). The ministry will work with ORBA through the Contracts and Document Subcommittee to review the data and propose a options for a resolution.</p> <p>2. AC Index Price – Review of Process and Posting</p> <ul style="list-style-type: none"> • MTO is still reviewing the request to post the month to month calculated AC index through the winter - per the previous meeting discussion. The ministry is in the process of completing a jurisdictional scan and is waiting for responses from different agencies. Ministry staff will engage ORBA once the jurisdiction scan is completed for further feedback. We are working with the aim to complete this review by the end of summer, and as previously noted will implement any approved changes in December 2024. <p>3. Annual Update to the OPSS 127 Schedule for Rental Rates for Construction Equipment</p> <ul style="list-style-type: none"> • The “annual” OPSS 127 update production schedule is an agenda item for the upcoming June 27 MTO-ORBA Contracts and Document Subcommittee Meeting. The schedule will provide a longer consultation process and introduce a standing item at the fall subcommittee meeting for this topic to support the consultation process. Further details will be shared and discussed at the subcommittee meeting. This would be implemented for the 2025 update. 	<p>BRUCE</p>

<p>6.</p>	<p>CMS Update</p> <ul style="list-style-type: none"> • System stabilization and enhancements to CMS have continued during the winter and spring months and communicated to users. • Key enhancements include: <ul style="list-style-type: none"> ○ Contract claims suite is now live. ○ Engineering contracts functionality is now live. <p>The ministry hosted 2 workshop sessions on the CMS (on March 21 and April 30, 2024) with ORBA representatives. Valuable feedback was received from participants. The ministry appreciates the participation from ORBA. It was agreed that similar sessions would resume in the winter of 2024/25.</p>	<p>BRUCE</p>
<p>7.</p>	<p>ORBA Lobby Day 2024 (April 9) review and key takeaways</p> <p>Topics</p> <ol style="list-style-type: none"> 1. Strong, stable and predictable program-effective delivery. 2. Creating a better environment for project delivery. 3. Labour - enhance recruitment and identify opportunities. 4. Municipalities use of RAP, reducing waste and cutting emissions. 	<p>ORBA</p>

<p>8.</p>	<p>Maintenance Updates</p> <ul style="list-style-type: none"> • MTO and ORBA continue to hold regular bi-monthly meetings to discuss and progress items. • Procurement of five (5) maintenance contracts has occurred since the last update – Niagara, Bancroft, Huntsville, Kingston East and West CDMC. MTO has also completed procurement and awarded four pavement marking contracts, Sault Ste Marie, Owen Sound, London and Chatham. • MTO has recently developed several new clauses in ongoing/upcoming maintenance procurements with input and feedback from maintenance contractors. These include: <ul style="list-style-type: none"> ○ Maintenance bid items such as Signs, Mowing, Litter Pick Up, Sweeping • Adjusted monetary damages and demerit points. • Following discussions with maintenance contractors regarding existing contracts that are near the end of the term, MTO is proceeding as follows: <ul style="list-style-type: none"> ○ Hamilton – advertise new procurement (tender closed) ○ Peel Halton West CDMC – advertise new procurement ○ Durham – advertise new procurement ○ Sudbury east and west CDMC’s – advertise as new procurement • Discussions continue with ORBA on several items: <ul style="list-style-type: none"> ○ Shortage of operators of winter vehicles in isolated geographical areas ○ Winter materials reconciliation/ calibration ○ Changes to monetary damages and demerits ○ Development of a CDMC minor contract model <p><u>Pavement Markings</u></p> <ul style="list-style-type: none"> • ORBA may raise concern that the cost of pavement markings has gone up significantly (more than 40%) due to supply chain issues and maintenance contractors should be compensated for the 	<p>ANDREW ALKINS</p>
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	<p>increased cost of procurement of pavement markings materials beyond the CPI adjustment currently being provided.</p> <p><u>Snowplow Legislation</u></p> <ul style="list-style-type: none"> • Amendments to the Highway Traffic Act (HTA) came into effect on September 15, 2023, that prohibits the overtaking of snow plows working in echelon formation, on provincial highways with a posted speed limit of 80 km/hr. 	
9.	<p>Provincial Claims (A)</p> <p>MTO provided an update on Claims, Referee and Adjudication from April 1, 2023, to March 31, 2024</p> <p>ORBA requested to have this document prior to the next meeting to review in preparation for the November meeting. MTO agreed to share within a reasonable time for prior review.</p>	FRANK
10.	<p>Municipal Update – Indices, recycled materials and specifications</p> <ul style="list-style-type: none"> • ORBA’s response to amendments to Excess Soils regulations • Increasing disparity in municipal specifications (new specs in York and Durham) <p>ORBA’s push towards harmonization in Fall 2024</p>	ORBA
NEW ITEMS		
11.	<p>24/7 Construction Discussion</p> <ul style="list-style-type: none"> • MTO is looking for ways to accelerate or reduce traffic impacts as well as some key projects that require tight completion <p>MTO-at engagement session - labour and material supply is a limitation.</p> <ul style="list-style-type: none"> • longer or additional shifts may be more achievable <p>ORBA - safety concerns with 24/7 shifting. 6 days more palatable than 7 days -supply issues</p>	ALAIN

