

Did you.... Baseball Trivia:

1. What brother combination has the most career hits?
2. Which is the only non expansion team to never have a player win Rookie of the Year?
3. Who were the first 2 players to be declared free agents?
4. Who was the last team to win a game 7 on the road?
5. Name the 4 players to have a 40 homer season in both leagues?
6. Name the 2 catchers who have 10 gold gloves apiece?
7. Who were the only 2 players to play for all 4 franchises that originated in New York?
8. Who was the last player to have a 50 homer season and win a World Series?
9. Who has the most pinch hit homeruns?
10. Who holds the record for most opening day starts?

Answers

1 - Lloyd and Paul Warner, 2 - Pittsburgh Pirates, 3 - Andy Messersmith and Dave McNally, 4 - Pittsburgh Pirates, 5 - Mark McGwire, Ken Griffey, David Justice and Shawn Green, 6 - Ivan Rodriguez and Johnny Bench, 7 - Jose Viscaino and Darly Strawberry, 8 - Luis Gonzalez, 9 - Cliff Johnson, 10 - Tom Seaver

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Can Trades Up Their Price?

The issue: A project closes through bid depository and the trade contractors are not informed by the general contractor that they are being awarded the contract for work they bid and had been named for. When the time comes for the trade contractor to become involved in the project they are contacted by the general contractor to do the job. In this case the trades respond to the general contractor by advising that their price has now gone up.

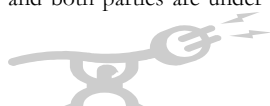
The question: Is there a contrac-

tual requirement for the contractors to hold their prices even though they have not been advised that they were awarded a contract?

The opinion: According to the opinion of legal counsel—yes there is. Under the Bid Depository Rules the general contractor is required to contract with the named trade but there is no requirement, either within the Rules or in BC common law, that there be an explicit communication of acceptance to the trade. Once the trade contractor has been named a contract exists and both parties are under an obli-

gation. The general contractor must contract with the named trade contractor and the trade contractor must contract for the price bid. If a trade contractor is not holding their price then they are in breach of contract. Such action is also tantamount to withdrawing their bid. Under the Bid Depository Rules, a bid can only be withdrawn up to 24 hours prior to the GC closing, so they are also contravening those rules and opening themselves up to possible sanctions.

Courtesy: BCCA Bulletin



Partnership Increases Jobs For Aboriginal People

An innovative partnership between the provincial government, the BC Construction Association (BCCA) and aboriginal organizations will increase job opportunities for aboriginal people in B.C.'s booming construction industry.

As part of the partnership, the BCCA will identify future job opportunities in construction so aboriginal organizations can better match training programs to upcoming employment trends in the sector.

"B.C.'s construction industry is booming and we want to ensure aboriginal people share equally in new job opportunities in this field," said Coell. "Through the Aboriginal Employment Partnership Initiative, we are assisting employers to address long-term employment needs while also providing aboriginal job seekers with better information about job opportunities to come."

"This partnership is about helping to reduce the barriers of access that often prevent aboriginal people from participating in the economic mainstream," said Geoff Plant, Attorney General and Minister Re-

sponsible for Treaty Negotiations. "This and other economic development projects with aboriginals - in forestry, mining, tourism and the 2010 Olympic and Paralympic Winter Games - show that government is working to materially improve the lives of aboriginal people across British Columbia."

The Aboriginal Employment Partnership Initiative is designed to better match and coordinate job training and skills programs with areas of greatest job opportunity in B.C. The provincial government has provided \$600,000 over the last two years through the Economic Development Fund to implement AEPI. To date, seven similar agreements have been reached with the Vancouver Police Department, Duke Energy Gas Transmission West, RBC Royal Bank, London Drugs, the Vancouver Island Health Authority, Royal Roads University and the City of Dawson Creek.

"The construction industry is concerned about the potential for skills shortages in the coming years. Since the majority of the aboriginal population is young, it provides us with a

wonderful opportunity to access a yet untapped pool of talent," said Manley McLachlan, President of the BCCA.

