

OCTOBER 2025

VANCOUVER CHAPTER NEWSLETTER

Construction Specifications Canada



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MARK YOUR CALENDARS

OCTOBER 22 3:00 to 7:00pm Trade Show 5:00pm Speaker Presentation Italian Cultural Centre, Vancouver	Oktoberfest Trade Fair 2025 Construction Law: Year in Review Satinder Sidhu, Clark Wilson LLP
NOVEMBER 6 11:30am Lunch EXchange Hotel, Vancouver	Translating Net-Zero Performance in New Construction Specifications Neil Norris, RDH Building Science Inc
NOVEMBER 13 8:00am - 12:30pm VCC Downtown, Vancouver	CCDC Seminar CCDC 5A and 5B-2025, CCDC 17-2025, CCDC 30 and 30-G-2025
NOVEMBER 14 7:00am -5:00pm Parq Hotel, Vancouver	BCBEC Conference Adapting Building Enclosure Design for a Resilient Future
DECEMBER 11 11:30am Lunch EXchange Hotel, Vancouver	2025 Construction Year End Review Jeannine Martin, President, VRCA Craig Larkins, Director Advocacy and Engagement, VRCA

WORDS FROM THE CHAIR

Welcome back!!! Fall can be one of my favorite seasons (except for the changing of the weather), its about getting back to routines and finishing any unfinished business before the end of the year. Specifically, I take this time to reflect on my goals and accomplishments that I had set for myself at the beginning of the year and gauge my progress. Generally, it involves a re-alignment in terms of my concentration to achieve success. Does anyone else follow this same protocol? I would like to hear what others in the industry are doing to stay on target throughout the year.

I am excited for this year's program and everything else we are planning at the local chapter level, including our "Oktoberfest" being planned for October 22nd at the Italian Cultural Centre. This is our annual event which has grown over the last couple years and provides an event which exhibitors want to participate, but also architects, specification writers and industry professionals alike gather to network and educate themselves on new products. I am confident this year's event will be better than last and I am very much looking forward to this year's event. Please let me know if you have questions in relation to the event. - todd.gerrard@gapac.com



Todd Gerard
Chapter Chair

DIRECTOR'S REPORT



John Alley
Chapter Director
& Secretary

We are again to the end of the year and that also meets the semi-annual Board of Directors meeting that took place on September 27th and 28th of this year in Toronto. Big thank you to Kim Thompkins for attending on my behalf and representing the Vancouver Chapter.

Key Chapter Action Items

- **Conference 2030 Bid:** The Board is requesting all chapters to begin considering a submission to host the CSC National Conference in 2030.
- **Awards & Recognition:** A call for nominations for national awards will go out this fall, closing in February.
- **Website & Social Media:** National has not officially approved the use of LinkedIn and will be setting up an official LinkedIn page for each chapter. Please be on the lookout for the new page as the old one will be deactivated. The website is also continuing to be updated to make it easier for all our members to use and access.

Resources and Other Updates

- **CCDC Documents:** The CCDC committee is seeking volunteers to review updated and new documents. Please reach out if you have dedicated time available to assist with this crucial work.
- **PCD Course:** Updates to the PCD Manual are expected to be finalized in the new year. It was also confirmed that the course can be customized for companies seeking education without official certification.
- **Executive Director Search:** The succession selection committee has received over 100 applications for the Executive Director position and will begin the vetting and interview process soon!

Thank you for your continued support of the CSC Vancouver Chapter. We look forward to seeing you soon!

2025 /2026 PROGRAM

OCTOBER 22 3:00 to 7:00pm Trade Show 5:00pm Speaker Presentation Italian Cultural Centre, Vancouver	Oktoberfest Trade Fair 2025 Tabletop displays, food and drinks including speaker presentation: Construction Law: Year in Review Satinder Sidhu, Clark Wilson LLP
NOVEMBER 6 11:30am Lunch EXchange Hotel, Vancouver	Translating Net-Zero Performance in New Construction Specifications Neil Norris, RDH Building Science Inc
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JANUARY 8 11:30am Lunch EXchange Hotel, Vancouver	Evolution of Collaborative Construction Contracts Rick Boates, Unitech Construction Management
FEBRUARY 6 11:30am Lunch Hotel Le Soleil, Vancouver	Effective Approaches to Acoustical Challenges in Mass Timber Buildings Kiyoshi Kuroiwa and Payam Ashtiani, Aerocoustics Engineering Ltd.
FEBRUARY 11-12	BUILDEX VANCOUVER
MARCH 12 11:30am Lunch EXchange Hotel, Vancouver	NFCA: Flooring Installation Prep New testing standards for concrete substrates Chris Maskell, NFCA and David Daniels, Tramex
APRIL 10 11:30am Lunch EXchange Hotel, Vancouver Chapter General Meeting 12 noon	Architect Presentation TBD
MAY 8 11:30am Lunch Vancouver, BC	Building Tour TBD
MAY 20 - 23 Winnipeg, Manitoba	CSC National Conference 2026 - Winnipeg The big event not to be missed, with two full days of presentations in multiple streams and evening social activities to bring everyone together.
TBD	GOLF

