



## MHCA's Heavy Equipment Operator Aboriginal Pilot Project a First in Manitoba

By Jason Rosin, MHCA Manager of Communications

A first of its kind for the heavy construction industry in Manitoba was launched this week with great excitement and anticipation.

The Manitoba Heavy Construction Association (MHCA) and the Province of Manitoba held the Welcoming Ceremony for the Heavy Equipment Operator Aboriginal Pilot Project (HEO-APP) with invited guests and the participating students at the MHCA's new training facility on February 13th, 2012.

The HEO-APP is the first of its kind in Manitoba, and is aimed at getting more Aboriginals into the heavy construction industry workforce upon completion of their training.

The MHCA, in partnership with The Capital Projects Unit, Employment Manitoba, and Workplace Education Manitoba will provide training for 16 Aboriginal participants in the Heavy Equipment Operator training pilot project.

The ceremony included a Sharing Circle, and sessions on "Teaching on Commitment" and "Teaching on Success".

Greg Huff, Manager of the MHCA's WORKFORCE Program, will be the lead trainer and will instruct students on various types of heavy equipment.

Students will take a comprehensive five-week training program, with instruction to include actual in-seat safe operation of heavy equipment on the site of Hugh Munro Construction.

The program is designed for Aboriginal participants who require essential skills and workplace readiness training and support, positioning them for success and leading into practical and technical training for entry level heavy equipment operators.

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There are three phases to this training initiative:

1) Workplace Education Manitoba (WEM) for the delivery of the essential skills assessments and training. The essential skills training will include: document use, writing/reading, basic numeracy, working with others and critical thinking (problem solving).

2) Pen to Paper will deliver a Wellness Curriculum. Pen to Paper is a service provider with Aboriginal expertise in delivering specialized curriculum, leading to workplace readiness. The facilitators/coaches will work with 16 participants through the program to develop the necessary skills and attitudes in preparation for sustainable employment. This personal growth program is delivered as four full day workshops/group sessions, as well as one-to-one coaching in person, via email and/or telephone.

3) MHCA WORKFORCE & WORKSAFELY will deliver the technical and practical components including the Health and Safety training.

All participants must complete all the steps of the program in order to be able to gain employment in the heavy construction industry.

Training of the students runs from March 19 to April 20, with a graduation ceremony to be held in late April or early May.



Lead trainer Greg Huff addresses students at APP Opening Ceremony

# Heavy Construction **EXPO**

Over 400 Delegates Already Registered!

## Building **WORKFORCE** Excellence

**OUR MEMBERS ASKED...WE LISTENED.  
YOUR HEAVY CONSTRUCTION EVENT IS HERE!**

### MARCH 20-22, 2012 — WINNIPEG CONVENTION CENTRE

**EXPO** is the first ever annual conference based entirely upon the educational, vocational, attraction and retention, leadership, and safety skill set human resource needs of the heavy construction industry in Manitoba.

**EXPO** will focus on three main course streams:

- » Workforce Development
- » Leadership and Professional Development
- » Construction Safety Excellence™

**EXPO** will feature dynamic keynote speakers, classroom instruction, hands-on training, panel discussions, interactive workshops and accredited curriculum.

Hosted by:



**WORKSAFELY** MHCA

**WORKFORCE** MHCA

**To register visit [www.mhca.mb.ca](http://www.mhca.mb.ca)**

## MHCA Heavy Construction EXPO Nearing Sellout



**Almost 600 registered delegates...a SOLD OUT trade show...over 45 workshop offerings and four dynamic keynote speakers and plenary presentations round out the 1st Annual Heavy Construction EXPO!**

We are very pleased with the positive feedback we have received from MHCA members who believe this program clearly reflects the needs of their employees, management and company overall. Our membership was asked to provide input as we developed the program and my thanks to those who participated.

The planning committee worked long and hard to develop a comprehensive educational program that is a blend of hands-on training, COR certification, sessions for those new to the industry as well as those whose industry experience may include a supervisory role. We are also offering sessions for those in positions of leadership including senior managers, owners, job superintendents and decision-makers in all categories.

There is no doubt that we have something for everyone with our half day, one day and two-day sessions led by safety professionals from Manitoba and many points east and west. We are particularly pleased to be able to bring you Ryan Walter, President of the American Hockey League's Abbotsford Heat with his topic "Safety is a Team Game".

