

1. PLANROOM (S&P)

14.1 GENERAL

Policy

To provide a plan service for the use of the industry wishing to tender projects.

14.2 PLACEMENT OF PLANS

Policy

Plans should be pursued for all relevant planrooms. Electronic files are preferred and are more common. If physical plans are provided, they should be placed firstly in the planroom geographically located closest to the project. If extra sets are available they will be sent to the planrooms that benefit the majority of the members.

14.3 PLANROOM POLICIES

Viewing

1. Project information is available to all members of the association electronically and via the listing of plans and specifications at each planroom.
2. The SICA members have priority over non-members with the exception that if the non-member has already commenced his two-hour viewing time, then he will be allowed to complete this period.
3. Planroom Viewing Fee -. Non-members may view plans for a fee determined by staff.

(Date adopted unknown) (Additions Passed by the Board -- October 1999, May 2000, June 2000, November 2000, updated Apr 2014)

14.4 USE OF IFC CONTRACT DOCUMENTS

Policy

IFC contract documents should only make addendum related changes, provided they are done with clouds and/or number indicators. All other changes should be dealt with via change orders and as-built drawings, unless otherwise agreed upon by both the Owner and the Contractor.

(Passed by the Board – May 2011, updated Apr 2014)

14.5 BIDCENTRAL ONLINE BIDDING FOR SUBCONTRACTORS (BOBS)

Policy

In the interest of maintaining a fair and equitable process for the submission of trade contractor bids to general contractors, SICA supports and encourages the use of the BOBS system and all associated rules and procedures. BOBS is recommended for trades with values as defined in the BOBS rules and procedures on all institutional, commercial, industrial or multi-family residential projects valued as defined in BOBS rules and procedures. This includes being applicable for all civil projects that have a structural building component of a value as defined in the BOBS rules and procedures(excluding Division 2 trades with the exception of landscaping and asphalt paving).

(Passed by the Board – November 1996, updated October 2005, updated Apr 2014)

14.6 VOLUNTARY BOBS FOR SUBCONTRACTORS

Policy

To pursue use of Voluntary BOBS for Subcontractors (according to need as outlined by the current BOBS for Subcontractors Policy when the owner has not utilized the Standard BOBS for Subcontractors.

(Passed by the Board – July 2005, updated Apr 2014)

2. CONSTRUCTION INDUSTRY PRACTICES & TENDERING (S&P)

15.1 GENERAL

(Reference Constitution Section 2e).

15.2 CASH ALLOWANCES & MARKUPS – WHO SHOULD CARRY

Where the Cash Allowance references specific Trade Work, the Cash Allowance stated, where applicable, explicitly carried by the appropriate Trade Contractor, **NOT** the General Contractor.

Premises:

1. All elements of the Work, including Cash Allowances should flow through the Contract.
2. Cash Allowances should be for a specific Scope of Work such as asbestos removal or connection fee.
3. The Cash Allowances should not be used for Contingency.
4. The Cash Allowance amounts should only be listed in the Cash Allowance section of Division 1.
5. References to these Cash Allowances should be identified in the appropriate Trade Section.
6. The appropriate Trade should carry the specific Cash Allowance.
7. Any warranty relating to the Work of a Cash Allowance should be the responsibility of the Trade that carries the monetary provision of the Work.
 - a) If the Cash Allowance is not specific to a Trade, the General should carry the Cash Allowance.
8. Mark-ups on Cash Allowances are carried in the Contract Price, not the Cash Allowance, by the appropriate contractor.

(Passed by the Board – June 2003, updated June 2014)

15.3 CHANGE ORDERS

Policy

SICA supports that all the costs and/or time required should be included in the Change Order.

(Passed by the Board – October 2001, reviewed by S&P Feb 2014)

Policy

SICA accepts the wording of the CCA #16 on % mark-up on change orders.

(Passed by the Board - April 2002, reviewed by S&P Feb 2014)

15.4 CONTRACT COMPLETION

Policy

The required completion date should be stated in the specifications by the owner, blank on the tender form for the contractor to complete depending on their circumstances, and not be used for award unless the tender sum is identical.

(Passed by the Board – November 2004, Reviewed by S&P February 2014)

15.5 CONSTRUCTION PROCUREMENT METHODS

Policy

SICA's position on construction procurement is that whatever method is used, it should be public, accountable and transparent.

