



ASSOCIATION OF CONSULTING
ENGINEERING COMPANIES | SK

September 11, 2015

The Honourable Gordon Wyant, QC
Room 355 Legislative Building
2405 Legislative Drive
Regina SK S4S 0B3

Dear Minister Wyant:

The Association of Consulting Engineering Companies – Saskatchewan (ACEC-SK) commends the Government of Saskatchewan for mandating Priority Saskatchewan to ensure Saskatchewan businesses are treated fairly when bidding on government and Crown contracts.

ACEC-SK has been engaged in the procurement consultation process, where most recently at a September 2nd session industry stakeholders were afforded the opportunity to provide direct feedback into public policies to be brought before Cabinet for consideration and approval. We thank you for this opportunity.

While we have provided feedback on the 13 recommendations within the Procurement Action Plan, on behalf of ACEC-SK's board of directors I am writing today to expand and clarify our organization's position on one particular issue – i.e. "local knowledge" versus "local content".

As soon as the New West Partnership Trade Agreement (NWPTA) was introduced in Saskatchewan, the consulting engineering and geoscience industry was quite vocal about requesting exemption status from the procurement portion of NWPTA. Our concerns were many, but one significant concern was based on an understanding that interpretation of NWPTA precluded the consideration of certain professional qualifications in the competitive process. Specifically, our industry's concern was about excluding the use of "local content".

Our industry argued then, and continues to argue, that having experience with local topography, local climate, and direct local application of such things as building codes all constitute professional qualifications that must be considered when selecting the appropriate consultant to perform professional engineering and geoscience services. We strongly believe that not being allowed to consider these when selecting a proponent to deliver professional design services does not provide the government with best value, and further, the Association of Professional Engineers and Geoscientists (APEGS) argued that excluding the opportunity to consider these qualifications may potentially put public safety at risk.

As well, fairly soon after the implementation of NWPTA, ACEC-SK spoke directly with a Saskatchewan NWPTA author who reassured our industry that it was never the intent to exclude "local content" when referencing professional qualifications. However, over time there has continued to be consistent interpretation that "local content" cannot be considered in the competitive process because of trade obligations.

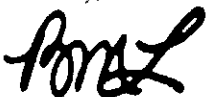


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Therefore, today we welcome the recommendation that “local knowledge” should be included as a criterion that will contribute to best value procurement. In a perfect world ACEC-SK would still prefer the recommendation be “local content” rather than “local knowledge”, but we understand in today’s environment consistent legal interpretation indicates “local content” must be excluded. Consulting engineering and geoscience is a knowledge-based industry, and we trust that recognizing “local knowledge” as a selection criterion for our members’ services will provide best value for the taxpayers of Saskatchewan.

On behalf of my board of directors, once again I want to thank you for providing not only our industry, but *all* industries that seek to work with government entities, the opportunity to provide substantive feedback into procurement policy development. These policies will create a new culture of how to do business in this province, and inform more effective, streamlined processes that will benefit all.

Sincerely,



Beverly MacLeod
Executive Director

Cc: Rupen Pandya, President SaskBuilds
Colleen Huber, Vice President Priority Saskatchewan
Greg Lusk, Vice President Priority Saskatchewan
ACEC-SK Board of Directors