

ORBA - MTO Highway Maintenance Committee Meeting Notes

Date: Monday, November 18th, 2024

Time: 9:30 am - 12:00 pm

Location: Teams Video Meeting

Attendee	Organization	Attendee	Organization
Doug Wipperman	The Miller Group	Steven Crombie	ORBA
James Stracey	Emcon Services Inc.	Simarpreet Kaur	ORBA
Frank Rizzardo	Emcon Services Inc.	Jasan Ranger	MTO
John McBride	Fowler Construction	Andrew Alkins	MTO
Paul Krajc	Fowler Construction	James Hamilton	MTO
Abdallah Tannoukhi	Webber Infrastructure	Nedim Oren	MTO
Thelep Ampalavanar	Webber Infrastructure	Michael Sleeth	MTO
Greg Ehman	Ledcor	Nasr Slabi	MTO
Ashley Cate	Ledcor	Valérie Labbé	MTO
Brian Green	GIP Highway Maintenance	Brian Utigard	MTO
Walid Abou-Hamde	ORBA	Neil Pawluk	MTO

Note: Strikethrough = did not attend the meeting

1. PREVIOUS MEETING NOTES / ANNOUNCEMENTS
<p>a) Previous meeting notes shared November 13th and accepted by all.</p> <p>b) Reviewed Action Items from previous meeting notes – some that are carried over include:</p> <ul style="list-style-type: none"> i. Action Item: MTO and ORBA chair to compile topics of discussion for the working groups. ii. Action Item: ORBA to provide “challenge statement” - regarding the DriveOn program. iii. Action Item: ORBA to source GIP representative for each Working Group.
2. PRESENTATIONS
<p>a) None.</p>
3. STANDING ITEMS
<p>a) MTO Applications Update</p> <ul style="list-style-type: none"> i. MTO: Winter Operation Record (WOR) – discussions on modernization; from “paper based” submissions to “electronic based” submissions. Proposing a sub-working group on how to get this moving forward. ORBA members unanimously agreed to volunteer to working group membership. ACTION ITEM: ORBA to provide nominees. <p>b) Winter Materials Working Group</p> <ul style="list-style-type: none"> i. MTO: once winter readiness reports start coming in, we will start meeting and moving this item forward – no update at this time. ii. MTO would like more information/data on the benefits of using LiDAR for material management. <ul style="list-style-type: none"> ▪ ORBA: no objections to adding LiDAR as an item to this working group. ACTION ITEM: Winter Materials Working Group to add LiDAR to their scope of work. <p>c) Operators Working Group</p> <ul style="list-style-type: none"> i. MTO & ORBA Chair/ Co-chair to discuss mandate of working group. ii. Operator lists are being submitted now as Winter Season has begun – may have an update for the next meeting.

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d) Equipment Working Group

- i. MTO informed ORBA that WSP has been retained to prepare a Winter Equipment manual for use internally by MTO during Contract Design. Upon completion and internal review, the document will be discussed at the Equipment Working Group. WSP has interviewed industry members as part of the assignment.
 - ORBA: no objections to having the working group review/ comment on the WSP document.

e) Winter Operations Working Group

- i. No update

f) Summer Operations Working Group

- i. No update

g) Procurement update (MTO/ORBA)

- i. MTO provided an update on contracts that were recently awarded, current advertisements, and the proposed upcoming maintenance contract procurement schedule.

4. NEW BUSINESS

a) Operator/Labour update:

i. Winter Readiness

- Ledcor: Good success rate with “DZ upgrade program” – one class still ongoing and will be completed next week, so we are filling gaps right now and once the class is completed, we will be in good standing. The DZ upgrade program involves a signing agreement whereby staff who don’t currently hold a DZ commit to working a minimum of two winter seasons in return for Ledcor covering the costs of training.
- Emcon: We have brought in some people via the LMIA program. No issues to report.
- Fowler: Recruiting is still ongoing, and no issues to report. We use a similar approach to Ledcor re: DZ licensing.
- Webber: All operators are onboard and final submission was provided to MTO this past Friday. No issues to report. We also use a similar approach to Ledcor re: DZ licensing.

b) Outreach to OPP & other stakeholders/municipalities

- i. MTO would encourage Contractors to reach out to OPP & stakeholders as part of the Winter Readiness.
 - No comments/concerns brought forward from Industry.

