

MTO - ACEC-ONTARIO EXECUTIVE COMMITTEE MEETING NOTES

Date: September 11, 2024
Time: 1:30 pm – 3:30 pm
Location: CETI Training Room / MS Teams

| ATTENDEE | ACEC-ONTARIO | ATTENDEE | MTO |
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| Duane Girard (GHD) | | Eric Doidge (MTO) | |
| Sunil Kothari (AtkinsRéalis) | | Alain Beaulieu (MTO) | |
| Tanya Cross (Dillon) - regrets | | Becca Lane (MTO) (Chair) - regrets | |
| Steve Pilgrim (McIntosh Perry) | | Michelle McGrath (MTO) (Chair) | |
| Bernard James (Parsons) | | Michelle Pasqua (MTO) | |
| Doug DeRabbie (ACEC-Ontario) | | Malvika Rudra (MTO) | |
| Andrew Hurd (ACEC-Ontario) | | Bruce Cane (MTO) | |
| | | Jenn Meleschuk | |
| | | Megan Chochla (MTO) | |
| | | Claudette Miscione (MTO) | |

1. INTRODUCTION / ANNOUNCEMENTS

- Becca Lane is the new permanent director of the Design and Engineering Branch (DEB)
- Michelle McGrath is now the acting Director of the Capital Program Delivery Branch (CPDB) and will chair this meeting in Becca's absence
- New round of introductions
 - Jenn Meleschuk is the Manager of the Contract Management Office in the Standards and Contracts Branch, replacing Rebecca Li

| OPEN ITEMS | | Lead |
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| 2. | <p>CONTRACT MANAGEMENT SYSTEM (CMS) - UPDATE</p> <ul style="list-style-type: none"> • Majority of functionality for Engineering and CA is fully operational • For Engineering, CMS went live on May 1. Two training sessions were completed in May for the initial users of the system. Future training sessions will be planned as more users come online. • Continued enhancement and support work for CMS is ongoing • Engineering: <ul style="list-style-type: none"> ○ A few Engineering contracts are now operational in CMS • Construction: <ul style="list-style-type: none"> ○ Upcoming enhancements for managing dates and contract time. The system will automatically populate key dates in the Contracts application from other CMS applications (eg. Permission to start work, statement of working days, contract completion, release of warranty etc.) ○ Upcoming enhancements to History, allowing all internal groups (and CA) to view the complete history of records • MTO continues to meet monthly with ACEC working group. Valuable feedback provided in the sessions • CMS Update to be provided at 2025 Road Construction Contract Administration (RCCA) recertification course <p>DISCUSSION:</p> <ul style="list-style-type: none"> • There was discussion about the CMS system commitment (10 years, 5+5); we are in year 2, year 7 is when we review needs and start a new system; the next generation may be different, better, modernized <p>ACTION:</p> <ul style="list-style-type: none"> • Invoice function – CMS provides reminders for invoice approvers at regular intervals that are user selected by the approver. MTO to confirm if an Engineering CMS working group with ACEC will be created. | <p>MTO (JENN)</p> |

| OPEN ITEMS | | Lead |
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| <p>3.</p> | <p>UPDATE ON THE CAPITAL PROGRAM, TENDERING ACTIVITY AND PROJECT PIPELINE</p> <ul style="list-style-type: none"> • MTO published the summer 2024 Ontario Highways Program (OHP) on July 26th, it includes information on 635 projects that are planned or underway. ○ Work has commenced on the annual update of the engineering pipeline – this is expected to be available by the end of September/early October. <p><i>Update on Capital Tenders</i></p> <ul style="list-style-type: none"> • In Q1, MTO issued 31 tenders, which exceeded the projected range of 25-30 • The updated projections for the full year are in line with the forecast provided in the Spring – the current volume projection is between 94-110 tenders, with an estimated total value of \$1.3B-\$1.5B <p><i>Engineering Project Pipeline</i></p> <ul style="list-style-type: none"> • We are currently updating the Engineering Project Pipeline and should have it finalized by the end of this month. <p>DISCUSSION: N/A</p> <p>ACTION:</p> <ul style="list-style-type: none"> • Engineering Project Pipeline: Ensure QA check, last time past procurements were included, other discrepancies. | <p>MTO</p> <p>MICHELLE P</p> <p>MICHELLE M</p> |
| <p>4.</p> | <p>ACCELERATED PROCUREMENT (PICK 3 PROCUREMENTS)</p> <ul style="list-style-type: none"> • ACEC-Ontario sought input from different firms • Understand the need for this tool • There is a meeting scheduled for next week • Will give MTO feedback by November 2024 <p>DISCUSSION:</p> <ul style="list-style-type: none"> • No new accelerated procurements are expected before November 2024 but MTO encourages ACEC-Ontario to provide feedback as soon as possible. • MTO encourages ACEC-Ontario to provide feedback on what other jurisdictions are doing and what’s working well • Alain reminded ACEC-Ontario that MTO is also interested in inputs in reforming/improving procurement in general – “be bold”. • This is part of our continuous improvement, we need to work faster, be bold, streamline procurements, and ensure transparency <p>ACTION:</p> <ul style="list-style-type: none"> • MTO to review accelerated procurement options with ACEC. | <p>ACEC-ONTARIO</p> <p>BECCA, MICHELLE P, JENN</p> |

