



British  
Columbia  
Construction  
Association

# **Industry Policy Statements**

*as approved by the BCCA Board of Directors*

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## BC Construction Association - Industry Policy Statements

### Accreditation

BCCA supports an industry driven program for the accreditation of contractors for the purpose of supporting and maintaining acceptable standards of industry practices. BCCA supports the use of quality assurance and control programs to ensure quality (excellence) in construction projects.

### Apprenticeship

To maintain standards of quality for tradespeople in the construction industry, BCCA supports an efficient system of apprenticeship training that meets the needs of the industry. BCCA supports the CCA Policies on 5.0 Human Resources:

**5.1 EI Support for Apprentices:** CCA advocates the need for the EI regime to support apprentices while in school.

**5.6 Education & Training:** CCA supports and promotes all proven industry educational and training programs for construction trades (e.g. apprenticeship) and management occupations (e.g. Gold Seal), and urges the widest possible acceptance of national standards and certification. CCA advocates the highest standards in all technical, professional, supervisory and management training. CCA urges the youth in Canada to consider career employment in the construction industry.

**5.7 Red Seal Program:** The CCA endorses the Red Seal Program and recommends its use as the national standard of certification in construction trades to ensure that the highest quality training standards are upheld.

### BidCentral Online Bidding for Subcontractors

In the interest of maintaining a fair and equitable process for the submission of trade contractor bids to general contractors, the BCCA supports and encourages the use of BidCentral Online Bidding for Subcontractors (BOBS). BOBS is recommended for trades with an estimated value of \$100,000 or greater on all institutional, commercial, industrial or multi-family residential projects valued at over \$500,000. This includes being applicable for all civil projects that have a structural building component of over \$500,000 (excluding Division 2 or Division 32 under the present-day Master Format) trades with the exception of landscaping and asphalt paving).

### Bidder Qualification

On public funded projects of \$100,000 or more a contractor's ability to bid is determined solely by the bidder's capability to provide bonding. A clause requiring a bidder to submit details of their experience or financial status in the bid documents should not be included. BCCA believes that all qualified firms, without limiting the number of bidders, should be permitted to bid on publicly funded projects of

\$100,000 or more, and that on such projects bidders' lists should not be restricted to an "invited" list. If the contract is awarded, it is awarded to the lowest compliant bidder.

## **Bidding and Contract Award Procedures**

BCCA endorses the bidding and contract award practices and procedures outlined in CCDC 23 - 'A Guide to Calling Bids and Awarding Contracts' and CCA 53 – Trade Contractors Guide and Checklist.

## **Bid Revisions**

It is important to the industry that owners provide the ability to revise hardcopy tenders by fax or email under limited circumstances. The onus is on the contractor to have the revision to the designated location at the designated time thus providing the owners with the most competitive prices.

BCCA endorses the use of faxed (or email under limited circumstances) hardcopy tender revisions to the original hardcopy tender. Procedure:

- All monetary revisions to tender amounts must be stated as an addition or deletion to the tendered price.
- All monetary revisions to separate, alternate or unit prices should be stated as a new price in lieu of an addition to or deduction from the submitted price.
- The tender closing information should include the fax number or designated email address for sending revisions and a phone number for confirming receipt of revision.
- Any fax or email revising the original tender must be clearly legible. Monetary revisions to the tender amount must be stated numerically and in writing.
- All faxed or email revisions must be a hardcopy with the date and time stamped immediately upon receipt.
- For revisions, the clock used for the official tender closing time shall govern.
- No revision will be accepted after tender closing.
- No tenders will be opened until after the eligible revisions are received at the place of tender opening.
- Where an amendment is received at the fax number or email address provided in the invitation to tender and the time of receipt is deemed valid, this amendment should be accepted even though the receipt of the amendment is not at the location of the opening.
- Contractors are warned that revisions to tenders are submitted solely at the risk of the contractor until such time as they have been confirmed received by the tendering authority.
- When fax or email amendments are permitted as instructed in the Invitation to Bid there shall be a public bid opening to ensure the transparency of the process.

## Builders Lien Act

The requirements of the Builders Lien Act should be complied with in all applicable circumstances.

