

MINISTRY OF CHILDREN AND
FAMILY DEVELOPMENT

Childcare BC
New Spaces Fund

Funding Guidelines
2021/22



These funding guidelines are effective September 13th,
2021.

PLEASE NOTE

The Ministry will assess all applications received after this date in accordance with the selection requirements and the principles contained in this document as part of the call for applications described in Section 5.

Ensure you are using the current application form. Check that the application is labelled 2021/2022.

Please contact the program area if you have questions at MCF.CCCF@gov.bc.ca or 1-888-338-6622 (option 5).

Contents

1. Introduction.....	5
1.1 Summary of Key Changes for 2021/22	5
1.2 Key Dates	5
2. Who Can Apply?	6
2.1 Eligible Organizations	6
2.2 Ineligible Organizations and Projects.....	6
3. Priority Areas.....	7
4. Funding.....	8
4.1 Funding Award Commitment	10
4.1.1 Human Resource Facility Act Agreements.....	10
4.1.2 Cost-per-space.....	10
4.2 Requirements	10
5. Applicant Selection and Funding Process	13
5.1 Call for Applications.....	13
5.2 Evaluation Criteria	14
6. Eligible and Ineligible Project Costs	15
6.1 Eligible Project Costs	15
6.2 Ineligible Project Costs	16
7. How to Apply	18
Appendix A – Terms & Conditions	21
8.1 Terms and Conditions Non-Binding Process.....	21
8.2 Ministry Discretion to Waive Deficiencies	21
8.3 Applicant Representations & Warranties	21
8.5 Ministry Due Diligence	22
8.6 Applicant Responsibility	22
8.7 Applicants to Review All Documents	22
8.8 No Liability for Errors	22
8.9 Selection	23

8.10 No Incorporation by Reference.....	23
8.11 Working Language of the Ministry.....	23
8.12 Applications from a Single Entity	23
8.13 Changes to Application or Supporting Documentation.....	23
8.14 Late Applications	23
8.15 Rectification.....	23
8.16 Additional Information.....	24
8.17 Conflict of Interest & Lobbying.....	24
8.18 Project Viability	24
8.19 Alignment with Provincial Objectives	24
8.20 Costs of Process.....	25
8.21 Communication with Media.....	25
8.22 Complaints.....	25
8.23 Appeals	25
Appendix B – Written Quotes	26
Appendix C – Definitions	27

1. Introduction

Since launching in July 2018, the Childcare BC New Spaces Fund has accelerated creation of new licensed child care, helping families who want or need to access affordable, quality child care and strengthening communities across B.C.

In 2021/22, the Ministry of Children and Family Development (the Ministry) will continue to support child care space creation projects that maximize the number of spaces in high-need areas across the province through the New Spaces Fund. The program provides funding for long-term community investments run by public and not-for-profit organizations (societies), increasing availability of infant toddler care, and supporting accessible and inclusive builds that welcome children with diverse needs.

1.1 Summary of Key Changes for 2021/22

In 2021/22 the Ministry is focusing space creation investment on expanding quality, inclusive community-based child care in areas with the greatest needs, in alignment with provincial priorities and commitments under the [Canada Wide Early Learning and Child Care Agreement](#).

Key changes for 2021/22 include:

- Eligible organizations are limited to public sector, Indigenous governments, not-for-profit organizations (societies) and Indigenous not-for-profit organizations (societies)
- Increased priority for projects creating infant toddler child care spaces
- Focus on full-time 0-5 licence types and school age licence types
- Including School Age Care on School Grounds as an eligible licence type for funding

1.2 Key Dates

Table 1: 2021/2022 Childcare BC New Spaces Fund Anticipated Key Dates

Phase	Date(s)
Call for Applications	
Call for Applications Open Date	September 13 th , 2021
Call Closure Date	November 16 th , 2021
Internal Review	November 16 th , 2021 – February 2022
Notification of Results ¹	March 2022

Please note: All applications received later than November 16th, 2021 at 4:30p.m. PST will not be considered for the call for applications (See Appendix A, 8.14).

¹At the time of the notification of results, successful applicants will be notified and invited to enter into a New Spaces Funding Agreement. These funding agreements will be under the *Childcare BC Act* and additionally the *Human Resource Facility Act* where applicable.

