



Vancouver Regional Construction Association
Professional Services Division Meeting MINUTES

Date: 3:30 – 5pm, March 7, 2024

Location: Virtual via Microsoft Teams

Attendee	Company
Scott Harcus	Alexander Holburn Beaudin + Lang LLP
Nikki Keith	Wilson M. Beck Insurance Services Inc.
Deanna Stuart	Crowe MacKay LLP
Dirk Laudan	Borden Ladner Gervais LLP
Charles Bois	Miller Thomson LLP Barristers & Solicitors
Joey Thompson	Marsh Canada Limited
Guest	
Chris Atchison	BC Construction Association
VRCA Staff	
Jeannine Martin, President	
Cecile Lopez, Director of Operations	
Erin Wormald, Member Experience Specialist	

Action Items			
Item #	Owner	Action	Timeline
PS240307-1	VRCA	Invite Mark Liedemann to the next division meeting to discuss Alliance contracts.	May



AGENDA ITEM	DISCUSSION
1. Welcome	Roundtable introductions of attendees.
2. VRCA/BCCA/CCA Updates	<p>BCCA Update</p> <p>Chris Atchison provided an overview of what BCCA does, its mandate to work on workforce development within the industry, and recent efforts on advocacy and prompt payment (see Attachment 1).</p> <ul style="list-style-type: none">• SH: Why has BC been such a laggard compared to most of the other provinces that now have it in place and what needs to be done in the future to get prompt payment legislation in place in BC? / A: There are people-first governments and that is their mandate; they don't fully understand what prompt payment legislation is, or what it brings to an industry and to community. They see this as a business-to-business challenge (rather than as people).• CB: NDP was committed to have something in place by the fall last year? / A: In early 2021, we had a commitment for a commencement of a working group and then that was pulled then. So this is really a revisitation. We felt that maybe late in 2023 would have been about the earliest we could expect legislation, but all of that got bumped as soon as they pulled that working group. Now the working group has some legs beneath it, that's not going to happen this time.• CB: Do you think they are tying it with the Buildres Lien Act? / A: The plan is to go through the comparative analysis of prompt payment and adjudication that exists in the other jurisdictions then once that review is done, go back and revisit the BC law Institute's recommendations for lien reform and fold it all into one. <p>VRCA Update</p> <p>Jeannine started with a membership update, which has grown to 840. On advocacy – VRCA is participating in the prompt payment cross-jurisdictional analysis; working on building relationships so we can influence outcomes for construction at the municipal and local government level for the Lower Mainland; hosted several panels at Buildex to help raise the profile of construction. We piloted the Bringing Trades to Schools program a few weeks ago in conjunction with BCIT & Burnaby Board of Trade and had some member firms (PCL, WPE, Division 15 Mechanical, etc) facilitate hands-on training in different trades. We are looking at ways we can scale this program. For events, we have a half-day conference for women in construction called LEAP on March 8, a mixer coming up on March 14 in Abbotsford. The CLF conference is coming up on May 2-4 and more than 50% sold so please get your tickets if interested. April is Construction month and VRCA will host a breakfast on April 15, more info to come.</p> <ul style="list-style-type: none">• SH: How is membership amongst the Professional Service Division is doing? / A: about 85 members. We have had some more engineers and architects starting to join, and tech companies, so we are starting to build professional services.
3. Open Forum	<p>Division Meetings</p> <ul style="list-style-type: none">• The division meetings focus on issues that affect that division – there are unique issues that might arise in providing services and dealing with our clients. This is a forum to raise things you've seen, where we can discuss those topics.• When you register, you will receive a survey where you can submit topics you want to discuss on these calls. Because it is for you, it's for you to bring the issues to the table for us to just have an open discussion about them.

	<p>Insurance, Surety Trends</p> <ul style="list-style-type: none"> • Rates are stabilizing as far as wrap ups go. The challenges on the high-rise construction is the water prevention plan, underwriters are wanting to see water shutoff valves installed on the plumbing. Cyber is always an issue and more sophisticated claims are coming through. AI has definitely made a change to how people are scamming, e.g., they can take someone who has a very unique voice and recreate it and use that voice to call and ask you to do something. There are more mailbox thefts happening as well where checks are stolen; the key is to make sure that accounting teams are following best practices. Forest fires is an issue that we have in the interior and remote areas, it is getting more difficult to find coverage in some of those areas for certain things. • Pollution liability - better to have as part of your program and flow that cost through the project. It's the site pollution that is more difficult to get because you have to have a site assessment done to say if there were pollutants tested on that site. • CCDC challenge is that contractors are still modifying those documents. Developers are wanting to control the insurance, so they have to modify the CCDC contract language. NK: have brought this forward to CCA – to have a couple of standard template versions of that insurance document, one that says owner shall provide and one that says contractor shall provide so that it's not leaving it up to the contractor to get a legal team to build something for them. If CCDC contracts were done in a way wherein depending on who's buying the insurance, you can exchange that one document, it would cut down on some of those gaps on those contracts. • There are more joint ventures because the capital requirements are huge, which raises all kinds of different things such as insurance liability for the various joint venture partners. • Policy exclusions – A number of things that have traditionally been included in the policy coverage have now been carved out, and you need an endorsement or another supplemental policy to deal with them. Also, there should be more conversation in the insurance document on the contract that outlines what the deductible structures might be. • Certificate of Completion – DL: Seeing high claims frequency, with certificates of completion in BC rarely issued correctly so that people's protection against liens is not always as good as they have assumed. That's one of the reasons we hope some architects will join us at these meetings as they are the payment certifier typically on these projects. • Alliance contracts – Infrastructure BC looks at this as a construction management contract, an opportunity to open up big projects to additional contractors because there is no bonding required; puts the entire risk on the owner. Action: Invite Mark Liedemann to the next division call • Construction Leadership Forum (CLF), May 2-4 - Brian Maksymetz from Better Projects Inc. will talk about collaborative contract models from the contractor perspective, having worked on them and been involved in them. We also asked Infrastructure BC to consider having a forum with our trades. We will continue to educate ourselves, more info to come.
<p>4. Other/New Business</p>	<p>No new business. The meeting adjourned at 4:45pm.</p>