



THE REGINA SPECIFIER

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Image source: <https://www.levelset.com/blog/construction-industry-trends/>

Thank you for your continued support of the CSC—your membership, engagement and participation is valued and appreciated!

Wishing you a healthy and safe 2021!

2020 Annual General Meeting

The National Annual General Meeting will be held virtually on January 28, 2021. Check your inbox for more details.

Connections Café 2021

The Connections Café trade show is cancelled this year. Stay tuned for updates on upcoming virtual events.

2021 Membership Renewals

Reminder—it's time to renew your CSC membership for 2021!



Check out the new CSC website:
<https://csc-dcc.ca/>



Follow CSC on Twitter:
@CSC_Regina



On IG:
@csc_dcc

The CSC Regina Chapter Executive has some new faces!

Please welcome the following new Executive members.



Lisa Hastings—Officer Engineering
Associated Engineering



Ken MacPherson, Member at Large
Kreate Architecture and Design



Michael Dulong, Member at Large
Ministry of SaskBuilds and Procurement

Farewell from the CSC Executive...



The Regina Chapter would like to extend a sincere Thank You to Rick Hadubiak for his many years of volunteering and involvement with the Executive. Over the years, Rick has served as the Chapter Director, Chair and Treasurer.

We recognize Mr. Hadubiak for his many years of service to the local Chapter and at the national level. Over the course of his CSC Executive involvement, Rick has been involved in planning two National Conferences, many Connections Café events, AGMs and events.

His dedication to growing the Regina Chapter membership and building up the organization is appreciated.

Thank you Rick!



MESSAGE FROM THE PRESIDENT



Thanks to CSC's cheerleaders

By Wyatt Eckert

As we move into the holiday season, it is worth a pause to thank our association office. It is thanks to the tireless efforts of Nick Franjic, Clafton A. Fiola, and Brad Noble that we continue to be an industry-leading association. I can think of no better cheerleaders for CSC than this trio.

The everyday administrative tasks of the association office are too often taken for granted and underappreciated, but that is, of course, a result of the efficiency and no-drama approach of these three individuals. Meeting the requests and expectations of over 1600 members is no small task for this team

Clafton, with over two decades at CSC, makes the chaos of the conference and education portfolios look like a walk in the park. The relationships he fostered over the years with sponsors have allowed CSC to host great conferences year after year. The cancellation of the 2020 conference was a huge disappointment to Clafton, as he did not want to let his sponsors or CSC down. His dedication to his work and CSC has been proven time and again through not just conferences, but also the education portfolio. Clafton does not like the spotlight, does not look for credit for a job well done, but does take the responsibility when things are not just right. Call him 'Steady Eddy' for his unflappable calm.

Brad originally joined CSC on a full-time basis in April 2003 with focus on membership and client services. Throughout his time with CSC, he has and continues to provide an elevated level of service not only to our members, but also to all CSC customers. While he ensures chapters are kept informed of new members and changes to their membership, he takes great pride in the annual membership directory—he is responsible for the advertisements in the directory. You are sure to get a warm greeting from Brad whenever you interact with him.

The office is led by our executive director Nick Franjic. Nick's strong leadership through the COVID crisis has ensured the continued efficient and effective function of the association's executive council, board of directors, and office. I would personally like to acknowledge Nick's mentorship of all executive council and board members. He is like a zookeeper, and we love him for it! He is far too humble and gracious to dwell on such compliments, but that does not mean we should not heap them on him. Past-president Peter S. Emmett noted in his January 2016 message, Nick is "the tallest freestanding executive director in the world." Add to that, he is one of the most generous, truly caring persons you will have the privilege of knowing, and I do not envy the individual who may one day have to fill those shoes!

During these particularly difficult and anxious times, do not hesitate to let these gentlemen know what a terrific job they do and how much we appreciate them!

Stay healthy, stay safe, stay CSC!

VISION STATEMENT & EXECUTIVE

Our Mission:

Construction Specifications Canada (CSC) is a national, multi-disciplinary, non-profit association with chapters across Canada. CSC is committed to ongoing development and delivery of quality education programs, publications and services for the betterment of the construction community. To this end, CSC pursues the study of systems and procedures which will improve the co-ordination and dissemination of documentation relevant to the construction process. CSC seeks to enhance the quality of the design and management aspects of construction activity through programs of publication, education, professional development and certification believing that in so-doing it can best contribute to the efficiency and effectiveness of the industry as a whole.

Our Vision:

That Construction Specifications Canada is the construction community's first choice for quality documentation, education and networking.

Our Values & Core Beliefs:

Quality, Professionalism, Teamwork, Integrity, Openness and Innovation.

CSC Regina Chapter Executive 2021

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ANNUAL GENERAL MEETING—2020

Thank you to all members who attended the very first virtual CSC Regina Chapter Annual General Meeting, held on November 26, 2020. This was the largest (and only) virtual meeting our Chapter has hosted!

Thank you to P3Architecture's Meghan Campbell and Landon Lucyk for sharing the Conexus Credit Union Head Office project in place of the usual in-person project tour.



