

CAGC 7.08 Assessing Compliance to the Quality Processes

CAGC 7.08.01 General

Throughout the duration of the Contract, the CA shall be responsible for:

- a) Monitoring the performance of the Contractor by verifying the Contractor's processes, quality of the Work, and assessing the conformance to the quality performance requirements.
- b) Take the appropriate steps to prevent or mitigate the occurrence of a non-conformance by proactively enforcing the requirements of the Contract Documents and inspecting the work consistently throughout the duration of the construction Contract and bringing matters to the Contractor's attention proactively.
- c) If the CA notices that the work does not meet the requirements of the Contract, at any time throughout the duration of the Contract, the CA shall immediately have a discussion with the Contractor so that issues are immediately addressed. The CA shall inform the Ministry of all issues with recommendations. The CA shall administer the Quality Conformance Requirements (included in SSP 199S66 - Quality Conformance Requirements) for all occurrences of non-conforming work.
- d) Requiring that the Contractor reviews non-conformances, the Contractor shall provide a corrective action plan for review by the Contract Administrator.
 - i. For the review of the corrective action plan, the CA shall perform the preliminary review and provide recommendations to MTO for review.
 - ii. When the review of the corrective action plan includes engineering design changes, the Contract Administrator shall ensure the necessary communications with the design team takes place before providing a recommendation to MTO for review.
 - iii. The Contract Administrator shall ensure that their review of the corrective action plan be performed in an efficient manner.
- e) Review Requests to Proceed and Issue Notices to Proceed, to the Contractor in a timely manner.
- f) Check that work conforms to the requirements of the Contract Documents for all specifications, including when a Certificate of Conformance or Manufacturer Certificate of Conformance is required.

CAGC 7.08.02 Assessment of Conformance

During the course of construction, and within 30 Days after the date of certification of Contract Completion, the CA shall assess the conformance to the quality performance requirements related to the following activities:

- a) The production, supply and placement of all Material used in the Work;
- b) The removal, rehabilitation, modification, or construction of temporary or permanent elements of the Work; and
- c) Sampling, testing and QC records associated with a) and b) above.

The CA shall carry out any or all of the following, as a minimum, to assess conformance of the Work:

- a) Random, Milestone, and continuous inspections including the minimum inspection requirements in the respective CAIS related to the work;
- b) Review of sampling procedures;
- c) Review of material test results;
- d) Audit of quality control documents;

- e) Verify Certificate of Conformance (CoC), Manufacturer's Certificate of Conformance (MCoC), other certificates, Request to Proceed (RtoP), and Request to Place Concrete, issued by the Contractor, are according to the Contract Documents;
- f) Review any reports prepared by a Specialist hired either by the CA or MTO.

In addition, the Contract Administrator is informed that MTO may perform audits to assess conformance and shall assist MTO with any information sharing and coordination when requested.

CAGC 7.08.03 Quality Conformance Requirements

The Contract Administrator shall:

- a) Inspect the Contractor's operations and clearly document the Contractor's compliance, during the Work in the daily diaries.
- b) For "Certificates of Conformance" (CoC), "Manufacturer's Certificate of Conformance" (MCoC), "Request to Proceed", "Request to Place Concrete", and any other certificates for construction:
 - i. Receive documents.
 - ii. Sign and date the "Request to Proceed", "Request to Place Concrete" to confirm receipt.
 - iii. Confirm, document and report whether the documents Meet the Contract Document requirements, including that they are submitted within the specified time frames.
 - iv. Confirm if Contractor's Engineer has been on-site to carry out an inspection of the work, or at the fabrication plant.
 - v. Confirm the Contractor has not proceeded to the next operation until receiving a "Notice to Proceed".
 - vi. Confirm that the work meets the Contract requirements.
- c) Assess the work, component or product that pertains to the specific certificate or request to confirm that the requirements of the Contract Documents have been met. Inspection of the work, component, or product shall be carried out according to the inspection tasks detailed in the applicable CAIS.
- d) Issue a "Notice to Proceed" only when the requirements of the Contract Documents are met.
- e) When the Contractor identifies a non-conformance:
 - i. Check and confirm that the non-conforming work is properly identified and perform independent inspection of non-conforming work.
 - ii. Notify MTO that the Contractor has identified a non-conformance.
 - iii. Ensure the Contractor submits the applicable non-conformance record in the Contract Management System.
- f) When a non-conformance is identified before the Contractor identifies the non-conformance:
 - i. Immediately notify the Contractor in writing.
 - ii. Immediately document the non-conformance.
 - iii. Notify MTO, in writing, that the Contractor has been informed of the non-conformance.
- g) Check and confirm that the Contractor implements one or a combination of a corrective action and/or payment reduction and preventative measures prior to continuing with the associated activity.
- h) Check and confirm that the Contractor does not proceed with any subsequent activities that would prevent or impede ~~corrective action~~ the implementation of the approved proposal.
- h)j) Check and confirm that the Contractor completed Part A of MTO form PH-CC-859, Non-Conformance Report (NCR), as specified in SSP 199S66 section 4.3. If the occurrence of a non-conformance is

not identified by the Contractor within 24 hours, as specified in subsection 4.3.1, initiate and complete Part A of the NCR and submit to the Contractor.