"We look forward to working with the Ministry of Community, Aboriginal and Women's Services, and the aboriginal leaders of this province, so more aboriginal people can access the incredible career prospects available in our industry."

The program is administered and delivered by the Métis Provincial Council of B.C. in partnership with the provincial government, and benefits all aboriginal people including those living on and off-reserve and in urban areas.

"I appreciate the efforts of the BCCA in being the first organization in the construction industry to recognize the need for developing solid relationships with the aboriginal community," said Harley Desjarlais, president, Métis Provincial Council of B.C. "We're committed to implementing all employment opportunities resulting from this partnership."

Courtesy: VRCA Jackhammer

Skills Shortages and the Electrical Trade

by H. Earle Goodwin

There is a lot of concern about the shortages of skilled trades in construction over the next 20 years. Baby boomers are about to leave the trades and there is a concern that enough people will not be coming into the trade to fill the demand for their services.

In an effort to avoid a coming problem, many solutions have been proposed. But is the electrical trade vulnerable to the impact of a skills shortage? Should we be thrashing around looking for a cure? Manpower shortages can be difficult to predict at the company level and they become even more difficult as the time line becomes longer and the area involved becomes bigger.

There seems to be little doubt that the exit of the Baby Boomers from the workforce will have an impact. It also seems clear that some trades will be hit harder than others. In a report published in 2002 (and due for revision this year) entitled *Aging Construction Workforce and Skills Shortage – Myth or Reality?*, commissioned by the Ontario Construction Secretariat, Peartree Solutions Inc. and Prism Economics and Analysis looked at the effects of demographics and labour force dynamics on the skilled construction labour pool in Ontario. Applying models they developed to 1996 census data they were able to create data that virtually matched the situation as it existed in 2001 and then go on to make some observations about the future.

They found that the electrical industry was in relatively good shape. The average age of an electrician is about the same as that of the general working population. The same can't be said of heavy equipment operators and bricklayers, for example. The trade feels that there are several factors contributing to the relative good health of the electrical construction sector.

First is the fact that electrical is one of the most appealing trades. There is generally no problem attracting applicants for apprenticeship. In fact, most apprenticeship councils have their pick from a pile of applications when they set out to fill openings in their programs. Applicants are attracted by the variety of work they can perform once they have their certificate of qualification (C of Q). Also, it is one of the less seasonal construction trades, with work going on throughout the year. And, it is less sensitive to downturns in the economy due to opportunities to shift from new construction to renovation and maintenance work. There are also many opportunities for advancement with upgrading and specialization. Many electricians may also choose to be come contractors or move into the heavy industry environment.

Another advantage electricians enjoy is that they're trained to Red Seal standards. This allows them to travel across North America in search of work when it dries up at home. This keeps them working and in the trade, rather than leaving it all together in hard times, and provides a pool of workers who will generally come home again when opportunities for work improve.

Katherine Jacobs, the Ontario Construction Secretariat's Manager of Research and Analysis, points out that about 50% of electricians work outside of construction and form a further labour pool that can be drawn on when construction heats up.

But are these really the reasons for its health? Is the compulsory status of the trade and mobility really what keeps the average age of the workers stable, shielding it from the dwindling numbers some of the other trades are facing? We may be about to find out.

Over the last couple of years the government of British Columbia has been working to make the electrical trade non-compulsory and rework the apprenticeship system along skills-based lines. Last May that govern-

ment's legislation was passed and, starting this year, their changes are being instituted. These changes will enable people with six years of experience in the trade to challenge an exam for their BC Trade Qualifications. No technical training will be required and they will not be able to qualify for the federal Red Seal endorsement.

Richard Campbell, Executive Director of the Electrical Contractors Association of British Columbia, notes that, "British Columbia is already feeling the effects of a skills shortage. The previous BC administration created an atmosphere that made builders leery of starting new construction projects. This has changed with the new government and pent-up demand has been released. The new Vancouver Convention Centre, the Vancouver Airport expansion and many other major projects are now getting under way. The forest industry is making come back as is the mining industry after years in limbo. Combined with the construction of Olympic facilities, there is an estimated \$16 billion of new construction is underway or on the drawing boards, with much of it expected to peak in 2006.