c) Equipment Challenges

- i. MTO asking if there are any challenges with any particular pieces of equipment?
 - **Webber:** no challenges to report at this time.
 - **Fowler:** no challenges to report at this time.
 - **Emcon:** one supplier over committed (cab and chassis) and they are making changes so commitments met with MTO (it will cost the supplier more money, but working through the issues).
 - **Ledcor:** no challenges to report at this time.

d) Patroller Training Update

- i. MTO provided update on some challenges with registrations again this year. Some people were missed or registered last minute (day of training).
 - ORBA: Suggested training be recorded to share internally, for those unable to attend.
 - MTO: some challenges with recording due to privacy and consent, will continue to review internally to verify if improvements can made.

e) CDMC Minor workshop comments

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- i. MTO: shared comments from industry during workshop.
- ii. MTO & Industry reviewed the comments and decided which items can be assigned to Working Groups.

ACTION ITEMS:

- **#8 (Fair Wage should be updated based on Contract Area) to be added to Operator Working Group scope of work.**
- **#10 (Mechanic experience) and 11 (Winter Vehicle Contract provision Table 2002A-1) both to be added to Winter Equipment Working Group scope of work.**

f) Creation of ADHOC Summer Operations - Sub-working Group (Quantifiable Maintenance Items)

- i. MTO: CDMC Minor workshop identified that ORBA should have input on Quantifiable Item provisions. Propose a Summer Operations Sub-working group to move this item forward.
 - ORBA has no concerns and agrees to using same nominees from Summer Working Group.

g) Fair Wage Provision

- i. MTO: provided a review of the Fair Wage requirements (SP010F03).

h) Contractor experience with “mechanical” litter pickup

- i. MTO is undergoing a review of Enhanced Litter Pickup and exploring opportunities to modernize the operation and looking for ORBA feedback.
 - Emcon: too costly to use mechanical on the grass/uneven surfaces.
 - Fowler: we’ve used gator getters in the roadway, but nothing on grass.

i) Maintenance in Designated Construction Zones (DCZs) (ORBA)

- i. ORBA: maintenance crews being asked to continue maintenance in DCZ’s, but there are issues with MOL regarding what contractors safety program applies and the contractor who is the responsible the staff on site.
 - MTO: currently reviewing the process of highway transfer between construction and maintenance and the due diligence that has to be applied as well as expectations to ensure there’s clarity.
 - ORBA would like to ensure that maintenance is not encumbered when trying to get to the site in order to do the work.
 - MTO acknowledged and provided an example of a discussion where wooden stakes installed by construction need to be removed prior to maintenance being able to do mowing operations.

ACTION ITEM: MTO would like ORBA to provide specific examples (including background)

j) Contract limitations (ORBA)

- i. No context as IMOS is not present, and this was their item.
- ii. MTO: Assume this is related to Contractor Workload. MTO is continually reviewing this provision and will keep industry apprised of any changes. Suggest that if this pertains to something different, that it could be identified post-meeting.

ACTION ITEM: ORBA to discuss.

5. ROUNDTABLE

MTO: nothing to add.

Industry: nothing to add.

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DATE	OPEN ACTION ITEMS	ACTION BY
Jan-2024-01	<p>TIME & MATERIAL (ORBA)</p> <p><i>Description:</i> Time & Material vs Lump Sum for Change Orders.</p> <p><i>Discussion:</i> ORBA is requesting a workshop with MTO to review the use of T&M because it has become more commonly used for change order work. We understand that some situations warrant its use, but the methods used to determine when T&M should be used verses when it shouldn't be used, is not consistent across the province and industry would like a more standardized approach.</p> <p>MTO would like industry to provide examples so that we can determine which area in our Change Order training needs improvement. There are generally 3 major categories that warrant the use of T&M (disagreement on pricing, cost recovery, and if the scope of work is unclear).</p> <p>Industry to provide examples to MTO for improper use of Risk Mitigation as well as frequent use of T&M.</p> <p>Action: Keep item open.</p>	ORBA
Mar-2024-01	<p>BID ENQUIRIES (ORBA)</p> <p><i>Description:</i> Bid Enquiry process for CDMC RFP.</p> <p><i>Discussion:</i> Industry is frustrated with BE process. Feels that they are not getting fulsome answers that assist bidders in providing RFP and price that will be the same for all bidders.</p> <p>Industry to provide examples of BE's where information wasn't sufficient and what type of response industry estimators are looking for in order to provide a better RFP/estimate.</p> <p>Action: Keep item open.</p>	ORBA

Next Meeting: January 20th, 2025.

Adjournment: Meeting was adjourned at 11:30 AM.

Meeting Notes Prepared by: Valérie Labbé