

# STOP PAID WHEN PAID CLAUSES & OTHER PITFALLS!

**Cambridge Hotel — Red Deer, Alberta**

*Presented by*

**Alberta Trade Contractors Coalition**

**8:00 Registration & Continental Breakfast**

**9:00 Opening Remarks**

★ **Terry Milot, ATCC Chair & Senior Vice President, Chemco**



**9:15 Prompt Payment: Steering Alberta's Legislation**

As the Alberta government prepares to implement prompt payment legislation, this session will provide the opportunity to understand what has and has not worked in other jurisdictions across Canada. Sandra Skivsky has been involved in the lobby for and drafting of legislations since the process started in Canada. She will share insights into what we need to do, to get it right in Alberta.

★ **Sandra Skivsky, Chair NTCCC, Director of Marketing and Business Development, Canadian Masonry Centre, Mississauga, ON**

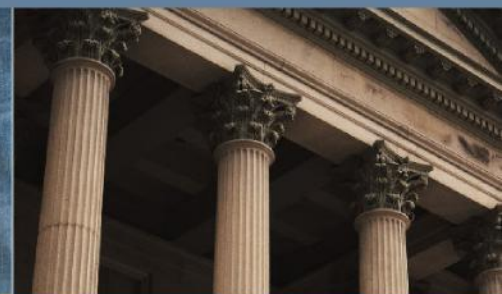


**10:15 Working group discussions**

Symposium delegates will be pre-assigned table seating. Discussion questions and feedback from each table will provide valuable information to ATCC when working with government to create new legislation.

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### 10:30 Setting up for adjudication: How it will work for you?

The ultimate success of any prompt payment legislation will be defined by the accompanying adjudication system and how effective it is for resolving contract disputes. The UK system of adjudication has been functioning for many years. Adjudication expert Matt Molloy actively resolves construction industry disputes on a daily basis. Getting this segment of the Alberta legislation done right is imperative.

★ **Matthew T. Molloy, MSc, FRICS, FCIQB, CIARB, MAE, Barrister and Chartered Arbitrator, London, England**



### 12:00 Working group discussions & Lunch

### 12:30 Using surety bonds as holdback; Is this the right tool for construction?

There may be opportunity to address multiple issues in our push for prompt payment legislation. Contracted holdbacks, not lien holdbacks can pose cash flow problems for trade contractors. ATCC believes it's time to look at alternatives to our current system.

★ **Donna Anderson, Vice President, Surety, Trisura Guarantee Insurance Company, Calgary Trent**

★ **Percy, B.Comm., FCIP, Director Surety, Intact Insurance, Calgary**

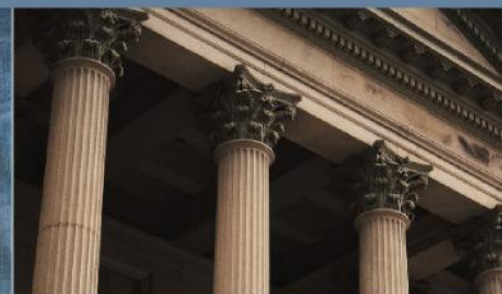
### 1:15 Onerous contracts: Stop the insanity and Do Something Different!

The top issues facing the Subcontractors can likely be summed up under four buckets. This session will reinforce some specific areas you should be addressing to stop the insanity!

★ **Debbie Hicks, DSH consulting, Kelowna BC**







## 2:45 Working group discussions

### 3:00 Employment and termination contracts: Protocols to protect your business.

Recent settlements, supported by common law, precedent set in other jurisdictions, requiring employers to pay hourly construction employees notice, have the construction industry nervous. This session will address employment and termination contracts, and how to get it right.

★ Erin Viala, Partner, HMC Lawyers



Erin Viala

### 3:45 Global data collection: How it can affect your business?

Data collection companies are emerging into construction, as Owners, General Contractors, banks and insurance companies see huge value in the amalgamation of large swaths of construction industry financial data. This session will help you understand what's at risk and what you can do about it.

★ Terry Milot ★ Tim Padfield ★ Karen Rutherford



Terry Milot

### ATCC's Onerous Contract Clauses – Content Management System

★ Karen Rutherford



Tim Padfield

## 4:00 Closing remarks

★ Tim Padfield, P.Eng, Vice President ATCC & Pad-Car Mechanical Ltd.