BCCA supports the concept of Lien Legislation and endorses a recurring evaluation to ensure that it meets the needs of the industry and inherent objectives of the Act.

## Cash Allowances

The November 2004 version of A Guide to the Use of Cash Allowances represents the Association's policy on Cash Allowances.

## Code of Ethics for Contractors

BCCA strongly supports that all contractors develop a Code of Ethics. The following Model Code of Ethics has been developed by BCCA for use by its members. The purpose of this Model Code is to provide a template or starting point for a construction firm wishing to develop its own Code of Ethics. BCCA recommends that firms wishing to adopt or adapt this Code as their own, or to add portions of it to their existing Codes, consult their legal advisors as part of that process.

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### Code of Ethics for <Insert firm name>

**Honesty and Integrity.** <Insert firm name> serves its customers and treats its competitors, subcontractors and suppliers with honesty and integrity.

**Competition.** <Insert firm name> competes fairly for contracts, avoiding any practice that might be construed to be in violation of the letter or spirit of unfair business practices legislation. The firm does not seek nor accept information concerning a competitor's bid prior to bid closing nor does it attempt to modify its price after the bid closing. The firm avoids any activity that could be construed as **\*bid shopping, a \*\*reverse bid auction or \*\*\*bid peddling.**

**Qualifications.** <Insert firm name> seeks to perform contracts only for projects for which the firm has the technical competence and experience. The firm does not pursue, solicit or accept contracts for which it is not qualified. The firm assigns staff to projects in accordance with their qualifications and commensurate with the demands of the services to be provided under the contract.

**Standards of Practice.** <Insert firm name> provides materials and services in a manner consistent with the established and accepted standards of the construction industry and with the laws and regulations that govern it including the use of standard industry documents wherever feasible. The firm performs its contracts with competence, reasonable care and diligence. The firm establishes prices that are commensurate with its services.

**Conflicts of Interest.** <Insert firm name> endeavors to avoid conflicts of interest, both corporate and individual. Where a corporate conflict exists, <Insert firm name> will disclose such conflict to its customer or prospective customer. <Insert firm name> regularly educates its staff about personal conflicts of interest and has established a procedure for internal disclosure.

**Safety.** <Insert firm name> assures that the safety of its employees, the employees of others on the job site, and the general public at large, is given the highest priority in all aspects of the firm's activities. <Insert firm name> will comply with the letter and spirit of the laws to provide its employees with the proper training and education required to enable the company to meet the stated goals of a safe workplace.

**Environment /Sustainability.** <Insert firm name> will endeavour to promote sustainable building practices and environmental considerations in all its operations and in the services it provides to its clients. <Insert firm name> will strive to provide its employees with the proper training and education required to enable the company to meet the stated goals of a more sustainable built environment and more environmentally friendly business practices.

**Service Providers and Suppliers.** <Insert firm name> treats its service providers and suppliers in an equitable manner, avoiding any activity that could be construed as **\*bid shopping, a \*\*reverse bid auction or \*\*\*bid peddling**. It assures that they are advised as soon as it is reasonable subsequent to bid closing as to whether or not their bid was successful. The firm awards contracts with dispatch to the successful bidder at the bid price. The firm provides clear direction and prompt payment for service provided.

**Employees.** <Insert firm name> complies with the letter and spirit of laws relating to working conditions. The firm does not knowingly violate any law or regulation dealing with employment standards. It is committed to providing its employees with a work environment free of harassment and discrimination and has internal policies and procedures to deal with complaints and to enforce its policies.

**Financial Disclosure.** <Insert firm name> strives to ensure that all financial information provided to its principals, partners, shareholders, lending institutions, bonding and, insurance providers, and the general public where so provided, is an accurate and true representation of the firm's financial status.

**Public Information.** <Insert firm name> assures that all public statements and disclosures it makes are truthful. The firm also protects the proprietary interests of its customers.

**Compliance with Laws.** <Insert firm name> does not violate any law or regulation.

**Image of the Construction Industry.** <Insert firm name> avoids actions that promote its own self-interest at the expense of the construction industry and upholds the standards of the construction industry with honour and dignity.

