

MTO – ORBA EXECUTIVE COMMITTEE MEETING NOTES

Date: April 24, 2025
Time: 2:00 pm – 5:00 pm
Location: 95 Arrow Road, North York (MTO)

ATTENDEE

Andrew Weltz (ORBA)
Malcolm Croskery (ORBA)
Walid Abou-Hamde (ORBA)
Mario Villeneuve (ORBA)
Steven Crombie (ORBA)
Rick Tamburro (ORBA)
Mark Mallet (ORBA)

ATTENDEE

Eric Doidge (MTO)
Alain Beaulieu (MTO) (Chair)
Michelle McGrath (MTO)
Jason Ranger (MTO)
Michelle Pasqua (MTO)
Malvika Rudra (MTO)
Jennifer Meleschuk for Bruce Cane (MTO)
Becca Lane (MTO)
Frank Lucente (MTO)
Kelly Schmid (MTO)
Sharene Dubroy (MTO)

1. INTRODUCTION / ANNOUNCEMENTS

Alain Beaulieu opened the meeting and welcomed everyone.

OPEN ITEMS		Lead
2.	<p>Review of previous minutes/action items</p> <ul style="list-style-type: none">Quarterly minutes for November 21, 2024, posted on TCP on April 11, 2025, with supporting documents. <p>ACTION: Notes from previous meeting were shared in advance and all agreed accurate.</p>	MTO / ORBA

OPEN ITEMS		Lead
3.	<p>Major Projects Update</p> <p>RFP for 401 relief/tunnel released.</p> <p>Garden City Skyway - Currently in procurement. MTO hoping to award development phase soon.</p> <p>413 – Early Works advancing starting this year. MTO will be doing industry engagement in the summer to provide an update on the project and get feedback from industry on a delivery strategy for the project.</p> <p>Bradford Bypass – East and Central sections in procurement. Design teams to be announced by September 2025.</p> <p>ORBA - has some thoughts on how to tweak the CMGC model to bring people closer to work more collaboratively.</p> <ul style="list-style-type: none">-permitting is an issue, SARs, etc. to expedite permits.-on complex projects, factors such as staging, and environmental constraints drive the design and schedule. MTO - permitting is a "live" discussion at MTO. Government is exploring options to streamline processes and approvals.-We typically bring contractor at 30% but have brought contractors on earlier, such as on the Bradford Bypass West. <p>New - Key update</p> <p>MTO developing a partnering framework (with consultant support).</p> <p>Engagement session will ORBA to come soon for input</p> <p>Key is collaborating together</p> <p>ORBA suggest contractor for CMGC should start at 0 to 10%</p>	MTO

4.	<p>Capital Program Update</p> <ul style="list-style-type: none"> • Tender Update 24/25 Overview: <ul style="list-style-type: none"> ○ We had some unexpected impacts to our tendering program this year, first due to PEGO labour disruption and then due to caretaker period protocols. ○ Although both impacted the timing of some of the planned tenders, and the caretaker protocols resulted in a four week pause in tendering, we were able to successfully mitigate most of the impacts. ○ As a result, MTO's tendering activity in 24/25 fell within the projected volume range and exceeded the expected total value. ○ Quarterly accomplishments show a slightly different distribution than planned, with a good final quarter that included 28 major capital tenders issued. ○ Regional distributions indicate a significant amount of activity in Central region, which included a few higher value projects. ○ We also expect to have fully spent our rehabilitation budget in 24/25. ○ Projections for 25/26 will be available after the budget results are announced. Our program is constrained by the amount of rehabilitation funding that we receive; it has been flatlined for several years. • Update on detailed tender lists <ul style="list-style-type: none"> ○ This year we provided a detailed tender list for both Q3 & Q4, as well as projections for April and May 2025. ○ While we had some slippage in Q3, for a variety reasons, Q4 projections were met. • OHP <ul style="list-style-type: none"> ○ The planned Winter OHP refresh was not published this year. ○ We have started working on the 2025 OHP with the objective of publishing in late June, subject to timing of approvals. <p>See presentation.</p>	MTO
----	---	-----