EXECUTIVE COMMITTEE



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Chapter Director,
Secretary

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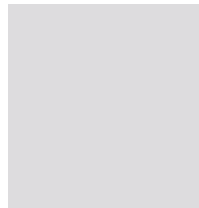
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George McCutcheon, CSP
Interim Program Officer

Semi-retired



Kimberly Tompkins, FCSC
Interim Acting Chair

Retired



Ron Toth
Education Committee
Member

Parkin Architects



Elena Schneider
Newsletter Officer

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Satinder Sidhu
Chapter Secretary

Clark Wilson

MEMBERSHIP

We're thrilled to welcome all the new members who have joined us since January of last year!

Utkarsh Singh
Intermediate Designer at Flat Architecture Inc.

Oleksandr Yeremiahin
Station one Architects

Sawinder Kaur
Thinkspace Architecture Planning Interior Design Inc

Salma Elsherbiny
Hilti Corp

Mark Augustynowicz
Metro Aluminum Products

Ian Chandler
Performance Products International

Bernie Schneider
Enterprise Paper Co. Ltd

Elena Schneider
Mapei

Molly Gray
Acton Ostry Architects

Shirley Stern
Neogard

Patrick Schilling
Patrick Schilling Architecture + Consulting

Satinder Sidhu
Clark Wilson LLP

Chun-Wei Chang
Sherwin Williams

Mijeong Song
WA Architects Ltd

Milan Schuck
Sika Canada

Jinfeng (Jane) Ma
Francel Architecture Inc

Maureen Norton
Keystone Architecture & Planning

Chris Maskell
National Floor Covering Association of Canada

Adam Lunn
Tremco Commercial Sealants and Waterproofing

Chris Torunski
IKO Industries

Harmeet Singh Grewal
CaizenX Homes

Louis Nguyen
Costar Construction Inc

Doug Rutherford
Mac Skylights

Jason Wesely
Vitrum Glass Group



CHAPTER'S AWARDS

Chapter Award of Merit

Tony Martinelli CCCA
Mikhala Vail

Membership, Chapter Development and Communications Program Director's Award

George McCutcheon CSP
Kimberly Tompkins FCSC, CTR
John Alley

National Award Of Merit

Kelly Sawatzky CSP, RSW

Longevity Awards

10 Year Awards

John Alley

20Year Award

Bill Pelke
Bruce Duffield
George McCutcheon CSP
Kelly Sawatzky CSP, RSW

30 Year Award

Chris Walton
Fred Rabiner
Karl Fasolino CTR

55 Year Awards

David James

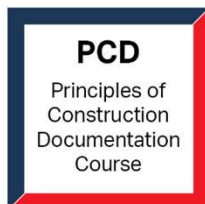
EDUCATION

Craft Your Future

At Construction Specifications Canada, we don't just teach; we ignite transformation. Our vibrant community of learners, alumni, and industry trailblazers is dedicated to pushing boundaries and shaping the future of professional growth. With innovative programs co-created with industry titans, we prioritize hands-on learning experiences that empower you to seize your path with flair and finesse.

AVAILABLE COURSES

CSC offers four courses which will be offered again in the fall, either in person, online, or virtual based on interest, locally and nationally.



