



WSCA

Newsletter
Fall 1986

New Vision from the Silviculture Branch

- *35% Increase in Planting Program*
- *Multi-Year Contracts*
- *Camp Standards in Contract*
- *Awards based on Experience and Performance*
- *Variable Security Deposits*
- *Per Hectare Planting by 1990*
- *Funds for Planter Training*
- *Absolute Quality Checking System*

Congratulations

Intensive Silviculture Goals

	<i>(Hectares)</i>				
	<u>1985-6</u>	<u>1986-7</u>	<u>1987-8</u>	<u>1988-9</u>	<u>1989-90</u>
Surveys	100 000	166 000	167 000	167 000	167 000
Backlog Planting	16 500	20 000	36 000	36 000	36 000
Site Rehabilitation	20 000	35 000	36 000	36 000	36 000
Brush & Weed	000	2 000	6 000	6 000	6 000
Spacing	000	5 000	16 000	29 000	19 000
Fertilization	000	9 000	20 000	19 000	18 000
Conifer Release	000	1 000	2 000	3 000	3 000

According to Charlie Johnson,
Director of the Silviculture Branch

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Western Silvicultural Contractors Association Newsletter Fall 1986

Contents

241 million Trees in 1988	2
New & Improved WSCA	3
Camp Standards	4
Fire & Insurance	6
6500 New Planters in 1987	9
The Training Puzzle	9
Variable Security Deposits	15
The 85% Debate	16

News Briefs...Brief News...News Briefs...Brief News

Selective Invitation

The maximum size contract that a MOF District can tender by selective invitation has been raised from \$10,000 to \$25,000. This allows districts much more flexibility in organizing their planting programs. Larger contracts are also potentially more lucrative for contractors, making selective invitations to bid more of a privilege.

Larger Contracts

The Silviculture Branch announced at the July 12 Contractors Meeting that they are instructing the Regions to increase the size of contracts and reduce the number of contracts being let. The Ministry is even considering combining work from MOF and one or more licensees into a single multi-employer contract. Larger contracts should result in more efficient program administration for both the Ministry and the Contractors.

1988 Without Section 88?

Forests Minister Jack Kempf announced recently he believes the government can do a more economical job of planting than private licensees. He indicated that he is considering repealing Section 88 and administering all planting directly through the Ministry.

Double Jeopardy Removed

After frequent requests from WSCA members, the MOF has explicitly instructed licensees to remove the infamous clause "payment will be subject to Forest Service approval" from their contracts. This may result in more defensive checking by licensees.

Open Season on Tenders

In response to a WSCA request, the MOF Prince George Region is opening all their tenders in one week. The WSCA actually recommended opening them all on one day to avoid the bid cascading of previous years. Cascading is the spiral of underbidding that occurs at successive openings as contractors bid in response to previous low bids rather than realistic cost estimates.

The WSCA is recommending that other MOF regions unify their tender openings.

Correspondence can be addressed to:
WSCA
#310 1070 West Broadway
Vancouver, BC
V6H 1E7

Forests Minister announces: **241,000,000 trees** will be planted in 1988

Planting will Increase 35%

The provincial government will spend an additional \$30.6 million on nursery construction and planting in the next two years. Forests Minister Jack Kempf said that an "additional 64,000 persondays of employment in planting will be created in 1988."

The planting program will increase by 35% in 1987-8 and 20% in 1988-9. This increase in the seedling supply has the contractors in a jubilant mood. With the demand for contractors exceeding the historic supply, contractors are expecting to be able to demand a higher price for their services.

Historic Goal Reached

According to Charlie Johnson, the Director of the Silviculture Branch of M.O.F.: "with the implementation of a 241 million planting program in 1988, the province will reach its desired goal of a steady state silviculture program where 75% of our logged lands will be restocked artificially."

Island Mayors Proposal

The Island mayors proposal will get \$8.3 million of the proposed \$30.6 million program. Graham Bruce, North Cowichan Mayor and author of the proposal (now a Socred MP), assured the WSCA in 1985 that their projects would be contracted to the existing silviculture industry.

