

November 6, 2025

Ron Bowles
Chief Administrative Officer
City of West Kelowna
3731 Okanagan Highway
West Kelowna, BC V4T 0GT

Re: Procurement Practice Review - Project Number 1007546211- Jim Lind Arena - Roof Replacement

Dear Mr. Bowles,

On behalf of the International Institute of Building Enclosure Consultants (IIBEC), I am writing regarding the procurement process for Project 1007546211– Jim Lind Arena - Roof Replacement.

This letter provides recommendations to improve the bidding process and protect the interests of the City of West Kelowna, the public, and bidders. It is not intended as a challenge to any specific project. IIBEC's 3,900 members worldwide, including 800 in Canada, adhere to a strict Code of Ethics that prioritizes the safety, health, and welfare of the public.

Our review indicates that this project appears to have proceeded without independent professional design oversight and relied on a single-source procurement approach. Such methods bypass safeguards, may conflict with provincial procurement regulations, and can increase project costs.

We recommend that future contract documents and specifications be carefully reviewed to ensure all specified products are available from multiple sources. This will help avoid breaches of the *New West Partnership Guidelines to the Procurement Obligations of Domestic and International Trade Agreements*, particularly Part B (V)(1)(c), which prohibits specifications or procedures that create unnecessary obstacles to trade and that undermine openness, noncircumvention, nondiscrimination, and transparency.

Avoiding sole-source material specifications is especially important in publicly funded projects. Sole-source procurement restricts competition, increases costs, and can create conflicts of interest. Competitive bidding promotes transparency, efficiency, and cost-effective outcomes lost under sole-source arrangements. When a sole source has a financial stake in a project, design decisions, material selection, or construction methods the source may prioritize profit over performance. Independent professional oversight and open, competitive processes are critical to mitigate these risks. Sole-source specifications can also limit innovation and prevent consideration of superior alternatives, whereas evaluating multiple options ensures the best technical fit, highest quality, and optimal life-cycle performance.

IIBEC strongly supports public agencies having policies that require independent design consultants with no financial interest in specified products on publicly funded projects. This approach protects all parties from perceived conflicts of interest and ensures that roofing and building enclosure systems meet the building's unique needs. Independent oversight also aligns with the *New West Partnership Guidelines*, which prohibit procurement advice from individuals with commercial interests that could restrict competition.

We have observed that manufacturer-led design-construction projects often eliminate independent design services and may compromise material selection, quality, and value. Such approaches can also conflict with provincial procurement regulations and inherently create conflicts of interest, contrary to the IIBEC Code of Ethics.

Leading procurement authorities, including the American Bar Association (ABA) *2000 Model Procurement Code for State and Local Governments*¹ does not recognize manufacturer-led design-build approaches as acceptable public procurement methods.

To protect procurement integrity and ensure best value, IIBEC recommends:

1. ***Affidavit of Independence*** – Require all consulting or professional services providers to certify that they will not receive compensation from any other source related to the project.
2. ***Conflict of Interest Affidavit*** – Require all providers to certify that they do not supply, manufacture, or distribute materials or bid on construction services related to the project.
3. ***Use of Credentialed Professionals*** – Require involvement of IIBEC credentialed professionals (RBEC®, RRC®, RWC®, REWC®, RRO®, REWO®) or independent licensed professionals (engineers or architects) to ensure design and construction quality, code compliance, and warranty adherence. The requirements for attaining these designations are stringent and take considerable time and effort to fulfill. The Registered Roof Observer (RRO®) and Registered Exterior Wall Observer (REWO®) programs qualify individuals to monitor the construction process to ensure that roof and exterior wall projects stay in compliance with approved construction drawings, specifications, and best practice or warranty-stipulated installation procedures.

We strongly encourage implementing independent review and competitive procurement measures on all future projects. Aligning with these standards will reduce risk, enhance transparency, and safeguard performance and public trust.

IIBEC is available to discuss these recommendations and to support efforts to strengthen procurement practices. Please let us know a convenient time to connect.

Sincerely,



Brian Pallasch, CAE
Executive Vice President & CEO

¹ <https://publicprocurementinternational.com/wp-content/uploads/2019/04/2000-ABA-Model-Procurement-Code.pdf>