March 30, 2026

Subject: AORS Submission – Proposed Regulation on Harmonization of Municipal Road Construction Standards

To: Ministry of Transportation, Province of Ontario

On behalf of the **Association of Ontario Road Supervisors (AORS)**, we appreciate the opportunity to provide feedback on the proposed regulation to harmonize municipal road construction standards under the *Public Transportation and Highway Improvement Act (PTHIA)*.

AORS represents municipal public works professionals across Ontario who are directly responsible for the planning, design, construction, and maintenance of municipal road infrastructure. Our members are practitioners who work daily with Ontario Provincial Standards (OPS) and understand both their value and their limitations when applied across diverse municipal contexts.

GENERAL POSITION

AORS supports the **intent of harmonization**. Greater consistency in standards has the potential to:

- Improve procurement efficiency,
- Reduce duplication in design and contract preparation,
- Enhance contractor competitiveness across jurisdictions, and
- Support knowledge-sharing and best practices.

However, we strongly emphasize that **full standardization without flexibility will create unintended consequences**, particularly for municipalities with unique operational, geographic, and resource constraints.

1. CURRENT MUNICIPAL PRACTICES AND ANTICIPATED IMPACTS

A) Existing Standards and Alignment

Most municipalities already rely heavily on OPS standards (both **OPSS.MUNI** and, in some cases, **OPSS.PROV**), often supplemented by:

- Local amendments,
- Modified specifications, and
- Operational practices refined through experience.

These modifications are not arbitrary—they reflect:

- Local material availability,
- Climate and soil conditions,
- Historical performance data, and
- Staffing and contract administration capacity.

While alignment with OPSS.MUNI exists in many areas, **full compliance without the ability to adapt standards will be challenging and, in some cases, counterproductive**.

B) Anticipated Impacts of Compliance

Positive Impacts

- Increased consistency across municipalities,
- Simplified bidding processes for contractors,
- Potential long-term efficiencies in design and documentation.

Negative Impacts and Risks

1. Loss of Proven Local Practices
Municipalities have developed specifications that outperform or better suit local conditions. For example:

- Custom surface gravel specifications that have demonstrated strong long-term performance,
- Adjusted Hot Mix Asphalt (HMA) requirements based on observed durability and lifecycle outcomes.

Mandating strict adherence to OPSS.MUNI may force municipalities to abandon **proven, higher-performing local solutions**.

2. Technical Ambiguities in Existing Standards
There are known interpretation challenges within OPS specifications. For example:

- Conflicting interpretations of asphalt cement (AC) content tolerances between OPSS.MUNI 310 and OPSS.MUNI 1150,
- Variability in how minimum values and tolerances are applied in practice.

These ambiguities can lead to:

- Inconsistent contract administration,
- Reduced material quality, and
- Significant financial discrepancies.

3. Financial and Quality Risks
Differences in interpretation and application—particularly in areas like asphalt content and price adjustment clauses—can result in:

- Contractors being compensated for material not actually supplied,
- Reduced material quality being accepted within specification limits,
- Increased lifecycle costs due to premature deterioration.

4. Resource and Capacity Constraints
Many municipalities:

- Do not have the staffing levels required to administer contracts to full OPSS standards,
- Rely on simplified specifications and enforcement mechanisms to ensure quality.

Mandating uniform contract administration requirements (e.g., OPSS.MUNI 100) may:

- Increase administrative burden,
- Delay projects, and
- Require additional resources that are not currently available.

5. Volume of Exemption Requests
While the proposed exemption process is appreciated, AORS has significant concerns regarding its practicality.

With **444 municipalities in Ontario**, many of which maintain multiple modifications, the system could face:

- Thousands of exemption requests,
- Administrative bottlenecks,
- Project delays awaiting approvals.

This directly contradicts the Province's goal of **"building faster."**

2. RECOMMENDATIONS ON EXEMPTION CRITERIA

AORS supports the proposed exemption criteria and recommends the addition of:

- **Demonstrated Historical Performance**
  Ability for municipalities to justify deviations based on proven long-term results.
- **Operational Capacity and Resource Availability**
  Recognition that smaller municipalities may require alternative approaches due to staffing limitations.
- **Constructability and Practical Implementation**
  Consideration of how standards function in real-world municipal environments.
- **Clarity and Interpretation Consistency**
  Ability to seek exemptions where standards are ambiguous or inconsistently applied.

Additionally, AORS recommends:

- Establishing **service standards and timelines** for exemption decisions,
- Providing a **streamlined or pre-approved list of common municipal modifications**, and
- Considering **delegated or regional approval mechanisms** to reduce administrative burden.

3. PRIORITIZATION OF FUTURE HARMONIZATION

AORS recommends that future phases prioritize standards that:

- Offer the greatest **cross-jurisdictional consistency benefits**,
- Have **minimal reliance on local conditions**, and
- Are **least likely to require modification**.

Conversely, standards that are highly sensitive to:

- Local materials,
- Climate variability, or
- Operational practices

should be approached with caution and **extensive municipal consultation**.

KEY RECOMMENDATION: MAINTAIN FLEXIBILITY WITHIN A HARMONIZED FRAMEWORK

AORS strongly recommends a **"harmonized baseline with permitted municipal adjustments"** approach, rather than strict standardization.

This could include:

- Mandatory core standards,
- Clearly defined allowable modification ranges, and
- Municipal authority to implement justified deviations without requiring full Ministerial exemption.

REQUEST FOR EXTENDED CONSULTATION

Given the **significant technical, financial, and operational implications** of this proposal, AORS respectfully requests:

- An **extension of the consultation period**, and
- Additional opportunities for **direct engagement with municipal practitioners**.

It is important to note that the consultation period has occurred during an exceptionally demanding winter season for municipal public works, limiting the capacity of many professionals to provide thorough input.

CONCLUSION

In closing, the Association of Ontario Road Supervisors supports the Province's objective of harmonizing municipal road construction standards and recognizes the value of consistent, evidence-based specifications across Ontario.

As an organization representing the municipal professionals who plan, deliver, and maintain this infrastructure on the ground, AORS emphasizes the importance of ensuring that OPS standards remain practical, implementable, and sensitive to the operational realities of small, rural, and northern municipalities. Continued, meaningful engagement with practitioner organizations through the OPS Advisory Board, Standards Management Committee, and Specialty Committees will be critical to achieving harmonization that improves efficiency and asset performance without unintended cost or delivery impacts.

AORS remains committed to working collaboratively with MTO, OPS governance bodies, and sector partners to support successful implementation and long-term outcomes for municipalities and the public they serve.

With OPSS.MUNI becoming mandatory under the proposed MTO regulation, AORS' role becomes more significant:

- It provides a direct operational counterbalance to engineering-centric and contractor-centric perspectives
- It ensures rural and small municipal impacts are visible in OPS decision-making
- It supports smoother implementation by promoting understanding and consistency among municipal staff

This alignment directly supports the Province's stated objective of harmonization without undermining constructability, affordability, or asset sustainability. AORS aligns itself as an active OPS participant by acting as the organized voice of municipal road operations within the OPS governance.