Editorial

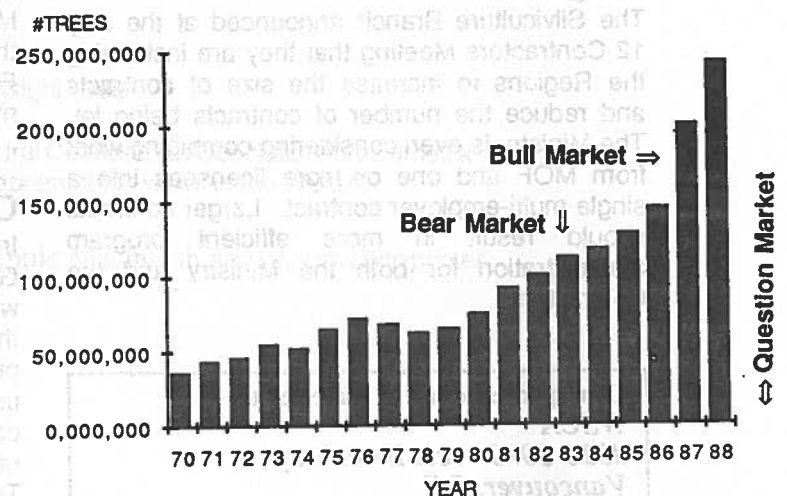
A Bull Market

For the past four years the Bears have been running wild in the silviculture stock exchange, depressing contractors and prices alike. Many predicted that the increased volume in 1987 would produce a market correction, but no one guessed how wildly the demand for contractors has outstripped supply in this bidding season. The go-for-brokers are chortling as they bid 50% or 100% higher than they did on the same contracts last year (prices & wages may even recover to pre-1980 levels). Ride the stampeding Bulls while you can, the bears are sure to return to the bareroot stock market.

Sustained Yield At Last?

The WSCA has been recommending since 1980 that 240 million trees per year need to be planted to stay current with logging. But this is not quite "steady state silviculture" (a.k.a. sustained yield) because of the annual losses to fire, pests, and other land use. Also a significant portion of the 240 million trees for 1988 will be planted in NSR backlog areas, not recently logged areas.

B.C. Planting Program Expands



The **New & Improved** WSCA

Tony Harrison

We decided at the last A.G.M. that the central organization should be structured so that members and directors could use its facilities with a minimum of effort and expense. This was set-up and has been reasonably successful.

The WSCA office represents a communication network enabling contractors to get in touch with each other, industry to get in touch with contractors, and ensuring that contractors are properly represented on issues which affect the well-being of the industry. To accomplish this we have a phone number answered by a living breathing receptionist. All the information received is disseminated either by newsletter or by phone depending on its urgency and importance. In the past this has not proved to be an easy task for the directors involved. But with the help of the secretarial service now engaged, the job is handled relatively painlessly and with minimal expense. What we really need now is for the silvicultural contractors of the province to support its operation both financially and morally.

WSCA Whys and Wherefores

While racing about the province viewing for the upcoming season, I tried to get a feel for what created resistance to contractors becoming involved in an association. The following are some common concerns and my replies:

1) "Worry about the inefficiency of a central body."

At the last A.G.M. the problem of inefficiency was addressed by a restructuring of the association into regional chapters, communicating through a central body to the membership and directors.

2) "Don't relate to the executive."

The executive is an elected body and therefore open to any changes that the membership wishes.

3) "Dues are too costly."

The dues have been cut substantially to \$150.

4) "Received information might be used to the advantage of the few."

Information is distributed to the regional co-ordinators impartially and regularly by the secretarial service.

5) "Don't want to share trade secrets with new contractors."

The contracting community has matured to the point where experience is the norm not the exception.

As is obvious from this issue of the Newsletter, the ground rules of our industry are changing at a dizzying rate. We need a strong association to ensure that the needs and goals of professional silvicultural contractors get a fair hearing. Please give us your support by sending in your 1986 dues of \$150.

Thankyou,
Tony Harrison
WSCA Treasurer

W.S.C.A. Membership Form

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Vancouver, BC V6H 1E7

Total Enclosed _____

CAMP STANDARDS

Launching a Raft of New Regulations

Dirk Brinkman

Congratulations

Brian Story and his colleagues deserve congratulations for working quickly to come out with realistic effective minimum standards and, most of all, for being willing to commit MOF and licensee staff to enforce them.

Triggering the Avalanche

On July 11th 1986, the wire services carried a front page article featuring a consultant's report on the consequences of low bidding in Saskatchewan reforestation program. Bankrupt contractors, unpaid planters, poor quality and a generally poor public image were damaging the Saskatchewan reforestation program.