Our sincere thanks must go to the Workers Compensation Board, and SAFE WORK, for coming on board as our **Title Sponsor**. Their financial contribution and overall support for the program and our industry is very much appreciated. Thanks also to our **Platinum Sponsor**, Manitoba Hydro.

Our **Gold Sponsors** include: Mulder Construction & Materials, Nelson River Construction, Hugh Munro Construction, Borland Construction, Maple Leaf Construction and Sigfusson Northern.

Our **Silver Sponsors** include: L. Chabot Enterprises and Manitoba Infrastructure and Transportation.

Our **Bronze Sponsors** include: Viper Construction Ltd., Fanset Construction Company Ltd., and Taillieu Construction.

If you haven't already registered for the 2012 EXPO I would strongly suggest you do so today to avoid disappointment. **Simply go to [www.mhca.mb.ca](http://www.mhca.mb.ca) and follow the link to the registration section.**



Gord Lee, P.Eng., GSC

EXPO Steering Committee Chair

## BREAKFAST WITH LEADERS

### CITY OF WINNIPEG WATER & WASTE CAPITAL PROGRAM PRESENTATION

Date: Wednesday March 7, 2012

Location: Victoria Inn Winnipeg (1808 Wellington Avenue)

Room: Carlton Room

Registration: 7:30am

Hot breakfast: 7:45am

Presentation: 8:00am

Price: \$35.00 + GST per person

Contact Christine Miller at 947-1379 or by email at [christine@mhca.mb.ca](mailto:christine@mhca.mb.ca) to register!

There will be a Jets ticket draw for the March 14th game - must attend to win!



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### MHCA Highways & Aggregate Producers Meeting/Presentation

The New Mines Regulations will be coming into effect as of April 1, 2012.

The presentation will be held on Thursday, March 8th at 12:00 noon at the MHCA office (Unit 3 – 1680 Ellice Avenue).

More info can be found at the SAFE Manitoba website at: [http://safemanitoba.com/MinesReg\\_2012.aspx](http://safemanitoba.com/MinesReg_2012.aspx)

**In attendance to deliver the presentation and to answer any questions will be;**

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- » Dennis Fontaine, Acting Director, Mines Safety Brandy
- » Ted Hewitt, Senior Mining Engineer and District Manager
- » Larry Poleschuk, Mines Inspector
- » Lorne Uruski, Mines Inspector (Electrical)

Any MHCA Member is welcome to attend this meeting. If you or someone in your company would like to attend, please notify Christine Miller by email at [chrstine@mhca.mb.ca](mailto:chrstine@mhca.mb.ca) or phone at 947-1379.



SAFE Work - A Way of Life

# ***NEWS RELEASE***

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Fax: (204) 954-4968**

**[www.wcb.mb.ca](http://www.wcb.mb.ca)**

**For Immediate Release**

**Date:** February 13, 2012

## **Workers Compensation Board's new Brandon office opens today**

(WINNIPEG) – The Workers Compensation Board of Manitoba (WCB) officially opened its new location in Brandon, Manitoba, today. The office will service workers and employers located in Brandon and surrounding areas.

"Today is a special day for the city of Brandon and all Manitobans," says Manitoba Premier Greg Selinger. "Our government is committed to ensuring Manitobans in all parts of the province have access to important services regardless of where they are located. Workers and employers in the region will now be able to receive face-to-face help on preventing injuries and returning workers to health and meaningful work in the event workplace injuries occur."

The Brandon office will provide initial adjudication of claims and case management functions. It will also offer a range of services such as healthcare examinations, vocational rehabilitation and SAFE Work services as well as some assessment services. In the past, customers traveled to Winnipeg for these services or Winnipeg staff traveled to Brandon.

"As a regional centre, the city of Brandon will benefit greatly from the local access to services that the new WCB office will provide," says Murray Blight, Deputy Mayor of Brandon. "Employers and workers in the area will be able to take advantage of the convenience of the office."

Since hiring Dan Robertson of Brandon as Regional Director in May, the new office has now hired a total of 15 employees - 12 of which are Brandon residents.

"The WCB is excited that the Brandon office is now open for business," says Winston Maharaj, WCB President and CEO. "With so many major employers in and around the city, we are looking forward to the opportunity to provide direct services to workers and employers in the region."

The WCB now has three offices in Manitoba, including a head office in Winnipeg and a small satellite office in Thompson that provides initial adjudication of claims and case management services.