**Internal Procedures.** <Insert name of firm> has established internal procedures under which its failure to conform to the above practices will be handled. Each year, the firm reviews this Code of Ethics and its internal procedures with each of its employees. If an employee, customer or other individual becomes

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aware of a circumstance in which <Insert firm name> or an employee of the firm fails to conform to the above standards, he/she should immediately report such circumstance to <insert name & title of individual>. <title> will promptly initiate an investigation of and otherwise resolve the reported issue.

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*\*For the purpose of this document, **bid shopping** is defined as any conduct whereby the one soliciting bids uses the bids submitted to it as a negotiating tool either expressly or in a more clandestine way, before the contract has been awarded, with a view to obtaining a better price or other contractual advantage from that particular bidder or any of the others.*

*\*\*For the purposes of this document, a **reverse bid auction** is defined as a form of bid shopping in which the one soliciting bids is privy to the bid information prior to the bid closing and uses that information to encourage bidders to resubmit lower-priced bids by advising them of their ranking or relative position to the other submitted bids during the bidding process.*

*\*\*\*For the purposes of this document, **bid peddling** is defined as any conduct whereby a bidder, in an attempt to secure a contract, offers to lower its previously bid price in order to undercut know bid prices from other bidders.*

## Contracting Out

All Government, publicly funded agencies and Crown Corporations are required to contract out construction and major maintenance work and services to the private sector in order to ensure maximum efficiency and public accountability. Refer to BCCA policy on Thresholds for Procurement of Publicly Funded Projects.

## Coordination of Building Codes

BCCA supports a logical, consistent and province-wide standardization of building codes and rational embedded energy efficiency requirements. The BCCA believes that building codes should deal exclusively with issues of building standards for public health and safety, and should exclude social policy objectives.

## Corporate Social Responsibility

BCCA recognizes that corporate social responsibility (CSR) is a rapidly evolving issue and affects companies differently depending on their size, location and specialization. BCCA recognizes the importance of CSR, and encourages companies to voluntarily undertake initiatives that enable them to operate in an economically, socially and environmentally sustainable manner.

<https://www.bccasn.com/resources/reports/corporate-social-responsibility>

BCCA is opposed to using the procurement of construction services to advance unrelated community benefits and other public policy objectives where they jeopardize the integrity of the competitive bid system.

### **Cross-subsidization Policy**

BCCA recommends that non-core business activities conducted by utility monopolies or government agencies be subject to regulations aimed at ensuring fair and equal competition in the marketplace. In particular, ‘cross-subsidization’ of non-core activities and abuse of market power by utilities or government agencies should not be permitted.

### **Deficiencies**

Where there are deficiencies BCCA recommends the use of the [BCCA’s Procedures Concerning Construction Contracts and Close Out of Projects](#). Funds held back for deficiencies should be based on the value of the outstanding work and should not exceed two times said value. BCCA is opposed to the retention of funds to cover unidentified deficiencies or warranty items.

### **Design-Build**

The BCCA Recommended Policy & Procedure for Publicly Funded Design-Build Projects represents the Association’s policy on [Design-Build](#).

### **Disclosure of Procurement Solicitation Information**

Any information contained in a document deposited at a public procurement solicitation which is being used in evaluation of a submission is as per the [CAMF Guidance for the Release of Information&/or Documents Related to Competitive Procurement Opportunities](#).

For Electronic Procurement BCCA supports the requirements of CCA 90 Guidelines for Electronic Procurement, Part 11. Bid Results - All bid results should be electronically recorded, compiled, reported, and transmitted, or, in the alternative, be readily accessible to all interested bidders as soon as practical after the bid closing time. The process of electronic procurement should not be used to avoid a public opening process. Therefore, the instructions to bidders should specify the procedure for bidders to electronically obtain bid results or witness, in person, the opening of bids, as well as the anticipated time interval following bid closing after which bid results will be electronically transmitted or published. [Construction File: Public Bid Openings for Online Bidding](#).

