

MTO Claims Summary
Fiscal 2025/2026 - April 1, 2025 to March 31, 2026
First Quarter Report

A. Provincial Office Level Claim Summary

Claims Summary

• New Claims Received	12
○ Construction	12
○ Maintenance	0
• Completed Claim Reviews	14
○ Denied	1
○ Settled	6
○ Denied – Proceeded to ADR	5
○ Offered – Proceeded to ADR	2
• Withdrawn Claims	0
○ Construction	0
○ Maintenance	0
• Net Active Claims Under Review	39
○ Construction	39
○ Maintenance	0

B. Provincial Office Level Claim Breakdown by Contract Type

- **Construction Claims**
 - 12 new construction claims were received.
 - 0 claims are from contracts with the 2016 GCs
 - 10 claims are from contracts with 2016 GC with SP 100S55
 - 2 claims are from contracts with the 2023 GCs
 - There are currently 39 active construction claims.
- **Maintenance Claims**
 - No new maintenance claims were received.
 - There are currently no active maintenance claims.

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C. Referees, Adjudications, Mediations and Litigations

i. Referee

Referee Summary

- **New Referee Requests Received** **0**
 - Construction 0
 - Maintenance 0
- **Referee Decision Received** **0**
- **Active Referee Proceedings** **0**

ii. Adjudications

Adjudication Summary

- **New Adjudication Requests Received** **1**
 - Construction 1
 - Maintenance 0
- **Adjudication Determinations Received** **0**
- **Active Adjudication Proceedings** **1**

iii. Mediations

Mediations Summary

- **New Mediation Requests Received** **1**
 - Construction 0
 - Maintenance 1
- **Mediations Completed** **1**
- **Active Mediations** **4**

iv. Litigations

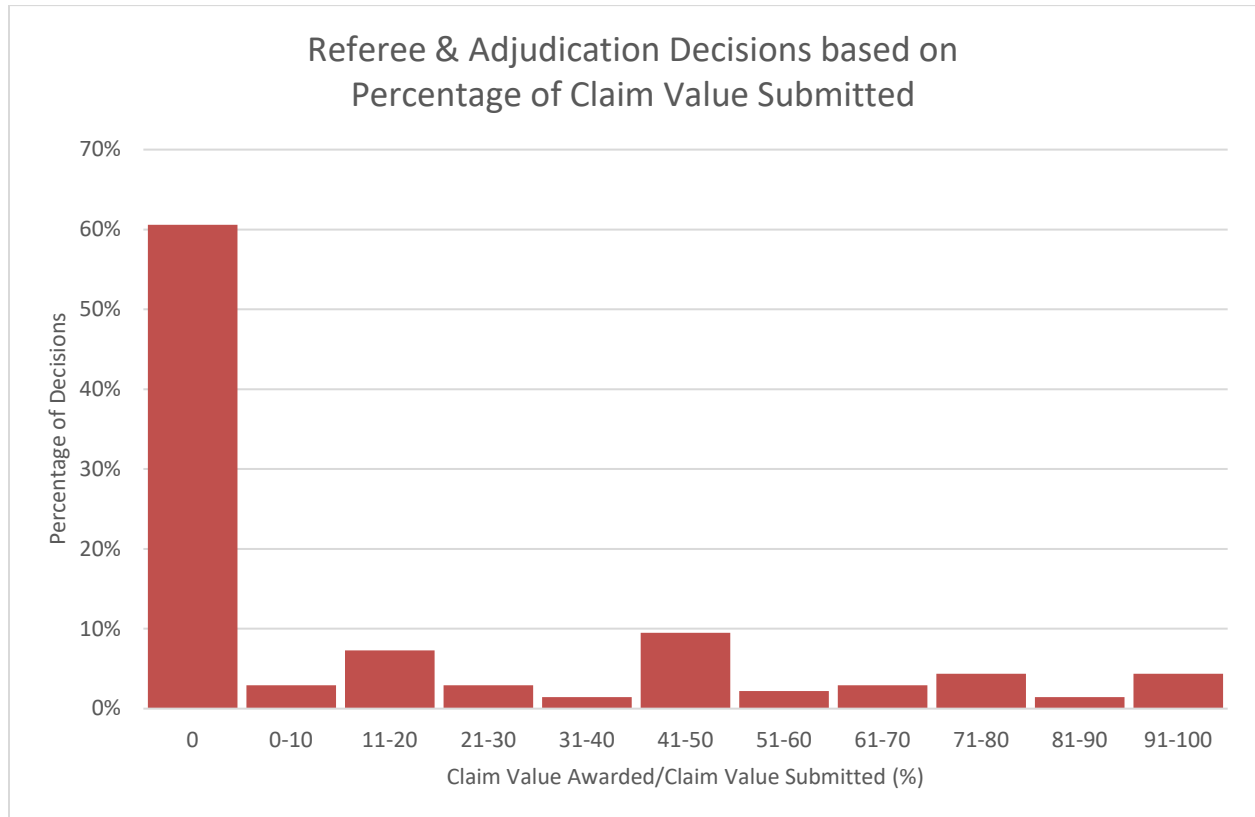
Litigations Summary

- **New Notice of Action Received** **0**
 - Construction 0
 - Maintenance 0
- **Litigation File Closed** **7**
- **Active Litigations** **22**

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Referee and Adjudication Decisions

- The following chart is based on 95 referee decisions and 49 adjudication determinations since the start of the referee and adjudication processes for MTO contracts. One referee decision was removed from the data as the decision included only a time component.



- 61% of all referee and adjudication decisions awarded \$0 to the contractor.
- 4% of all referee and adjudication decisions awarded the contractor with between 91% and 100% of the claimed value of their submission.

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Breakdown for Fiscal 2025/2026 April 1, 2025, to June 30, 2025

- There have been no referee or adjudication decisions in the first quarter of 2025/2026.

D. Analysis

- MTO considers that, in general, referee and adjudication decisions seem to support MTO's position and indicate that MTO is reasonable in its assessment of claim principle and quantum. Most decisions do not support the contractor's claim amounts but rather are closer to the MTO position (which may include an acknowledgement of some MTO responsibility for a portion of the claim amount).
- Over half (61%) of the referee and adjudication decisions/determinations were denials of the contractor claims in their entirety since the new claims process was implemented. Referee and Adjudication decisions have awarded on average 11.7% of the claim value submitted since 2017.
 - For F2025-26 the average is n/a,
 - For F2024-25 the average is 18.8%, and
 - For F2023-24 the average is 9.9%.