For detailed course information and registration, [CLICK HERE.](#)

2025-2026 ONLINE CLASSES

- | | |
|------------|--------------------------------|
| PCD Course | - September 8, 2025 (14 weeks) |
| | - January 5, 2026 (14 weeks) |
| CCA | - November 7, 2025 |
| | - March 6, 2026 |
| SP | - November 7, 2026 |
| | - February 27, 2026 |
| TR | - November 7, 2025 |
| | - March 6, 2026 |

INDUSTRY ORGANIZATIONS

DIVISION 01

GENERAL REQUIREMENTS

Canadian Construction Documents Committee

www.ccdc.org

DIVISION 02

EXISTING CONDITIONS

Demolition - WorkSafeBC

www.worksafebc.com

DIVISION 03

CONCRETE

Cement Association of Canada

www.cement.ca

Canadian Precast/Prestressed Concrete Institute

www.cpci.ca

DIVISION 04

MASONRY

Masonry Institute of British Columbia

www.masonrybc.org

DIVISION 05

METALS

Canadian Institute of Steel Construction

www.cisc-icca.ca

DIVISION 06

WOOD, PLASTICS, AND COMPOSITES

Architectural Woodwork Manufacturers

Association of Canada

www.awmac.com

Western Red Cedar Lumber Association

www.wrcla.org

WoodWorks Wood Products Council

www.woodworks.org

DIVISION 07

THERMAL AND MOISTURE PROTECTION

Roofing Contractors Association of BC

www.rcabc.org

Sheet Metal and Air Conditioning Contractors'

National Association

www.smacna.org

EIFS Council of Canada

www.eifscouncil.org

DIVISION 08

OPENINGS

Canadian Steel Door Manufacturers Assoc

www.csdma.org

Door Hardware Institute

www.dhi.org

Fenestration & Glazing Industry Alliance

www.fen-bc.org

DIVISION 09

FINISHES

Association of Wall and Ceiling Contractors

www.wallandceiling.net

Gypsum Association

www.gypsum.org

Master Painters Institute

www.mpi.net

Carpet and Rug Institute

www.carpet-rug.org

National Flooring Covering Association of Canada

www.nfca.ca

National Wood Flooring Association

www.nwfa.org

Terrazzo, Tile and Marble Association of Canada

www.ttmac.com

ARTICLE



B.C. to Enact Prompt Payment and Adjudication Legislation

by **Satinder Sidhu**

Prompt payment and adjudication legislation has been implemented across Canada and now, in B.C., Bill 20 proposes the enactment of the Construction Prompt Payment Act (the “Act”) The Bill was introduced on October 7, 2025 and the stated intent of the legislation is to establishes a scheme for prompt payment and timely, accessible adjudication in the construction industry. Although the bill is still at first reading, we expect the legislature to follow other provinces. Ontario for instance amended its Construction Act in 2019 to introduce prompt payment and adjudication.

What is Prompt Payment

The intent of prompt payment legislation is to alleviate payment delays down the construction pyramid. The Act legislates that if a party provides services or materials to an improvement and issues a proper invoice for their work the owner must pay the contractor within 28 days after the invoice date. Parties down the construction contract chain

(subcontractors, sub-subcontractors, material suppliers) are to be paid within 7 days of the party above them having received payment.

Of course there are various conditions and requirements under the Act. An improvement for instance, in relation to which payment is due, must meet the following definition:

includes anything made, constructed, erected, built, altered, repaired or added to, in, on or under land, and attached to it or intended to become a part of it, and also includes any demolition or removal of any of those things and any clearing, excavating, digging, drilling, tunnelling, filling, grading or ditching of, in, on or under land

What constitutes a proper invoice is also laid out in the Act. A proper invoice must include, in addition to the amount and a description of the services and material supplied, the milestone to which the invoice relates, information identifying the contract or purchase order under which the services and material were supplied, and, if specified, information from the contract relating to how payment is to be made.

In addition to a proper invoice, a party is obliged to invoice monthly, unless the contract provides otherwise, and any contract provision that makes a proper invoice conditional on certification by a payment certifier or the approval of the owner is void. Further, the Act legislates interest provisions, providing that interest begins to accrue on amounts not paid at the higher of a) a rate to be prescribed under the Act, or b) the rate set out in the contract.

The Act does not amend the holdback requirements under the Builders Lien Act and any payment is still subject to the required holdback under the Builders Lien Act.

Payment Disputes

If an owner disputes an invoice, there is recourse under the Act by way of a notice of non-payment, but there are prescribed timelines that must be observed. A owner is not required to pay an invoice if they give the invoicing party written notice of non-payment in the prescribed form by 14 days after the invoice date. Down the construction chain, a contractor or subcontractor must provide notice of non-payment, by the earlier of a) 7 days after the person receives a notice of non-payment or b) the person's calculated payment date for the invoice.