SICA supports BCCA's position on public procurement as follows:

1. There is no preference on any one procurement process.
2. It is the Owner's choice on the procurement process employed based on their identified needs on the specific project.
3. Regardless of the choice, the process used to engage the industry needs to be open, fair and transparent with the principles in the CAMF and the requirements of AIT, NWPTA & TILMAN
4. Does not support government Policy or processes that prescribe or mandate one procurement method.

(Passed by the Executive -- October 1999; February 2012, reviewed by S&P May 2014)

15.6 CROSS SUBSIDIZATION

Policy

SICA adopts CCA's policy with the inclusion of "utility monopolies".

(Passed by the Board -- November 1996; Reviewed by S&P Nov 2014)

15.7 DEFICIENCY

Policy

1. When the *Contractor* is of the opinion that the requirements of Substantial Performance of the Work have been met, the *Contractor* shall provide a comprehensive list of items needing to be corrected or complete to the Consultant, and should make arrangements for an inspection of the *Work* to be undertaken at the earliest opportunity.
2. The inspection team should be comprised of:
 - (a) The Contractor and Consultant(s).
 - (b) Any *Subcontractors* whose participation may be required by the *Contractor* in order to confirm the *Work* to be corrected or completed.
3. Upon completion of this inspection one list of all items to be completed or corrected should be issued to all members of the inspection team.
4. Funds held back for deficiencies should be based on the realistic value of the outstanding work and should not exceed two times realistic value.

(Passed by the Board – February 2011; updated June 2014)

15.8 DEVELOPMENT COST CHARGES

Policy

The Association recognizes the need for a taxation, in the form of development cost charges, that provides necessary, realistic funds for the creation of infrastructure to support development. The creation of DCCs, however, should be reflective of the economic conditions so that they help stimulate economic activity, not stifle it.

(Passed by the Board – June 2001, Reviewed by S&P Feb 2014)

15.9 DISCLOSURE

Policy

That any information contained in a document deposited at a public tendering which is being used in evaluation of a bid and subsequent contract award, shall be disclosed by the owner or agent upon request by any interested party at the tender opening or anytime thereafter. Unit prices would not be disclosed.

(Passed by the Board – June 2002; updated February 2012; reviewed by S&P Feb 2014)

15.10 DONATIONS AND THE TENDER PROCESS

Policy

The “compliant low” bidder (including the value of the donation) is to be awarded the contract.

Procedure

Advertising

The component of work is to be advertised through the traditional methods. The process should be public and transparent.

Donation of Material Only

These should be clearly identified in the contract documents.

Donations of Labour by Owner

Any volunteer labour should be identified in the contract documents as an exclusion of this work from the contract. The contract documents should state who is responsible for the co-ordination of the “work”.

Bidding Process

To avoid confusion, contractors are to bid on the project stating only the “bottom line” price including any reference to the donation. The donation value should be stated as:

Base bid	\$100,000
Donation	(\$ 2,000)
	\$ 98,000

Award

The contract is to be awarded to the lowest bidder on the bottom line price.

(Passed by the Board -- May 2001; Updated May 2011, reviewed by S&P Feb 2014)

15.11 REVISION THROUGH ELECTRONIC MEDIA

Policy

SICA endorses the use of secure electronic media for amendments to the original tender. The onus is on the contractor to have the amendment to the designated location at the designated time thus providing the owners with the most competitive prices.

(Passed by the Board -- June 1995; April 2013; Feb 2016)

is important to the industry that the owners provide the ability to amend tenders through the use of secure electronic media. The onus is on the contractor to have the amendment to the designated location at the designated time thus providing the owners with the most competitive prices.

SICA endorses the use of secure electronic media (excluding facsimile) for amendments to the original tender.

