



April 21, 2026

To Ontario Municipal Leaders, CAOs, Treasurers, Engineers, Procurement Officials, and Public Works Departments,

Re: Open Letter to Ontario Municipalities Regarding Implementation of the Municipal Buy Ontario Procurement Directive

On behalf of the members of the Ontario Sewer and Watermain Construction Association (OSWCA), Greater Toronto Sewer and Watermain Contractors Association (GTSWCA), Toronto and Area Road Builders Association (TARBA), Heavy Construction Association of Toronto (HCAT), and Ontario Association of Foundation Specialists (OAFS), we are writing regarding implementation of the Province's new Municipal "Buy Ontario" Procurement Directive. As organizations representing the contractors, manufacturers, distributors, and material suppliers responsible for building and maintaining critical public infrastructure across Ontario, we urge public buyers to adopt a consistent and practical procurement policy to meet this directive.

Public buyers across Ontario are beginning to incorporate new bidder declarations, domestic content attestations, and supply chain disclosure requirements into tender calls. While the provincial Directive establishes a broad policy objective, it provides limited detail on how it is to be implemented in practice. As a result, hundreds of public-sector buyers are being left to interpret the requirements independently and develop their own approaches. Without a uniform implementation framework, this risks creating inconsistency across the province and confusion for owners, contractors, consultants, manufacturers, and suppliers alike.

For this reason, we are encouraging public buyers to adopt a uniform and standardized approach aligned with the implementation model established by the Ministry of Transportation (MTO), included in Appendix. MTO's procurement special provision provides a practical framework that includes:

- A standardized Domestic Supply Chain Plan;
- Clearly identified material categories for disclosure;
- A straightforward declaration process;
- A measurable and transparent compliance threshold of 51%; and,
- Procedures for post-award updates where supply chains change during delivery.

This model offers the "ambitious and achievable" targets that the Directive calls for, while reducing uncertainty for bidders and owners. At the time of implementation, this is a good starting point until more reliable data points can be collected.

The infrastructure construction industry operates across municipal boundaries every day. Contractors frequently bid work in multiple municipalities each season.



Manufacturers and suppliers serve projects province-wide. If each buyer creates its own approach, the result will be cost escalation, bid errors, and reduced competition.

A common municipal framework would provide substantial benefits:

- Lower administrative burden for staff and bidders;
- Greater consistency and legal clarity in procurement documents;
- Faster implementation of the Province's policy objectives;
- Better comparability of submissions and reporting data; and,
- Reduced risk of disputes or unintended non-compliance.

Our organizations stand ready to work collaboratively with municipalities, provincial officials, and industry stakeholders to support practical implementation that protects competition, delivers best value, and advances the Buy Ontario objectives as practically as possible.

Sincerely,

Raly Chakarova
Executive Director, TARBA

Patrick McManus
Executive Director, OSWCA &
GTSWCA

Peter Smith
Executive Director, HCAT &
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Special Provision No. CMOB0013

1.0 DEFINITION

For the purpose of this Special Provision, the following definitions apply:

Canadian-Made Good(s) means a good that meets any one of the following criteria

- a) Is wholly manufactured or originating in Canada;
- b) At least 51% of the total direct costs of producing or manufacturing the good have been incurred in Canada; or
- c) Is labelled as “Made in Canada” or “Product of Canada”.

Canadian Service(s) means a service wholly provided by individuals (natural persons) based in Canada.

Ontario-Made Good(s) means a good that meets any one of the following criteria:

- a) It is wholly manufactured or originating in Ontario, or
- b) At least 51% of the total direct costs of producing or manufacturing the good have been incurred in Ontario.

Ontario Service(s) means a service wholly provided by individuals (natural persons) based in Ontario.

2.0 SUBMISSION REQUIREMENTS

2.1 Bidders Requirements

Bidders shall complete and submit the following:

- a) Domestic Supply Chain Plan: bidders shall complete the source for each of the goods and services listed in Table 1.
- b) Declaration of Ontario or Canadian-Made Goods and Services: bidders shall confirm that not less than 51% of the total bid value is Ontario or Canadian-Made Goods and Services. If less than 51% of the total bid value is Ontario or Canadian-Made Goods and Services, then the Bid is considered non-compliant.

