

## MTO - ACEC-ONTARIO CONTRACT ADMINISTRATION SUBCOMMITTEE MEETING NOTES

**Date:** March 5, 2025  
**Time:** 9:00 AM  
**Location:** MS Teams  
**Adjourn:** 11:09 AM

| <b>ATTENDEE</b>                | <b>ORGANIZATION</b> |
|--------------------------------|---------------------|
| Jenn Meleschuk (Chair)         | MTO                 |
| Mireya Hidalgo                 | MTO                 |
| Sayed Tabib                    | MTO                 |
| Jamie Lauzon                   | MTO                 |
| Erika Varga                    | MTO                 |
| Pauline Van Roon               | MTO                 |
| Sean Lalonde                   | MTO                 |
| Ouda Ahmed                     | MTO                 |
| Adriano Cesarone (Coordinator) | MTO                 |
| Doug DeRabbie                  | ACEC-Ontario        |
| Sunil Kothari (chair)          | AtkinsRéalis        |
| Bernard James (Vice-chair)     | Parsons             |
| Paul Moorhouse                 | TULLOCH             |
| Tony Verta                     | WSP                 |
| Graeme Stewart                 | Robinson            |
| Graham Sled                    | GHD                 |
| John Hagan                     | GEMTEC              |
| Gord Troughton                 | AECOM               |
| Helder Melo                    | HDR                 |
| <b>GUESTS</b>                  |                     |
| Frank Lucente                  | MTO                 |
| Olu Olusanya                   | MTO                 |
| Kenneth Shannon                | MTO                 |
| Vanessa Cashmore               | MTO                 |
| Joanna Bruce                   | MTO                 |
| William Lei                    | MTO                 |
| <b>REGRETS</b>                 |                     |
| Rebecca Li                     | MTO                 |
| Phil Hutton                    | EXP                 |
| Mike Pearsall                  | MTO                 |
| Jeremy Landry                  | MTO                 |
| Darryl Langendoen              | MTO                 |
| Naveen Kaushik                 | Conсор              |

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| <p><b>WELCOME / INTRODUCTIONS / ANNOUNCEMENTS / SAFETY MOMENT</b></p> <p>Members and guests from both MTO and ACEC-Ontario were introduced via roundtable.</p> <ul style="list-style-type: none"> <li>• Sean Lalonde has joined the subcommittee as Head of Construction, Northeast.</li> <li>• No new members from ACEC-Ontario.</li> </ul> <p><b>Safety Moment:</b> Awareness and Attention on cold stress was shared by MTO.</p> |
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| ITEM NO.         | OPEN ITEMS:  | ACTION BY:        |
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|                  | <p><b>AGENDA ITEM: SUBCOMMITTEE WORK PLAN</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>• Refresh the subcommittee workplan, to support the new Terms of Reference.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• The workplan was reviewed with the following updates suggested:                             <ul style="list-style-type: none"> <li>• Move Item 2023-05, Qualification for Construction Administration Work Group, into completed status.</li> <li>• Conversation on barrier to entry and succession management opportunities will continue in succession management discussions.</li> </ul> </li> <li>• The subcommittee workplan is appended to the meeting notes.</li> </ul> <p><b>Action – MTO to update Work Plan.</b></p>   | <p><b>MTO</b></p> |
| <p>Jun-23-04</p> | <p><b>AGENDA ITEM: MTO GENERAL CONDITIONS OF CONTRACT UPDATES (WORK PLAN ITEM 2023-04)</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>• The MTO is in the process of updating its MTO General Conditions of Contract and seeking preliminary input from ACEC-Ontario CA Subcommittee on proposed changes.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• MTO identified that it has received ACEC-Ontario’s comments on the GC draft language.</li> <li>• MTO provided some preliminary responses to ACEC-Ontario’s comments and indicated that a formal response to the comments will be provided.</li> <li>• MTO indicated they are targeting posting of the GCs on the Technical Consultation Portal in April 2025.</li> </ul> <p><b>Action: MTO to provide a formal response to ACEC-Ontario’s comments. Shift Item to standing items.</b></p> | <p><b>MTO</b></p> |

