

BROADER CONSTRUCTION ASSOCIATION CONSULTATION GROUP

Meeting Minutes – October 3 2016

11:30 – 1:30 p.m.

Toronto City Hall, 2nd Floor, Meeting Room C

Attendees	
<i>Name</i>	<i>City Of Toronto</i>
Ashley Curtis	Acting Deputy General Manager, Transportation Services
Dave Nosella	Project Manager, Parks, Forestry & Recreation
Denzil Minnan-Wong	Deputy Mayor, City of Toronto
Garry Boychuk	Manager, Toronto Water
Joanne Kehoe	Manager, Purchasing & Materials Management
Kim Pafford (meeting minutes)	Administrative Assistant, Purchasing & Materials Management
Michael D'Andrea	General Manager, Engineering & Construction Services
Michael Pacholok (Chair)	CPO & Director, Purchasing & Materials Management
Mika Raisanen	Director, Engineering & Construction Services
Richard Noehammer	Director, Toronto Water
Sunil Sharma	General Manager, Facilities Management
<i>Name</i>	<i>Association</i>
Andy Manahan	Residential and Civil Construction Alliance Ont.
Barry Steinberg	Consulting Engineers of Ontario
Brian Gage	OCSI
Eric Lewis	Heavy Construction Assoc. of Toronto
Geoff Wilkinson	ORBA
Giovanni Cautillo	GT Sewer & Watermain Contractors Association
Patrick McManus	Ontario Sewer & Watermain Construction Association
Rob Bradford	Toronto Area Road Builders Association
Rob Leigh	OSCI
Vince Aurilio	OHMPA

Regrets	
<i>Name</i>	<i>City Of Toronto</i>
Bill De Angelis	Director, Engineering & Construction Services
Daniel Mclaughlin	Manager, Parks, Forestry & Recreation
Frank Molinari	Director, Facilities Management
Josie Scioli	Chief Corporate Officer
Kyp Perikleous	Director, Transportation Services
Lou Di Gironimo	General Manager, Toronto Water
Michael Schreiner	Director, Parks, Forestry & Recreation
<i>Name</i>	<i>Association</i>
Adam Tracey	OAA
Al Prowse	Mechanical Contractors Association
Anthony Fernando	Residential & Civil Construction Alliance of Ontario
Ashley De Souza	ORBA
Ashton Martin	Toronto Area Road Builders Association
Carl Bodimeade	Ontario Coalition for Sustainable Infrastructure
Chris Conway	Ready Mixed Concrete Association
Clive Thurston	OGCA
Dale Harley	ORBA

David Frame	Ontario General Contractor Association
David Zurawel	Consulting Engineers of Ontario
Kristi Doyle	OAA
Toben Jerry	OAFS

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Item	Discussion / Comments Raised	Action
1. Welcome & Introductions	<ul style="list-style-type: none"> ▪ Round table introductions 	
2. Review and Confirmation of Minutes <i>(attachment)</i>	<ul style="list-style-type: none"> ▪ Minutes approved by group ▪ Minutes to be posted to the City website 	<ul style="list-style-type: none"> ▪ Minutes approved ▪ Michael Pacholok to ensure minutes are posted to website
3. BCACG Process Discussion	<ul style="list-style-type: none"> ▪ Letter sent from Rob Bradford to Mike Pacholok expressing disappointment in two key areas regarding process: <ul style="list-style-type: none"> a. It is felt that procurement policies are announced without enough time for the associations to react or affect them and would like to see them in a more proactive way b. The association does not feel that they are given the opportunity to provide input at the right point in the process – their input is not seen in the final product to any degree – opinions are not taken into account ▪ Some actions are taken in response to Auditor General recommendations (e.g. unbalanced bidding findings) – Mike Pacholok will ask the AG to come speak to the associations on these finding if the associations would find that beneficial ▪ The subcontractor policy is not fully drafted yet, the City would like to show the group the policy to gather their input ▪ Nothing has been finalized from the CWG sessions - e.g. CPE is not finished so associations comments that input is not being taken into consideration may be premature ▪ Deputy Mayor Minnan-Wong feels that the group needs to re-focus – agree on a work plan and deliverables. Also, the group needs to go to committees/council/council members to voice concerns and raise their members' issues when they have concerns such as those raised regarding the exclusion clause in the Purchasing By-law ▪ Mike Pacholok will assist group members where he can, on committee/council procedures ▪ Gio Cautillo would find a flow chart showing staff report/committee procedures helpful 	<ul style="list-style-type: none"> ▪ Associations to let Mike Pacholok know if they would like to hear from the AG