In all probability, all this activity will draw on labour from outside BC's borders – labour that is in reserve because of and owes its mobility to Red Seal standards the workforce possesses. However, it is unlikely that we will see an influx anything like in 1986 with Expo because of our cost of living; and because of significant construction activity across the country.

There have always been arguments against the compulsory nature of the electrical trades. Business has often expressed a desire to do their own training to the minimum standards they think they need to get the job done. This is often referred to as trade splintering or "dumbing down" the trades. The trade has resisted, stating that worker and public safety alike will be jeopardized by electricians who don't fully understand the complexity of an electrical system. It would also serve as a deterrent for those thinking of entering the trade.

There is also an argument that the apprenticeship system turns out workers who are too old by the time they get their C of Q. It's not unusual for apprentices to enter the trade at 25 or 26 years of age, having worked in other areas before deciding on becoming electricians. This means they would, under normal circumstances, complete their apprenticeship at age 29 or 30.

Programs are now in place, which introduce students to the trades at the grade 10 level. The effect has been to attract more young people to the trades and to give them a head start on their apprenticeships. Now, many are receiving their Red Seal or C of Q when they are 21 or 22.

In short, the electrical trade does not look like it is going to suffer from skills shortages to the same degree as other trades. The trade attributes this to its ability to attract and retain apprentices and journeymen and by the mobility afforded by the Red Seal endorsement.

There are far too many variables to predict with any degree of certainty, what the situation will look like 15 or 20 years from now. Changes in economics, politics and advances in the way work is done can all have significant impacts on labour requirements. There is the potential for this to become a major issue in the construction industry in Canada. It certainly bears watching.

H. Earle Goodwin is an Ontario based free lance writer



ECABC Fireworks Dinner Cruise

The second annual Vancouver Chapter Fireworks Dinner Cruise held on July 28th was a resounding success once again. The weather was superb, the food was excellent and China's fireworks were amazing. We were on the same boat as last year, but it was lengthened over the winter so it was very comfortable, even though we had more people on board than last year. The event is so successful, there's a very good chance we'll do it again next year.

In addition to many contractor and supplier members, we were joined by special guests including Bob Morrison and Mike Burgess from CLRA and their wives. Rod Goy and his wife were there along with Veronica Slamon and her



Paddy O'Connell, Rick Slamon, Rose O'Connell, and Veronia Slamon

husband Rick, as well as Rosa Riordan from the Electrical Joint Training Committee (EJTC). Paddy O'Connell from the Western JETS and his wife Rose were on board as well. We were also honoured to have Manley McLachlan, President of the BC Construction Association and his wife Jan join us along with Abigail Fulton, Vice-President of BCCA.

Hall of Fame members Lionel Houle and his son Dennis and his wife were also in attendance. Dana Taylor and Jane Andrews from the Mechanical Contractors Association of BC came along with two of their directors and their wives including past-president John Davina.



CCA Supports National Training & Apprenticeship Standards

CCA will lobby the appropriate federal and national bodies for public policy favouring the use of national training and apprenticeship standards for apprenticeship and trades training. This will facilitate excellence in skills development and foster workforce mobility. Under a standardized approach, apprentices would receive similar core training regardless of where they take the training in Canada and as well as common start and finish times for the in-school portion.

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A Partnership for Building Solutions

Alexander Holburn Beaudin Lang (AHBL) is pleased to announce our new partnership with the Electrical Contractors Association of British Columbia. Through this partnership, AHBL will provide ECABC members and their employees with the highest quality, responsive and innovative legal services, at our preferred client rates.

If you would like additional information on any of our practice areas, or individual lawyers, you can contact Norm Streu at 604.643.2192, nstreu@ahbl.ca

Constructive Comment

by Keith Sashaw, President of the Vancouver Regional Construction Association

A return to a positive net migration for the province is a key indicator of growth and one of the reasons for this renewed optimism. After six long years of people leaving B.C. to find work, we are now attracting more people to our region than we are losing. The significance of this cannot be underestimated. Not only are people in other regions taking notice of the positive change underway on the west coast, but also those already here are now starting to see the results of a resurgent economic environment.