Don Whitely of the Sun and Patrick Durrant of the Province saw this clipping and were reminded that the BC spring planting season was freshly over. They both phoned me within a half hour of each other to see if there was a story in the season.

Their articles turned out to be the first rumblings of an avalanche of media coverage on tree-planting camp conditions.

Silviculture Branch Concerned

On July 12th at the Nelson Regional meeting with contractors, Robin Brown of Silviculture Branch stated that contractors who do not supply a camp are providing a less than acceptable service. Silviculture Branch was concerned that the lack of camp facilities increased planter dissatisfaction with their adverse working conditions.

They felt too many experienced planters were leaving the silviculture industry. During the 1986 season, districts and companies could not find enough contractors with experienced planters to replace contractors who had walked, failed or were overcommitted. As a result, too many trees were planted too late. Yet in 1987, they planned an even greater increase in the planting program.

At this meeting the Silviculture Branch indicated they were considering action.

Plant While You Puke

Don Whitely, picking up on the inadequate camp standards theme from the Nelson meeting, talked to the Prince George Health Inspector Glen Timbers and uncovered some "real news". John Bett's infectious phrase "Plant while you puke" ensured that Don's July 14th story would trigger a nation-wide avalanche of good copy that had accumulated over the past fifteen planting seasons. The PRWA, independant contractors, Health Inspectors and the WSCA were all glad to talk. "Press"ure that guaranteed action by the Ministry Of Health.

Proposed One Day Work Session

The WSCA had a proposal on the Ministry of Health's desk by 9AM July 17th outlining a proposed minimum camp standard for treeplanting, including a key recommendation that it be enforced by the Ministry of Forests and their Section 88 representatives. The WSCA also recommended meeting with MOH and MOF for a one day work session to work out the details of new regulations. This was rejected by MOF.

Silviculture Camp Regulation

Instead, MOH requested that I outline what the Industry couldn't live with in the present Industrial Camp Regulation.

By July 21st I had recommended deletions, revisions or additions to the present Industrial Camp Regulation, thus creating a Silviculture Camp Regulation. This was reviewed by the Regional Health inspectors, revised into a final recommendation and presented to MOF.

Enforcement

The key WSCA recommendation was "enforcement by the contract administrators".

From the WSCA point of view, MOH inspectors, under public or political pressure to clean up the industry, would shut down camps at random, wrecking havoc in an already unstable industry.

The Ministry of Forests finally agreed to do a common sense walk through camp check. This meant having the standards as new clauses in the planting contract.

Continued Next Page...

Camp Standards Continued...

Timing

In August MOH wanted to punt and study the issue and MOF wanted to phase the regulations in gradually. MOH had ignored the silviculture industry for 15 years—so their response was "why is there suddenly so much pressure to resolve a new regulation in 3 weeks?" The WSCA kept up its pressure with the support of most of the contractors.

Silviculture Branch managed to lever a Memorandum of Understanding between the Ministry of Health and Ministry of Forests to implement minimum camp standards in all silviculture camps, in time for the 1987 viewing season.

Uniform enforcement

It is presently unclear how rigorously the camp standards will be enforced. Besides the traditional range of interpretations ("by the book" to "common sense"), many clauses leave unanswered questions, i.e. possible loopholes.

A session at the January Annual General Meeting of the WSCA will focus on issues like: isolated water treatment standards, large crews spread out into small crews of two and three, camps set up and "voluntarily" not being used by the planters, construction standards for structures and privies, five day projects, etc..

The camp standards initiative made by MOF is historic. It professionalizes the silviculture contract service industry, an important step for an increasingly public program.

PQI Booklet Rewrite

The pay certificate program and the Planting Quality Inspection Booklet are being rewritten this fall.

Please send suggestions for improving the booklet to:

Brian D. Storey
Planting Program Specialist
Silviculture Branch
M.O.F.

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Fires and Insurance

Tony Greenfield

Fanning the Flames

The silviculture contracting community has averaged one or two fires per year plus a number of near misses. Obviously, caution and prevention are the key but if you are held responsible for a fire, fire insurance (such as the WSCA policy) can prevent you from losing everything.

You don't have to actually start the fire to be charged for it. When you are planting in an area, you occupy it and are responsible for fires that occur in your vicinity. If you happen to be on the block where the fire started, you'll probably be held responsible even if the checker was smoking there, loggers were driving through the block, or tourists were wandering around, etc. In that case you may have to dig in with some legal help.