2. Who Can Apply?

2.1 Eligible Organizations

- Public sector organizations including:
 - Local governments
 - School boards
 - Health Authorities
 - Public post-secondary institutions
- Indigenous Governments
- Not-for-profit organizations (societies) and Indigenous not-for-profit organizations (societies)

2.2 Ineligible Organizations and Projects

Ineligible organizations include:

- Businesses or corporate companies (including partnerships, sole proprietors, limited companies and incorporated companies)
- Those not in good standing with the Ministry (i.e. owe a debt to the Ministry without a Ministry approved repayment plan and/or have a repayment in arrears)
- Those not in good standing with the BC Corporate Registry (where applicable)
- Those who have a history of ongoing non-compliance (infractions/violations) under the [Community Care and Assisted Living Act](#) and [Child Care Licensing Regulation](#)
- Those unwilling to apply for funding under the [Child Care Operating Funding](#) (CCOF) program and, where eligible, enroll in the [Child Care Fee Reduction Initiative](#) (CCFRI) and [Early Childhood Educator Wage Enhancement](#) (ECE-WE), or any future BC Government operating funding initiatives, where eligible, for the project's minimum commitment length once the spaces become operational

Ineligible projects or components include those for:

- Child care spaces not eligible for licensing
- Child care spaces for the following licence types: occasional child care, child minding, recreational care, preschool, family or in-home multi-age
- A project that is fully completed² prior to signing the Funding Agreement
- Relocating without the intent of creating new licensed child care spaces
- Projects that do not involve creating new licensed child care spaces

²Fully completed projects are those that are licensed and ready to begin operation.

3. Priority Areas

The New Spaces Fund supports the creation of licensed child care spaces, aiming to increase access to quality, inclusive child care across BC. The Ministry will prioritize applications proposing projects that deliver on the following key priority areas:

- Creation of infant toddler child care spaces
- Creation of spaces serving priority populations including:
 - Low-income families
 - Children with support needs
 - Indigenous children and families
 - Families new to Canada
 - Young parents (25 years and under)
 - Black and other children and families of colour
 - Francophone children
- Creation of spaces co-located with other community or family services, such as on school grounds (including K-12 and public post-secondary)³
- Creation of fully inclusive and accessible child care spaces that allow children of all abilities to participate meaningfully (i.e. accessible physical design and application of program inclusion policy)
- Projects with a Provincial cost per space of \$40,000 or less to ensure the fund creates as many spaces in as many communities as possible

For more information on the priority areas, please refer to the [Program FAQs](#) and the [Application Resource](#).

³ For projects on school grounds or district owned land, the school district must apply.

4. Funding

Childcare BC New Spaces Fund grants are provided under the *Child Care BC Act* or the *Human Resource Facility Act*

Grant funding under this Program is provided at the Ministry’s discretion. For successful applicants, funding may be provided in accordance with Table 2 below. The Ministry will provide the maximum provincial funding amount to the project, based on the *eligible* project costs (see Section 6.1) and the type of applicant approved for funding. The applicant’s level of contribution depends on the type of organization and the total project costs (see Table 2 below).

Table 2: Contribution Percentages and Funding Award Commitment by Applicant Type

Applicant Type	Required Organization Contribution as a % of TOTAL Project Costs	Provincial Contribution as a % of ELIGIBLE Project Costs	Maximum Provincial Funding Amount ⁴	Funding Award Commitment
Public sector organizations and Indigenous Governments	0%	100%	Up to \$3,000,000	Up to 15 continuous years of providing licensed child care
Indigenous Not-For-Profit Organizations (Societies)	0%	100%	Up to \$1,500,000	Up to 15 continuous years of providing licensed child care
Not-For-Profit Organizations (Societies) (including Not-For-Profit Child Care Providers, and Child Development Centres)	10%	90%	Up to \$1,500,000	Up to 15 continuous years of providing licensed child care

Organizations *must* make the minimum required organization contribution, if applicable. However, organizations may contribute more than the minimum required organization contribution. Applicant contributions may include funding from other sources, such as monetary gifts, credit sources, bank loans, and in-kind contributions such as land. However, other Childcare BC funding (e.g. Maintenance Fund) will not be considered as part of an applicant’s required organization contribution.

⁴ The Provincial Funding Amount applies to a single physical location. Projects occurring within the same physical location are considered as a single project.