## Court strikes down post-bid specification change

**Bid Protest Bulletin** | Paul Emanuelli

In its decision in *Ben Bruinsma & Sons Ltd. v. Chatham (City)*, the Ontario High Court of Justice held that a privilege clause did not permit the city to make substantial alterations to the tendered contract after receiving bids.

The case involved a tender call for sodding or seeding services for the Thames Campus Soccer Fields.

As the court noted, "After the tenders were opened the Chatham Tendering Committee recommended to City Council that considerable savings could be made by deleting the cost of the item of cutting, rolling and placing sod ...". The city then pursued this cost saving strategy and made material changes to the arrangement before awarding the contract to one of the plaintiff's competitors. The plaintiff's lawyer wrote to the city and challenged the post-bidding scope change:

"... we believe firmly that it was most improper for the Tendering Committee to recommend and for City Council to consider the deletion of one of the phases of work in the bid package without first giving all tenderers the opportunity to re-submit bids and tender addenda according to new contract specifications...[F]ailing any reasonable compromise from the City I have been instructed to pursue legal proceedings to rectify this kind of action which brings unfairness and uncertainty to the tendering process for all bidders."

Notwithstanding the threat of litigation, the city awarded the contract with the changed terms. A day after the contract was awarded the plaintiff successfully brought an interlocutory injunction which restrained the performance of the contract until trial. The motions judge was critical of the post-bidding scope change:

"If a recipient of tenders can unilaterally, without notifying the tenderers and giving them an opportunity to revise their tenders to take into account a substantial deletion from the specifications, then there would not appear to be any reason why the recipient could not go further and delete other items and this practice in my opinion could easily make a mockery of the customary tendering procedure."

In its trial decision, the court agreed with these findings and held that post-bidding scope changes amounted to serious interference with the tendering process:

"...it is my view that the tender and contractual documents do not permit Chatham to delete items from the tender



before acceptance. Rather, Chatham has the obligation to accept or reject a tender as submitted."

The court noted that the tender call contained a privilege clause stating that the "Council reserves the right to reject any or all tenders or to accept any tender should it be deemed in the interest of the Council so to do." It found that the city could rely on the clause to cancel the process if the bids were too high. However, the court found that the city could not rely on its privilege clause to make post-close changes:

In this case Chatham was free to reject all of the tenders if (as was the case) it decided that the cost of the cutting and rolling, etcetera, of the sod was too expensive. It did not purport to do that, but rather deleted the one item from all the tenders and then purported to accept the F.M. tender.

The court found that the city could not make changes to the scope of the tendered contract after the submission of tenders since this could result in unfairness by allowing an owner to cherry pick the favourable parts of a tender while rejecting the balance of a tender.

As this case illustrates, an owner has limited latitude after closing time to making material changes to the contract it awards.

*Paul Emanuelli's procurement law practice focuses on all aspects of the tendering cycle including bid dispute resolution.*

## Wood Exports: Not Lumbering On For Long

*By Peter Hall, Vice-President and Chief Economist of Export Development Canada*

Talk casually to anyone about the US housing market, and you're likely to get a good volley of the latest reasons why it is never coming back. Data have been so weak for so long that it's not hard to become convinced that this is just part of a 'new normal' of lower activity. But something is stirring in the market: housing starts jumped 11 per cent in the latter half of 2011 from the average level in the preceding 30 months. Is the market telling us something?

We believe so. But whether it is or not, is there reason to believe that at some point in time, the market is destined for a sustained higher level of activity? Two key points suggest so. First, the housing surplus is now shrinking by a million units a quarter; if this keeps up, the market could be nearly balanced by year-end. Second, current activity is well below normal. US population data indicate that net annual household formation – the basic number of new units needed – is 1.4 million. Even with recent growth, current starts are only 660,000. There is still a lot of room to grow.

Recent growth in starts has not yet helped Canadian wood exports to the US. But for an industry that fell 29 per cent in the recession and remained slow, holding the line is okay. What if the market were to stage a real revival? Suppose the US market only made it back to 1 million units. From current levels, that would still represent growth of 57 per cent. Based on past activity, exports of wood products from lumber to OSB to more specialized products would be in for a whopping 70 per cent increase. Even if spread over a few years, this would be very respectable annual growth.

