



# **OPS GENERAL CONDITIONS OF CONTRACT**

***OPSS.MUNI 100  
UPDATE 2018***



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## OPS General Conditions 2018 Updates – OPSS.MUNI 100

- The OPS GC Committee was re-established in 2016
- Comprises of 3 MEA, 1 CEO, 1 MTO, 1 OSWCA, 1 ORBA and supported by an MEA and MTO coordinator
- Mandate: Update the 2006 OPSS.MUNI 100 to reflect any significant changes since the last update in **November 2006**
- Conducted a jurisdictional scan of municipalities' GCs and completed an initial review of the 2006 document in December 2017



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## OPS General Conditions 2018 Updates – OPSS.MUNI 100

- The draft GCs with revisions were made available for comments from January 1, 2018 until March 31 2018
- The review was completed in July 2018
- Impacts from the amended Construction Lien Act (aka the **Construction Act**) proclaimed on July 1, 2018 were also reviewed in conjunction with the comments received.
- Updated version publishing in **November 2018**



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In addition to providing further clarity to existing clauses and editorial changes, some of the changes to the document includes:

- GC 1.0 Interpretations

- Added definitions i.e. Abnormal and Inclement Weather, Monument, Engineer, QA, QC, Final Acceptance
- Definitions for Substantial Performance and Completion has been removed and referenced back to the Construction Act. The \$\$ values to define Substantial Performance and Completion have increased.







## OPS General Conditions 2018 Updates – OPSS.MUNI 100

- GC 6.0 – Insurance, Protection and Damage

- General Liability Insurance replaced with Commercial General Liability Insurance

- References to minimum deductibles and to Insurance Bureau of Canada Forms have been removed.

- GC 7.0 Contractor's Responsibilities and Control of Work

- Further clarification is provided for interpretation of schedule for Working Days and Completion Day contracts similar to the Province GC
- Additional details provided on dealing with Monuments and layout.
- Warranty period increased from 12 months to 24 months





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### •GC 8.0 Measurement and Payment

- Added clause to define Non Resident Contractor
- Referenced the Construction Act for retaining funds from the Statutory Holdback
- Made changes to the timelines for liens and release of statutory holdback to align with the Construction Act. For example the Lien period increased from 45 days to 60 days.
- \$\$ values for payments for Labour, Material, Equipment and sub-contractors have been revised to account for inflation.
- The 127 Rate makes reference to OPSS.PROV 127 rate



# **OPS General Conditions 2018 Updates – OPSS.MUNI 100**

## **CONCLUSION**

- **The GC document will be updated in 2019 to reflect changes associated with clauses in the Construction Act that will be proclaimed in October 2019; i.e. prompt payments and adjudication.**
- **Make reference to the requirements in the Construction Act wherever possible rather than repeating those requirements in the GC.**





**THANK YOU!**

**QUESTIONS?**

**Contact Us**  
**<http://www.ops.on.ca/>**



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