~~i) Check and confirm that the Contractor completes an NCR, within 3 Business Days, unless otherwise mutually agreed in writing, of a non-conformance being identified by the CA or the Contractor.~~

~~j) If the Contractor hasn't submitted a completed NCR within 3 Business Days, unless otherwise mutually agreed in writing, initiate the NCR.~~

~~i. Complete "Date and Time of the Occurrence" and "Description of the Non-Conformance" within 2 Business Days.~~

~~ii. Check and confirm that the Contractor completes the NCR within 3 Business Days of the CA initiating the NCR.~~

~~iii. Assess a deviation when the CA identified a non-conformance unless otherwise mutually agreed in writing (consult with MTO staff for further action).~~

~~k)j) Receive the NCR, and any supporting documents and notify MTO of the receipt.~~

~~l)k) Review the NCR, and any supporting documents, to determine if the report is complete, accurate, and has been submitted according to the Contract Documents.~~

~~m)l) Review the proposal for corrective actions and/or payment reductions and preventative measures, within 5 Business Days, to achieve conformance with the Contract Documents, ~~payment reductions, or mitigating action.~~~~

~~i. Identify any issues with the submission.~~

~~ii. Determine if the corrective action and/or payment reduction to be taken is appropriate. Consideration shall be given to the effect of the proposed corrective action on the quality of the end-product.~~

~~iii.iii. Determine if the preventative measures proposed will stop the non-conformance from happening again in the future~~

~~iii.iv. Discuss and supply written recommendations to MTO.~~

~~iv.v. Liaise between MTO and the Contractor to request any clarifications.~~

~~n)m) If the proposal for corrective actions includes amendments to the Contract Documents, forward the proposal to MTO for approval before implementation of such proposed amendment. If the proposed amendment is approved and results in a change in the Contract, issue a zero-value Change Order to incorporate the amendment into the Contract Documents. In most cases a Change Order will not be required. Any corrective action that that requires a set off shall be administered through an OPA.~~

~~o)n) Notify the Contractor if the proposal was approved or rejected.~~

~~p)o) Check and confirm no unapproved amendments, if any, to the Contract Documents are appended to a related Contractor's certifications (CoC, MCoC, Certificate of Components).~~

~~q)p) Confirm that Contractor does not proceed to the next operation until all non-conformances have been addressed according to SSP 199S66 - Quality Conformance Requirements, and the Contract Documents, and the CA has issued a "Notice to Proceed", when required in the Contract Documents.~~

~~r)q) Within 3 Business Days of receiving a completed Part B of the NCR from the Contractor, complete MTO form PH-CC-862, Status of Non-Conformance to:~~

~~i. Determine the status of non-conformance.~~

~~a. A deviation, including the reason for the deviation;~~

~~b. Not a deviation; ~~or~~~~

~~c. Under review with the Owner or~~

~~d. D. NCR returned to the Contractor.~~

- ii. Notify the Contractor by completing the status of non-conformance.

Note: A deviation will not be waived regardless of the Contractor's subsequent conformance (consult with MTO staff for further action).

- s)r) When the status of non-conformance is identified as "under review", update the status to a) "major deviation" or "minor deviation" a) or b), or d) in a timely manner after discussions with MTO.
- t)s) Follow subsections 43.4.2 [Assessment of Deviations](#) and 43.4.3 [Classification of a Deviation](#) of SSP 199S66 - Quality Conformance Requirements, to determine the classification of a deviation. Obtain MTO involvement through the Contract Services Administrator (CSA), or Area Manager-Construction, Quality Assurance staff where the classification of the deviation is not obvious or precedent setting.
- u)t) Check and confirm that the Contractor carries out the corrective action, and/or payment reductions or preventative measures~~mitigating action~~ according to the approved proposal. For each non-conformance, the CA shall check and confirm that the Contractor has completed the approved corrective actions in a timely manner.
- The CA shall consult with MTO if the Contractor fails to complete the approved corrective action.
 - A further deviation shall be considered if the Contractor fails to complete the approved corrective action in a timely manner (Consult with MTO staff for further action).
- v)u) Record all non-conformances and deviations from the QC requirements (Monthly Summary of Processes Non-Conformance) and submit to MTO according to the distribution list on a monthly basis.
- Make sure documentation of acceptance of any non-conforming work, including a sound rationale and approval by the appropriate level of ministry authority.
 - Distribute Non-Conformance Reports to Quality Assurance staff for their review and comments.
 - Summarize the resulting action from the Non-Conformance Reports during the time period of the Contract including Deviation assessments.
- w)v) Review all quality process deviations as part of the monthly progress meetings.