Procedure

- All monetary amendments to tender amounts must be stated as an addition or deletion to the tendered price.
- A tender may be withdrawn through the use of a secure electronic media provided the intention to revoke tender is received at the location indicated by the tendering authority prior to tender close.
- All monetary amendments 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 electronic address for sending amendments and a phone number for confirming receipt of amendments.
- Any electronic amendment the original tender must be clearly legible. Monetary amendments to the tender amount must be stated numerically and in writing.
- All electronic amendments must be date and time stamped immediately upon receipt.
- For electronic amendments, the clock used for the official tender closing time shall govern.
- No electronic amendments will be accepted after tender closing.
- No tenders will be opened until after the eligible electronic amendments are received at the place of tender opening.
- Where an electronic amendment is received at the electronic address provided in the invitation to tender and the time of receipt is deemed valid, this electronic amendment should be accepted even though said electronic address is not at the location of the opening.
- Contractors are warned that electronic amendments to tenders are submitted solely at the risk of the contractor until such time as it has been received by the tendering authority.

Tip to contractor: Call the place of closing to announce sending a revision and call to confirm that the amendment has been received.

(Passed by the Board -- November 1996; Updated May 2003; April 2013, reviewed by S&P May 2014; Feb 2016)

15.12 TENDER AND SECURITY

Policy

THROUGH ELECTRONIC MEDIA

SICA does not support the use of facsimile for original tenders on public projects mainly due to the lack of confidentiality of the tender. SICA does support the use of email and on-line submissions for original tenders and electronically submitted tender security as long as it originates from the surety or broker and arrives prior to close of tenders.

(Passed by the Board -- October. 2001; April 2013; Feb 2016)

15.13 GOVERNMENT INTERVENTION

Policy

Although SICA agrees, in principle, with the stated social and employment objectives of the Government, SICA is opposed to legislation, which imposes artificial controls on the construction industry.

(Passed by the Board -- May 1994; updated Jun 2014)

SICA supports the reduction or removal of Government interference of "Publicly Funded" British Columbia projects.

SICA insists the Government of "our" province consult with our industry on any and all matters that may affect the well-being of the construction industry for which we represent.

SICA strongly opposes any restrictive clauses in government legislation or policy that have the effect of precluding any class of worker or company that may construct or work on Publicly Funded construction projects.

SICA is opposed to a construction sub-section in the Industrial Relations Act/Labour Code.

SICA is totally opposed to legislated wages. The Construction Industry wage rate should continue to be determined by the market.

(Passed by the Board -- December 1993, updated June 2014)

15.14 IFC DRAWINGS VERSE ORIGINAL DRAWINGS

IFC drawings should only make addendum related changes, provided they are done with clouds and/or number indicators. All other changes should be dealt with via change orders and as-built drawings, unless otherwise agreed upon by both the Owner and the Contractor.

(Passed by the Board – May 2011, reviewed by S&P May 2014)

15.15 LOCAL PREFERENCE POLICY

Policy

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

15.16 MANDATORY SITE VISITS

This paper is not to determine when and if the site visit should be mandatory, but to outline the process to be followed if it is selected.

The issues surrounding mandatory site visits have prompted the Association to look at a process that would be fair, accountable, and transparent. There are many grey areas that have caused both owners and contractors problems. The purpose of this paper is to provide the following summary of the issues and possible solutions.

Issue: Why have Site Visits?

Position:

Owners and consultants need to be assured that the contractors bidding on the job have visited the site and are familiar with the conditions *and get their questions answered in writing.*

- The purpose of a site visit is to have bidders acquaint themselves with existing conditions.
- The key is to remember that all information **visibly seen at the site meeting and** pertaining to the project must be in writing as part of the contract documents.
- The purpose is not to discuss scope of work issues that may not be documented. It is a familiarization visit. If any issues do arise, they are to be sent to the Consultants in writing to be included in addenda.
- The purpose is not to replace quality contract documents and issuance of addenda.

Issue: Why Hold “Mandatory” Site Visits

Position:

We don't have a position on whether mandatory or not, but if it is mandatory, it means that all required contractors must attend at the date and time specified.

Issue: Who Should Attend?

Position:

- The contract documents should clearly indicate which contractors should attend the site visit:
 - Prime Only;
 - Prime and Specified Major Trades;
 - Other Specified Trades.
- It should be attended by a representative of each bidding company.
- Any person sent on behalf of the company is an acceptable representative. It is the bidding company which assumes the liability of lack of understanding.
- Details of the site visit need to be documented.
- A Notice should be sent to the Association and the newspapers about the mandatory visit. The site visit should occur five to eight working days prior to tender closing.

- Notice must be in the Invitation to Tender.