This project is a key component in the revitalization of College Avenue Campus including Darke Hall. The new 80,000 square foot head office for Conexus Credit Union is contemporary and "of its time" while drawing inspiration from the historic collegiate gothic buildings of the University of Regina's original campus. The building provides a new accessible lobby for Darke Hall, a leading-edge business incubator, a public three storey atrium, and a public coffee shop. Park users can enjoy a new exterior courtyard along with the other amenities.



**All photos by P3Architecture
www.p3arch.com**

The CSC Regina Chapter is tentatively planning to host a virtual CCA Course (Construction Contract Administration)

The course will be provided from Regina with local instructors. Details on the schedule, start date and

cost will be confirmed pending interest in the course. If you are interested in participating please email us at:

cscreginachapter@gmail.com

Note: Principles of Construction Documentation (PCD) is a prerequisite for the CCA course.

CSC Regina Chapter Construction Contract Administration Education Course

Advance Notice

Contract administration involves the timely flow of information and decisions to enable completion of the project as required by the contract documents. Contract administration includes review and observation of the construction project. This is important to the Owner and Consultant not only to determine that the work is proceeding in conformity with the contract documents, but also because it allows a final opportunity to detect any inaccuracies ambiguities or inconsistencies in the design.

The objective of the CCA program is to improve construction contract administration by providing education related to the under-standing, administration and enforcement of contract requirements during the construction phase of the project. The CCA Program recognizes the experience, integrity and competence of construction contract administrators.

This advanced level course will take the individual beyond the concepts previously introduced in the PCD course. Although some of the same topics are included in this course, the depth of understanding and explanation exceed that of the PCD course.

The course is designed for those individuals involved in construction administration, this includes Contract Administrators; Property Managers; Architects; Engineers; Interior Designers; Specification Consultants; Building Authorities and Bonding and Insurance Agencies.

COURSE OUTLINE:

- Construction Industry participants
- Alternative and Substitutions
- Standards and Regulatory Influences
- Site Activities
- Execution of the Work
- Certificate of Payment
- Changes in the Work
- Dispute Resolution
- Construction Insurance
- Construction Surety Bonds
- Guaranties and Warranties
- Project Submittal
- Field Services and Quality Control
- Clerk of the Works
- Contract Close-Out
- Commissioning
- Definitions and Resources

CASH FLOW CONCERNS: HOW TO COLLECT PAYMENT IN THE MIDST OF COVID-19

BY JARED EPP, ROBERTSON STROMBERG LLP

In the previous year much of the focus of the Saskatchewan construction industry was on the impact that new prompt payment legislation will have on the timeliness of payment on construction projects. Cash flow is never far from the mind of any prudent business owner. However, a focus and concern with cash flow is perhaps never more evident than now, given the impact of COVID-19 on various construction projects.

In considering the ability to collect on outstanding invoices, it is critical that the payment terms of a contract be reviewed. Although contract terms, like force majeure, may justify a suspension of work or an adjustment to schedule, they do not necessarily suspend or modify a party's payment obligations. Rather, the exact contract language needs to be reviewed. Absent specific contractual language excusing a party's payment obligations, payments are still required to be made. However, what is legally required, and what will, in practice, actually happen are, of course, two different things.

A contractual right to be paid, though important, may not change the fact that certain companies will either not be able to pay or will, in an act of self-preservation, simply choose not to pay. In these types of circumstances, a few different collection options should be considered:

1. Register a lien.

Although a lien may not result in immediate payment, it provides security, in the event the project fails or is not completed, for future payment. It also ensures, in the event a future progress draw is made, that enough funds are withheld to satisfy the lien claim in the future. Although it is best practice to ensure a lien is registered in Saskatchewan within 40 days of substantial completion, liens can still be registered after this date and, in many circumstances, will remain enforceable.

2. Determine whether or not a project is secured by a labour and material bond.

Labour and material bonds are secured by insurance companies. As companies cease meeting their obligations, the ability to receive payment from an insurance company under a bond may, in certain cases, represent the best option available to collect payment. As labour and material bonds have predetermined pay-out amounts, it is important to submit a claim for payment as soon as possible. All L&M bonds have cap limits, and after the insurance company has paid out the amount of the bond, additional claims cannot be processed.

3. Determine whether or not the project is secured by a performance bond.

Although a performance bond is often put in place for the benefit of the owner, in the event a general contractor defaults, the ability of an owner to rely upon insurance to complete a project may be beneficial, given the possibility of the insurer using existing subcontractors to complete the work.

4. File a lawsuit.

Although lawsuits typically do not lead to quick payment, if a claim for payment is not defended, a party may have the ability to register and then enforce a judgment. As judgments, once registered, exist for 10 years, this also may give a company a long-term option to recover a debt.

5. Be mindful of trust obligations in the lien legislation.

Saskatchewan's lien legislation imposes trust obligations on project financing, and on funds paid between the owner, contractor and subcontractors. During times of cash flow crisis, it may be tempting for parties to pay money out of the project chain. This may result in a breach of trust obligations under the lien legislation and could lead to personal liability for directors and officers as well. The lien legislation provides lien claimants a right to certain information from the owner, which can be used to better evaluate this option.

Like any situation, the best approach depends on a party's particular circumstance. However, all options should be explored given the uncertainty that is COVID-19.