

## **RFP SCHEDULE 2 – APPENDIX E**

### **ANTICIPATED SOCIAL PROCUREMENT DETAILS**

#### **SECTION A INTRODUCTION**

##### **A.1 City Council Motion**

A.1.1 A February 2, 2022, City Council motion directed the inclusion of Social Procurement. The City Council motion is as follows:

- (a) That any future tenders for subsequent phases of the North End Water Pollution Control Centre Project require bidders to include the following information and undertakings in their submissions, which will be evaluated as part of that Bid Opportunity:
  - (i) estimated numbers of and classifications of skilled tradespersons to be employed;
  - (ii) specific information on its intended partnerships or self-directed plans to secure a skilled project labour workforce;
  - (iii) specific commitments to engage Skilled Labour including targets for employment of Indigenous Peoples and other Under-Represented Groups within the Manitoba Market; and
  - (iv) proposed plans and partnerships with organizations to promote employment and training initiatives for Indigenous Peoples and other Under-Represented Groups within the Manitoba Market.

##### **A.2 Purpose of this Document**

A.2.1 The purpose of this document is to outline the working definitions and concepts the City is contemplating for inclusion in the Design Build Agreement. Sources for the working definitions are given to justify the working concepts being expressed in this document.

A.2.2 The information provided in this document is not finalized, binding nor contractual and should only be used as a guide and is subject to change. The finalized contractual definitions and terms will be those that are included in the executed Design Build Agreement.

#### **SECTION B DEFINITIONS**

B.1.1 **"Best Efforts"** means that Design Builder has made a commercially reasonable effort, to the satisfaction of the City, to achieve the Minimum Thresholds, and is able to clearly demonstrate reasons as to why the Minimum Thresholds were unachievable if not met, but does not obligate the Design Builder to:

- (a) pay employees, subcontractors or partner organizations more than the prevailing market rate; and

- (b) impede or delay the project solely to achieve the Minimum Thresholds, provided the Design Builder is using all reasonable effort to work collaboratively with the City to avoid any impediment or delay.
- B.1.2 **"General Labour"** refers to workers with a limited set of skills or abilities that do not depend on technical skills or formal training. Many of these jobs can be learned within 30 days and involve repetitive tasks (Source: [Indeed](#), [Department of Social Security](#)). General Labour falls within Canadian National Occupation Classification (NOC) levels TEERs 4 and 5 (see Table 1).
- B.1.3 **"Indigenous Peoples"** means anyone who is First Nations, Métis and Inuit Peoples.
- B.1.4 **"Manitoba Market"** is the labour pool of residents of Manitoba, which are defined as a person who makes their home or is ordinarily present in Manitoba (has a Manitoba Medical Card or is registered to vote in Manitoba), but does not include a student who is a resident of another province or country and studying in Manitoba, a transient, or a visitor in Manitoba (Source: *Province of Manitoba*).
- B.1.5 **"Minimum Thresholds"** means, with respect to specific commitments to engage Skilled Labour including targets for employment of Indigenous Peoples and other Under-Represented Groups within the Manitoba Market, a contractual Minimum Threshold set in the Design Build Agreement of project employment hours which includes subcontractors.
- B.1.6 **"Newcomers"** refers to people arriving from countries outside Canada, such as recent immigrants (less than five years in Canada), refugees, refugee claimants or asylum seekers, and temporary residents (Source: *Our Winnipeg 2045*).
- B.1.7 **"People Facing Poverty"** refers to people that do not have enough income to buy a set of goods and services considered to represent a modest, basic standard of living (Source: *Market Basket Measure, Stats Canada*).
- B.1.8 **"Persons with Disabilities"** refer to individuals who have a long-term or recurring physical, mental, psychiatric, sensory, or learning impairment which may limit certain kinds of activity or could be perceived as a limitation. These include visible and non-visible disabilities (Source: *City of Winnipeg*).
- B.1.9 **"Racialized Peoples"** refers to a group of people who have identifiable characteristics that differ from those of the majority or dominant population (Source: *Immigration, Refugees and Citizenship Canada*).
- B.1.10 **"Self-Identification"** refers to the voluntary act of identifying oneself as a particular kind of person or asserting recognition as a member of a group, without necessity of having legal status or registration.
- B.1.11 **"Semi-Skilled Labour"** refers to workers with some special skills, usually learned from on-the-job training, but do not have advanced education nor are an expert in the profession like a Skilled Labourer would be (Source: [Indeed](#), [Department of Social Security](#)). Semi-Skilled Labour falls within the Canadian National Occupation Classification (NOC) level TEER 3 (See Table 1).