Issue: Details of The Visit

Position:

- There should be only one mandatory site visit.
- The working documents should be available a minimum four business days prior to the site visit.
- If the minimum number of bidders required (predetermined by the owner) is not met then another site visit should be scheduled and announced in an addendum. Those who attend the first visit do not need to attend again.
- Those who do not attend and those who are late will not be eligible to bid. (This information needs to be stated in documents.)
- The owner's designate should lead the meeting.
- The owner's designate should declare, at the time of the site visit that no further attendees are allowed and all attendees are so recorded. No further additions are allowed.
- Notice of change to a site visit should be a minimum of 48 hours.

Issue: Sign-in Form

Position

- A form of some sort needs to be used to document who is in attendance. The form should include only the name of the company, the representative, and signature of representative.
- After the visit, an addendum shall be issued to declare which contractors are eligible to bid.

(Passed by the Board -- November 2000; updated Feb 2015)

15.17 MMCD

SICA supports the use of MMCD on Civil Infrastructure projects.

(Passed by the Board May 2004; Reviewed by S&P Mar 2015)

15.18 OVERBUDGET NEGOTIATIONS

Adoption of BCCA's Policy

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 or 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 to 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.

(Passed by the Board -- March 1997; updated Apr 2015)

15.19 OWNER FORCES/CONTRACTING OUT/PUBLIC SECTOR COMPETITION

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

(Passed by the Board – February 2011; Reviewed Mar 2015)

15.20 REVERSE AUCTION POLICY

Definition

A reverse auction (also called procurement auction, e-auction, sourcing event, e-sourcing) is a type of auction in which the roles of buyer and seller are reversed. In an ordinary auction (also known as a forward auction), buyers compete to obtain a good or service by offering increasingly higher prices. In a reverse auction, the sellers compete to obtain business from the buyer and prices will typically decrease as the sellers undercut each other.

Policy

The concept of a bidding auction is contrary to the principles of recommended construction procurement practices, and as such, is strongly opposed by SICA and its constituent representatives.

SICA therefore recommends that secure electronic bidding and tendering procedures comply with the provisions outlined in CCDC 23 'A Guide to Calling Bids and Awarding Contracts'.

SICA recognizes the value and benefits of secure electronic media tendering and bidding, and endorses its use when intended to increase the efficiency of the construction tendering process.

SICA actively supports the development, in concert with owners, contractors and other construction industry representatives, of appropriate guidelines for the use of secure electronic bidding practices.

(Passed by the Board – January 2004; Reviewed by S&P September 2015; Feb 2016)

15.21 SUCCESSFUL TENDERING PRACTICES

Policy

1. Ensure quality of the plans, specifications and tenders by allowing sufficient preparation time for all parties.
2. Avoid allegations of manipulation by following standard tendering practices such as those recommended in "The Procedures and Guidelines for Use on Publicly Funded Construction Projects" and the most recent copy of CCDC-23 "Guide to Calling and Awarding Tenders".
3. When calling trades through Bid Depository ensure that all related trades are also specified. Reference to the Electronic Bidding Procedures.
4. Assure contractors that they will be treated equitably by avoiding clauses that:
 - a. Waive non-compliance with tender documents. Reference most recent CCDC-23 "Guideline for Administering Bidding Irregularities"
 - b. Award on the basis of policies and preferences not stated
 - c. Allow local preference policies
5. If separate or alternate prices must be used, keep them to a minimum and state how they will be used in determining the lowest tender. Reference most recent CCDC 23 – Bid Form Supplements Alternative Pricing.
6. Ensure that all information requested in the trades' sections is also requested on the prime contractor's tender form and vice versa.
7. Allow faxed or electronic revisions to tenders as defined by the tender authority.
8. Use industry standard documents such as CCDC, MMCD, BCDC or CCA documents.
9. If a contract is to be awarded, it should be to the lowest qualified compliant bidder.
10. If negotiations are necessary, they shall be with the compliant low bidder only

and the named trades as allowed by the contract document.

(Passed by the Board -- Mar 1995; Updated Feb 2013, Jun 2015) .

15.22 TENDER DOCUMENT DEPOSITS

Policy

The Southern Interior Construction Association supports the principle that electronic tender documents should be issued without charge to bidders.