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| <p>June-23-03</p> | <p><b>AGENDA ITEM: STAFF EXPERIENCE EQUIVALENCY FOR IQAF ASSIGNMENTS</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>On Public-Private Partnership (P3) and AFP projects that necessitate an Independent Quality Assurance Firm [IQAF] role, ACEC-Ontario requested that IQAF experience be recognized by MTO as equivalent to CA role on MTO jobs.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>MTO shared proposed language in CA RFP and EOI Long Form with ACEC-Ontario prior to this meeting, received ACEC-Ontario’s comments, and adjusted IQAF language based on their comments.</li> <li>ACEC-Ontario suggested if IQAF language could be standard in all assignments, rather than added on a project-by-project basis. MTO agreed to evaluate the suggestion. Regardless, both MTO and ACEC-Ontario were agreeable with the language being proposed.</li> </ul> <p><b>Action</b> – MTO to provide an update on when the documents will be finalized.</p>  | <p>MTO</p> |
| <p>June-23-06</p> | <p><b>AGENDA ITEM: QUALIFICATION CRITERIA FOR CONSTRUCTION ADMINISTRATION – REVISIONS</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>Qualification criteria for construction administration were updated.</li> <li>A work group meeting was held on June 17, 2024.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>MTO clarified previous correspondence regarding experience requirements for low complexity assignments.</li> <li>ACEC-Ontario acknowledged MTO’s position of qualification criteria for medium and high complexity assignments, but that further conversation is needed in overall succession management discussions.</li> <li>ACEC-Ontario suggested if the MTO could investigate having the TLT 131, Advance Issue Resolution Course, more often. Identifying that registry is required months in advance and that registration is not guaranteed. Currently the course is offered once, annually.</li> <li>MTO acknowledged the concern and will explore further options.</li> </ul> <p><b>Action</b> – Item closed. Any further conversations will continue under succession management discussions.</p> |            |
| <p>Mar-24-05</p>  | <p><b>AGENDA ITEM: SUCCESSION MANAGEMENT – CA ASSIGNMENT UPDATES</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>Succession management is an item also being discussed at the Executive Committee and the Engineering Subcommittee.</li> <li>A working group has been established to review language in the CA Assignment documents to promote succession management.</li> </ul>   |            |

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|                  | <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• MTO identified it received ACEC-Ontario's comments on the CA RFP document shared through the working group and that these comments have been shared with internal committees for review.</li> <li>• ACEC-Ontario identified that the selection of staff should be aligned with the overall succession management plan.</li> <li>• Both MTO and ACEC-Ontario acknowledged that after MTO internal review, any changes to the CA TOR should be reviewed by the working group.</li> <li>• ACEC-Ontario identified that from previous discussions, it is working towards providing a reasonable number of low complexity opportunities needed to gain experience and support succession management.</li> <li>• ACEC-Ontario and MTO agreed that any further discussions for CA qualification criteria would continue under the overall succession management item.</li> </ul> <p><b>Action</b> – ACEC-Ontario to provide MTO with a reasonable number of low complexity assignments. MTO to provide an update of internal review of the CA assignment documents.</p> | <b>MTO/ACEC-ON</b> |
| <b>Jun-24-09</b> | <p><b>AGENDA ITEM: DEBRIEF PROCESS</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>• ACEC-Ontario raised concern on the level of feedback and inconsistency being provided during the debrief process.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• MTO clarified that it will not be providing proponent's scores and ranking in the debrief process for Engineering and CA assignments.</li> <li>• ACEC-Ontario identified it would still like to be provided this information but acknowledged MTO's position.</li> <li>• Both ACEC-Ontario and MTO agreed that training could bring about better feedback and consistency during the debrief process.</li> </ul> <p><b>Action:</b> <i>Item closed.</i></p>   |                    |
| <b>Nov-24-03</b> | <p><b>AGENDA: LIST OF CA ASSIGNMENTS FOR 2025</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>• ACEC-Ontario requested if MTO could produce a CA pipeline list for the 2025 construction season.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• Item was closed at the last meeting. ACEC-Ontario identified that it still sees value in having a list of CA assignments and has raised this with the minister.</li> </ul> <p><b>Action:</b> <i>Item closed.</i></p>   |                    |

