



ACEC British Columbia

Newsbrief

July 2014



Message from the President Keith Sashaw

Recently some members of ACEC-BC brought to our attention a Request for Proposal issued by a municipality that was so egregious that several companies refused to submit a proposal. Among the offending provisions were stipulations such as:

- The selection criteria included a 30% weighting on price, which in reality made the entire exercise a low bid proposition, in which consultants would be motivated to provide their lowest price proposal, rather than their best proposal;
- Unreasonable indemnification provisions were spread throughout the document;

- There was a "duty to defend" provision that we pointed out was not only extremely onerous on our members, but is also uninsurable;
- the agreement had no explicit limit of liability;
- there were concerns about the treatment of intellectual property inherent in the agreement;
- the termination provisions were unreasonable; and
- There was a degree of vagueness that is problematic.

All of these concerns were clearly outlined in a five page letter, in which ACEC-BC provided recommendations based on acceptable documents and standard practices, such as the MMCD Client Consultant Agreement and ACEC Document 31. We also offered to meet with the municipality to help in drafting RFP's that would be acceptable to consulting engineers, thereby resulting in more qualified bidders and, at the end of the day, better projects.

Needless to say, we were disappointed when, in response, we received a three paragraph letter which in essence dismissed our concerns. Even more disturbing was that the municipality stated they received submissions from **seven (7) very qualified proponents**.

More and more, our members are expressing ever increasing frustration about

contracts, onerous clauses and unfair provisions. ACEC-BC shares these concerns, and whenever possible we contact owners to raise these concerns. In some instances, we have effected change that results in fair, open and transparent contracts. We are prepared to represent our members on these issues.

However, when consulting engineering firms disregard sound business principles and enter into contracts that have the potential of bankrupting their business, it sends a message to owners that they can get away with unreasonable provisions in contracts.

ACEC-BC is committed to representing our members in dealing with unfair contracts, and encourages all members to notify us whenever they come across such provisions. However, the most effective way to stop bad contracts and unfair practices is to, as was the refrain in the 1980's and 90's, "just say no!" Just say no to unfair and one-sided clauses that transfer undue risk to the consultant. Just say no to RFP's that award to the lowest bidder. Just say no to "duty to defend" clauses and onerous limits of liability. Once the industry starts taking this kind of action, that is when we will see change.

Keith Sashaw
President & CEO, ACEC British Columbia

Glenn Martin Appointed as Practice Lead, Outreach and Marketing at Engineers Canada

Glenn Martin, B.Comm., CAE, former Executive Director of ACEC-BC, has been appointed to **Engineers Canada** as Practice Lead, Marketing and Outreach. Glenn had been acting in the role for the last three months and brings with her extensive experience with engineering organizations, having led ACEC-British Columbia for eight years, and held the position of Manager, Member and Public Affairs with APEGBC from 2001 to 2004. Glenn's role will contribute toward achieving sustainability of the profession and enhancing public confidence.

Tunnelling in a Resource Driven World!

October 26-28 | Sheraton Wall Center, Vancouver

The **Tunnelling Association of Canada** is pleased to welcome you to **Vancouver TAC 2014: Tunneling in a Resource Driven World** (in conjunction with the ITA Nordic Forum on October 26). The program will include a comprehensive trade show, daily plenary presentations, and technical sessions in the following areas of interest:



- Aging Tunnels and Tunnel Maintenance
- Baseline Reports and Contracts
- Mechanized & Conventional Tunnelling
- Shafts
- Site Investigation and Design
- Tunnelling and Hydroelectric Projects
- Tunnelling and Mining
- Tunnelling for Pipelines
- Tunnelling in Glacial Deposits
- Tunnelling in Remote Locations and Extreme Climates
- Urban Tunnelling & Underground Space

 www.tac2014.ca

2014 Member Feedback Survey

ACEC-British Columbia members are encouraged to express their opinions in a short survey addressing the various activities of the association. Your answers will remain confidential – and if you don't feel like answering a specific question, please feel free to skip it and move on to the next one. [Click here](#) to start the ACEC-BC's 2014 Survey. We look forward to hearing your thoughts!