(Passed by the Board -- November 1996; updated May 2004, Jun 2015)

15.23 THRESHOLDS FOR PROCUREMENT OF PUBLICLY FUNDED CONSTRUCTION

Policy

Thresholds should always be followed on all publicly funded construction projects as defined in the New West Partnership Trade Agreement in Article 14, paragraph 1(a), 1(b) and 1(c).

1. Any construction opportunity, not limited to but including service, maintenance, small projects and capital projects, with an estimated value of between \$25,000 and \$100,000 must have bids solicited by one of the following means;
 - a. Opportunities can be posted on BidCentral (and any other industry medium) for an open public bidding process;
 - b. And/or an invitation shall be extended to all contractors on the *registry of pre-approved contractors that meet the criteria for the specific project.
2. 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 contractors must be in a manner that is appropriate to the value, complexity and profile of the business opportunity with the following requirements;

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

(Passed by the Board – June 2005; April 2016)

15.24 USE OF GOLD SEAL AS CONDITION OF CONTRACT

Policy

1. Continue to allow Intern registration.
2. Mechanical and Electrical when undertaking projects in excess of \$500,000 or

where the degree of difficulty warrants the need either as prime contractor or trade contractor, that their Superintendents or Project Managers are Gold Seal certified.

3. A Superintendent or Project Manager for the Prime Contract be Gold Seal certified
4. The project value criteria of \$1 million or where the degree of difficulty warrants the need are used for Gold Seal Condition of Contract.

(Passed by the Board – April 2012; Reviewed by S&P Sept 2015)

Given that:

1. Contractors recognize the importance of qualifications such as Bid Depository, Apprenticeship, Trade Qualifications, 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, project 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 contractor for Site Superintendents on projects over \$5 million or where the degree of difficulty warrants the need.

15.25 GOLD SEAL INTERN DEFINITION

SICA adopts the CCA's definition of Gold Seal Intern into the policies.
(<http://goldsealcertification.com/intern-gsi/>)

(Passed by the Board – June 2005; September 2013; Reviewed by S&P Sept 2015)

15.26 USE OF GOLD SEAL AS CONDITION OF CONTRACT IMPLEMENTATION

1. Owner to advertise six months in advance through standard advertising media (ie local paper, Journal of Commerce, Construction Associations) that proceeding with the requirement as of a certain date.
2. The ad will announce the following: “Beginning (insert date), the demonstration of the management of construction (via Gold Seal certification or internship) will be required by the prime contractor for Site Superintendents on all (insert owner’s name) projects over \$5 million or where the degree of difficulty warrants the need. These requirements will be stated in the contract documents. For more information on Gold Seal, go to the following link <http://www.goldsealcertification.com/about/> or contact the SICA office in Kelowna at 250-491-7330. The process for processing applications for certification and internship is approximately 6 weeks.”
3. Appropriate projects are industrial, commercial, institutional and multi-family residential.
4. Issue details of Gold Seal requirements in the Invitation To Tender. Provide

the Invitation To Tender to the Construction Associations, and other locations as per your procurement policy. The invitation to tender should contain the following: “The successful bidder shall provide a site superintendent who is CCA Gold Seal certified as Superintendent or intern. The successful contractor must supply the Gold Seal certification document for the Superintendent or Intern application within 10 days of award. For more information on Gold Seal, go to the following link <http://www.goldsealcertification.com/about/> or contact the SICA office in Kelowna at 250-491-7330.”

5. Provide the tendering authority/design consultants with the above wording for Division 1 of the specifications.
6. There is also a listing of Gold Seal holders (both certificate and intern) at the following links: <http://www.goldsealcertification.com/gold-seal-directory/>
7. The project owner may wish to encourage their applicable staff to also strive for Gold Seal certification by asking them to apply for the new CCA Owner Project Manager designation. The implementation of the Gold Seal Condition of Contract Policy is qualification criteria for the New SICA Owner/Consultant Award.

(Passed by the Board - July 2005; Reviewed by S&P Sept 2015)

15.27 GOLD SEAL PROJECTS

Policy

To support Gold Seal Project designation using the guidelines under:
<http://goldsealcertification.com/pdf/projects/projectGuidelines2012.pdf>

(Passed by the Board - November 2008; Reviewed by S&P Sept 2015)