



Ontario Society of Professional Engineers (OSPE)

Response to Bill 72- Buy Ontario Act

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Bill 72, Buy Ontario Act, 2025, has the potential to strengthen Ontario's economic resiliency by ensuring public procurement supports domestic supply chains. The Ontario Society of Professional Engineers (OSPE) supports this goal, consistent with our mandate to promote Ontario's engineering capacity and evidence-based policy that protects public safety.

However, Ontario is a manufacturing and services leader that exports more than it consumes. Measures that restrict interprovincial competition risk prompting other provinces to adopt similar policies, limiting market access for Ontario engineering firms and creating new barriers that could hinder interprovincial supply chains, labour mobility, and economic growth. Given Ontario's long-standing commitment to reducing interprovincial trade barriers, it is critical Bill 72 does not introduce new provincial preferences that undermine this progress. With strong national standards governing engineering education, qualifications, and professional practice, Ontario firms should be competitive across Canada. Public policy should continue to promote this mobility rather than constrain it.

In addition, any preferential procurement rules created under Bill 72 should be harmonized as much as possible with federal *Buy Canadian* requirements. This alignment will strengthen domestic supply chains without inadvertently discouraging innovation or creating unnecessary barriers. We must ensure Ontario's procurement and regulatory systems encourage the development, incubation, and commercialization of homegrown technologies rather than driving entrepreneurs to foreign markets.

Implementation of Bill 72 must therefore explicitly protect technical competence, public safety, innovation, and value for money in engineering-intensive projects.

OSPE recommends directives under Bill 72 include:

- **Mandatory Qualifications-Based Selection (QBS)** for all engineering and professional services.
- **Inclusion of engineering expertise** in the development, enforcement, and compliance review mechanisms created by the Act.
- **Maintaining an open interprovincial market** for trade and labour to avoid new barriers and preserve access for Ontario firms.
- **Alignment with federal Buy Canadian frameworks**, with transparent and justified exemptions for any non-Canadian procurement.

These measures will help ensure the *Buy Ontario Act* supports local economic development while protecting the quality and competitiveness of Ontario's infrastructure systems.

Recommendation 1: Mandate Qualifications-Based Selection (QBS) for Engineering Services

OSPE recommends procurement directives require engineering services to be procured using Qualifications-Based Selection (QBS), where firms are selected based on competence, experience, and technical expertise, with fees negotiated after the most qualified firm is identified.

Bill 72 empowers the Management Board of Cabinet to issue binding directives to public-sector entities on procurement practices. This authority is well-suited to establishing province-wide adoption of QBS.

Mandating QBS would:

- Encourage Ontario firms to compete on expertise, not price suppression
- Increase project value by reducing long-term maintenance and failure costs
- Reduce risk by ensuring competent teams deliver complex projects

Recommendation 2: Require Engineering Expertise in Procurement Oversight

The compliance review duties in Bill 72 should include engineering expertise, particularly for infrastructure, capital projects, and other technical procurement.

Because Bill 72 authorizes compliance reviews and the potential withholding of funds for non-compliant procurement, OSPE recommends that:

- Reviews of technically complex procurements involve licensed engineers
- Engineering risk assessments be integrated into compliance criteria

Engineering oversight ensures effective evaluation of essential metrics such as risk, innovation readiness, and public safety.

Recommendation 3: Maintain Interprovincial Trade and Labour Mobility

OSPE supports Ontario's longstanding efforts to enhance interprovincial trade and labour mobility. Maintaining an open and competitive interprovincial market will:

- Protect Ontario's manufacturing and services sectors
- Support engineering firms' access to other provincial markets
- Prevent retaliatory barriers that could disrupt supply chains and labour mobility
- Encourage harmonization rather than fragmentation of procurement standards

Harmonizing Bill 72's requirements with federal *Buy Canadian* rules will also align jurisdictions and ensure any exemptions are applied transparently and fairly.

Conclusion

Incorporating Qualifications-Based Selection, engineering oversight, alignment with federal procurement frameworks, and protection of interprovincial market access will help ensure Ontario's procurement system supports economic development without compromising technical standards or innovation.

OSPE supports legislation that strengthens Ontario's economic growth while preserving the competitiveness and mobility of our engineering sector.

Sincerely,



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