12.	<p>Highway 413 – Market Engagement Session Update: May 21, 2024</p> <p>Good discussion ORBA has a desire for smaller projects.</p> <p>Highway 413 and GCS will not be included in the IO pipeline publication.</p> <p>ORBA thanked for the session and believe these meetings speak to collaboration and listening to feedback.</p>	KEVIN ENGLISH
13.	<p>Update on the transfer of Gardiner Expressway and Don Valley Parkway from the City of Toronto</p> <ul style="list-style-type: none"> • MTO announced the creation of the Toronto Expressways Secretariat which is leading the work related to the DVP and Gardiner upload, subject to due diligence. On March 28, the upload of Ottawa Road 174 to the province was also announced. The Secretariat has been tasked to take on the expanded scope to include the Ottawa upload, and as a result, has been renamed to the Highway Transfer Secretariat. • The ministry is also proceeding with the due diligence assessment of the Toronto expressways. <ul style="list-style-type: none"> ○ On May 8, we issued a Request for Service (RFS) to vendors on the ministry’s Management Consulting Services Vendor of Record arrangement. The closing date is June 27. ○ As the ministry is in active procurement, we cannot provide additional details at this time. Any questions can be directed to the ministry’s procurement office (mtoprocurement@ontario.ca). • At the same time, we are in early discussions with the City of Ottawa to advance commitments related to Road 174 	MEGAN

<p>14.</p>	<p>Oversize load permits</p> <p>ORBA raised concerns with the turnaround times for Oversize & Overweight permits, would like to see reduced from 7 days to avoid cost and delays. ORBA is tracking</p> <p>MTO suggested we revisit at next meeting, if ORBA can share data but can confirm MTO Operations Division is aware and actively working on this item.</p> <p>HOP Office met with members of Ontario Road Builders Association (ORBA) on July 11, 2024 to discuss turn-around times for single trip permit requests, challenges as related to obtaining permits, ability to issue permits efficiently & ways in which these can be mitigated on a situational basis, as well as recommendations on solutions that could be explored to minimize challenges and delays.</p>	<p>ORBA</p>
<p>15.</p>	<p>Requests from ORBA</p> <p>ORBA asked if CETI tour is possible for upcoming asphalt industry meeting, MTO agreed to work with ORBA to schedule the tour.</p> <p>ORBA asked status of OPSS366 FWD testing – MTO response was provided post meeting on July 3, 2024.</p>	

<p>INFORMATION SHARED FOR THIS MEETING</p>		
<p>Document Title</p>	<p>Shared By</p>	<p>Format</p>
<p>Capital Program/Highway Projects Update</p>	<p>MTO</p>	<p>PDF</p>
<p>Claims, Referee and Adjudication Update from April 1, 2023, to March 31, 2024</p>	<p>MTO</p>	<p>PDF</p>
<p>MTO Executive Org Chart (to be finalized)</p>	<p>MTO</p>	<p>PDF</p>

<p>NEXT MEETING</p>
<ul style="list-style-type: none"> November 2024, at the ORBA Office, in person