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	<ul style="list-style-type: none"> ▪ Mike Pacholok asked for clarification on a point raised in the letter regarding supplier diversity objectives and how they do not fit within the construction industry ▪ Rob Bradford explained that they were concerned with how diversity targets would work especially within collective agreements ▪ Associations fear the challenge they have is meeting targets on small, short timed projects with regards to social procurement; costs may rise and the amount of bidders may reduce ▪ Mike Pacholok owes the BCACG members a separate meeting just on Social Procurement; the City has made many changes based on feedback received from the Associations 	<ul style="list-style-type: none"> ▪ Mike Pacholok to see if there is a flow chart that can be provided to the members ▪ Mike Pacholok to arrange meeting re: Social Procurement
<p>4. Update from Construction Working Groups</p> <ul style="list-style-type: none"> a. CPE b. Prequalification c. Pre-Design/Engineering d. Change Order Management 	<p>Updates from the CWGs presentation will be distributed to the group following the meeting</p> <ul style="list-style-type: none"> a. CPE <ul style="list-style-type: none"> - Joanne Kehoe explained current state and proposed recommendations; review of the draft CPE report will continue at the next meeting in October/November (date tbd) - Michael D'Andrea asked how participation from the association's membership can be increased - Associations asked to have the dates re-sent - Joanne is working from the original interest list, if there is a change, please forward the additional names/contact information to her b. Prequalification of Contractors <ul style="list-style-type: none"> - Garry Boychuk explained current state and next steps - once the drafted items (standardizing templates, creating a guideline, creating a H&S questionnaire, consideration of a master legal agreement) are complete, a joint City/Contractor group will meet to review the drafts c. Pre-Design/Engineering <ul style="list-style-type: none"> - Mike Pacholok reviewed the current state; <ul style="list-style-type: none"> • Drafting Engineering Consultant Performance Evaluation Tool for internal review and for industry comment • Reviewing RFP document to build towards QBS model • Created CEO/COT Liaison Committee - Barry Steinberg commented this forum is helpful, particularly for engineers 	<ul style="list-style-type: none"> ▪ Mike Pacholok to distribute presentations to the BCACG group members ▪ Associations are to send Joanne Kehoe additional names of interested members for the CWG

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	d. Change Order Management <ul style="list-style-type: none"> - Mika Raisanen reviewed the current state and next steps - Patrick McManus would like to see the COM process/time lines once more before rollout to see if the associations' comments were included 	<ul style="list-style-type: none"> ▪ Mika Raisanen to send drafts to group once more before rollout to contractors
5. Update on Litigation Clause	<ul style="list-style-type: none"> ▪ Mike Pacholok reiterated his commitment to the group that unless the procedure has been developed by Jan. 1, 2017 (when the By-law comes into effect) the litigation clause will not be enacted/active 	
6. Update on Pilot of Acceleration and Delay Costs	<ul style="list-style-type: none"> ▪ Mika Raisanen presented the update to the group; presentation will be sent to the group following the meeting ▪ Two pilot approaches are being taken: <ul style="list-style-type: none"> a. Financial benefit for completing early and delay costs charged for late completion (acceleration/delay) b. Recognizing contractor ability to set and manage construction schedule (cost+time) ▪ Acceleration/Delay is being tested first, Cost+Time will be tested in Fall 2016 and two projects in 2017 ▪ PMMD & ECS will report back at the end of 2017 to PWI Committee on outcome and lessons learned ▪ Michael D'Andrea provided feedback to the group that with respect to some of their current projects, they've allowed for extended hours (6 am-11 pm) to allow for early completion but that not many of the Association's membership is availing themselves of these extended hours; the City would like to work with the BCACG members to understand how to get added support ▪ Feedback included: <ul style="list-style-type: none"> a. Geoff Wilkinson noted that bringing in a new shift, rather than paying OT to an existing shift is more productive b. Patrick McManus suggests sitting down with the Association(s) involved in the projects to gain greater understanding of their respective collective agreements 	
7. Supply Chain Management Transformation (i.e. eTendering)	<ul style="list-style-type: none"> ▪ Project is to modernize the procurement process and reduce the paper load ▪ Negotiations with SAP Canada are in the final stages ▪ Implementation will take place over the next couple years (2017/2018) 	<ul style="list-style-type: none"> ▪ Mike Pacholok will send the presentation to the group

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	<ul style="list-style-type: none"> ▪ If possible, will be looking for Associations to assist in testing of the new system ▪ This project will be rolled out in phases; eSourcing will be the 1st phase – revising the vendor registration system, distributing call documents differently and receiving submissions electronically ▪ Will come back to the BCACG in 2017 with more information 	
8. 2017 Meetings	<ul style="list-style-type: none"> ▪ February, May and October work for most of the BCACG members; difficult months for meetings include April, July, August, December ▪ Try to align CWG meetings with BCACG meetings 	
9. Other Business	<ul style="list-style-type: none"> ▪ Rob Bradford - contract award times seem to be getting worse; makes it difficult for planning the season, workforce etc. <ul style="list-style-type: none"> - Mike Pacholok responded that electronic submissions will help speed up award times - Michael D'Andrea asked if there were any particular types of projects that could be pointed to; Rob mentioned packaged overlay but will investigate and let Michael D'Andrea know specifics - Transportation is looking at feasibility of improving the budget process and multi-year contracts 	
10. Adjournment	Meeting Adjourned 1:15 p.m.	

Next Meeting:

tbd