



Just the FAX

MCA CANADA'S WEEKLY NEWS AND INFORMATION CHANNEL

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In This Issue:

- Landmark Judgement on Tendering Law
- Welcome New Member- MCA Toronto
- Registration For Upcoming Courses Open
- 92nd Annual CCA Conference
- Industry By The Numbers
- Associates Corner – Welcome Pumpsetsdirect.com

SUPREME COURT RENDERS LANDMARK JUDGEMENT ON TENDERING LAW

On Friday, February 12, the Supreme Court of Canada released its judgment in *Tercon Contractors Ltd. v. British Columbia (Transportation and Highways)* restoring the ruling of the trial judge. The court found that the respondent “*province breached the express provisions of the tendering contract with Tercon by accepting a bid from a party who should not even have been permitted to participate in the tender process and by ultimately awarding the work to that ineligible bidder. [The ineligible bidder had entered into a pre-bidding agreement with another unqualified bidder as a joint venture, allowing it to prepare a more competitive proposal]. The exclusion clause, which barred claims from compensation ‘as a result of participating’ in the tendering process, did not, when properly interpreted, exclude Tercon’s claim for damages*”. Read the judgment [here](#). (Source: CCA News February 16, 2010)

WELCOME NEW MEMBER – MCA Toronto

Our membership continues to grow! Please join us in welcoming the following new member to your Association:

Aquasafe Mechanical Limited, Contact: E. Lorenzon, Etobicoke, ON, T:416-674-7373 E: elvis@aquasafemech.com.

REGISTRATION OPEN FOR UPCOMING EDUCATIONAL COURSES

Lifelong learning is a cornerstone to the long-term success of our members. That’s why CMCEF is committed to developing and delivering the very best programs in our industry. The upcoming programs are available in your area so you are encouraged to take advantage of these opportunities. To find out about a course or to register please visit the CMCEF website at www.cmcef.org or contact the office at 613-232-5169 or email Tania@cmcef.org.

Project Management (Week 1 March 18-22 & Week 2 April 15-19) Waterloo, ON *Registration must be in by February 28th.

How To Determine Charge Out Rates (March 10) Winnipeg, MB

Small Projects Management (March 11) Winnipeg, MB

Level 1- HVAC Electrical Troubleshooting & Carbon Monoxide Awareness (March 22-26) Winnipeg, MB

Level 2- HVAC Electrical Troubleshooting (April 26-30) Winnipeg, MB

Dispatcher Training (April 15 & 16) Moncton, NB

Dispatcher Training (April 19 & 20) Vancouver, BC – **New Date!**

Mechanical Estimating (April 19-23) Toronto, ON – **Only 2 spots Available!**

How To Determine Charge Out Rates (April 22) Toronto, ON

CCA’s 92nd ANNUAL CONFERENCE

The Canadian Construction Association (CCA) is looking forward to next month’s Annual Conference aboard the Regent Seven Seas Mariner. LAST CHANCE . LAST CHANCE – For anyone interested in attending the 2010 Annual Conference, please register now as the ship is filling up fast. If you have any questions, please do not hesitate to contact [Lynn Perrault](#) or [Chantal Montpetit](#) at 613-236-9455.

INDUSTRY BY THE NUMBERS

According to Statistics Canada, The composite price index for non-residential building construction decreased 0.4% in the fourth quarter compared with the previous quarter. The quarterly drop in the price index was mainly due to a slight decline in the price of construction materials. Among the seven census metropolitan areas (CMAs) surveyed, Edmonton (-1.6%) posted the largest quarterly decrease, while only Montréal (+0.2%) and Halifax (+0.1%) registered increases. Year over year, the composite price index for non-residential building construction was down 7.7%. Of the CMAs surveyed, Vancouver (-15.9%) recorded the largest decline, while Montréal (+1.2%) was the only CMA to post an increase. For more, please [click here](#). (Source: Statistics Canada, February 15, 2010)

ASSOCIATES CORNER – Pumpsetsdirect.com

Join us in welcoming another new Associate Member – **Pumpsetsdirect.com** is one of the simplest ways to get quotations for custom made pump sets. Focusing on mechanical contractors, **Pumpsetsdirect.com** strives to provide the best pump set prices, direct to the contractor. To find out more about **Pumpsetsdirect.com** visit the website at www.pumpsetsdirect.com or contact Johan Martensson at 866-303-1647 or email sales@pumpsetsdirect.com.