### **Document Distribution**

BCCA Supports:

- That the Online Planroom be considered as a venue to host, display and print all publicly funded construction project information.
- That the provincial government construction tender information system partner with Online Planroom for the viewing, downloading and printing of all documents.
- That the provincial government and other public owners ensure that an accessible registration process and system is in place to record prime and major trade plan holders.
- That the provincial government and other public owners are responsible to ensure that the tendering authorities' disseminate addenda to all registered plan holders and local construction association planrooms in a timely manner.

### **Equity Seeking Groups in the Construction Workforce**

BCCA welcomes all equity seeking groups to careers in the skilled trades, and to other occupations within the construction industry. We urge all construction employers to ensure equal access to employment and to improve the retention of all workers, in order that the construction workforce more closely reflect the demographics of our society.

### **Employment Standards Act**

To ensure the ability of the British Columbia construction industry to remain competitive, Employment Standards legislation must achieve a reasonable balance between social objectives and the cost of meeting the standards that achieve those objectives.

### **Environmental Legislation**

BCCA supports the concept of sustainable development, recognizing the need to balance environmental and economic considerations in the decision-making process. BCCA supports the development and use of a fair, equitable and expedient British Columbia and Canadian environmental assessment and review process. In an effort to limit regulations, environmental regulations impacting the construction industry should be implemented in consultation with BCCA.

### **Fair Wage**

BCCA opposes legislated wages at any level of government that are targeted specifically at the construction industry.

### **Freedom of Enterprise**

BCCA supports an economic and political system based on individual freedom and the competitive free enterprise system.

## Industry Standard Documents

BCCA support the use of standard documents, developed and endorsed by the industry, as a means of promoting standard practices and procedures within the industry and vigorously opposes the implementation of supplementary General Conditions which have the effect of altering or subverting the intent or substance of these documents.

## Infrastructure

BCCA supports the policies of the Canadian Construction Association for Core Municipal Infrastructure, National Highway System, and Strategic Infrastructure Investment.

## Inter-Provincial Trade & Work Barriers

BCCA recommends that all forms of discrimination, which are based on preference for 'local' businesses be eliminated.

BCCA favours the free and unfettered movement of construction materials, services and personnel throughout every region of Canada. Existing regional barriers and preference policies should be removed in accordance with an established timetable for their elimination.

With respect to publicly funded procurement, BCCA believes that:

- The specification of construction materials and installed equipment on publicly funded projects within Canada should be guided solely by price, quality and availability considerations, without any regard to the origin or source of supply within Canada of such materials or installed equipment.
- The selection and use of construction materials, machinery, equipment and personnel on publicly funded projects in Canada should not be limited in any respect by the origin or source of supply in Canada of such materials, machinery, equipment or personnel.
- Competitive bids on publicly funded construction projects in Canada should not be evaluated whatsoever on the basis of:
  - the location of a bidder in a particular region of Canada, or
  - the local or regional content of the bid
- Procurement by all levels of government within Canada should not be used as a regional development tool where the net result is to prefer the local sourcing of construction materials, services, or personnel to the disadvantage of other sources within Canada.
- Until the above objective is met, BCCA recommends that where the location of a bidder in a particular region of Canada, or the local content of the bid is to be a consideration in the evaluation of the bids or in the selection of the successful bidder, that information and related

process be clearly spelled out to all bidders by the tender calling authority at the time of the initial call.

- BCCA generally supports the Free Trade Agreements that align with this policy.

## Labour Relations

BCCA supports the right of every contractor to operate in the construction marketplace. BCCA supports the maintenance of a healthy labour/management relationship, which will aid the British Columbia and Canadian economy and provide maximum productivity.

## Markups to Changes of the Work

BCCA endorses the concepts for determining costs in CCA16 Guidelines for Determining the Costs Associated with Performing Changes in the Work. For markups for Overhead and Profit and for cost of work BCCA supports those as defined in BCDC 2:

1. To the cost of the Work performed by the Contractor directly, the Contractor may add a maximum of 20% markup for overhead and profit combined.
2. To the cost of the Work performed by Subcontractors for the Contractor, before the Subcontractor's markup, the Contractor may add a maximum of 10% markup for overhead and profit combined.
3. On Work deleted from the Contract, not covered by unit prices, the credit to the Owner shall be the cost of the Work as set out in CCDC 2, GC 6.3 – CHANGE DIRECTIVE, article 6.3.7.
4. For a detailed list of what the Contractor may include in the cost of the work before adding markups, refer to CCDC 2, GC 6.3 CHANGE DIRECTIVE, article 6.3.7.