With this increase in activity, skilled labour is a concern for the construction industry. We cannot rely solely on attracting those who are already trained to relocate to B.C. We recognize that, unlike other periods of increased building activity, there are strong building markets in almost every other market in North America. That's why leading associations like VRCA are taking steps to recruit the best and the brightest young minds to our industry. We're working with institutions like BCIT and local high schools to ensure our young people have the right skills to enter the industry and succeed.

The construction industry has also had very positive discussions

with First Nations communities as well as organizations supporting new immigrants. We are working with these groups to find the best way to ensure they have access to the training and the jobs they need to enter the construction industry.

Our focus is on attracting new workers to the industry, through partnerships with government and education institutions, and on retaining the experienced people we presently have. We will have the workforce to deliver all of these projects on time and on budget.

After a decade of relatively stagnate activity in construction, our members are looking forward to building the next chapter in this city's storied history. VRCA is celebrating its 75th anniversary this year. In all that time, not once has the industry held such promise as it does right now. This is a great time to be in construction. There are going to be challenges along the way, but the resourcefulness of this industry will go along way to ensuring the billions of dollars invested in construction will deliver first class products, on time and on budget.

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Provincial View

By Manley McLachlan, President of the BC Construction Association

Business is picking up for the construction industry and indications are that it will continue to be good for some time. In my travels around the province, I find more and more BCCA members reinforcing that message. There is a buzz of activity out there, and I find that many of the issues and concerns that plagued the industry a few years ago have suddenly taken a back seat to new priorities, such as, finding enough skilled workers, managing busy schedules and dealing with rising prices. It seems we can't enjoy a rainbow without some sort of black cloud lurking in the background but at least we can hope for that pot of gold that comes with an increase in business.

The continually improving business environment can no doubt be attributed to a number of factors. It would be remiss of us, however, not to recognize the commitment and effort being made by our provincial government to stimulate and support our economy. Too often we find reasons to complain and forget to issue a little praise for work well done. Tax cuts, tax exemptions and the concerted effort to reduce red tape and streamline regulation are just some of the steps that this government has taken to improve the business environment in British Columbia. Their actions have taken some time to show positive results but the results are definitely coming in. We need more of the same and we are looking to government to keep up their good work in this area.

Construction is certainly heating up in many areas of British Columbia. Prosperous times for our province will also bring an increase in capital spending by government. As the economy expands so also does the need for better infrastructure. We can expect to see more public construction opportunities for the industry down the road. Add to that the many opportunities arising as a result of the 2010 Winter Olympics. It occurs to me that an active public construction arena gives the government a golden opportunity to showcase its ability to manage the tax dollars efficiently by providing balanced and fair opportunities for the construction industry to competitively bid on work.

It is agreed by all that public construction should be conducted in a competitive, fair and transparent manner. However, if public agencies hope to attract bids from as many good contractors as possible, it is critical that they recognize the make-up of the bidding pool. The bulk of our industry consists of small companies with less than 10 employees. A good competitive bidding process should include the use of standard

tendering procedures and should not include an unnecessarily onerous prequalification process.

Small businesses generally do not have the resources to properly assess unfamiliar tendering documents or procedures. The need to hire expert advice to fairly negotiate such documents could only be managed by increasing the price of their bids. Small companies are then faced with either taking on unknown risk or walking away from opportunities because they are no longer able to bid competitively.

This is particularly frustrating when well-balanced, industry accepted, standard construction documents such as the CCDC-2 are out there and widely available to all.

Excessive pre-qualification is also problematic for the small contractor. While it is important for public agencies to ensure appropriate qualifications and abilities, this should be done in a consistent and reasonable manner. Requiring contractors to go through onerous pre-qualification procedures not only drives up the cost of construction it also reduces competition by driving away a number of contractors well able to do the work despite their inability to jump through all the hoops.

