

## National Capital Heavy Construction Association (NCHCA) / City of Ottawa

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### NOTES

**Date:** Friday, April 17, 2020

**Time:** 8:30 am to 10:15 am

**Place:** Microsoft Teams

#### Present:

Luc Marineau, Bruce Kenny, Franco Bonanno, Rob MacLachlan, Will McDonald, Joanne Graham, Sue Johns, Tara Blasioli, Carol Hall, Renjit Varghese, Britney McGrath, Wade Clouthier, Kathy Sutherland, Debbie Mohr-Caldwell, Darrin Alberty, Ivan Levac, Steve Goodman, Geoff Falls, Jude Tremblay, Edson Donnelly, Tim Vizena, Bob Watson, Nick Bray, Paul Lemire

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### 1. Review notes of previous meeting

**Permits for Transportation (Floats)** - When a Contractor applies for and gets a permit sometimes a condition of approval is that there be a police escort. This information is usually provided too late to secure a police escort to meet with permits approval date. The Industry would like for there to be an option for an extension, similar to what the MTO has, to be able to secure the escort and not have to reapply for a permit. They were also wondering if a licensed escort can be used instead of the police. The City noted that there is a Provincial regulation that mandates that police are the only entity that can override a signalized intersection. Brittany suggested that they work with ROWHUD (Linda) about the ability to obtain an extension. Carina to advise Linda of these concerns. Britany brought forward concerns to the By-law committee. It's been identified as a need in the By-law review but is not a priority. A quick fix being considering is increasing the time to one week by amending the permit. This would provide additional time for contractors to schedule the police and report back. It was requested that a copy of the Committee and Council report regarding road closures, that are development related, are included with the notes of the meeting. It was also requested that the City provide a weight restriction map. Britney provided a copy of the report with the notes of the last meeting.

Action – Luc to provide response with the notes of the meeting.

**Broadband Backup Alarms** - The City is still encountering challenges in getting exemptions to do night work and asked for the NCHCA's feedback on how quickly they could implement a change to broadband back-up alarms. Kathy is still waiting for some feedback and will respond when all information is received. Luc asked if the Industry would be supportive of implementing this for overlay work as this is area that requires the most night work. Without an SP, an addendum could be added to the tender requesting contractors use the broadband back up alarms. The main concern the Industry has is liability. Can the City provide documentation that broadband back up alarms are acceptable to the MOL and will not create any liability issues. There is also concern that removing what is currently installed will void the manufactures warranty. The Industry asked if there was flexibility in the type of technology used. Some of the manufacturers have their own white noise technology that can be used and that will not void the warranty.

Action – The Industry is waiting to hear back from the City on requirements. Luc will discuss developing a spec with the standards group. GOTA received information from the City on alarms. Timing has yet to be determined, but the City would like to start with dump trucks.

**Tender Forecast List** – The Industry would like for the City to give them a better idea of the magnitude of upcoming projects/tenders. They suggested financial ratings for projects, similar to what the MTO does, that puts a projects budget into categories (eg, 1-5M, 5-10M, 10M).

Action – Not able to do this at this time as it would be a manual task for staff.

## **2. Construction Washroom Services**

The OCA sent a letter to the City on improving the sanitation on construction sites in response to COVID-19. They suggested that the City insert a contractual provision in their construction bid, detailing the required hygiene services for the work force, as it relates to washroom needs for hand washing and toilet services. If the requirement for sanitary conditions is built into the specifications at the time of tender, all contractors will incorporate that standard into their pricing, leveling the playing field. The City would have the contractual authority then to enforce the hygiene standard with each contractor as part of its regular project management. The element of hygiene could also be captured in the City's Vendor Performance Management system adding an additional weight to its priority. The OCA and the BTC are open to developing such a standard along with the City and suggested a joint committee be established to work on this issue.

The City has agreed to participate on the joint committee. The first meeting is on April 23<sup>rd</sup>. Sue Johns will be the City's rep.

## **3. Onsite Compliance to Social Distancing**

The City has recently received complaints and photos from residents of social distancing not being followed on some construction sites. The City reminded the Industry that they have to comply with OPH requirements including social distancing on site.

Some contractors are requiring their staff to wear surgical masks when they have to work in close proximity to each other. Other contractors are looking at providing cloth masks to their staff so they can be washed and reused. City inspection staff will also be provided with masks to use when needed onsite.

The NCHCA has a safety committee that is looking at different safety options including the use of masks.

#### **4. Weight Restriction Map/List**

See notes of previous meeting.