## Overbudget Negotiation Process

If the lowest compliant bid exceeds the Owner's budgeted amount, and the Owner is unwilling or unable to award a contract at the bid price but is unwilling to abandon the project, the following guidelines for a course of action are recommended:

- Where the amount by which the bid price must be reduced is less than 15% of the lowest compliant bid, the first step should be to negotiate with the lowest compliant bidder (only) to identify changes in the scope of quality of the work and a corresponding bid price reduction. Where the Owner and lowest compliant bidder can agree on acceptable changes and a corresponding bid price reduction, the changes should be documented as a post-bid addendum and the contract, based on the negotiated reduced price, should be awarded to the lowest compliant bidder. However, where acceptable changes and a corresponding bid price reduction cannot be successfully negotiated with the lowest compliant bidder, the second step should be to re-bid on modified Bid Documents under a new bid call. Negotiations should be limited exclusively to the lowest compliant bidder.

- Where the amount by which the bid price must be reduced exceeds 15% of the lowest compliant bid, the bid-calling authority may immediately undertake either of the preceding steps described above, at its discretion. That is, the Owner may negotiate with the lowest compliant bidder first or re-bid on modified Bid Documents without any attempt to negotiate.

Re-bidding should be avoided whenever possible because of the additional time and costs incurred by all parties. Where a re-bid is unavoidable, the Bid Documents should be sufficiently modified to achieve a reduced bid price that will be acceptable to the Owner.

A standard ‘privilege clause’ in the bidding requirements would give the Owner the right to not accept any bid, thereby permitting the Owner to either abandon the project or reject all bids, and subsequently invite a re-bid on modified Bid Documents under a new bid call. However, since it is recommended that the Owner negotiate with the lowest compliant bidder in some circumstances, it is important that the bidding requirements include a clause giving the Owner, if necessary, the right to negotiate a reduced price with the lowest compliant bidder.

## Pay Equity

The BCCA believes in pay equity for all workers, and supports the BC Human Rights Code which requires equal pay regardless of gender.

## Payment

BCCA advocates contractual payment and related terms that are fair, reflecting the industry consensus expressed in CCDC and CCA standard documents. Further, BCCA advocates that project owners, prime contractors, subcontractors, suppliers, payment certifiers and other stakeholders in the payment chain comply with all statutory/legal requirements and honour commitments and contractual obligations on time, and in the spirit of the following general principles:

- Contracting parties, both payers and payees, should be responsible for understanding all agreed contractual terms affecting obligations to make and entitlement to receive payment; and
- Project owners should share with others in a project payment chain the dates on which they make payments to prime contractors to enable parties to comply with and benefit from contract payment provisions with confidence.

While BCCA supports free competitive enterprise and individual freedom (BCCA policy), BCCA does not object in principle to the use of effective regulation and legislation where there is broad industry consensus that this is necessary in specific circumstances in order to correct imbalances or preserve an efficient and productive economic and commercial environment for the benefit of the whole construction industry.

BCCA is opposed to payment provisions in construction contracts that make the prior receipt by one party of a payment, or advance from a third party, a condition precedent to any payment obligation to the other contracting party.

### **Pre-Qualification**

BCCA and its regional associations recognize the need for Pre-qualification in limited circumstances. Generally the ability of the Contractor to secure the necessary bonds is the sole criteria by which Contractors should be pre-qualified. Where it is deemed through the use of the Pre-Qualification Best Practice Checklist\* that a pre-qualification is appropriate, the use of the [CCDC 29 A Guide to Pre-qualification](#) should be implemented to ensure a fair, open and transparent pre-qualification process, for General Contractors and Trade Contractors.