Are there any threats to this rosy picture? One key difference between now and past activity is the currency. In the last growth cycle it averaged US \$0.76. Now, it is expected to be stuck in the upper-90-cent level indefinitely. Granted, this is a lot higher, but it is not a show-stopper. Loonie appreciation began in 2003, but wood product shipments remained strong until US housing started to fold in 2006. Also, if history repeats itself and growth surges sharply, markets will likely accept price increases. US markets will also face competition elsewhere.



Like many other exports, shipments of Canada's wood products have been diversifying in recent years. British Columbia has seen entire wood processing facilities reopen solely to accommodate exports to China. Growth to China has averaged 41 per cent annually, and growth to other emerging markets is also impressive, at 19 per cent per year – taking total shipments from 1 per cent of the total to 12.6 per cent in just 10 years. With established markets elsewhere, the industry may well be unable to keep up with rising US orders.

An additional supply constraint is the amount of exit that the industry experienced in the recession. According to Statistics Canada, the wood product manufacturing industry experienced a 28 per cent drop in the total number of business establishments between 2005 and 2009. Good times will likely bring new or mothballed operations into production, but with a delay that could constrain product flow.

The bottom line? There's no shortage of wood in Canada, but when the US housing market begins its comeback, there may initially be a significant shortage of sawmill capacity to produce it. Plant capacity in Canada is one issue, and labour constraints are another. This is yet another industry whose biggest problem in the coming months may well be simply keeping pace with incoming orders.



## Construction Safety Excellence™

### WORKSAFELY COR Quarterly Meeting

WORKSAFELY held a COR™ Quarterly meeting in Thompson, Manitoba on January 31, 2012. The meeting was well attended by COR™ Certified companies in the Northern Region as well as those interested in obtaining COR™. Guest speakers included Dwight Doell, Director SAFE WORK and Chris Poot, Manager – Sector Services Thompson of the Workers Compensation Board.

Chris Lorenc, MHCA President, Bob Reidy, MHCA Chair – Taillieu Construction, and Nicole Chabot, Safety Chair – L. Chabot Enterprises attended the meeting. On Monday January 30th, MHCA, WORKSAFELY, and WCB enjoyed tours of Vale and MDS Aero Support Corporation.



From left to right: Greg Huff, Bob Reidy, Chris Lorenc, Nicole Chabot, Glen Black and Dwight Doell (WCB).



# WORKSAFELY

Construction Safety Excellence™

## Training Schedule

**Register by:**

- » Email: [safety@mhca.mb.ca](mailto:safety@mhca.mb.ca)
- » Fax: 204-943-2279

**Cancellation Policy:**

The *WORKSAFELY* policy states cancellation must be made at least two business days in advance, otherwise full course fee charge will apply.

FEBRUARY 2012	
February 6-7	Train the Trainer
February 8	WHMIS (1/2 day AM)/ TDG (1/2 day PM)
February 9	COR™ Auditor Refresher
February 10	Excavating & Trenching (1/2 day AM)
February 10	Flagperson (1/2 day PM)
February 13-14	COR™ Leadership
February 15	COR™ Principles
February 16-17	COR™ Auditor
February 21	Safe Work Procedures
February 22	Prime Contractor
February 23	Back Injury Prevention
February 24	Safety Administration (1/2 day AM)
February 24	Toolbox Talks (1/2 day PM)

MARCH 2012	
March 2	First Aid 1 - CPR
March 5-6	COR™ Leadership
March 7	COR™ Principles
March 8-9	Train the Trainer
March 14	WHMIS (1/2 day AM)/ TDG (1/2 day PM)
March 15	COR™ Auditor Refresher
March 16	Excavating & Trenching (1/2 day AM)
March 16	Flagperson (1/2 day PM)
March 26	Safe Work Procedures
March 27	Prime Contractor
March 28	Back Injury Prevention
March 28	Fatigue Management
March 29	Safety Administration (1/2 day AM)
March 29	Toolbox Talks (1/2 day PM)

**REMINDER:**  
**WORKSAFELY** requires at least six people registered to deliver the course.

Rural Manitoba Training	
February 11-12	COR Leadership — Morden, MB
February 21-25	COR Week — St. Rose, MB
Feb. 27 - Mar. 2	COR Week — Brandon, MB
Call the MHCA Office for more details!	

Customized training is available for your specific requirements.  
 Call the *WORKSAFELY* Office at (204) 947-1379 for more information.