#### **5. Availability of City of Ottawa Paid Duty Officers**

The Industry noted that there is a shortage of Police staff available to hire as paid duty officers. This is a result of COVID19 and staffing. Britney will be setting up a meeting with IS and Traffic reps and Ottawa Police to discuss. Traffic is also looking at how a site can be staged to reduce police requirements with low traffic volumes. It was acknowledged that this may cause delays. The City will assess the impacts on a case-by-case basis. The Province is having conversations on ROW permits for heavy loads. This will also be discussed at the meeting with OPS.

#### **6. Impacts of COVID-19**

The Industry noted that the City's stance is to deal with delays on a case-by-case basis. They would like something more substantial from the City acknowledging there will be impacts from the pandemic. City staff have been asked to give any requests regarding delays from COVID-related impacts serious consideration. The City asked the Industry to escalate anything they feel isn't being dealt with in a fair and reasonable manner.

The Industry asked if the City has received any push back from residents not wanting anyone on their property. The City is aware this may be a problem but has not encountered any issues so far.

The Industry also asked if any projects were being cancelled because of budget. With the exception of one overlay project being rescoped, all work that has been tendered will be proceeding. Some upcoming tenders may be divided into phases.

#### **7. MERX Online Submissions**

The following three items were brought forward by the Industry:

MERX Accounts – The Industry have a concern with MERX creating one login and password per MERX account. This has created difficulties as it relates to different estimators and multiple jobs closing on the same day. They confirmed they are working

with MERX to create a “parent/child” account. Supply confirmed they continue to work with MERX to create better functionality for large organizations with multiple estimators. As an interim solution, it is possible for organizations to buy separate accounts and this would not affect the VPM MERX account. The VPM MERX account will be centralized into one MERX account regardless of the MERX account that was used for bidding purposes.

Total Tender Price in MERX – The Industry sought to clarify what price (MERX Price or Form of Tender Price) would take precedence when submitting a bid. Supply noted, in general, the pricing submitted in the Form of Tender take precedence over the lump sum price submitted into the MERX system.

Addenda - The Industry advised they were sometimes still using OCA to receive addenda. This has created last minute issues with the MERX bidding process because it requires bidders to download all addenda prior to bidding. Supply confirmed MERX is the official distributor of bid solicitation documents and addenda should be received through MERX.

## **8. Other Business**

Hours of Work Per Province News Release – By Order of the Province of Ontario, all permitted construction will be allowed to take place between the hours of 6 a.m. and 10 p.m., seven days a week until October 7, 2020. In addition, all construction projects and services associated with the healthcare sector are no longer subject to the provisions of the City of Ottawa Noise By-law. This means that construction activities in regards to new health facilities, expansions, renovations, and conversion of spaces that could be repurposed for health care space may take place 24 hours a day.

Delivery of Notices – The City is using Canada Post to deliver notices instead of staff. Please reach out to Project Managers before distributing any notices.

Half Loads – The City anticipates lifting half loads on May 4<sup>th</sup>. An official notice will be provided next week.

E-tickets Concrete – The Industry is looking for a way to reduce handling of paper and asked if a process could be developed to receive e-tickets instead of paper ones.

Action – Ivan to provide background information. Luc to look at possibilities.

## **9. Roundtable**

VPM Meeting – Debbie asked the date of the next meeting. Supply noted that these meetings are held annually. There were some take-aways from the last meeting that Supply are working on. If there's something specific, emails can be sent to the VPM mailbox.

E-Signatures - The City has gone live with e-signatures for OPSS documents. This will replace the need to physically sign the final OPSS documents. Roll out is happening now.

Performance Bonds - The City has shifted from physical performance bonds to electronic performance bonds. If this poses an issue to members of the Industry, they can contact Joanne Graham.

Contacting Staff - A reminder that Procurement staff do not have easy access to their phones at the moment so if you have an urgent request please use email. For other City staff, reach out by email to get a preferred contact method.

Forms – Water asked if one generic form can be used when staff are accessing construction sites (contractors have their own specific one that staff have to fill out each time they go to a site). The City has a self assessment form from OPS they use and wanted to know if that could be accepted. Some contractors were open to accepting the City's form but there wasn't clear consensus from the Industry.

Construction Lien Act – The Industry wanted to know if invoices and timelines had been formalized. Although progress has been made, the process has not been formalized. The old process will be used until the new one is rolled out.

New Model for Half Load Removal – Luc will look into this and report back.

#### **NEXT MEETING**

Friday, May 15, 2020  
8:00 – 10:00 am  
Microsoft Teams