Usually the MOF or licensee have lots of leverage on you in the event of a fire—they owe you money for work completed when the fire began. Their simple expedient is to withhold your payments upto the cost of controlling the fire. Even a small fire can be expensive; if water bombers or helicopters are necessary, you could be in big trouble.

Recently Burned

These are some fires that I am familiar with:

1) In 1978 when Barry Ford was working in Squamish, a fire started on his block. The \$280,000 bill for fire control made that contractor disappear from the scene.

2) My own company (Whiskeyjack) had a fire in 1984 in the Fort St. John area. Due to an ATC breakdown on the last day of a contract we were left with boxes scattered over an inaccessible block. We decided to burn some boxes and take all reasonable precautions (burning at 11PM on a windless night in the middle of a swamp, making sure that the fire was completely out, etc.). But by 6PM the following day there was a plume of smoke in the sky: the windrows were burning.

Presumably, a single flake of ash floated into some dry material and began smouldering. \$10,000 and a week of hard labour later, the fire was extinguished. Then the real work started—collecting from my insurance company. It took me another year of hassles to collect 90% of the firefighting costs.

3) In 1985, Pheonix had an "occupational" fire in Penticton. The MOF are unwilling to discuss this fire because it is still being fought in court. MOF made some deductions from Pheonix's 1986 payments to cover the cost of the 1985 fire and will probably continue to deduct money from the new company the principals have formed.

4) In 1986 Cascade Resources was on a Whonnock contract at Bute Inlet where a fire started. Cascade did not accept responsibility for the fire but Whonnock still withheld charges from payments for work completed. Apparently Whonnock had no fire coverage themselves (too expensive!!) and are pressing Cascade to accept responsibility so that Whonnock can collect from Cascade's insurance company. It is obviously worth checking if a potential client has fire insurance.

Continued on next page...

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Fire & Insurance Continued ...

Solutions

Prevent fires

Box burning— probably the greatest potential source of problems. You may want to cease this practice entirely, except perhaps at Tofino in the middle of a February downpour.

Smoking - just the thought of inexperienced untrained crews of "city kids" smoking in dry slash in June should send shivers up your spine.

Around camp— watch for problems with airtight stoves, campfires, gas engines (in shower units, etc.).

Comply with all regulations

They really are there for a reason. Keep fire tools handy in potential problem areas.

Fire tool regulations and exemptions (e.g. for pumps and hose) are site specific. You may be required to supply the items— make sure you find out before bidding. Not complying with regulations can also have serious legal implications if you are involved in a fire. Make sure you have a current burning permit.

Just in Case

The WSCA has recommended that fire insurance be mandatory for all contracts. The MOF has so far resisted the call, but most licensees do require it. Anyone working without coverage is asking for trouble.

The WSCA Industry Insurance policy will cover your fire-fighting expenses to \$500,000 (with \$1000 deductible. It is available from Mardon & Campbell in Vancouver (phone 736-7721).

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Help Wanted: *6500 Planters for 1987*

The Silviculture Branch calculates the 1987 planter requirements as follows:

- 1) About 6000 planters were involved in the 1985 season, according to a PRWA estimate and an analysis of the number of contractors and crews.
- 2) The 1985 average for planters who worked more than a week was about 23000 trees.
- 3) Based on these 1985 figures, 8000 planters were involved in 1986 and 10500 will be needed in 1987.
- 4) According to a Silviculture Branch survey of the silviculture industry, only 50% of planters return to plant the following season.
- 5) If that trend continues, only 4000 of the 1986 planters will return in 1987.

Therefore 6500 new planters must be found and trained for 1987.

The Training Puzzle

Dirk Brinkman

In the past, most contractors have trained their own new planters or used the "baptism by fire" approach. Though some limited funds were available to assist training, most contractors tended to steer clear of government red tape and form shuffling. For the 1987 planting season the Silviculture Branch expects 6500 new planters (see above) will be necessary—an unprecedented 50% increase over last season. Another large increase in the planting program is scheduled for 1988. The tremendous volume of green planters makes the haphazard hiring and training approaches of the past unworkable and raises some difficult questions:

How can we keep more experienced planters from quitting?

Where are the potential new planters going to be found?

Who will train them?

How can the training be made effective and affordable?

Who will pay the training costs?

