



Highlights from the CCA Board Meeting held October 19 – 20 in Thunder Bay, ON

CCA to Discuss Prompt Payment/Cash Flow Issues with Federal Government

The CCA board of directors passed the following motion:

“THAT, CCA work with its partner associations, interested stakeholders, and federal contracting authorities, to educate the federal government on the importance of prompt payment and cash flow on federal construction projects, and work together to resolve any concerns, which may include the enactment of federal prompt payment legislation acceptable to the industry.”

This motion was partly in response to a request by the National Trade Contractors’ Coalition (NTCCC) to support its initiative to seek the enactment of federal prompt payment legislation. The motion is also in response to the outcomes generated through consensus at the CCA Industry Summit held September 29 in Toronto (see below).

Industry Summit Suggests Path for CCA

This year’s Industry Summit was devoted entirely to examining payment and cash flow concerns and potential solutions, including the so-called prompt payment legislation. The following, (largely consensus advice), emerged from the summit:

- CCA has a leadership role to play in Canada with respect to industry payment and cash flow issues. CCA needs to establish a clear policy position on payment and payment practices in the construction industry;
- CCA can be a hub or clearing house for sharing prompt payment information and best practices – domestic (including efforts and developments at the provincial level) and international (e.g. the U.S., Australia, the U.K., etc.);
- There is support for creating new and/or strengthening existing CCDC/CCA standard contracts and guides that speak to prompt payment, including embracing the adjudication process, the right to suspend the work/terminate the contract for breach of the payment terms, and greater transparency as to the flow of funds in the contracting chain;
- CCA should not proactively get involved in any provincial initiatives – but participate if asked (although likely there would have to be a full consensus of CCA partner associations in that province);
- There is general support for CCA to educate the federal government on industry payment challenges and to support the notion of federal prompt payment legislation applicable to federal government construction contracts only. However, there was no consensus regarding the timing of such efforts given concerns regarding any resulting negative impact on similar efforts already underway at the provincial level; and
- CCA should involve all parties in the contracting chain and the industry in this discussion – including owners and consultants.

Attached you will find an article authored by James Raiswell, a Senior Writer with Stiff Sentences Inc. James was engaged by CCA to write this article for use by CCA partner associations.

CCA Embraces Corporate Social Responsibility

At the request of the CCA Business and Market Development Committee, the CCA board endorsed the following as a CCA policy statement:

“CCA recognizes that corporate social responsibility (CSR) is a rapidly evolving issue and affects companies differently depending on their size, location and specialization. CCA 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.”

Quality of Documents Workshop

CCA is undertaking a series of cross-country workshops concerning “Quality of Documents” in the construction industry in the next few months. The findings will provide important baseline information concerning this subject, and assist CCA in developing a comprehensive approach for the industry to address the issue with our partner associations and stakeholder organizations.

Brookfield GIS RP-1 Contracts

CCA has held several meetings with Brookfield GIS concerning its procurement and contracting practices, and terms and conditions for construction projects awarded under its RP-1 contract with PWGSC. The CCA Standard Practices Committee reviewed the supplementary conditions used by the RP-1 Contractor with CCDC 2 and expressed grave concerns on the lengthy payment period. CCA will have further discussions with Brookfield GIS on its supplementary conditions with the priority of reducing the payment period.

Development of Aboriginal Engagement Best Practices Guide on Schedule

CCA, together with the Aboriginal Human Resource Council, is in the process of developing an Aboriginal Engagement Best Practices Guide focused specifically on the construction industry. Steering committee members reported that a preliminary guide has been developed and that a final draft version is expected by January 2016.

Trade Contractors Guide Updated

The CCA board endorsed changes to the Trade Contractors’ Guide and Checklist to Construction Contracts. Changes included updating and incorporating a former guide for trade contractors on design responsibility and incorporating some insurance considerations. Look for the new guide early next year.

Civil Infrastructure Council Pursuing Use of Standard Contract Form for Civil Works

Recently, the CCA Civil Infrastructure Council made a presentation to the Transportation Association of Canada (TAC) calling upon its Chief Engineers’ Council to help to develop and promote a common, national set of specifications and the use of a standard contract form for civil works. The CCDC publishes a standard civil works contract form known as CCDC 18. The Civil Infrastructure Council has

decided to advance common contractual language as a first priority and will work in tandem with CCDC to make a presentation specifically on CCDC 18 at the next TAC meeting scheduled for April 2016.

Council to Develop Guidelines for Owners' Use of Project Managers

The CCA General Contractors Council will strike a taskforce with owner representatives, project management (PM) firms, architects and consulting engineers to develop guidelines for owners when considering the use of PM firms. This will include guidance on the role and services provided by PM firms, when using them will add value to a project, and the parameters owners should utilize when engaging PM firms.

Construction Industry Ethics Course Expected by March 2016

CCA and BuildForce Canada have partnered to produce the first-ever national construction industry ethics course. Development is progressing well and both parties hope to be able to unveil the new course at the CCA Annual Conference next March. Plans are to make this course mandatory for Gold Seal Certification applicants.

New Corporate Members

The CCA board approved the following new corporate members:

- **Peri Formwork Systems Inc.** of Bolton, ON;
- **Tundra Environmental Drilling** of Stettler, AB; and
- **Rapley & Company**, a law firm located in Toronto, ON.

Next CCA board meeting will be March 5 - 16, 2016 in New Orleans.

CCA Update distribution: These CCA updates are sent to CCA board members, corporate members, partner association chief operating officers and partner association board members as well as anyone who subscribes to them through bit.ly/ccasubscribe.