

MEETING NOTES

MTO/ORBA Contracts and Documents Subcommittee

DATE	March 4, 2026
TIME	1:00 pm – 4:00 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
Alexis Del Rosario	ORBA
Ahmed Ouda	MTO, Contract Management Office
Mireya Hidalgo	MTO, Contract Management Office
Ed Marcon	MTO, Contract Management Office
Stephanie Pitoulis	MTO, Contract Management Office
Shumsun Siddique	MTO, Contract Management Office
Amanda Naylor	MTO, Contract Management Office
Saffwan Chowdhury	MTO, Contract Management Office
Benjamin Hamilton	MTO, Contract Management Office
Ryan McKerracher	MTO, Contract Management Office
Mamduh Obeidat	MTO, Contract Management Office
Ron Belansky	MTO, Contract Management Office
Joanna Long	MTO, Capital Planning and Programming Office
Scott Reid	MTO, Construction West
Tyler McQuaker	MTO, Construction Northwest
Frank Lucente	MTO, Construction and Audit Services
Rebecca Li	MTO, Contract Claims
Yolibeth Mejias	MTO, Highway Design Office
Sayna Yaghooby	MTO, Standards Management
Susanne Chan	MTO, Standards Management
Annabelle Heys	MTO, Engineering Development Program
Eylul Basbakan	MTO, Engineering Development Program
Kevin English	MTO, Standards and Contracts Branch
Fazan Baig	Black & McDonald Limited

Andrew Weltz	Powell Foundations
Apolone Gentles	RAR Litigation
Steve D'Orazio	Clearwater Structures Inc.
Malcolm Croskery	Pioneer Construction
Patrick Bourgeois	Kiewit
Kathryn Lack	Dufferin Construction Company
Kent Dunham	The Miller Group
Ayan Sadhu	Professor, Western University

INTRODUCTION / ANNOUNCEMENTS

- Roundtable introduction of all members and guests.

SAFETY TALK

- MTO gave a safety talk on Repetitive Strain Injury (RSI).

PREVIOUS MEETING NOTES

a) MTO General Conditions

- MTO provided responses on November 18th to action items from ORBA on November 3
- ORBA provided additional comments on December 5th
- MTO, after careful consideration, and adjustment to the Critical Path Definition have responded on February 18th
- MTO will be finalizing TCP comment responses formally on TCP
- MTO will is currently making final edits GCs before implementation
- ORBA worked with MTO to finalize the outstanding items (Critical Path definition and Abnormal Weather) related to the proposed GC language. No outstanding items / points of disagreement remaining.

Action Item: MTO to inform of training dates and when the GC to be implemented in August 2026

b) Obtention of Digital Design Files

- The revised draft of SP 199S65 will be posted on the Technical Consultation Portal after we incorporate internal comments and survey results.
- MTO received feedback on updating SP 199S65

Action Item: Closed.

c) Construction Equipment Index Working Group

- No members.

Action Item: Closed.

d) Excess Soils Discussion

Action Item: Closed.

e) Proposed Amendments to OPSS 706

Action Item: Closed.

f) Administering Quality Conformance Requirements for Deficient Materials Policy

Action Item: Closed.

g) Construction Act Specification

Action Item: Closed.

h) Canada Structural Steel Incentive

- MTO provided an update on the new steel incentive policy (SCB-SO-2025-0 – Steel Sourcing for MTO Structures and Guide Rail and Special Provision 199S60, November 2025)

Action Item: ORBA to provide MTO their questions

i) Contractor Performance Rating

- Following the posting of the revised Contractor Performance framework on the Technical Consultation Portal for final stakeholder feedback, the consultation period concluded on February 28. External training is scheduled for May 14th. An email with more information will be sent to ORBA.
- New CPR is not to be used contractually until later in August/September 2026. A policy will be issued to communicate exact timelines.

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:

- Manually-entering invoices – issues and ways to prevent it.

- When contractors manually enter quantities into the invoice and circumvent the Reconciliation process, it causes functionality issues with CMS and breaches business protocol in skipping the Notice of Non-Payment process (the Reconciliation)
- A validation has been installed to prevent this, which forces the Generate command and therefore forces process.

NEW ITEMS

MARCH 2026-01, MTO BIM IMPLEMENTATION PLAN

Description:

Western University has been procured through a HIFP to explore enhancing the usage of BIM and Digital Twins technologies for MTO which includes a workshop with academia and industry.

Discussion:

- MTO and Western University presented a presentation on Building Information Modeling (BIM) and invited ORBA members for upcoming virtual workshop on May 20th and 21st. An invitation will be sent to ORBA. Contractor attendance is important, as Digital As-Builts and the use of the Model as a legal document will be discussed.

Action Item: ORBA to share invitation with members.

MARCH 2026-02, OPSS 102

Description:

MTO is sharing proposed amendments to OPSS 102.

Discussion:

- MTO delivered a presentation outlining the updates to OPSS.PROV 102. The revised specification is anticipated to be released as part of the next CPS update.

MARCH 2026-03, OPSS 127 RATES

Description:

Based on the 1/3 annual review cycle, specific equipment categories are being reviewed this year. Reviewing involves obtaining current pricing and reviewing classes. All equipment rates in 2026 OPSS 127 Rates will be adjusted based on updated variables.

Discussion:

- The ministry has initiated our review cycle, for the 2026 - OPSS 127 Equipment Rental Rates.
- The ministry is requesting ORBA provide MTO their initial feedback to our letter of January 28 to then President - Malcolm Croskery
- Upcoming milestones March - Finalize the equipment list, Early April ORBA to provide ORBA to provide all equipment data that they would like MTO to consider as part of the detailed review list

Action Item: ORBA will confirm with Ed Marcon if ORBA has additional feedback.

MARCH 2026-04, BUY ONTARIO FOR CAPITAL INFRASTRUCTURE

Description:

MTO is developing contract language to align with the Buy Ontario requirements .

Discussion:

- The Buy Ontario Act officially came into effect December 11, 2025.
- Ministry of Public and Business Service Delivery and Procurement is developing a directive providing direction to ministries and agencies on implementing Buy Ontario into our contracts with the current effective date for implementation March 30, 2026
- MTO is working to implement Buy Ontario requirements into contracts.
- MTO would like to have an ad-hoc meeting with ORBA the week March 16th to discuss MTO's implementation strategy.

ROUNDTABLE

- ORBA noted concern about Adjudication Selection and asked if MTO had data on this.
- MTO noted that it is not tracking this information
- **Action:** MTO to review adjudication selection process

Information Shared for this Meeting

DOCUMENT TITLE	SHARED BY	FORMAT
RSI Safety Presentation	MTO	PDF
BIM Presentation	MTO	PDF
OPSS 102 Presentation	MTO	PDF
Buy Ontario Presentation	MTO	PDF

Next Meeting

July 8, 2026.