



FOR IMMEDIATE RELEASE

Beyond the Herb Gray Parkway

Lack of government oversight in dozens of other Ontario projects

TORONTO (Nov. 21, 2013) – While much public attention has been focused on the Herb Gray Parkway in recent weeks, with hundreds of girders having to be scrapped because of safety concerns, there are many other infrastructure projects across the province where lack of government oversight poses similar risk.

The Canadian Council of Independent Laboratories (CCIL) today warned that dozens of other road and bridge construction contracts entered into by the Ontario government over the last few years have not required any independent testing or inspection.

That means taxpayers may be faced with the costs of repairing or replacing this infrastructure years earlier than expected, and public safety may be endangered as there are now fewer checks against structural failures and unsafe construction and designs.

“As we’ve seen in the case of the Herb Gray Parkway, the provincial government has no direct way of knowing whether the materials and construction methods used in these projects meet standards,” says Derwyn Reuber, Executive Director of CCIL.

At the heart of the issue are new types of procurement arrangements, such as design-build and performance-based contracts, used by the Ontario Ministry of Transportation (MTO). Under these new types of contracts, the contractors are typically responsible for warranting or maintaining the infrastructure for a period of time, and therefore it is argued that independent testing and inspections are unnecessary.

“The flaw in that logic, of course, is that the warranty periods are typically much shorter than the expected life of the infrastructure,” Reuber explains. For example, roads have a three to seven-year warranty period under some of these new contracts, while they should last 20 years. In some instances, the warranty period for bridges is five years, while their expected life is 60-100 years.

“When the maintenance or warranty period is up, the contractor is off the hook and any further problems become the responsibility of government. So you can see, this new system is skewed to meeting only short-term performance targets, not long-term needs,” says Reuber.

“Without independent testing and inspection, there is huge potential for shortcuts to be taken in building Ontario’s critically important infrastructure.”

Earlier this year, MTO released a list of 39 Design-Build projects that are proceeding under the new contract arrangements in 2013-2014 and 2014-2015. In addition, there are many more performance-based and minimum oversight contracts which also do not require independent testing.

As well, Infrastructure Ontario continues to expand its use of this new contracting model, called Alternative Financing and Procurement (AFP). These projects include work on hospitals, colleges, and rapid transit systems.

“How many of these contracts are exempt from independent testing? We don’t know, but we worry that government is proceeding to spend billions of dollars on infrastructure without the proper quality assurance checks,” Reuber notes.

CCIL is urging the Ontario government to require all public infrastructure projects to be subject to independent testing and inspection. To ensure independence and to protect the public interests, these services should be retained by, and the findings should be reported directly to, government.

The province is currently conducting a review of the AFP model. However, few details of the review are known, and it is unclear when the report will be made public.

CCIL represents the independent, private-sector laboratories in Canada. Because CCIL members are independent, they have no vested interest in the outcome of their testing. They are able to conduct investigations and render reports objectively and without bias.

In Ontario, members operate more than 160 independent laboratory facilities. CCIL member services are vitally important in helping to protect the public from structural collapses, building failures, dangerous and unsafe construction methods, and many other threats.

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