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| <p>5.</p> | <p>UPDATE ON THE TORONTO / OTTAWA EXPRESSWAYS UPLOAD</p> <ul style="list-style-type: none"> The Toronto Due Diligence contract has been awarded to a third-party consultation and engineering services provider. Consultant onboarding started early in August. At the same time, MTO is in early discussions with the City of Ottawa to advance commitments related to Highway 174. The ministry is proceeding with the due diligence assessment of Highway 174. <ul style="list-style-type: none"> On September 5, MTO issued a Request for Services (RFS) to vendors on the ministry’s Management Consulting Services Vendor of Record arrangement. The closing date is October 29. 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) <p>DISCUSSION:</p> <ul style="list-style-type: none"> ACEC-Ontario has interest in timeframes. Transfer to happen before the next election. ACEC-Ontario had questions about the RFS process ACEC-Ontario requested MTO to advise on the outcome of the due diligence procurements (which ESP is involved) MTO can confirm Deloitte was the successful vendor for the DVP/Gardiner Due Diligence Assessment and Ottawa Road 174 Due Diligence. <p>ACTION:</p> <ul style="list-style-type: none"> MTO to bring a presentation on RFS process (next meeting or earlier) | <p>MTO (MEGAN)</p> |
| <p>NEW ITEMS</p> | | |
| <p>6.</p> | <p>24/7 CONSTRUCTION</p> <ul style="list-style-type: none"> Continue general discussion on this topic and how it may impact the industry. <p>DISCUSSION:</p> <ul style="list-style-type: none"> Work is underway; fine details are being worked out Contractors are doing 2 – 10 hour shifts (with 4 hour buffer), 6 days a week No labour issues that MTO is aware of <p>ACTION:</p> <ul style="list-style-type: none"> N/A | <p>ACEC-ONTARIO</p> |

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| <p>7.</p> | <p>PROGRESSIVE DB – ACEC-ONTARIO PARTICIPATION</p> <ul style="list-style-type: none"> • General discussion on ACEC-Ontario participation (included in ORBA sessions). • MTO and IO hosted an information session last September. • ACEC-Ontario looking for an update. Will have a more significant update next meeting. <p>DISCUSSION:</p> <ul style="list-style-type: none"> • Garden City Skyway; Open procurement so cannot discuss details. Will re-engage in future as model evolves and applied to future projects. • IO lead for GCS; MTO should also develop our own model. • Putting together draft TOR/Legal agreements; discussions with ACEC-Ontario alone, then ORBA alone, then both together. • Timing: early next year given timelines with GCS. • ACEC: ORBA/GCS discussions happening? – Malvika to follow up. <p>ACTION:</p> <ul style="list-style-type: none"> • ACEC looking to have an opportunity to provide input on the PDB model. • Also asking where the Q&As from the September 2023 session are, as they had not been provided; Malvika to check | <p>MTO (MALVIKA)</p> |
| <p>8.</p> | <p>CONSULTANTS – REQUEST TO PRESENT/SHOWCASE THEIR FIRMS TO MTO</p> <ul style="list-style-type: none"> • Status quo for now; not a priority • Each firm is different • MTO is interested in learning about new and innovative ways of doing business as part of individual meetings with consultants <p>DISCUSSION:</p> <p>ACTION:</p> | <p>MTO</p> |
| <p>9.</p> | <p>MAJOR PROJECTS UPDATE (Highway 413 /Bradford Bypass)</p> <ul style="list-style-type: none"> • Looking for any new information since the May 21st session • Thank you for attending market event; great way to present the facts; lots of public and media; looking to do more events, more formal market sounding; • Preliminary design (60%) should be at 90% by fall; next year do a PIC; Premier is vocal about announcements in 2025; looking at early works; more to come; will provide updates as we work on Preliminary Design. <p>DISCUSSION:</p> <ul style="list-style-type: none"> • Event was good but not clear understanding on project delivery; industry looking at signals on how it will be delivered; looking at partnerships. <p>ACTION: N/a</p> | <p>MTO (MALVIKA)</p> |