Engineering Supplement in BiV Advertising Opportunity Available

After the successful launch of the ACEC-BC Awards supplement in April 2014, the Association of Consulting Engineering Companies-BC is pleased to inform you of a new special feature to be produced in collaboration with Business in Vancouver. The feature will run on Tuesday, October 7th 2014.

The supplement, entitled **Engineering in BC**, will highlight the current industry trends, updates in the High Tech sector, and what export opportunities are available for the consulting engineering industry. If there is a particular story you would like to have included in the supplement, please contact Lia Spidlen, lia@acec-bc.ca.

Please keep in mind that our goal in producing this special feature is to promote not only the business opportunities this sector has to offer, but to continue to build positive public awareness of the profession.

We would like to encourage your organization to consider advertising in this targeted publication. Due to strong corporate advertising support in similar features over the years, ACEC-BC has been able to effectively communicate the vital role our members perform in this province, and around the world.

In addition to the general public, this supplement will also reach key business leaders and decision makers who purchase engineering services. This special content feature in Business in Vancouver will be sent to all ACEC-British Columbia members and BiV's 12,500 subscribers.

In the near future, you can expect to hear from a representative with Business in Vancouver who will contact you to provide details and ask for your support. In the meantime, please find attached the rack card for your perusal. Should you wish to take advantage of this special advertising opportunity in Business in Vancouver, please contact Blair Johnston at (604) 608-5148 or bjohnston@biv.com

Thank you in advance for your support. We look forward to your participation.

Upcoming Events

September 10

Okanagan Golf Tournament
Harvest Golf Club, Kelowna

September 18

ASHRAE 90.1-2010 and NECB 2011 Half-day workshop
*BC Hydro Corporate office,
6911 Southpoint Drive, Burnaby*

September 26

Vancouver Island Golf Tournament
Bear Mountain Resort, Victoria

October 1

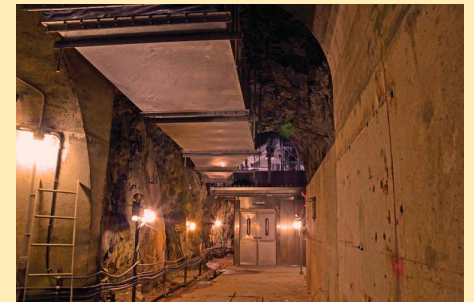
Health Authorities Mixer
Vancouver - venue to be determined

Online Awards Road Show

Be sure to check out the project display boards from the 2014 Awards for Engineering Excellence competition on our web site...

 www.acec-bc.ca/awards.aspx

and be sure vote for your favorite project in the **People's Choice Poll** – results of the poll will be announced in September.



2013 People's Choice Poll Winner – **Cleveland Dam Elevator Installation**

Awards Road Show

July 17 – 24

Surrey City Hall
13450 - 104th Avenue, Surrey

August 5 – August 19

Township of Langley Municipal Hall
20338 - 65 Avenue, Langley

August 20 – September 3

Coquitlam City Hall
3000 Guildford Way, Coquitlam

Consulting Engineers Compensation Survey

The 16th annual Consulting Engineers Compensation Survey, covering over 80 positions is now open for participation.

The survey gives consulting engineering companies from across Canada access to information on current salaries, bonuses, group insurance, retirement benefits and compensation best practices.

Participate between now and August 31st and receive a 50% discount, plus ACEC-BC members, receive an additional 15% savings.