Click here for the [BCCA Guideline: Procurement Pre-Qualification Checklist 2017](#)

*\*Source: Recommended Best Practices for Pre-Qualification for Selection of General Contractors and Consulting Services. Source: <http://www.fin.gov.bc.ca/tbs/camf.htm> Copyright 2016 Province of British Columbia. Reproduced with permission.*

### **Private Public Partnerships**

BCCA supports the principles of private/public partnership for procurement or provision of public infrastructure, as long as acceptable standards of practice relating to the competition process for P3 Proponents, consultants, contractors, facility operators and other associated parties are maintained. BCCA supports the use of P3s on projects of \$100M or more.

### **Privatization of Government Services & Programs**

BCCA supports the privatization of government services and programs that can be more effectively delivered by the private sector as long as privatization is implemented while maintaining acceptable standards of practice relating to a competitive process.

### **Procurement Preferences to Benefit Equity Seeking Groups**

The BC Construction Association strongly endorses the principle that neither the age, gender, race, religion, nor geographic domicile within the Province of the principal owners of a firm, its employees, or labour force, should be a consideration in the procurement of construction materials or services. Furthermore, the Association vigorously opposes any procurement practice or program, which seeks to confer exclusive bidding rights to firms based upon any of the foregoing characteristics, or compulsory

programs of employment equity, including any system of quotas related to age, gender, race, religion, or geographic location within the Province.

### **Publicly Funded Construction Projects**

BCCA's policy is neutral on the choice of the various procurement methods. Regardless of the procurement method all projects must be procured in an open, fair and transparent manner. BCCA supports the use of standard MMCD, BCDC, CCA and CCDC documents. Standards and Guidelines for publicly funded projects such as CCDC 23 (A Guide to Calling Bids and Awarding Contracts), and all BCCA Policies for Publicly Funded Construction Procurement should always be followed on all taxpayer funded construction projects. BCCA considers the term "Publicly Funded" to include funds from taxes at all levels of government as well as any other public assessments or user fees (such as airport improvement or security fees). These standards must apply regardless of the amount of public funds, the nature of the corporation or entity that is ultimately given the responsibility for the tendering and construction of these projects.

### **Refundable Hardcopy Plan Deposits**

Bidding documents should be made available to bidders and for the least cost possible (including fully refundable deposits).

### **Regulatory Burden**

BCCA believes that regulations should be used only when there is a clear and demonstrable public policy objective where operational and economic impacts are outweighed by the objective. Procedure:

- Increase the efficiency of existing and future construction-related regulations through effective lobbying and government relations.
- Develop and support education to grow the government's knowledge base on the construction sector.
- Encourage government to undertake a full regulatory review to rationalize specific regulations in the construction sector.
- Assist government in the preparation of a construction practices and procedures manual.
- Maintain ongoing lobbying and government relations efforts.
- Strive for the standardization of construction tendering documents and processes across provincial government ministries.
- Continue to encourage amendments of the Builders Lien Act.
- Encourage development of a model, one-stop permit approval process.
- Promote the establishment of a sunset review of new regulations.

- Encourage preparation of a bi-annual provincial regulatory report.
- BCCA supports the use of a centralized government forum for communication with the construction industry (such as the Deputy Ministers Industry Infrastructure Forum)

## **Relationship with the Canadian Construction Association**

BCCA, on behalf of the four BC regional association, will maintain membership in the Canadian Construction Association.

## **Request for Proposals**

BCCA supports the use of the Canadian Design Build Institute Document 210 RFP Guideline, as the guideline for all RFPs.

## **Research & Innovation**

BCCA advocates the ongoing need for research in construction and supports the universities and other agencies engaged in such activities for the purpose of improving construction practices, materials, and safety, as well as the durability and cost of construction.

## **Reverse Auctions**

The concept of a bidding auction is contrary to the principles of recommended construction procurement practices, and as such, is strongly opposed by BCCA and its constituent representatives. BCCA recognizes the value and benefits of secure Internet-based tendering and bidding, and endorses its use when intended to increase the efficiency of the construction tendering process. BCCA actively supports the development, in concert with owners, contractors and other construction industry representatives, of appropriate guidelines for the use of electronic bidding practices. BCCA therefore recommends that electronic bidding and tendering procedures comply with the provisions outlined in CCDC23 'A Guide to Calling Bids and Awarding Contracts.'