My advice to owners is to carefully manage the many new construction opportunities coming our way. Support the use of standard documents and standard tendering procedures by all public agencies. Take a look at some of the pre-qualification requirements that are being used on projects. Discourage the use of onerous requirements that serve to lessen competition unnecessarily. Most importantly, look to the Public Construction Council for direction on these matters and consult with industry to ensure the most efficient and effective tendering process gets put into place on all publicly funded projects.

Our economy is on the upswing and we owe a lot of that to this government. It is essential that this new prosperity be attainable not only by big business but also by the majority of small business operators competing for a piece of the pie—especially when their tax dollars are paying for the work!

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The Economy

Business investment in non-residential building construction advanced 3.7% (seasonally adjusted) in the second quarter.

Spending on both industrial (6.0%) and commercial (+7.2%) projects in BC increased, but investment in institutional buildings contracted

0.6%. The construction activity was concentrated outside the most populous areas of the province. In Vancouver, total investment in non-residential buildings was stagnant +0.2%), while spending in Victoria dipped 2.3%.

Nationally, investment in non-residential build-

ing construction edged up 0.5% despite weakness in many parts of the country. BC, Alberta (+6.3%) and Nova Scotia (+23.1%) were the only provinces where spending increased.

Data Source: Statistics Canada

ECABC's Outside Involvement (ECA is involved with the following organizations/associations)

BC Electrical Association (BCEA), BCIT Construction Management Program Advisory Committee, BCIT Electrical and Electronic Program Advisory Committee, Camosun Electrical Program Advisory Committee, College Instructors Articulation Committee, Construction Specifications Can-

ada (CSC), Council of Construction Associations (COCA), Council of Construction Trade Associations (COCTA), Electrical Inspectors Association (EIA), Electrical Safety Review and Appeal Boards, Electrical Safety Advisory Committee (ESAC), IBEW 213/ECA Joint Training and Journeyman Upgrading Committee (EJTC), Public Construction Council (PCC) and Western Joint Electrical Training Society (Western Jets)

Legal Specs

by Christopher Hirst and Norman D. Streu

From a construction lawyer's perspective, we anticipate that the construction contracting and project procurement environment will evolve in the following ways: Construction capacity issues will likely lead to a more balanced market for the provision of construction labour and services. For a number of years, contractors have been hungry for work and have too often been prepared to bid on projects regardless of the circumstances. This will change as contractors' volumes increase. Already owners have reported a lack of acceptable tenders where the tender documentation has been viewed as unfavourable or unclear. Front-end documentation will have to be well-prepared and palatable to contractors in this type of market in order to ensure that ample competitive bids are received.

As a result of price volatility, contractors will increasingly seek to "share the risk" of price escalation by requesting that the construction documentation provide indexing or escalation provisions for scopes of work where material is in short supply. If escalation clauses are not introduced, there is a risk that fewer or no bids for scope of work will be received and/or contractors will incorporate cost escalation contingencies into their bids, which may exceed real cost escalations. Contingencies for increases in construction costs are likely to become an issue in every aspect of construction. Contractual documentation that addresses reasonable concerns over cost escalation, while ensuring minimal exposure to price increases or opportunism will likely become essential.

The trend towards methods of project delivery other than the

standard design/bid/build is likely to continue. Owners will continue to seek the flexibility and perceived advantages of alternate project delivery methods. This may have consequences for contractors as they move into procurement methods that they may be less familiar with.

Owners that do not employ balanced provisions with respect to project risk will increasingly run into issues with contractors' bonding and insurance. Given the significant number of large construction projects on the immediate horizon, the bonding capacity of contractors already committed to other significant projects may itself become an issue.

Risk management will become a trend in the industry as industry participants increasingly take measures to minimize their downside risk during this boom period.

While the construction environment may be undergoing changes, the next few years clearly promise to be an exciting time to be involved in the construction in British Columbia. We have no doubt that the British Columbia construction industry will quickly adapt and flourish in this new environment.

Christopher Hirst and Norman D. Streu are lawyers at the Vancouver firm Alexander, Holburn, Beaudin & Lang. Streu is also chairman of the Vancouver Regional Construction Association

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The Morning After



Marty wakes up at home with a huge hangover. He forces himself to open his eyes, and the first thing he sees is a couple of aspirins and a glass of water on the side table.