For more details & ordering information, see:

 www.wcbc.ca/surveys/consultingengineers

Questions? please call:

Nancy MacLeod, WCBC
Toll Free: 1-800-781-2411
Telephone: 604-683-9155



BC Hydro Power Smart and FortisBC Seminar

ASHRAE 90.1-2010 AND NECB 2011

The BC Hydro Power Smart *New Construction Program* and FortisBC *Custom Design Program* are pleased to invite you to register for a half-day ASHRAE 90.1-2010 and NECB 2011 workshop on September 18, 2014. This workshop will review the new City of Vancouver Building Bylaws and British Columbia Building Code's (BCBC's) Part 3 energy provisions, including: a discussion on the energy performance compliance modelling paths, and when it is needed; and review of how LEED Canada modelling compares to compliance modelling.

WHO SHOULD ATTEND

Mechanical and electrical engineers, energy modelers, architects, LEED consultants, city engineers or those involved in the design new commercial buildings, institutional and MURB buildings, and need to understand the new BC Building code.

Limited space is available. Registration costs \$50. [Register now.](#)

Public Opinion Poll Finds Support for Building Site C

79 per cent express support for Site C, while awareness increases to 62 per cent

A new Abacus Data poll shows strong levels of support for BC Hydro's Site C Clean Energy Project (Site C), a proposed hydroelectric dam and generating station on the Peace River in northeast B.C. The province-wide poll found that 79 per cent of those polled either support building Site C (49 per cent), or can support it under certain circumstances (30 per cent), while 18 per cent are opposed.

The poll also found that province-wide awareness of Site C has increased significantly. The 2014 poll found that almost two-thirds (62 per cent) of British Columbians surveyed are aware of Site C, compared to 41 per cent in 2013.

"Rising awareness of a major infrastructure project often comes with rising levels of opposition. In the case of Site C, we are seeing a different pattern," said Abacus Data Chairman Bruce Anderson. "While there has been some increase in concern about the project, particularly in the northeast, the overall picture of opinion in the province remains supportive."

The poll on Site C also found that most people in the province are prepared to support the project provided it meets a few key conditions:

- 73 per cent of those surveyed said they would be comfortable with Site C provided there is an extensive, independent environmental review resulting in approval.
- 76 per cent of respondents said they would be comfortable with Site C if affected communities are consulted and their views taken into account as much as possible.
- 77 per cent of those surveyed said they would be comfortable with Site C as long as plenty of effort was going into conservation and other forms of clean energy.

"Site C has gone through a period of heightened attention this year, with a public hearing process and the release of a Joint

Review Panel report," said Dave Conway, BC Hydro's Community Relations Manager for Site C. "The polling results suggest that as people learn more about Site C, they continue to support the project."

Other findings:

- A total of 87 per cent of respondents agree that the demand for electricity in B.C. will continue to grow in the years ahead, while 11 per cent disagree.
- When asked about support for various resource options to meet future electricity needs, the survey found:
 - 71 per cent support adding a new hydroelectric dam and generating station, while 24 per cent are opposed.
 - 65 per cent support buying more power from independent power producers (e.g., wind, run-of-river hydro), while 29 per cent are opposed.
 - 57 per cent support building more natural gas power plants, while 35 per cent are opposed.
 - 33 per cent support using higher rates to encourage conservation, while 65 per cent are opposed.
 - 21 per cent support importing more electricity from outside B.C., while 74 per cent are opposed.

The overall level of support for Site C in 2014 is similar to 2013. Last year, the poll found that 84 per cent of those polled either supported building Site C (42 per cent), or could support it under certain circumstances (42 per cent), while 13 per cent were opposed.

The province-wide telephone poll of 1,053 people took place June 16-20, 2014. The sample included an oversample of 319 people in the north/northeast region of the province. The margin of error for the study in the province-wide sample is 3.1 per cent, 19 times out of 20. The margin of error for the northern sample is 5.6 per cent, 19 times out of 20.

