

MEETING NOTES

MTO/ORBA Contracts and Documents Subcommittee

DATE March 24, 2025

TIME 10:00 am – 12:00 pm

MEETING HOSTED BY MTO

LOCATION Microsoft Teams

ATTENDANCE:

Attendee	Organization
Jenn Meleschuk (co-Chair)	MTO, Contract Management Office
Kyle McCutcheon (co-Chair)	McLean Taylor Construction Ltd.
Steven Crombie	ORBA
Simarpreet Kaur	ORBA
Mireya Hidalgo	MTO, Contract Management Office
Ed Marcon	MTO, Contract Management Office
Jamie Lauzon	MTO, Contract Management Office
Aimee-Rose Tupaz	MTO, Contract Management Office
Adriano Cesarone	MTO, Contract Management Office
Ahmed Ouda	MTO, Contract Management Office
Amanda Naylor	MTO, Contract Management Office
Mamduh Obeidat	MTO, Contract Management Office
Frank Lucente	MTO, Construction and Audit Services
Scott Reid	MTO, Construction West
Tyler McQuaker	MTO, Construction Northwest
Joanna Long	MTO, Capital Planning and Programming Office
Mike Pearsall	MTO, Highway Design Office
Darryl Langendoen	MTO, Major Infrastructure Projects
Rebecca Li	MTO, Contract Claims
David Mignone	MTO, Integrated Policy and Planning
Steven D'Orazio	Clearwater Structures Inc.
Afra Shokraei	Black and MacDonald
Steve Gardonio	Facca Construction
Alfredo Maggio	Graham Bros. Construction Ltd.
Anna Visconti	RSG International
Don Gardonio	Facca Construction
Walid Abou-Hamde	ORBA President

Introduction / Announcements

- Ahmed Ouda has joined the subcommittee and is now the co-ordinator.

Safety Talk

- ORBA gave a safety talk to changing weather in spring which includes slips and wet conditions.

Previous Meeting Notes

a) MTO General Conditions

Advance Payment, Abnormal Weather, Critical Path Schedule, Dispute Resolution, Environmental, and Overheads

- MTO received comments on the draft language from ORBA on December 18, 2024.
- MTO is reviewing ORBA's comments and will be scheduling a separate meeting to discuss.
- MTO responded back to ORBA comments on March 13, 2025.
- MTO is finalizing the General Conditions and anticipate posting it on the Technical Consultation Portal (TCP) by April 2025.

b) Obtention of Digital Files

- ACEC-ON prepared a survey for the industry.
- Once ACEC-ON sends survey, MTO to help provide contacts to distribute the survey to members and encourage participation.
- MTO indicated they had not seen any results from the survey yet.

Action: ORBA to follow up on collecting survey results.

Action: MTO to follow up on the status of the SP 199S65 revision.

c) Material Fuel Consumption Rates

- Special Provision has been posted on Technical Consultation Portal (TCP) on March 18, 2025 and consultation period will close on April 15, 2025.
- [New Payment Adjustment for Changes in the Fuel Price Index and administrative changes to Payment Adjustment calculation | MTO Technical Consultation Portal](#)

d) Excess Soil Update

- ORBA is to provide MTO with the list of projects that did not provide a Soil Characterization Report (SCR) and Assessment of Past Uses (APU).
- ORBA indicated they are seeing changes, and they are not missed in tendering or contracts.

Action: Item closed.

e) Claims Adjudication Tracker

- MTO presented at Executive Committee and posted on TCP.
- Link to Executive Committee - [MTO-ORBA \(Executive\) Committee | MTO Technical Consultation Portal](#)

Action: Item closed.

Standing Items

OCTOBER 2022-01, CONTRACT MANAGEMENT SYSTEM (CMS) UPDATE

Description:

MTO launched its new Contract Management System live in February 2023.

Discussion:

- MTO continues to work on enhancements and stabilization of CMS.
- MTO hosted monthly CMS working group meetings with ORBA, starting again in January 2025.
- MTO completed a few updates:
 - A Construction Invoice Report that displays all items details and the payment cover sheet to assist with invoice reviews, available to contractors.
 - Basis of Payment B functionality for change orders
 - MTO attended ORBA convention in February 2025 and CMS Workshop was provided.
 - Updated invoices: The “Display items as not filtered” option in the invoice allows you to filter out non-billed items, displaying only those that are being billed. This toggle significantly shortens the item list, making the invoice easier and faster to review.
 - Material Delivery Schedule is released and live – user guide to be on Technical Publications. This allows the contractor to schedule delivery of materials provided by the Ministry.
 - Updated invoices – totaling subcodes at the right of the screen to show a total of the subcode amount being billed against the item. This column is now called “Current Cost to Date”.
 - Kahua will soon implement Multi-Factor Authentication (MFA), which will require users to use an authentication app when logging into the CMS. Just a security feature added.
 - Incident Notification is now live in the system, this record can be used for Environmental and non-Environmental incidents that occur on the project.

- Contractor Quantities “Payment Quantity” Decimal Place Change. There used to be a restriction on the number of decimal places that the contractor could enter here. Now, contractors can enter multiple decimal places to ensure the quantities and items are calculated to a better degree of accuracy.
- Item identified at the ORBA workshop was contractors having difficulty with submittal packages. Previously, it was set-up that the CA would have to manage the package and the contractor couldn’t do it on their own. Now, both contractor and CA have the ability to create their own packages to submit items under.
- Contractors now have visibility to OPAs in the system. This is to check and confirm calculations and supporting documentation of OPAs (only observe but not edit or create).
- Material Bonus/Penalty now appear on invoice Portable View (PV). The PV is updated and visible on invoice with the applicable ERS fields. Only available for new invoices going forward but all ERS information should now be visible on the invoice.
- MTO continues closing out tickets and addressing things that are occurring in the field and getting ready for 2025 construction season.

New Items

FEBRUARY 2025-01, BONDS

Description:

Surety industry invoices regarding supplemental premiums.

Discussion:

- Contractors are looking for discussion on moving from a mixed price of the bond which is currently a lump sum in contract.
- Contractors requesting a change order process rather than a set price.

Action: ORBA to provide more information and examples to MTO.

FEBRUARY 2025-02, TONNAGE VS M² FOR MILLED SURFACES

Description:

The request of Contractors asking for milled quantities to be in tonnage vs m².

Discussion:

- During the MTO-ORBA Executive meeting and the President's tour, it was noted that while cross-slope requirements are included in the Contract Documents, MTO does not provide any additional information.
- MTO has received some examples from ORBA.
- MTO requires more data from ORBA and is currently waiting for ORBA to provide this information before moving forward.
- MTO highlighted concerns with the addition level of administration, however ORBA reiterated their request that MTO consider.

Action: ORBA to provide more information to MTO.

ROUNDTABLE

- Quick update from ORBA: ORBA moved the purview for 127 Rates from the transportation committee to this current group. Most likely, tariff impacts will change 127 Rates.

Information Shared for this Meeting

DOCUMENT TITLE	SHARED BY	FORMAT
N/A		

Next Meeting

Week of June 23rd, 2025 – MTO to chair however, ORBA to host in person.
Discussion led to Wednesday, June 25th in the afternoon.