| ITEM NO.  | NEW ITEMS:  | ACTION BY: |
|-----------|---|------------|
| Mar-25-01 | <p><b>AGENDA: CONSTRUCTION ACT CHANGES</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>MTO raised for awareness of forthcoming amendments being made to the Construction Act.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>MTO provided the subcommittee with an update of upcoming changes being that are being made to the Construction Act and flagged changes to proper invoice, adjudication, and annual statutory holdback provisions.</li> </ul> <p><i>Action: Item closed.</i></p>   |            |
| Mar-25-02 | <p><b>AGENDA: CROSS SLOPE TOLERANCE SPECIFICATION</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>MTO was seeking user feedback from the subcommittee on their experience with the Cross-Slope Tolerance SP 103S56 amending OPSS 313.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>MTO requested feedback and user experience from ACEC-Ontario CA Subcommittee on the use of the cross-slope tolerance SP now that it's been used in construction contracts in the 2023 and 2024 construction seasons.</li> <li>ACEC-Ontario identified that general concerns on cross-slope raised by contractors include: <ul style="list-style-type: none"> <li>Tolerance not being achievable.</li> <li>Variation in the results.</li> <li>Lack of information provided.</li> <li>Repair requirements are not realistic.</li> </ul> </li> <li>Factors contributing to these concerns include: <ul style="list-style-type: none"> <li>Lift thickness.</li> <li>Payment in m2 versus tonnage.</li> <li>Number of lifts (single versus multiple).</li> <li>Granular grading tolerances having higher tolerances, meaning asphalt varies.</li> </ul> </li> <li>MTO requested if ACEC-ON could provide any data to evaluate and investigate these concerns.</li> <li>ACEC-ON to provide cross-slope tolerance data.</li> </ul> <p><i>Action: ACEC-Ontario to gather information and provide feedback to MTO.</i></p> | ACEC-ON    |
| Mar-25-03 | <p><b>AGENDA: CA RFP/RFQ LUMP SUM ASSIGNMENTS</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>ACEC-Ontario raised concern that there may be differing opinions on the merit of "Changes of Work" and additional CA costs.</li> </ul>  |            |

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|                         | <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• ACEC-Ontario raised concerns that on some contracts, there have been differing opinions on the merit of “Changes of work” and merits for additional CA costs.</li> <li>• MTO suggested that these conversations be discussed with the project specific team first and that if the concern is persistent that it can be raised again at this subcommittee.</li> </ul> <p><i>Action: Item closed.</i></p>   |  |
| <p><b>Mar-25-04</b></p> | <p><b>AGENDA: CA PERFORMANCE RATINGS</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>• ACEC-Ontario questioned whether consultant ratings are being benchmarked to a target score and whether some ratings are not being completed.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• MTO identified that messaging to internal staff has been that CA performance appraisals are still to be completed and that appraisals are still being assessed.</li> <li>• MTO checked and found that scoring values has been consistent across the regional areas and that all scoring values were being used.</li> <li>• ACEC-Ontario questioned whether consultant ratings were being benchmarked. MTO confirmed scores were not being benchmarked.</li> </ul> <p><i>Action: Item closed.</i></p> |  |
| <p><b>Mar-25-05</b></p> | <p><b>AGENDA: CMS DUPLICATION</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>• ACEC-ON identified that there have been instances of contractor’s seeking compensation to process documentation outside of CMS when it has been unavailable, then must re-enter this information into the system.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• ACEC-Ontario acknowledged provisions within the contract documents identify the use of CMS, but that compensation when the system has been down and duplication of documents is needed have been requested.</li> <li>• MTO has noted the concern and identified that outage of the system is not a common occurrence.</li> </ul> <p><i>Action: Item closed.</i></p>  |  |

| ITEM NO.  | STANDING ITEMS:  | ACTION BY: |
|-----------|--|------------|
| Nov-22-03 | <p><b>AGENDA ITEM: CORPORATE PERFORMANCE RATING (CPR) WORKPLAN</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>• MTO first presented a CPR pause workplan at the May 17, 2023, Engineering Subcommittee meeting.</li> <li>• ACEC-Ontario requested the plan to be presented to the CA Subcommittee and become a routine item at future meetings.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• MTO provided an update to the CPR pause plan with ACEC-Ontario that was also shared with the Engineering Subcommittee.</li> <li>• MTO shared some initial information collected from the streamlined CA appraisals and identified that the streamlined appraisals are showing positive signs of re-adjusting the evaluation scores. However, there have not been enough appraisals completed to affect the overall CPR Starter CPR score.</li> <li>• ACEC-Ontario indicated they are meeting internally and can provide MTO some feedback prior to upcoming joint CPR Pause meeting, scheduled for April 1, 2025.</li> </ul> <p><b>Action</b> – Ongoing updates at subsequent meetings.</p> |            |
| Mar-24-04 | <p><b>AGENDA ITEM: CONTRACT MANAGEMENT SYSTEM (CMS) UPDATE</b></p> <p><i>Description:</i></p> <ul style="list-style-type: none"> <li>• ACEC-Ontario requested this be kept as a standing item.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• No major updates this meeting.</li> <li>• Working groups with ACEC-Ontario are starting.</li> <li>• MTO is preparing itself this construction season.</li> </ul> <p><b>Action</b> – Ongoing updates at subsequent meetings.</p>   |            |
| Jun-24-12 | <p><b>AGENDA ITEM: FUTURE MEETINGS</b></p> <ul style="list-style-type: none"> <li>• Future meetings to be held on: <ul style="list-style-type: none"> <li>• <b>Wednesday June 25, 2025</b> (ACEC-Ontario hosting). Hybrid meeting: MS Teams &amp; TBD (WSP Mississauga office proposed)</li> <li>• <b>Wednesday November 12, 2025</b>. Hybrid meeting: MS Teams &amp; Location TBD.</li> </ul> </li> </ul>   |            |