 <https://www.sitecproject.com/public-opinion-poll-finds-support-for-building-site-c>

2014 TAC Conference

Transportation 2014: Past–Present–Future

Hosted by the ministère des Transports du Québec and la Ville de Montréal at the Palais des congrès, the 2014 Transportation Association of Canada (TAC) Conference & Exhibition will celebrate the Association's 100th anniversary.

This special event is expected to attract 1200+ delegates (25 to 50% more than during a typical year) who are decision makers and senior managers from the private and public sectors of Canada's transportation and roadway sectors.

Delegates will be able to choose from a variety of innovative technical tours showcasing Montreal's unique transportation infrastructure.

The conference program will feature a wide variety of technical, professional and networking events over three and a half days, September 28 - October 1, 2014.

 www.transportation2014.ca

 tac-atc.ca/en/conference

**Transportation
2014**
PAST-PRESENT-FUTURE

9th Annual Consultant's Invitational Fishing Derby

July 26, 2014 – Best Western Prestige Oceanfront Resort and Convention Center 6923 West Coast Road, Sooke

An invitational event hosted by the civil engineering community of Victoria to raise funds for the **Sooke Salmon Enhancement Society** and other local enhancement organizations. Since inception, the Derby has donated over \$80,000 to the various charities!

Interested in becoming a sponsor of the Consultants Invitational Fishing Derby? Download the 2014 Consultants Invitational Fishing Derby **brochure**.



Consultants' Invitational

BC's 100 Best Buildings Contest

Architecture Foundation of BC

Do you have a favourite building in which to work, live, play, or just enjoy walking by? The Architecture Foundation of BC (AFBC) invites you to tell us about it, regardless of its purpose, age or construction. Your nomination could become one of BC's 100 Best Buildings!

Give your favourite building the recognition it deserves:

To submit a nomination, go to

 www.BestBuildingsBC.ca

...but hurry! Nominations close on BC Day, August 4, 2014.

Then check out the nominations and vote for your picks from each region to make the TOP 100.

Your building could win!

Judges will select the top 3 from each region. It could be yours!



The Real World:

Theory, Common Misconception and Practical Reality in Construction Law

The Pacific Business & Law Institute presents a one day seminar, October 9, 2014 at UBC Robson Square, Vancouver.

You will learn from a faculty of experts about the most common misconceptions arising throughout the lifecycle of a construction project and the risks they present.

The program will focus on common misconceptions and attendant risk management practices across project stages:

- Tendering
- Construction Contracts
 - Payment
 - Liability
 - Dispute Resolution
- Extra Work
- Delays
- Builders Liens



 www.pbli.com/programs/overview?itemid=135

Northeast BC Natural Gas Summit

The Road Ahead for LNG

*September 18-19, 2014 | Vancouver
Morris J. Wosk Centre for Dialogue*

This comprehensive and information intensive program will examine:

- Changing the game – the future for North American natural gas
- Managing Risks, Creating Value
- Effective management of cumulative impacts through stewardship initiatives
- Synchronizing government regulatory and fiscal processes – opportunities and challenges
- Opening the door to future markets
- Update on B.C. Oil and Gas Commission consultation process agreements regulation
- Managing construction costs through effective skills, employment and training programs
- First Nations business and employment participation
- Strategies to address GHG emission challenges
- Community infrastructure gaps and how to address them
- Mitigation of impacts

WHO SHOULD ATTEND:

The program will be most beneficial to:

- Executives from LNG Companies including Engineering, Environment, Gas Exploration, Operations, and Planning business units
- First Nations and Aboriginal Groups
- Gas Distribution, Production, Service, Storage and Transmission Companies
- Geological and Engineering Consultants
- Government and Regulatory Officials
- Investors and Financial Officers
- Land Administrators & Area Regulators
- Lawyers and In-house Counsel
- Northern Community Relations Coordinators
- Northern JV Specialists
- Pipeline Construction and Specialist Companies
- Power Generators

 www.insightinfo.com/6th-northeast-b-c-natural-gas-summit/