5.	<p>Reducing Risk</p> <ul style="list-style-type: none"> Fuel consumption rates added to the GCs for HIR, RAP and Caissons have been posted in the TCP (link). Comment period was from March 18, 2025 - April 15, 2025 and no comments were received. A special provision will be added to existing and future contracts. <p>AC Price Index review process and posting</p> <ul style="list-style-type: none"> The ministry is waiting for responses to our municipal and regional level of government jurisdictional scan regarding their use of the MTO AC Price. Progress was on hold during the WRIT period. We are following up on requests. (Ontario Provincial Standard Specification, 310 Municipal includes similar language regarding changes in the asphalt Cement price from tender opening to the time of actual paving.) <p>2025 - OPSS 127 Schedule of Rental Rates for Construction Equipment</p> <ul style="list-style-type: none"> The ministry is currently finalizing the Global Variables used in the 127 Equipment Rate calculations. MTO is looking to finalize the equipment list for 2025 rates in the upcoming weeks. (Equipment list emailed to ORBA, (A Weltz) 28-Jan-2025). MTO working towards meeting the July publication date. Draft version of the rental rates to be circulated for comments to ORBA and published on Technical Consultation Portal, in June. <ul style="list-style-type: none"> Open item on materials indices Caisson Fuel Index discussion AC Price Index review process and posting Annual OPSS 127 Update to Schedule of Rental Rates for Construction Equipment <p>ORBA did respond - global adjustment ORBA shared equipment but no rate info was shared from MTO ACTION: MTO taking it back.</p>	MTO
6.	<p>Municipal Specifications</p> <ul style="list-style-type: none"> ORBA – Requested MTO require harmonization with the provincial specifications. MTO requested ORBA prioritize the specifications they would like to see harmonized 	

7.	CMS Update <ul style="list-style-type: none">• Contractors have been granted permission to create and submit their own Submittal Packages. This should accelerate the submission process, as it's no longer at the behest of CAs creating packages themselves• Contractors have been granted permission to view OPAs. When OPAs are calculated and processed, contractors can now view the calculations and supporting documentation for the OPA rather than waiting on the CAs to issue the documentation in an INC• Multi-Factor Authentication (MFA) has been implemented for all users. This is a platform change by Kahua. All users are now required to login with a secondary authentication code that is sent to their email, or otherwise required to use an authenticator app (like Microsoft Authenticator)• MTO/ORBA CMS Working Group kicked off in January and has been meeting monthly in the off-season. Conversations centre around updates to the system, and possible improvements based on user feedback from contractors• A new Invoice Report has been created that displays all relevant data pertaining to items, their quantities, prices, changes and percent-completed quantities• Contractor Quantities 'Payment Quantity' Decimal Place Change. Contractors can now post with many decimal places to help zero out LS items that are calculated to a high degree of accuracy• For contractor utilizing the Equipment List on more than one CMS job, there is an Export feature that allows you to export your list, then reimport it into a new project. This prevents having to set up equipment lists by hand each time and can prevent inconsistencies and mistakes in the lists.	MTO
----	--	------------

8.	Maintenance Updates <ul style="list-style-type: none"> Upcoming Contract Advertisement closing dates: <ul style="list-style-type: none"> Sudbury East CDMCMi– April 16, 2025 (winner tba) Britt CDMC – (Single Source Indigenous Procurement) – April 23, 2025 Sudbury West CDMCMi – April 30, 2025 Update <ul style="list-style-type: none"> Durham – Awarded to IMOS in January Sudbury East being reviewed and will be awarded as quickly as possible (was awarded on April 29, seven business days after closing on April 16). Sudbury West closing will be extended to allow contractors to adjust their bids (was extended to May 7). 	MTO
9.	Provincial Claims (A) MTO provided an update on Claims, Referee and Adjudication from Fiscal 2024/2025 - April 1, 2024 to March 31, 2025 <ul style="list-style-type: none"> MTO provided an update from the report (attached). Generally no significant changes to the trends, backlog is being addressed with improvements to the staffing in the Claims Office and support from others. 	MTO
NEW ITEMS		
10.	Crossfall Specification Update <ul style="list-style-type: none"> MTO and ORBA acknowledged that the meeting held on March 27th, 2025, where select ORBA members and MTO met in St. Catharines to review the Cross Slope Specification and potential adjustments based on 2024 experience resulted in positive outcomes. MTO indicated the MTO has made adjustments to the specification and the revised document was posted on the Technical Consultation Portal on April 17, 2025, and encouraged ORBA to review and provide input back. ORBA was grateful for the opportunity of a meeting and MTO's willingness to address their concerns. 	