| <b>INFORMATION SHARED FOR THIS MEETING</b> |                  |               |
|--|------------------|---------------|
| <b>Document Title</b>                      | <b>Shared By</b> | <b>Format</b> |
|  |                  |               |
|  |                  |               |



APPENDIX

Team: MTO-ACECO Contract Administration Subcommittee Workplan

Date: March 5, 2025

Updated By: Adriano Cesarone

**ONGOING WORK**

| Item No. | Activity or Deliverable                                  | Ongoing or Project | Issue Elevated to Exec Committee? | Lead           | Added to Plan Date | Completion Date | Current Status   | MTO  |
|----------|--|--------------------|-----------------------------------|----------------|--------------------|-----------------|--|--|
| 2023-01  | CA CPR Pause   | Project            | Yes                               | Seyed Tabib    | June 27,2023       |                 | <p><b>Ongoing.</b><br/>Exec Com is also interested in updates<br/><b>Reference:</b> June-2023-07 meeting notes</p> | <p>MTO has paused the use of Corporate Performance Rating (CPR) in both the RFP and RFQ bid evaluations in order to implement a more balanced approach, considering the price and quality of work, and the proposed resources. The spread of CPRs across Engineering Service Providers (ESPs) is very small and considering CPR in evaluation is offering little value to MTO in selection of ESPs. Ongoing communication and consultation with stakeholders will support the development of a revised CPR system</p>  |
| 2023-03  | Review training prequalification (succession management) | Project            | Yes                               | Seyed Tabib    | June 27,2023       |                 | <p><b>Ongoing.</b><br/><b>Reference:</b> June-2023-02 meeting notes</p>  | <p>Consider reducing requirements to allow for development and training in relation to succession management</p> <p>ACEC Ontario has forwarded questions/comments to the MTO for consideration. A workgroup was established and as a result the following will be looked into:</p> <ol style="list-style-type: none"> <li>1. MTO will investigate using the Assistant CA position more frequently to boost succession management.</li> <li>2. MTO can look at removing the statement about "shall not involve promotion or development of staff already employed by the Respondent Service Provider".</li> <li>3. MTO will look at separating succession management and training plan as its own item in "Table 1: Technical and Management Proposal Weights" of CA RFP template and provide its own weighted evaluation</li> <li>4. One-phase RFP Language.</li> </ol> <p>Any trailing conversations from CA qualification criteria regarding succession management to be rolled into the overall succession management discussions</p> |
| 2023-04  | OPSS.PROV 100 (MTO General Conditions of Contract)       | Project            | No                                | Mireya Hidalgo | June 27,2023       |                 | <p><b>Ongoing.</b><br/><b>Reference:</b> June-2023-04 meeting notes</p>  | <p>MTO is in the process of updating the MTO General Conditions of Contract. And seeking preliminary input from the ACEC Ontario CA Subcommittee prior to posting on the Technical Consultation Portal.</p> <p>ACEC Ontario has received a draft language changes and will provide the MTO with comments by end of November 2024.</p> <p>MTO is reviewing ACEC Ontario's comments and will provide a response, preliminary thoughts shared with the subcommittee on March 5, 2025.</p>   |