Pieces of the Puzzle

Three main tasks confront us in trying to find sufficient planters for 1987:

Keeping Experienced Planters

Finding New Planters

Training New Planters

With the specific objective of ensuring that all the trees scheduled for 1987 are planted in a timely manner, the Silviculture Branch organized a meeting of all interested groups* for October 8th, 1986. What follows arose from the discussions at that meeting.

* Silviculture Branch, Canada Employment, Provincial Ministry of Social Services and Housing, Employment Development Branch, Lorax Forestry School, PRWA, and WSCA.

The Training Puzzle continues...

Keeping Experienced Planters

Attracting More Returning Planters

Experienced planters will be the key to the success of the 1987 and future planting programs. Returning planters average more trees a season than first year planters, so it is important to reduce the planter drop-out rate (estimated at 50% annually).

To improve working conditions and thereby encourage more planters to return, the Silviculture Branch has made minimum camp standards mandatory (see related article in this issue). The increase in seedling volume has improved prices to the planter and will attract more experienced planters.

Match Making Service

Silviculture Branch suggested an identity-book system issued through Canada Employment (CEIC). The contractors would supply a log of a planters experience and certificates of training to CEIC. This would enable unemployed experienced planters and short-staffed contractors to find each other more easily, minimizing the need for green planters.

Reluctant WSCA

Would contractors cooperate? Many experienced contractors are not interested in helping competitors— especially not failing contractors, new contractors, or contractors with high planter turnover— to easily access their trained and experienced planters through a new improved CEIC referral system.

Reluctant Planters

Planters may not want to cooperate either. A byproduct of this CEIC system could be that the professional treeplanter must always be actively pursuing any available planting jobs throughout the province to sustain a valid UIC claim.

Employment Canada agreed to investigate the feasibility of implementing and managing such a system.

Reducing Turnover

The Silviculture Branch survey (contracted to John Betts and Peter Offerman) indicated that 50% of first year planters don't stick it out to the end of the season. If this turnover could be reduced, fewer new planters would be needed. Contractors can minimize the drop-out rate by assisting applicants with self-screening. If we

advise them immediately of the hazards and difficulties they will face, many applicants who are not appropriate for treeplanting will decline the job.

At the meeting we discussed an objective information brochure that outlines the difficulties of treeplanting. The Silviculture Branch agreed to pay for such a brochure. The PRWA offered to do the brochure since it has experience writing similar brochures (as well as providing orientation programs in universities).

Even with the above measures in place, up to **6000 new planters** will be needed for the spring of 1987.

More Training Puzzle next page...

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Section 88 Manual

The ministry of Forests is presently reprinting the Section 88/Credits to Stumpage User Procedures Manual. This Manual is available, in its entirety, for forty dollars per copy from the following address:

The Director

Valuation Branch

Ministry of Forests and Lands

#218-1450 Government St.

Victoria, B.C. V8W 3E7

Attention: Section 88 Coordinator

Finding New Planters

Rewriting the Holland Codes

Canada Employment currently screens the unemployed for various available jobs based on what they call "Holland Codes".

A review of the selection criteria for treeplanting makes it clear why few people referred by Canada Employment to tree planting contractors have worked out. CEIC will review these codes with WSCA input.

Tree Planter Want-Ads

Silviculture Branch proposed an advertizing campaign to attract planters. With substantial planting programs in Ontario and Quebec, the traditional western migration of experienced eastern planters has stopped. With 180,000 people unemployed and 80,000 on welfare in BC, Canada Employment and Social Assistance & Housing protested against MOF advertizing out of province. Advertizing, if it takes place, will probably be limited to encouraging BC's unemployed to apply for tree planting jobs.

University Tree Planting Day

University interviews are one of the most important sources of new planters.

The WSCA suggested that there be a Treeplanting Day coordinated by the student employment centers at UBC, U Vic, and SFU to attract more students.

Training New Planters

Who Trains?

In the past, besides the "you'll catch on" approach, there have been training programs developed by community colleges, private schools, active contractors, retired contractors and foresters. These courses all had different objectives and consequently different standards. Silviculture Branch proposed that training standards need to be set.

Silviculture Training Standards Committee

To establish training criteria and accredit treeplanting training schools, a Silviculture Training Standards Committee (STSC) was formed. It is composed of one representative from each of the following groups: MOF, WSCA, PRWA, community colleges, and private tree-planting schools. The committee will publish a basic curriculum topics list. Written proposals for training courses will be reviewed by members and evaluated against internally developed standards. If the material qualifies, an instructor will meet with the committee and demonstrate competency with the materials.