- B.1.12 **"Skilled Labour"** refers to workers with specialized knowledge, gained through specific education and training, such as a university, college, or apprenticeship program. Other educational requirements can include examinations or certifications to work in a specific field (Source: [Indeed](#), [Investopedia](#)). There are three categories of individuals in the construction industry that are considered Skilled Labour: Apprentices, Journeymen, Designated Trainers. Skilled Labour falls within the Canadian National Occupation Classification (NOC) levels TEER 1 and TEER 2. An exception is a TEER 3 occupation that has an apprenticeship program outlined in Table 1 below.
- B.1.13 **"Social Procurement"** refers to the intentional inclusion of employment, apprenticeship, training, and / or other workforce development opportunities for Indigenous Peoples and other under-represented groups as part of the delivery of the contract, with the general intent of generating positive social outcomes.
- B.1.14 **"TEER"** refers to training, education, experience, and responsibilities based on Canada's National Occupation Classification (NOC) (Source: [Government of Canada](#)).
- B.1.15 **"Under-Represented Groups"** refers to Racialized Peoples, Newcomers; Persons with Disabilities; Women; People Facing Poverty; Veterans, and 2SLGBTQQA+ Peoples (Source: *Sustainable Procurement Action Plan, City of Winnipeg*).
- B.1.16 **"Veterans"** refers to any former member of the Canadian Armed Forces who successfully underwent basic training and is honorably discharged (Source: *Veteran Affairs Canada*).
- B.1.17 **"Women"** refers to all people who identify as women, whether they are cisgender or transgender women (Source: *Department of Justice, Government of Canada*).
- B.1.18 **"2SLGBTQQA+ Peoples"** refers to Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, Asexual, Plus peoples (Source: *Government of Canada*).

Table 1 - NOC Skilled, Semi-Skilled, and General Labour by TEER Classification with Examples

| TEER   | Education and Training                               | Occupations   | Labour Type    |
|--------|--|---|----------------|
| TEER 0 | Management occupations                               | Advertising, Marketing, Financial Managers, Human Resource Managers | Not Applicable |
| TEER 1 | Occupations that usually require a university degree | Engineer, Financial Auditors  |                |

|  |  |  |   |
|--|--|--|---|
| TEER 2   | Occupations that usually require: <ul style="list-style-type: none"><li>- a college diploma</li><li>- apprenticeship training of 2 or more years, or</li><li>- supervisory occupations</li></ul>                     | Boilermaker, Bricklayer, Cabinet Maker, Carpenter, CNC Machinist, Construction Electrician, Construction Millwright, Crane Operator, Mobile Crane Operator, Boom Truck Hoist Operator, Tower Crane Operator, Diesel Engine Mechanic, Gasfitter Class A and B, Industrial Electrician, Industrial Mechanic, Instrumentation and Control Technician, Insulator (Heat and Frost), Ironworker, Machinist, Plumber, Power Electrician, Refrigeration and Air Conditioning Mechanic (Industrial), Sheet Metal Worker, Sprinkler Fitter, Steamfitter – Pipefitter, Welder | Skilled Labour (Construction Designated Trades) |
| TEER 3   | Occupations that usually require: <ul style="list-style-type: none"><li>- a college diploma</li><li>- apprenticeship training of less than 2 years, or</li><li>- more than 6 months of on-the-job training</li></ul> | Concrete Finisher, Floorcovering Installer, Glazier, Lather (Interior Systems Mechanic), Painter and Decorator, Roofer, Sloped Roofer  |   |
|  | Occupations that do not have an apprenticeship program   | Heavy Equipment Operators, Transport Truck Drivers   | Semi-Skilled Labour                             |
| TEER 4   | Occupations that usually require: <ul style="list-style-type: none"><li>- a high school diploma, or</li><li>- several weeks of on-the-job training</li></ul>   | Industrial Painters, Coaters and Metal Finishing Process, Mechanical Assemblers and Inspectors   | General Labour                                  |
| TEER 5   | Occupations that usually need short-term work demonstration and no formal education  | Construction Trades Helpers and Labourers (Asphalt Spreader, Bricklayer Helper, Carpenter Helper, Concrete Mixer Helper, Construction Helper / Labourer, Excavation Labourer, Drywall Sander, Flag Person, Plumber Helper, Roofer Helper)<br>Landscaping and Grounds Maintenance Labourers<br>Delivery Service Drivers and Door-To-Door Distributors   |   |
| Source: <a href="#">Government of Canada</a> , <a href="#">Manitoba Trades</a> , <a href="#">Indeed</a> , <a href="#">Investopedia</a> |  |  |   |