**WORK PLAN for the CEO-MTO Contract Administration Subcommittee**

Team: MTO-ACECO Contract Administration Subcommittee Workplan

Date: March 5, 2025

Updated By: Adriano Cesarone

**COMPLETED WORK**

| Item No.    | Activity or Deliverable  | Ongoing or Project | Issue Elevated to Exec Committee? | Lead                        | Added to Plan Date | Completion Date   | Current Status   | Notes   |
|-------------|--|--------------------|-----------------------------------|-----------------------------|--------------------|-------------------|--|---|
| 2017-02 (b) | Contract Management System (CMS) Update [previously, Web-Based Contract Management Service (WBCMS) Improvements]       | Project            | No                                | Michelle McGrath            | October 11, 2017   | February 23, 2023 | <b>COMPLETED</b><br><b>Reference:</b> Oct17-2  | Create a joint improvement working group to meet monthly between Oct/17 and over the winter months.<br><br>CMS is now implemented. While there are ongoing discussion related to operational issues, it was agreed that a joint improvement working group is not required.  |
| 2018-01     | Construction Administration and Inspection Specifications (CAIS)   | Project            | No                                | Michelle McGrath            | October 16, 2018   | January 26, 2023  | <b>COMPLETED</b><br><b>Reference:</b> Oct18-1; Feb19-14  | CAITM Part A has not been revised in some time. A comprehensive revision is required and will be beneficial to clearly communicate CA responsibilities.<br><br>CAIS is now implemented and delivered as part of the CAITM Review Project.<br><br>CEO of the view that there is lack of clarity around role and responsibility of specialists and specialty plans.                                   |
| 2019-01     | Roles, Responsibilities and Qualifications - Specialty Plans   | Project            | No                                | Michelle McGrath            | February 26, 2019  |                   | <b>COMPLETED</b><br><b>Reference:</b> February 26, 2019 meeting minutes  | MTO to seek input from internal working group in November 2019 and workshop together with CEO subcommittee at winter 2020 meeting.<br><br>Currently paused until the implementation of CAIS.<br><br>CA Generic terms of reference updated.  |
| 2019-02     | MTO's Proposed Plan on the Use of CPR for the Procurement of Engineering Services [previously, Award Criteria of RFPs] | Project            | No                                | Michelle McGrath            | February 26, 2019  | N/A               | <b>ONGOING.</b> A special meeting is required for CEO to better understand how the technical evaluation of the process is being undertaken before any changes to the current process are made.<br><br><b>CLOSED:</b> Action if needed to be addressed under CPR Pause Project<br><b>Reference:</b> February 26, 2019 meeting minutes | Situations where assignments have been awarded to a significantly higher priced proposal with similar scores. MTO is interested in making changes to resolve these anomalies.   |
| 2019-03     | Construction Contract Administration (CA) Appraisal - enhancements, improvements and pilots                            | Project            | No                                | Michelle McGrath            | October 23, 2019   | N/A               | <b>ONGOING.</b> Field test the revised CA appraisal documents to determine if modifications are required prior to implementation.<br><br><b>CLOSED:</b> Action if needed to be addressed under CPR Pause Project<br><b>Reference:</b> November 8, 2019 meeting minutes   | Field test the revised CA appraisal process.  |
| 2020-01     | Construction Contract Administration (CA) Appraisal - refresh of scoring criteria                                      | Project            | No                                | Michelle McGrath            | February 26, 2020  | N/A               | <b>ONGOING.</b> Investigate and analyse options to refresh the CA appraisal scoring criteria as part of the CA appraisal project (step 2).<br><br><b>CLOSED:</b> Action if needed to be addressed under CPR Pause Project<br><b>Reference:</b> February 26, 2020 meeting minutes   | Perform analysis of the current scoring in relation to the planned revised appraisal documents.<br><br>Report back during November 2020 meeting.  |
| 2020-02     | Progression into the Project Manager role  | Project            | No                                | Michelle McGrath            | February 26, 2020  | March 1, 2022     | <b>COMPLETED.</b> Investigate formalized ways to encourage and support individuals to transition into a Project Manager role.<br><b>Reference:</b> February 26, 2020 meeting minutes<br>March 1, 2022 meeting minutes  | Consider and consult with CEO to find ways to encourage more individuals to progress into the Project Manager role.   |
| 2023-02     | CAIS Lessons Learned   | Ongoing            | No                                | Rebecca Li<br>Chris McBride | June 27, 2023      |                   | <b>COMPLETED.</b><br><b>Reference:</b> June-2023-08 meeting notes  | MTO and ACEC Report back - Discussion planned for November 2023 meeting   |
| 2023-05     | Qualification for Construction Administration Work Group   | Project            | No                                | Seyed Tabib                 | June 25, 2024      | March 5, 2025     | <b>COMPLETED.</b><br><b>CLOSED:</b> Any further discussions will occur under the succession management item.<br><b>Reference:</b> March 5, 2025 meeting notes  | Review and revise recent changes made to qualification criteria for Contract Administration.<br><br>Qualification Criteria for CA's in High, Medium, and Low Complexity specialties have been updated in the Qualification for ESP's Guideline.<br><br>ACEC-Ontario still has concerns with barrier to entry with the revised language. Further discussions to be held under Succession Management. |