Contractors' Training Schools

Contractors may establish their own training schools (subject to approval by the Standards committee). To receive government funding the contractor must be registered as a private trade school. This will require approval by the STSC.

Training New Planters cont...

Can it be Effective?

Contractors have historically been sceptical of teaching treeplanting in a classroom. Books, movies, and blackboards cannot convey the realities of slash hopping and duff screening. The Silviculture Training Standards Committee met provisionally in the afternoon of Oct 8th to discuss Training Course effectiveness.

Course Duration

They agreed that one to two days of classroom plus six to eight days practical training is adequate initial training for an interior tree-planter.

Graduating Standards

Achieving basic production rates while maintaining high quality and safety; a positive attitude; and proper seedling care and handling were provisionally suggested as graduating standards for certifying a planter.

For example, a minimum production standard might be:

100 trees/hour for Plugs with a Shovel on Moderate Ground (with 95% quality).

Selection of Training Candidates

Contractors have to preselect candidates and assure them of a job so that training funds are not wasted.

even more training...

How Much will it Cost? and Who Pays?

Training Costs

Given the ten day training period and the price of current planter training courses, it was decided that \$250 per planter would be a reasonable subsidy to request. Total government funding would be at most 6000 X \$250 or \$1,500,000. This seems like a bargain when the average Employment Development Branch cost of creating or training for a new job is \$11,000.

Government Subsidies

Government training and subsidy programs have always been advised, "hands off treeplanting" by both Silviculture Branch and the WSCA. Silviculture Branch has been concerned that contracts won by competitive bid should not be subsidized by other government funds [because the bidder with the government program would have an unfair competitive advantage]. The WSCA lobbied against government subsidies to prevent reforestation from becoming just another make-work program.

As a consequence, up until last year, there were virtually no government sponsored training programs.

At this meeting Silviculture Branch and the WSCA declared their intention to support government funding for training planters.

Government Responses

The Provincial Ministry of Social Assistance and Housing has committed \$1,500,000 in 1987 (\$500,000 before March 31st) to train people who have been receiving social assistance for at least 8 weeks. They will pay \$250 for courses at a registered trade school and supply \$750 for basic planting gear. MSAH officials suggest there must be 2000 good planters among the 35000 single males under 25 that are receiving welfare. To encourage contractors to find those 2000 potential good planters, the WSCA suggested that MSAH help pay for contractors interviewing costs.

The Provincial Ministry of Labour is meeting with the WSCA, Lorax, MOF and PRWA on Nov. 18th to identify how to most effectively deliver funds from its Ministry.

Despite pressure from the Silviculture Branch, Canada Employment has not yet indicated it is able to allocate special funds for the silviculture sector.

Training is still a Puzzle...

Training Ground

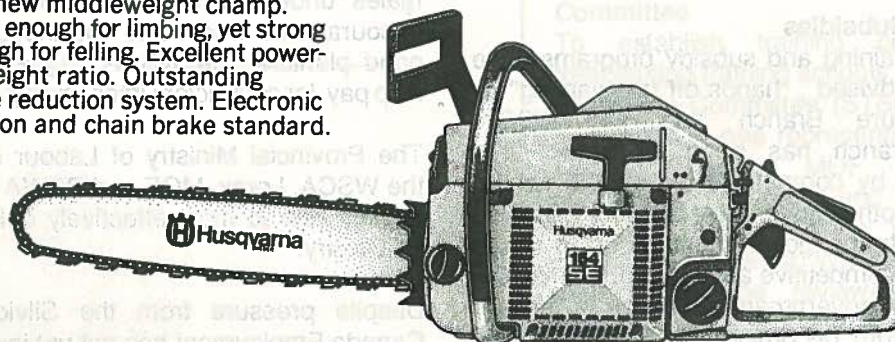
The huge number of planters to be trained for 1987 makes seedlings and ground for training a serious issue. Fifteen million seedlings would be planted by 6000 "planter trainees" averaging 350 trees per day for seven days of field training. Silviculture Branch fears that contractors might use training subsidies as an unfair bidding advantage. Allocation of training trees remains an unresolved problem.


