

March 30, 2026

Bruce Cane
Director, Standards and Contract Branch
Ontario Ministry of Transportation

Katie De Palma
Director, Transportation Policy Branch
Ontario Ministry of Transportation

Sent via email to Katie.DePalma@ontario.ca and Bruce.Cane@ontario.ca

Dear Mr. Cane & Ms. De Palma,

RE: ERO 26-MTO003: Harmonization of Municipal Road Construction Standards

The Toronto and Area Road Builders Association (TARBA) is the collective bargaining agent with LiUNA 183, IOUE Local 793, and Teamsters Local 230, representing more than 180 unionized contractors building multi-modal transportation infrastructure, including roads, transit, highways, bike lanes, and sidewalks, in the Greater Toronto Area and Simcoe County.

We welcome the opportunity to provide input on ERO 26-MTO003 and thank the Ministry for its continued leadership in harmonizing municipal road construction standards to accelerate capital project delivery, improve cost effectiveness, and build high-performing infrastructure across Ontario's municipalities.

This submission builds on our previous two submissions of August 26, 2025 and November 18, 2025 and speaks to the Ministry's current questions on transition provisions, exemption request process, and reporting requirements.

As the Ministry moves forward on this initiative, we want to offer the following guiding principles:

- All elements of the framework—including timelines, governance, and exemptions—must be designed to support continuous procurement and delivery of critical infrastructure, minimizing any tender delays.
- The governance structure must ensure balanced representation between industry and municipalities, with a fair, timely, and transparent dispute-resolution and decision-making process.
- Early communication to municipalities and industry about the implementation date and expectations is crucial for a successful and timely transition.

Initial Phase Focus

TARBA supports the Ministry's phased implementation approach, starting with the priority areas of hot mix asphalt, aggregates, and general conditions of contract.

Material use, asphalt mix designs, and general conditions of contract represent the greatest variability, risk, and cost inefficiencies in municipal road construction practices. For example, asphalt paving standards and aggregate specifications vary greatly across municipalities. A recent [CANCEA report](#) found that harmonizing asphalt standards within the GTA alone would unlock nearly \$1 billion in value over the next decade, and broader road building standardization could unlock \$11.7 billion. Following the OPSS.MUNI helps produce consistency in testing regimes, material allowances, and acceptance criteria.

Focusing on these three areas first achieves a "big win" early: aligning material and method standards reduces tendering complexity for contractors who work across multiple municipalities, and aligning general conditions of contract improves clarity, reduces risk, and supports more predictable procurement.

However, we request that a further consultation and review be done for the OPSS.MUNI 100 General Conditions of Contract prior to implementation. This would include alignment with the latest updates to the Construction Act, the establishment of standardized testing protocols and a clear dispute resolution process (e.g. use of End Result Specifications) and limiting the use of supplementary conditions that will cause further deviations at the local level.

While a full suite of municipal standards is the ultimate objective, concentrating initial efforts on these priority areas provides a manageable scope, faster uptake, and measurable short-term benefits, setting a strong foundation for subsequent sections of the OPSS.MUNI.

Transition Provisions

TARBA is aligned with the proposed July 1, 2027 implementation date, provided that transition measures are explicitly structured not only to avoid any disruption to municipal project tendering pipelines but encourage the early tendering of projects.

Since the use of OPSS.MUNI is not mandatory, OPSS specifications and drawings have not been widely adopted among municipalities in Ontario. Communicating this timeline and expectations to municipalities and industry as soon as possible will allow time to prepare: update procurement documents, revise internal contract templates, train staff, align future tenders, and mitigate disruptions to the 2027 and 2028 construction seasons.

Some municipalities may experience initial transition costs. For example, some municipalities may still use Marshall mixes in their road construction projects.

Superpave mixes, recommended by OPSS, can be more expensive in the short term due to upgraded materials, testing, and quality-assurance requirements; however, they typically offer better performance and longer service life, which can reduce lifecycle costs. Higher, more consistent construction quality reduces long-term maintenance, traffic congestion, and taxpayer costs.