11.	GC Update <ul style="list-style-type: none"> ORBA was provided the Critical Path, Abnormal Weather and Advance Payment language drafts on November 4, 2024, for preliminary comments (prior to the TCP). <ul style="list-style-type: none"> MTO received ORBA comments on December 17th. MTO met with ORBA on March 24th (after the ORBA-MTO Contracts and Documents subcommittee meeting). MTO is still targeting April 2025 to post the draft documents in the TCP for final consultation. MTO is incorporating the amendments to the Ontario Construction Act impacting the MTO General Conditions and is awaiting additional details to become available via the regulations before the SSP reflecting the changes are posted in the TCP. MTO is also waiting for confirmation regarding when the Act will come into effect (The Ministry of Attorney General said either July 1st or January 1st). 	MTO
12.	O/O permit turnaround time <ul style="list-style-type: none"> Working with clients to improve application submission process as incomplete and incorrect submissions delay timely permit issuance. Online training modules available to walk through step-by-step process for submission. Additional training videos on how to submit applications electronically to be posted soon – goal is to have only online submissions by end of 2025. HOPO team expediting time critical applications when notice provided and submission criteria timelines have been abided by 	MTO
13.	Exploring the MTO financial rating system within the context of major projects <ul style="list-style-type: none"> ORBA shared member concerns regarding with workload calculation for major projects. ORBA is exploring the potential use of bonds. 	ORBA
14.	Delivering a single-day joint symposium on construction best practices including conflict resolution, etc. (identify next steps) <ul style="list-style-type: none"> ORBA suggested a joint workshop/demonstration to align with or similar to president tour. 	ORBA

15.	Work zone intrusions, and health and safety best practices (follow up) <ul style="list-style-type: none"> ORBA to provide clarifications and source of data, with detail and context to better determine issue and hot spots/ regional issues. 	ORBA
16.	Effects of US Tariffs on MTO procurements. <ul style="list-style-type: none"> No changes to contract language since our last meeting. As soon as we have directions, MTO will notify ORBA and provide an opportunity for commentary. Received letter on April 21, 2025 from ORBA to the Deputy. On March 4th, a Procurement Restriction Policy that defines and restricts United States businesses from accessing public sector procurements in Ontario became effective. As part of each procurement process, Bidders, Service Providers, and Proponents will be provided with a declaration form to confirm their eligibility to bid under the policy. Additional policy background information is available at Procurement Restriction Policy MTO is collaborating with all government for consistent approach on relief so will take a bit of time. 	MTO
17.	Update on the Toronto / Ottawa Upload Projects <ul style="list-style-type: none"> MTO - Hired third party to help develop recommendations on upload strategies and specific repair needs, some work on a draft has started to help inform government. Timeline is not confirmed. 	MTO
18.	Indigenous led procurement - effectively "sole sourcing" <ul style="list-style-type: none"> ORBA raised concerns with single sourcing and question whether MTO is achieving intended outcomes. 	ORBA

INFORMATION SHARED FOR THIS MEETING

Document Title	Shared By	Format
Capital Program/Highway Projects Update	MTO	PDF
Claims, Referee and Adjudication from Fiscal 2024/2025 - April 1, 2024 to March 31, 2025	MTO	PDF

NEXT MEETING

- July 10, 2025 Virtual meeting via Microsoft teams