Putting the Puzzle Together

We can realise the challenges of the ambitious 1987 (and beyond) planting programs by working together on attracting more experienced planters, and training new planters. So everyone—planters, contractors, and foresters—if you have related ideas or opinions, send them to either Silviculture Branch or the WSCA immediately.

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Variable Security Deposit System Tendered Too Late for this Years Openings

Dirk Brinkman

Almost There

The WSCA is pleased with the initiative being shown by the Silviculture Branch, but more communication is still necessary. Many companies are refusing "A" class contractors the privilege of a 5% Security Deposit because "we weren't told about it soon enough."

Incentives

The quality checking system is intended to induce planters and contractors to deliver the highest possible quality. The system has often been criticized because it emphasizes penalties and not rewards. The last positive incentive for doing a professional job evaporated with the elimination of the Section 88 preferred contractor status.

The new variable security deposit (which uses a contractor rating system) is a positive incentive for good performance.

Financing

For 1987, contractors who are rated "A" Class will only have to pay a 5% instead of a 10% security deposit. This enables 'good' contractors to respond to the expanding program size by diminishing their financing requirements—one of the major limitations to growth. Most contractors operate on tight credit lines so reducing the amount of money that is sitting idle as security deposits should make a difference to their cash flow.

Contractor Rating System

Brian Storey is considering using the payment-block data more directly to generate a bell curve of classifications for contractors. An "A" contractor would have a high percentage of blocks completed with high quality.

Still some rough edges

The WSCA does have some questions about the system, such as:

- 1) Does first time contractor status (Category "C") apply to contractors that have worked with licencees that did not submit data to the MOF?
- 2) Nine contractors are in the "D" list. But some of the owners of these "D" companies are operating in the "C" category by wearing a new company suit.

What about these quick change artists?

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Trivia?

Some startling figures were presented at the last Canadian Forest Congress: Brazil's tended forests grow fiber at a volume of $10 \text{ m}^3/\text{Hectare}/\text{Year}$. At that growth rate, a forest roughly four times the size of Vancouver Island's forest base (i.e. 300 Km by 300 Km) could produce enough fiber to supply the current world demand for pulp ($990,000,000 \text{ m}^3/\text{year}$).

By contrast, the average growth rates in B.C. are under $5 \text{ m}^3/\text{Hectare}/\text{year}$ and the province's most productive forests achieve only $10 \text{ m}^3/\text{Hectare}/\text{year}$.

This dramatically illustrates the threat posed by tropical forests to Canada's international pulp sales.

Courts have No Tolerance for 85%

The silviculture industry has been doing its part to keep the B.C. courts from falling into disuse. A number of contractors have sued the MOF for payment on areas under 85% quality. Despite the historical precedent for this penalty clause in our industry, it appears to contravene basic contractual law. It is absurd that contractors should routinely have to use courts to receive legal payment. On the other hand, without hefty fines for very poor quality, the health of plantations may suffer. In the following telex (sent Nov. 14), the WSCA suggested an alternative approach:

Mike Wilkins
Assistant Deputy Minister
Ministry Of Forests

re: Examination of the non-payment below 85% clause.

The WSCA would prefer not to alter the serious penalty for poor quality. If you simply pay 75% for 75% quality some contractors will take advantage of it. If they increase their production by 50% and get 75% quality, they will come out ahead financially while MOF is left with an NSR site that needs expensive fill-planting.

However, since there are no good legal grounds for defense against a plaintiff seeking payment for work performed (ie. the well planted trees) we recommend the following:

For each contract with quality under 85%, the estimated cost of the destroyed (wasted) seedlings should be deducted from the money owed for well planted trees.

Poor planting means the contract investment made by the Ministry of Forests is lost (with 75% quality, 25% of the seedlings are wasted). The cost of growing seedlings of various stock type and species is well documented. The cost of transport, administering the contract, regen surveys, planning, organizing and budgeting for the planting project are all known. The Project officer can calculate a payment based on the projects individual costs, thus avoiding the past litany of legal claims for payment.

Please feel free to contact us.

Yours Truly,
Dirk Brinkman, President
Western Silvicultural Contractors Association

FORESTWORLD

Forestworld Supplies is pleased to announce that Brett Lloyd has been appointed as President and General Manager. Brett has been president of Mountain Equipment Co-op since 1983 and brings extensive accounting and technical experience to Forestworld. Ed Walters is continuing his service to customers as Production Manager.

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