He sits down and sees his clothing in front of him, all clean and pressed.

Marty looks around the room and sees that it is in perfect order, spotless, clean. So is the rest of the house.

He takes the aspirins and notices a note

on the table "Honey, breakfast is on the stove, I left early to go shopping. Love you."

So he goes to the kitchen and sure enough there is a hot breakfast and the morning newspaper. His son is also at the table, eating.

Marty asks, "Son, what happened last night?"

His son says, "Well, you came home after 3 A.M., drunk and delirious. Broke

some furniture, puked in the hallway, and gave yourself a black eye when you stumbled into the door."

Confused, Marty asks, "So, why is everything in order and so clean, and breakfast is on the table waiting for me?"

His son replies, "Oh that! Mom dragged you to the bedroom, and when she tried to take your pants off, you said, "Lady, leave me alone, I'm married!"



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Schedule of Events

September 9, 2004
Vancouver Island Chapter Meeting,
TBA

September 21, 2004
Central Chapter Meeting

September 23, 2004
Vancouver Chapter
Fall Classic Golf Tournament
Pitt Meadows Golf Course

September 28, 2004
Vancouver Chapter Meeting

October 10, 2004
Vancouver Island Golf Tournament

The Thirsty Cowboy

A cowboy walks into a bar in Texas, orders three mugs of Bud and sits in the back room, drinking a sip out of each one in turn. When he finishes them, he comes back to the bar and orders three more.

The bartender approaches and tells the cowboy, "You know, a mug goes flat after I draw it. It would taste better if you bought one at a time."

The cowboy replies, "Well, you see, I have two brothers. One is in Australia, the other is in Dublin, and I'm in Texas. When we all left

home, we promised that we'd drink this way to remember the days we drank together. So I drink one for each of my brothers and one for myself."

The bartender admits that this is a nice custom, and leaves it there.

The cowboy becomes a regular in the bar, and always drinks the same way.

He orders three mugs and drinks them in turn. One day, he comes in and orders only two mugs. All the regulars take notice and fall silent.

When he comes back to the bar for the second round, the bartender says, "I don't want to intrude on your grief, but I wanted to offer my condolences on your loss."

The cowboy looks quite puzzled for a moment, then a light dawns and he laughs. "Oh, no, everybody's just fine," he explains. "It's just that my wife and I joined the Baptist Church in Sweetwater and I had to quit drinking It hasn't affected my brothers though."



Benefits of Membership in ECABC

Advocacy

- 1 Strong united voice to government for expressing opinions and concerns regarding issues that directly affect the electrical industry
- 2 Representation on other associations, committees and councils that deal with apprenticeship, safety, WCB and other issues

Consulting - Contract interpretation service

Discounts and Special Services

- 1 Petro-Canada SuperPass Program - New!
- 2 Esso Fleet Discount Program
- 3 Accent Inns – Preferred Rates
- 4 DM Credit Services

Education

- 1 Seminars or information sessions and speakers at chapter meetings
- 2 Salaried Employees Training Trust Fund (SETTF)
- 3 BC Electrical Association Scholarship Fund

Health Care – BC Construction Association Group Benefit Plan

Insurance - Industry specific insurance from Federated Insurance

Marketing – ECA website, advertising, electrical engineering/consultants program ECABC logo/membership stickers

Networking - Regular networking opportunities at monthly chapter meetings, annual general meetings, and an annual national conference

News

- 1 The Conduit and Relay newsletters to keep you up to date on industry issues and events and
- 2 NECA/WCB Safety Alerts

Publications – Access to a host of publications, videos, and manuals such as the Seismic Restraint Standards Manual and Health & Safety Policy Manual.

Legal – Alexander Holburn Beaudin Lang—Vancouver Law firm offering preferred rates to ECABC members for

Benefits currently in negotiation—

- Accounting (taxes, etc) discounted
- Cellular phone discounts
- ECABC Scholarship Fund
- Courier Services