Bentall Kennedy
Responsible Contracting Policy

Introduction

The Bentall Kennedy group of companies ("Bentall Kennedy") promotes fair working conditions for workers engaged in providing services at properties owned by Bentall Kennedy's clients ("Clients") subject to Bentall Kennedy's role as a fiduciary. Through the Responsible Contracting Policy outlined herein ("the Policy") we support and encourage fair wages, fair benefits and appropriate working conditions for workers employed by contractors and their subcontractors and service providers hired by Bentall Kennedy. We believe that appropriately compensated and trained workers deliver a higher quality product and service.

Definition of Responsible Contractor

A "Responsible Contractor" is a contractor, subcontractor or service provider who pays workers fair wages and provides fair benefits as evidenced by payroll and employee records. What constitutes "fair wages" and "fair benefits" depends on the wages and benefits paid on comparable real estate projects, based upon local market factors, that include the nature of the project (e.g., residential or commercial; public or private), comparable job or trade classifications, and the scope and complexity of services provided. In all cases, as a minimum standard, a Responsible Contractor complies with all jurisdictional labour laws.

Requirements of Responsible Contracting Policy

Notwithstanding any other considerations, properties shall be managed in accordance with specific Client requirements and expectations and in keeping with the terms of any agreements between Bentall Kennedy and its Clients.

1. In accordance with Bentall Kennedy's Authorization and Commitment Control – Purchasing Policies, contractors and their subcontractors and service providers for construction, maintenance, and services shall be selected through a competitive bidding and selection process to encourage fair competition.

2. The Policy shall apply to all contracts undertaken by Bentall Kennedy on behalf of a Client of a minimum size of $50,000.00, individually or annually as applicable for tenant improvements, capital expenditures, and operational service contracts (such as cleaning and security) where the contracting of such services is under the direct control of Bentall Kennedy.

3. All contractors and their subcontractors and any service providers shall observe all applicable local, provincial or state and federal employment regulations or laws (including by way of illustration those pertaining to insurance, withholding taxes, minimum wage, labour relations and occupational health & safety).

Enforcement, Monitoring and Administration

1. All contractors and service suppliers shall complete a Contractor/Supplier Prequalification Form that acknowledges their adherence to the Policy prior to being invited to bid on work.
2. All requests for proposals or invitations to bid shall include the Policy. Contractors shall confirm their communication to subcontractors of the Policy.
3. All contracts and service agreements, including any renewals of such contracts, shall include the Policy.
4. Upon request, the contractor or service supplier shall affirm to Bentall Kennedy their compliance with the Policy.
5. All contractors and service suppliers shall acknowledge that they may at any time be subject to an audit by Bentall Kennedy in respect of their compliance with the Policy.
6. Any violation of the Policy shall be brought to the attention of Bentall Kennedy who will determine the appropriate course of action.
7. A contract may be terminated at any time if, in the sole discretion of Bentall Kennedy, the contractor, subcontractor or service supplier is in violation of the Policy.

Application of Responsible Contracting

The Policy recognizes "fair wages", "fair benefits", and "training" should not be narrowly defined for practical purposes in all markets. Instead, it applies to local practices with regard to type of trade and type of project. It recognizes that local practices and labour market conditions vary and that flexibility in its implementation is important. In determining "fair wages" and "fair benefits" with regard to a specific contract in a specific market, items that may be considered include local wage practices, employment laws, prevailing wages, labour market conditions, and other items.