

MEETING NOTES

MTO/ORBA Contracts and Documents Subcommittee

DATE	June 25, 2025
TIME	1:00 pm – 3:00 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
Ashley Wood	ORBA
Colin Mackay	ORBA
Mireya Hidalgo	MTO, Contract Management Office
Ed Marcon	MTO, Contract Management Office
Jamie Lauzon	MTO, Contract Management Office
Paula Grcevic	MTO, Contract Management Office
Quinn Mieske	MTO, Contract Management Office
Stephanie Pitoulis	MTO, Contract Management Office
Amanda Naylor	MTO, Contract Management Office
Roger Wang	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
Olu Olusanya	MTO, Highway Design Office
Rebecca Li	MTO, Contract Claims
Gustavo Rojas	MTO, Contract Innovations Office
Jeremy Landry	MTO, Contract Innovations Office
Brandi Dubreuil	MTO, Contract Innovations Office
Steven D'Orazio	Clearwater Structures Inc.
Afra Shokraei	Black and MacDonald
Apolone Gentles	RAR Litigation
Alfredo Maggio	Graham Bros. Construction Ltd.
Anna Visconti	RSG International

Don Gardonio	Facca Construction
Nelly Aguiar Toledo	Marsh Construction
Husain Hussein	The Miller Group
Kathryn Lack	Dufferin Construction Company
Tim Booth	BAUER Foundations Canada Inc.

Introduction / Announcements

- Ahmed Ouda was unable to attend so Paula Grcevic joined this meeting to act as co-ordinator with assistance from Stephanie Pitoulis.
- Roundtable introduction of all members and guests.

Safety Talk

- MTO gave a safety talk to extreme heat and risks including symptoms to monitor and mitigation.
Action: MTO to share presentation with subcommittee.

Previous Meeting Notes

a) MTO General Conditions

- MTO posted the MTO GCs on April 30, 2025 for comments. Consultation closing date was May 28th 2025.
- MTO received letters from ORBA, Miller and Dufferin .
- MTO is reviewing the comments received and will be scheduling a separate meeting with ORBA to discuss.

b) Obtention of Digital Files

- MTO is currently consulting on the Draft SP 199S65 with various internal groups.
- The Draft SP 199S65 will be posted on the Technical Consultation Portal once internal comments and survey results are incorporated.
- Once it is updated and implemented it will replace current SSP 199S65 in all contracts.
- ACEC-ON prepared a survey for the industry as part of the MTO/ACEC-O Electronic Native Formats Documents Working Group.
- Once ACEC-ON sends survey, ORBA to help distribute the survey to members and encourage participation.

Action: ORBA to confirm 2-3 members to participate in MTO/ACEC-ON Electronic Native Formats Documents Working Group

Action: ORBA to share examples showing issues when contractors have challenges in Obtaining digital design files at the start of a project and consistency of files .

Action: MTO to follow up with ACEC-ON on the status of the survey.

c) Material Fuel Consumption Rates

- A specification for fuel consumption rates related to Hot In Place Recycling (HIR), Recycled Asphalt Pavement (RAP) and Caissons was posted on the Technical Consultation Portal (TCP) from March 18 to April 15, 2025. NSSP CMO 0002.
- No Comments were received during this consultation period.
- This specification is available (as of May 29, 2025) in CPS for use for future contracts. For new contracts tendered in 2025, the NSSP will be available to be added to the contract via a change order. MTO communicated this to construction managers in May 2025.

Action: Item closed.

d) Tonnage vs m² for Asphalt Quantities e.g., Milled Surfaces

- ORBA does not have examples to share at this time.
- All members agreed to close and are open to returning to item at a later time if issues arise.

Action: Item closed.

e) Bonds

- No further comments or concerns raised from ORBA.