Local capacity may also be raised as a concern. Some municipalities already rely heavily on consultants because they lack in-house engineering staff. A standardized, more detailed OPSS.MUNI would give them an out-of-the-box set of specs vetted by the province and larger peers, so they get the same quality baseline as big cities and can benefit from competitive pricing and long-term performance. To address any testing and quality control costs, municipalities can make independent testing part of the contract requirements, retain a consultant to verify the contractor's results, or regional governments can share access to inspectors, engineering support, and testing labs for their lower tier municipalities.

Governance Structure

TARBA supports the Ministry's new proposed governance structure and offers the following feedback:

- From the Program Management Committee to the Technical Standards Specialty Committees, there should be balanced representation by industry and municipalities, as well as a fair, efficient, and transparent decision-making process.
- Integrate existing OPS Advisory and Committee structure to maintain continuity and technical expertise.
- Implement a fixed, recurring review schedule. This would include establishing a predictable review process to ensure transparency and accountability when updating standards that includes feedback beyond the existing committee structure. Decisions on standard changes should be evidence-based, using field data, pilot projects, and lifecycle cost analysis.
- Consider including GTA-specific industry representation to reflect the scale and proportionality of construction activity within the GTA.

Ultimately, governance must function as the enabler of standardization implementation — not an additional layer that slows it down. With this in mind, and to acknowledge regional differences and expertise, the Ministry may also consider delegating authority by splitting the province into North and South areas, or by using its existing five regions: Central, Eastern, West, Northeast, and Northwest.

Project-Based Exemptions

To achieve economies of scale and realize the benefits of harmonization, municipalities must adopt OPSS.MUNI in full, subject only to exceptional and project-specific exemptions that are pre-approved by the new governance committee. We recommend two instances for consideration: 1) evidence-based, technically justified cases, and

2) piloting a new material, equipment, process, or technologies to support innovation. A formal exemption process will help ensure that innovation and quality improvements are shared across the province, rather than remaining siloed in individual municipalities.

The exemption process must be more rigorous, time-bound, and difficult than updating or adhering to the standard itself to discourage a default approach to exemption requests in the short term. The Ministry should also consider a 30-day review and decision timeline to ensure that projects are not unnecessarily delayed.

However, in the short term and during the initial transition period, we encourage the Ministry to consider a short, time-limited exemption (e.g. 12 months) for fully designed but not yet tendered projects, where redesign would materially delay tendering. There are many instances where municipalities have shovel-ready projects but have not tendered them due to annual budget constraints. This approach avoids a broad deferral of harmonization, maintains momentum toward consistent standards, and encourages fully designed, ready-to-tender projects to proceed without disruption.

The exemption process must not become a bottleneck to tendering. If it introduces delays, it undermines the core objective and benefits of harmonization.

Reporting Requirements

To promote transparency and compliance with standardization measures, we encourage the Ministry to make municipal reports public, including any exemption requests and decisions.

Next Phase

Once the process for these initial priority areas is established, we expect the Ministry to continue its phased approach to ensure that the OPSS.MUNI, in its entirety, is mandatory for all Ontario municipalities.

In terms of the next phase for standardization, we recommend the following:

- Grading, Pavement, and Concrete
- Structural, Steel reinforcement, and Seals & bearings

Conclusion

By adopting OPSS.MUNI, municipalities will benefit from uniform standards that simplify tendering, streamline processes and reduce duplication, improve quality, sustainability, and safety, *and* lower costs. Cutting red tape and uncertainty reduces risk and waste, while boosting productivity and competitiveness; it creates a more level playing field, especially for small and medium-sized businesses.

The construction industry is united in its opinion that standardizing road building specifications at the municipal level will enable capital construction dollars to go further, expedite project design and delivery, and enhance quality, performance, and sustainability. By ensuring that no element of implementation delays procurement—and by making exemptions more difficult than compliance—the Province can achieve meaningful harmonization while accelerating infrastructure delivery across Ontario.

The Ministry's harmonization initiative is timely and much needed; our feedback above ensures that it remains practical, aligned with industry and municipal realities, and accomplishes its desired outcome to build to the highest standard — without wasting time or money.

Should you require further information or wish to discuss the implementation of OPSS in greater detail, please do not hesitate to contact me at raly@tarba.org.

Sincerely,



Raly Chakarova
Executive Director

CC: Jason Kittle, Manager, Municipal Standards Harmonization Office, MTO