

The Honourable Doug Ford, M.P.P
Premier - Government of Ontario
Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Sent by E-mail: doug.fordco@pc.ola.org

April 17, 2020

Dear Premier Ford,

RE: Ontario Government Review of Construction Project Delay Liability.

I write to you, once again, in my capacity as the Executive Director of the Electrical Contractors Association of Ontario (ECAO) and on behalf of our 550+ members who serve the electrical needs of Ontarians. At the outset, ECAO is grateful of the recent decision to lift the suspension of limitation periods and procedural time periods under the *Construction Act*. This amendment to Ont. Reg. 73/20 addresses some significant cash flow concerns in our sector and is an important first step for the construction industry.

As you are aware, there are a number of “next steps” that our community feels must be contemplated immediately; and, others, that we must consider as we move forward together. In ECAO’s view, an immediate step should be a government review of construction project delay liability. We support the call of the thirty (30) members of the Council of Ontario Construction Associations (COCA), and others, for urgent action from the government to prevent large industry bankruptcy.

Our industry is, as are so many others, facing unprecedented challenges. This is especially true for our member-contractors that are actively working on essential projects and providing support and services that have been deemed essential. As a result of the pandemic, many are struggling with the availability of their workforce, supply chain challenges, and other productivity issues. In this context it is difficult and sometimes impossible to meet milestones and other project deadlines.

We are respectfully requesting you ensure that small businesses, in particular, in the construction sector don’t end up spending money and time in court, when they could be helping Ontario’s economic recovery. Ergo, we support the two (2) solutions proposed by COCA in the above-referenced correspondence:

- 1. Exempt contractors and subcontractors from liability for delays caused by the COVID-19 pandemic.**
- 2. Work with the federal government to grant construction owners relief from financing and other costs resulting from the pandemic.**



ELECTRICAL
CONTRACTORS
ASSOCIATION OF
ONTARIO

10 Carlson Court, Suite 702, Toronto, ON M9W 6L2
www.ecao.org ecao@ecao.org 1.800.387.3226

ECAO has been clear and public regarding our support, appreciation, and praise of the performance of your government in this crisis thus far. The decisive measures taken by your government at the early stages of this crisis will save lives in the weeks and months to come. We reverently suggest that your government needs to act with similar foresight to lay the groundwork now for a vigorous economic recovery once the public health crisis has eased.

We look forward to an opportunity to discuss this with you further, if necessary; and thank you, sincerely for your consideration of this critical matter.

Yours Truly,

A handwritten signature in black ink that reads 'R.G. Aitken' followed by a period.

Graeme Aitken,
Executive Director
Electrical Contractors Association of Ontario

CC. The Honourable Monte McNaughton