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 hosts monthly CMS working group meetings with ORBA, starting in January 2025. MTO has received very valuable feedback and is appreciative for the participation.
- Meetings will be paused for the summer and resume in the fall.
- MTO completed updates including:
 - Completion of a Construction Invoice report that displays all items details of the payment along with the payment cover sheet to better assist in invoice reviews

- MTO CMS Workshop at ORBA 2025
- Invoices – the “Display items as not filtered” option in the invoice that you filter out non-billed items and only show you the billed items. So this toggles view of only items that you are billing for on an invoice, which greatly shortens the list of items to go through and makes review easier.
- Invoices – the subcodes totals now tally at the right of the screen to show a total subcode amount being billed against the item. This column is called “Current Cost to Date”
- MFA – Multi-Factor Authentication has come to Kahua for external service providers. This will require an authentication app like Microsoft Authenticator to login to CMS, or an email code that gets sent to authenticate the user prior to login
- 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.
- Contractors have been permissioned to create submittal packages. Previously, this was left to the CA to manage, but in an attempt to streamline the submission process, contractors can now create their own packages to submit items under
- Contractors now have visibility of OPAs. This is to check and confirm calculations and supporting documentation of OPAs. They can't create or edit, only observe the OPAs
- Material Bonus/Penalty now appears on invoice Portable View. The PV is updated and visible on invoice with the ERS fields. This will only be for new invoices going forward, but all ERS information should now be visible on the invoice.
- MTO thanks ORBA for their participation in working groups. Prioritizing next round of enhancements and backlog of items to work on over the summer.

New Items

JUNE 2025-01, ADDITION OF A PROPONENT PRESENTATION MEETING TO THE DB MAJOR PROCUREMENT PROCESS

Description:

MTO is adding a Proponent Presentation Meeting to the DB Major procurement process. Other alternative delivery models, including Construction Manager General Contractor (CMGC) and Infrastructure Ontario's Public-Private-Partnership and Progressive Design-Build, include meeting(s) with proponents during procurement that provide an opportunity to discuss the understanding of compliance with the technical requirements and provide feedback that can assist proponents in developing compliant submissions.

MTO can leverage success from Construction Manager RFP Proponent Presentation Meetings used in existing CMGC delivery model. The industry is already familiar with this process.

Discussion:

- Presentation was shared with ORBA executive committee too.

JUNE 2025-02, CONSTRUCTION EQUIPMENT INDEX WORKING GROUP

Description:

As part of ORBA's submission to the MTO on the impact of tariffs, a recommendation was included to establish a working group for construction equipment.

Discussion:

- MTO agreed a new working group could be formed.
- ORBA to bring forward examples and considerations.

Action: Chairs will meet offline for next steps for working group.

ROUNDTABLE

- Previous ORBA committee for 127 rates has now dissolved. Proposed rates are currently posted for comment on TCP. MTO will continue to make this group aware with a similar timeline and can meet with ORBA's committee once established. ORBA confirmed MTO's communication methodology this year met their needs.
- MTO provided a brief overview of the US Bid restrictions declaration documents. Additional information can be found:
 - <https://www.ontario.ca/page/procurement-restriction-policy>
 - <https://www.supplyontario.ca/wp-content/uploads/US-Procurement-Restriction-Policy-FAQs-March-4-2025-EN-1.pdf>
- Group clarified process for circulation of meeting notes to membership.

Action: ORBA to provide updated committee membership list to MTO.

- ORBA requested clarification on where the Adjudicator Tracking can be found as discussed last meeting.

Action: MTO to follow up with Exec committee coordinator to confirm if tracker will be posted on TCP.

Information Shared for this Meeting

**MTO/ORBA CONTRACTS AND DOCUMENTS
SUBCOMMITTEE MEETING**

June 25, 2025

DOCUMENT TITLE	SHARED BY	FORMAT
PP003 – DB Major – Proponent Presentation Meetings	MTO	PDF
Safety Moment- Extreme Heat	MTO	PDF

Next Meeting

November 2025. ORBA proposed to host in person, will circulate potential dates upon confirmation.