## **SECTION C ANTICIPATED SOCIAL PROCUREMENT REQUIREMENTS**

- C.1.1 The RFP will have Social Procurement requirements with a minimum passing threshold. The Social Procurement score will count to the overall scoring of the RFP Step 1 Submission and RFP Step 2 Submission.
- C.1.2 The Design Build Agreement is anticipated to include requirements to meet Minimum Thresholds and include Social Procurement reporting, which will be subject to accountability measures that will recognize Best Efforts to meet same.

### **C.2 Anticipated Step 2 Submission Requirements**

- C.2.1 Plans and partnerships to secure and retain Skilled Labour, Semi-Skilled Labour, and General Labour for the Project.
- C.2.2 Proposed plans and partnerships with organizations to promote employment and training initiatives for Indigenous Peoples and other Under-Represented Groups within the Manitoba Market.
- C.2.3 Estimated numbers of and classifications of Skilled Labour, Semi-Skilled Labour, and General Labour to be employed.
- C.2.4 Minimum Thresholds for employment hours of Indigenous Peoples and other Under-Represented Groups within the Manitoba Market for Skilled Labour, Semi-Skilled Labour, And General Labour.
- C.2.5 Reporting anticipated total dollar value of wages paid to Indigenous Peoples and other Under-Represented Groups within the Manitoba Market for Skilled Labour, Semi-Skilled Labour, and General Labour.

### **C.3 Minimum Threshold**

- C.3.1 A Minimum Threshold for the specific target employment hours for Indigenous Peoples and other Under-Represented Groups (totalled together) within the Manitoba Market is being set at 5% of Skilled Labour hours. The specific target employment hours will include subcontractors.
- C.3.2 In addition to the Minimum Threshold for Skilled Labour hours, the City encourages proponents to meet or exceed employment target hours for Indigenous Peoples and other Under-Represented Groups within the Manitoba Market with a minimum threshold of 15% of Semi-Skilled Labour hours and a minimum of 25% of General Labour hours.

### **C.4 Self-Identification**

- C.4.1 All employment hours reported will be based on Self-Identification from employees as Indigenous Peoples or members of another Under-Represented Group within the Manitoba Market.

- C.4.2 Provide regular opportunities for employees to update or reaffirm their identification status.

**C.5 Best Efforts**

- C.5.1 The achieved outcomes for employee hours from Indigenous Peoples and other Under-Represented Groups from within the Manitoba Market will be assessed, and if the Minimum Thresholds are not met, the Design Builder will need to show that Best Efforts have been made to meet the Minimum Thresholds.
- C.5.2 Best Efforts could include training opportunities made available for target groups; number of new hires employed via a social enterprise or workforce development organization that works with target groups; efforts taken to engage with apprenticeship programs and institutions; events attended and hosted to engage with training and / or employment services organizations; labour unions and workforce development organizations; information on employee progression over the life span of a project; engagement with labour unions; and other actions.
- C.5.3 Best Efforts could include strategies to support a high rate of Self-Identification reporting from employees, such as an awareness campaign and other communication methods.

**C.6 Accountability**

- C.6.1 If the Minimum Thresholds are not met and Best Efforts are not shown, the City of Winnipeg will hold the Design Builder accountable for not meeting same.
- C.6.2 The accountability measures may include financial incentives for meeting or exceeding Minimum Thresholds.
- C.6.3 The accountability measures may include a financial penalty for not meeting Minimum Thresholds or showing Best Efforts.
- C.6.4 Performance in meeting targets may be made public through formal City Council updates and/or reporting.
- C.6.5 The Design Builder's performance in fulfilling Social Procurement requirements under this contract may also be considered in the evaluation of future procurements by the City of Winnipeg.