Adjudication

A disputed invoice could sit in limbo after a notice of non-payment is issued or a party may refer the dispute to adjudication. The adjudication process involves one party providing written notice as dictated by the Act. The notice must include, but is not limited to, a brief description of the dispute, the nature of the redress sought, and the name of a proposed adjudicator.

An adjudication may be commenced during the construction project but it cannot be commenced more than 90 days after the a contract between an owner and contractor is completed, abandoned or terminated. With respect to any subcontracts, an adjudication cannot be commenced more than 90 days after the earliest of the following events:

- i) the date the contract between the owner and the contractor is completed, abandoned or terminated;
- ii) the date the subcontract is certified under section 7 (3) [certificate of completion] of the Builders Lien Act as completed; or
- iii) the date the subcontractor last supplied services or materials for the improvement under the subcontract.

Powers of the Adjudicator

If the parties cannot agree on an adjudicator, the adjudication authority, appointed by the Minister, may appoint an adjudicator. It is noteworthy that the parties cannot appoint an adjudicator, in advance, in their construction contract. The adjudicator's role is broad as not only can they determine whether a party has failed to make a payment as prescribed by the Act, they can also determine the value of services or materials and decide if payment is required for a change order, whether approved or not.

The adjudicator will charge a fee which is split among the parties equally, unless the adjudicator determines that one party or another must pay the fee or otherwise.

In addition to allocating the adjudicator's fee, the adjudicator has the power to take a number of different steps, including:

- i) issue directions in relation to the conduct of the adjudication;
- ii) ascertain the relevant facts and law;
- iii) draw inferences based on the conduct of the parties to the adjudication;
- iv) conduct an on-site inspection of the improvement;
- v) obtain the assistance of an accountant, building contractor, architect, engineer or other person, as the adjudicator considers necessary to determine the fact in question and the adjudicator can direct the parties to pay for the cost of same at the adjudicator's discretion; and
- vi) make determinations as to whether the dispute may be the subject of an adjudication and if the adjudicator has jurisdiction to conduct the adjudication.

The adjudicator must make a written determination within 30 days of receiving certain records prescribed by the Act or as otherwise directed by the adjudicator. Unless the parties consent, the time to make a determination cannot be extended and a determination issued after this timeline is considered void. The adjudicator's decision is binding on the parties but the matter can still be tried in an arbitration or in court. Any amount a party may be ordered to pay, must be paid within 15 days after the determination is issued.

The payment or adjudicator's determination cannot be stayed if a party has chosen to have the matter determined by an arbitrator or the courts. Equally, a dispute can be referred to adjudication even if the dispute is the subject of a legal proceeding or an arbitration.

Judicial Review

The Act allows for an adjudicator's decision to be judicially reviewed if a party takes the position that the adjudicator did not have the proper authority to make the determination or if the determination was unfair or unreasonable. Unless the adjudicator acts in bad faith, the Act provides that no legal proceeding for damages lies against an adjudicator arising from the performance of their duties under the Act.

As mentioned above, prompt payment and adjudication legislation has been in effect in provinces like Ontario for many years now. In a follow up article we will provide a comparison of the B.C. and Ontario legislation and highlight key issues with the prompt payment and adjudication process that have already made their way through the Ontario courts.

Regulations to the Act

We can expect a comprehensive set of regulations to accompany the Act. The Act already delineates how the Minister is at liberty to make regulations regarding whether something is a service or material for the purpose of the Act. Further, the Minister can make different regulations in relation to different classes of improvements and contracts including different sectors of the construction industry or public or private ownership of a Project.

Amendments to the Builders Lien Act

The Act also makes consequential and related amendments to the Builders Lien Act. Most notably the Act abolishes the Shimco lien in B.C. Unique to B.C., the decision in *Shimco Metal Erectors Ltd. v. Design Steel Constructors Ltd.* determined that a party that supplies work and services to an improvement has an independent lien against the required holdback under the Builders Lien Act in addition to a lien rights against the land. This lien, coined the Shimco lien, is enforced by commencing an action for a claim against the holdback.

The Shimco lien against the holdback can be advanced even if no lien has been filed against the lands and the holdback cannot be paid out once the action has been commenced. The Shimco lien has been the subject of much debate in the B.C. construction industry and many construction professionals disagree with this alternate lien scheme.

This article is intended to be a general overview of the proposed Construction Prompt Payment Act. We will provide updates and further clarification regarding the application of this important legislation to the construction industry as the bill progresses through the legislature.