## **Safety and WorkforceBC**

BCCA supports the maintenance of a safe and healthy workplace and the construction safety measures through the active involvement of BCCA and the BCCA/Council of Construction Associations in all matters related to WorkSafeBC legislation and regulations.

BCCA supports the establishment of any additional programs to promote excellence in construction safety.

## Taxation

BCCA opposes the imposition of corporate and other capital taxes.

BCCA supports the harmonization of federal/provincial sales taxes (GST and PST) to ensure maximum efficiency.

Construction contracts for work in British Columbia shall include provisions that ensure all bidders comply with provincial taxation regulations.

## Tender Documents - Electronic

BCCA supports the use of BidCentral and its use of electronic document distribution and tendering process.

## Thresholds for Procurement of Publicly Funded Projects

- Any construction opportunity, not limited to but including service, maintenance, small projects and capital projects, with an estimated value of less than \$25,000 should be put out for bidding to the extent reasonable and cost-effective.
- Any construction opportunity, not limited to but including service, maintenance, small projects and capital projects, with an estimated value between \$25,000 and
- \$100,000 must have bids solicited by one of the following means;
  - Opportunities can be posted on BidCentral (and any other industry medium ) for an open public bidding process;
  - And/or invitation shall be extended to all contractors on the registry\* of pre-approved contractors that meet the criteria for the specified project.
- Any construction opportunity, not limited to but including service, maintenance, small projects and capital projects, with an estimated value over \$100,000 must be advertised on BidCentral (and any other industry medium) in a fair, open and transparent public process.

*\*The solicitation of contractors for the establishment of a registry of pre-approved contracts must be in a manner that is appropriate to the value, complexity and profile of the business opportunity with the following requirements:*

- *Must be obtained through an opportunity posted on BidCentral (and any other industry medium).*
- *Opportunities shall be solicited at regular intervals not to exceed one year.*
- *The opportunity for a contractor to be added to a registry of pre-approved contractors shall be provided continuously.*

## Unpaid or Subsidized Workers

In order to maintain equitable tendering practices and to ensure the specified quality of workmanship, with the exception of persons employed as part of a job training or educational program, the BC Construction Association does not support the use of non-paid workers, workers receiving alternate compensation, or workers who are part of workfare programs, for the construction of public capital facilities.

In circumstances where these workers are to be used, full disclosure of all relevant information must be made available to all bidders in advance of the call for tenders.

## Use of Gold Seal as a Condition of Contract

### Given that:

1. Contractors recognize the important of qualification such as Bid Depository, Apprenticeship, Trade Qualification, Welding Bureau, etc;
2. Owners are looking for a method for contractors to demonstrate their expertise in the management of construction;
3. Gold Seal is an accepted method of recognizing the competence of construction personnel; estimators, projects managers and superintendents.

### Then:

The demonstration of the management of construction (via Gold Seal certification or internship\*) should be stated in the contract documents in the appropriate divisions as a requirement. A phased-in process should start with the prime contracts for Site Superintendents on projects over \$5 million or where the degree of difficulty warrants the need.

*\*In order to be eligible for the designation of Gold Seal Intern a candidate must meet the following criteria:*

1. *Must have had at least three years' experience in the construction industry, and have had one year of experience in the occupation; or*
2. *Must have completed a related engineering technology/technician program and have had one year of experience in the occupation; or*
3. *Must have been enrolled in an employer sponsored program approved by the national Gold Seal committee and leading to the recognition as a Project Manager, and Estimator, a Superintendent, or and Owner's Project Manager, and*
4. *Must be employed at the time of application, and*
5. *Must be supported by a letter of endorsement from their employer, and*

6. *Must show commitment to the program by way of advancement in each year, and*
7. *Must commit to completion of internship within five (5) years of registering as a GSI and become certified, and*
8. *Must have paid the applicable fees.*

### **Use of Owner Forces**

- BCCA promotes the use of the private sector for construction and engineering services by government, as this practice serves to develop more private sector capability.
- BCCA recognizes an owner's need for minor maintenance/emergency staff, but supports all capital projects being competitively tendered.
- BCCA opposes government-owned or government controlled entities competing for construction contracts.
- BCCA opposes the government's practice of supporting crown corporations and private companies wholly owned by the government that compete with the private sector.