

# Montreal inspector general says construction supervisors are tolerating bad work

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In a 29-page report tabled in city council on Monday, the inspector general's office takes issue with the performance of engineers who are tasked with being the city's eyes and ears on road and sidewalk construction sites to ensure that firms respect the specifications of their contracts with the city, use the right materials at the right temperature and correct any errors that are pointed out to them.

"The investigators with the inspector general's office found on several sites that supervisors lacked rigour and did not fully assume their role in repairing defects," the report, issued by interim inspector general Brigitte Bishop, says.

The consequences of poor construction site supervision for Montrealers are potholes and cracks after the winter freeze and thaw and

additional costs to repair the flaws if the site supervisor didn't flag them, the report says.

The document, which is the inspector general's first semi-annual report on its preventive work, begins by painting a rosy picture of the state of sidewalk construction in Montreal. It indicates that the collusion and price-fixing showcased during the Charbonneau Commission's televised hearings five years ago are problems of the past.

The sidewalk industry "is generally perceived as being more open and competitive," the report says, even though it also says that "certain entrepreneurs" complained to the inspector general that companies involved in collusion in the past are still operating under different names, with new directors — in some cases the children of entrepreneurs who were named at the Charbonneau Commission — and with the same employees.

However, the inspector general's report dismisses the allegation that old players are carrying on behind a facade because, the report says, none of the people who complained were able to provide "convincing evidence" of dummy companies or collusion.

The city's comptroller general's office this past May reported that 14 to 17 companies had won sidewalk contracts each year between 2015 and 2017, with an average of 5.2 to 8.8 bidders per contract tender.

The situation was a far cry from 2009, when four companies split 100 per cent of sidewalk contracts and the average number of bidders per contract was 4.3, the inspector general's report says.

As well, the price of sidewalk work has dropped, the report says — to \$100 to \$120 per square metre in 2016 from \$150 to \$200 per square metre during the time of collusion.

Sylvain Ouellet, vice-chairperson of the city executive committee, said it appears that collusion, corruption and firms getting their equipment torched to discourage them from bidding on city contracts are in the past.

“Happily, the fact that all that seems to be behind us is excellent news,” he said, commenting on the inspector general’s findings.

“There’s a bigger opening of the market. The fact that entrepreneurs feel they can freely bid on calls for tender is excellent news.”

However, the section of the report dealing with construction site supervision is troubling, Lionel Perez, interim leader of the official opposition party Ensemble Montréal, said.

“We’re very shocked,” he said.

“We think such findings require an unequivocal response from the administration. It has to react very strongly on this issue. What we’re seeing is unacceptable. ... We’re asking the administration to react immediately to correct this situation.”

The inspector general’s office investigated 83 road paving and sidewalk construction sites for the report and at each one found at least one irregularity that was being tolerated by the site supervisor.

The surveillance work on most of the 83 construction sites was performed by engineers from private firms contracted by the city.

And while the report focuses on the responsibility and performance of the site supervisors, it details a litany of problems in the road and sidewalk work itself.

Among the flaws observed by investigators:

- the quantity of asphalt used or its formula didn’t respect requirements;
- paving companies used a higher percentage of recycled material in their bituminous mix than permitted by the specifications to save themselves money;
- companies used one paver instead of two side-by-side, leaving longitudinal joints along the roadway that will allow water to seep in and lead to cracking;

- the asphalt wasn't compacted by a roller according to specifications – in one case where the site supervisor was absent, it wasn't compacted at all.

“For the 2019 season, there will obviously be reminders to know what exactly we expect of site supervisors and what's expected in terms of specifications,” Ouellet said.

However, Perez suggested more action is needed, including more performance audits and fines when contract obligations are disregarded.

[lgyulai@postmedia.com](mailto:lgyulai@postmedia.com)

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