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| <p>10.</p> | <p>CPR Pause Work Plan</p> <ul style="list-style-type: none"> • It has now been almost 17 months since the CPR Pause was implemented, where CPR was removed from the bid evaluation for assignment awards. • On July 1, the Quarterly CPRs were refreshed for all firms and the 'Starter CPR's were also refreshed. Next update will be October 1. • The Starter CPRs remain constant (i.e. the start of the 'reset' has not been indicated) and the 2.5 CPR required to bid is being maintained • More time is needed to allow the completion of more appraisals using the newer appraisals (streamlined Engineering design and new CA) and for the development of a streamlined engineering 'functional' appraisal • MTO has publicly committed to reinstating CPR after 3 year pause period. • Prior to the CPR pause implementation, MTO and ACEC-ON developed a CPR Pause workplan that outlined the activities that were agreed to, to complete during the pause period. MTO has updated and shared with ACEC this workplan to reflect the current status, as of August 29, 2024 (and attached). <p><u>Background: Public Consultation for the CPR Pause</u></p> <p>On the Technical Consultation Portal, the CPR Pause (TCP 000-0125) posting was made on December 9, 2022, to provide details to the public on the CPR pause. Feedback was reviewed and the decision was posted on April 4, 2023, prior to the April 17 pause implementation.</p> <p>Decision Summary: Effective April 17, 2023, MTO will pause the use of the Corporate Performance Rating (CPR) from bid evaluations for Engineering Services Assignments, including Planning, Engineering and Construction Administration specialties. A minimum CPR of 2.5 will be required to bid. Ongoing review and consultation will occur to develop an improved CPR and appraisal system, while the CPRs are 'naturally' reset/ refreshed.</p> <p>Decision Details (excerpt):</p> <ul style="list-style-type: none"> • Over a 2-3 year period, ongoing review and consultation will occur to develop an improved CPR and appraisal system, while the CPRs are 'naturally' reset/refreshed. • A forced reset will not be made • Ongoing communication and consultation with stakeholders will support the development of a revised CPR system, once the CPR pause period has concluded. <p>DISCUSSION:</p> <ul style="list-style-type: none"> • ACEC raised concerns on the progress of the work behind the reset. • MTO went through some of the history. A minimum of 3 years is needed to reset CPR to a new number. The goal is to get a better distribution of scores because they all were so close to one another, they had no meaning/value. • Encouragement for performance discussion throughout the project, not just at the end. Communicate benefits of completing appraisals to the MTO assignment administrators and to the CA teams. • ACEC asked what notice will be given before new CPRs are implemented. | <p>ACEC-ONTARIO</p> |
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| | <p>Discussion about entering mandatory comments when appraisals are high or low.</p> <p>ACTION</p> <ul style="list-style-type: none"> • MTO committed to review the workplan critically to ensure it leads to intended outcomes • MTO committed to communicate about where in the process they are at | JENN |
| 11. | <p>Succession Management Working Group Update</p> <ul style="list-style-type: none"> • ACEC will be holding a workshop in January 2025. • Will invite a few facilitators. • 10 MTO staff – cross section 5 jr 5 sr staff need to start asking for interest (by mid-December) • MTO is fully supportive <p>DISCUSSION:</p> <ul style="list-style-type: none"> • Contract Administration (CA) Succession Management Working Group (WG) under the CA Sub-committee <ul style="list-style-type: none"> ○ Met this month ○ Need to modify RFP language to incentivize succession planning ○ Experience from other sectors <p>ACTION:</p> <ul style="list-style-type: none"> • ACEC-Ontario to send Michelle list of WG attendees | ACEC-ONTARIO |
| 12. | <p>Electronic Native Formats Documents Working Group Update</p> <ul style="list-style-type: none"> • Working to develop a road map for advancing digital delivery • Working Group just met; need to know what contractors need • Will survey ORBA members in November <p>DISCUSSION:</p> <p>ACTION:</p> | ACEC-ONTARIO |

| INFORMATION SHARED FOR THIS MEETING | | |
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| Document Title | Shared By | Format |
| MTO Capital Program Update | MTO | Powerpoint |
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NEXT MEETING

2025 dates:

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| Wednesday, February 12 th , 2025 |
| Wednesday, June 11 th , 2025 |
| Wednesday, September 10 th , 2025 |