The completed Domestic Supply Chain Plan and Declaration shall be submitted, in PDF format to contracttendering@ontario.ca by the three low bidders within 24 hours of publishing of the summary bids.

The ministry, in its sole discretion, shall have the right to reject any bid in the event that it determines:

- a) A bidder has made a misrepresentation regarding the requirements of this Special Provision; and/or
- b) A bidder fails to submit the declaration as noted above; and/or
- c) A bidder fails to submit the Domestic Supply Chain Plan.

2.2 Contractor Requirements

Throughout the Contract the Contractor shall submit updated Domestic Supply Chain Plans with any supply chain changes prior to the goods and services being delivered to the site, ensuring that not less than 51% of the total bid value is Ontario or Canadian-Made goods and services. Failure to maintain and submit updated Domestic Supply Chain Plans throughout the Contract may result in administrative action.

TABLE 1

Domestic Supply Chain Plan

Goods Category (Permanent Only)	Sources of Goods & Services (Note 1)
Total Supplied Granulars (e.g., Granular A, Granular B)	
Total Supplied Hot Mix Asphalt (e.g., Superpave 12.5 FC2, Superpave 19.0)	
Precast Concrete Elements (e.g., girders, box culverts, bridge elements)	
Total Supplied Concrete (cast-in-place)	
Total Supplied Steel Reinforcement for concrete (e.g., carbon, stainless for cast-in-place)	
Structural Steel for Bridges	
Sign Supports Structures (e.g., tri-cord, cantilever)	
Pipe Culverts/Sewers (e.g., plastic, concrete, metal)	
Electrical, ATMS (e.g., poles, wire, controllers)	
Steel Beam Guide Rail Systems and Energy attenuators	
*	
Note: 1. To be completed by the bidder/Contractor. All goods categories shall be addressed. Insert "N/A" where a category is not applicable.	

[* Designer Fill-In for Table 1, See Notes to Designer].

Declaration of Ontario or Canadian-Made Goods and Services ("Declaration")

Agreement/Contract Number: _____

IN THE MATTER OF Ministry of Transportation AND IN THE MATTER OF the Bidder
(For the purposes of this declaration, the term "Bidder" shall also include Service Providers and Proponents.)

Full legal name of the Bidder ("Bidder")

I, the undersigned,

Full name of the Bidder's representative

DECLARE, that

1. I have signing authority on behalf of the Bidder;
2. I confirm that I have performed a complete due diligence of all relevant facts for the drafting of this Declaration and that I have personal knowledge of said facts; and
3. I am duly authorized to confirm that:
 - the information provided in Table 1: Domestic Supply Chain Plan is quoted in utmost good faith, without collusive arrangement or agreement with any other person or partnership or corporation. The Bidder expressly warrants that they are not party or privy to any deceitful tendering to mislead the Owner into accepting their information. Providing false information may lead to the Bidder's submission being declared as non-compliant and the removal of their original bid from further consideration.

and

 - not less than 51% of the total bid value is Ontario or Canadian-Made Goods and Services and agree that if the proportion of Ontario or Canadian-Made Goods and Services are less than 51% of the total bid value then the submitted bid shall be deemed non-compliant and that the submission shall be disqualified.

AND I HAVE SIGNED

In

City Province/State Country

This

of

Day Month Year Signature, Job Title

NOTES TO DESIGNER:

* Designer Fill-in

For unique, or specific-type Contracts, designers may add additional Goods Categories with approval from the Contract Award Office.

Example of adding a category:

- If Pavement Marking is the predominant Tender Item (e.g., Minor Capital Contract), then it can be added to the list (for example, "Pavement Marking").
- Do not delete any categories already listed in the table.
- Insert the following row in Table 1:

Goods Category (Permanent Only)	Sources of Goods & Services (Note 1)
Pavement Markings	

WARRANT: All contracts.

CUSTODIAN: Contract Management Office.