The Provincial Funding Amount will be considered for the total eligible project costs, up to the maximum funding contribution available for the applicant type. For example, if the organization was classified as a not-for-profit organization (society), the Ministry would provide 90% of the total *eligible* project costs, up to \$1,500,000. The minimum required organization contribution would be 10% of the *total* project costs. For a \$1,500,000 Project, with *eligible* project costs totalling \$1,000,000 and *ineligible* project costs totalling \$500,000, the maximum provincial contribution considered would be \$900,000 (i.e., 90% of the \$1,000,000 *eligible* project costs). The organization would be required to make a minimum contribution of \$150,000 (i.e. 10% of the \$1,500,000 *total* project costs). To cover the remaining project costs of \$450,000 (\$1,500,000 *total* minus \$900,000 *provincial contribution* minus \$150,000 *Required Organization Contribution*), the organization may contribute more than the \$150,000 minimum required organization contribution or seek funding from additional sources. This example is repeated in the table below:

The project applicant is a not-for-profit organization. Their total project cost is \$1,500,000, however only \$1,000,000 of that are eligible projects costs. In this scenario, the contributions would be as below.				
Total Project Costs	Total Eligible Project Costs	Provincial Contribution (90% of eligible costs)	Required Organization Contribution (10% of total project costs)	Proof Organization has additional required funding from other sources (remaining amount of total project costs)
\$1,500,000	\$1,000,000	\$900,000	\$150,000	\$450,000

4.1 Funding Award Commitment

Recipients of funding are required to adhere to the following minimum commitments:

- Projects under \$50,000, commit to continuing the Child Care Operation for a minimum of 5 years;
- Projects between \$50,000 and \$500,000, commit to continuing the Child Care Operation for a minimum of 10 years; and,
- Projects over \$500,000, commit to continuing the Child Care Operation for a minimum of 15 years.

Additionally, if the child care operation fails to meet the minimum award commitment set out in the Funding Agreement with the Ministry, the recipient may be required to repay some or all of the funding provided, as set out in the Funding Agreement.

4.1.1 Human Resource Facility Act Agreements

In certain circumstances, where the recipient owns the land and/or building and the project is \$50,000 and over, the Minister may require Recipients to enter into an agreement under the *Human Resource Facility Act (HRFA)*. Under the HRFA, the Ministry may provide conditional funding grants and take steps to protect the taxpayer's investment in projects for a set period. For example, the Minister can place a notation on the title, which restricts the sale, transfer, mortgage, lease and other disposition of the facility without written consent of the Minister.

The Ministry will approve the removal of the legal notation once applicable recipients of the Childcare BC New Spaces Fund:

- Have met their minimum award commitment as set out in the Funding Agreement; or
- Have repaid the Ministry the portion of the funding still owing as per the Funding Agreement, in the event the child care operation is no longer operating as required before the minimum award commitment is met.

The applicant must contact the Ministry a minimum of 30 days prior to a required deadline for any request for remortgaging or refinancing, as this process involves multiple ministries and may take time to process the request.

4.1.2 Cost-per-space

The Ministry is prioritizing projects with a Provincial cost per space of \$40,000 or less. Projects with a cost per space over \$40,000 may be considered in exceptional circumstances, at the discretion of the Ministry, where there is clear evidence that the benefit of the project compensates for the increased cost-per-space.

4.2 Requirements

Organizations that receive funding through the Childcare BC New Spaces Fund are required to:

- Offer and provide child care service to families receiving the [Affordable Child Care Benefit](#) under the *Child Care Subsidy Act*
- Be in compliance with licensing requirements
- Adhere to local bylaw requirements
- Submit a Financial Reconciliation Package for the project to the Ministry within 60 days of project completion, or such longer period as requested in writing and acceptable by the Ministry
- Apply for and enroll in the [CCOF](#) program, or any future BC Government operating funding initiatives, where eligible and approved for, each term for the minimum commitment length of the project once the spaces become operational
- Apply for and enroll in the [CCFRI](#), where eligible and approved for, each term for the minimum commitment length of the project once the spaces become operational
- Apply for and enroll in the [ECE-WE](#), where eligible and approved for, each term for the minimum commitment length of the project once the spaces become operational

Approved Childcare BC New Spaces Fund recipients should allow for enough time to complete all the requirements listed in this section in order to receive the final installment of their funding. Meeting these requirements will require both:

- Working with their regional health authority's Community Care Facility Licensing program to obtain or update their *Community Care and Assisted Living Act* facility licence
- Applying and being approved for enrollment in CCOF, the CCFRI, and ECE-WE, or any future BC Government operating funding initiatives where eligible and approved for

If, following payment of the final installment, a recipient becomes ineligible, or withdraws from CCOF, the CCFRI, and ECE-WE, or any future BC Government operating funding initiatives, where eligible and approved for, prior to the project's minimum commitment period, the recipient will be required to make a repayment of their New Spaces Fund grant to the Ministry, in alignment with the terms of the New Spaces Funding Agreement. Additionally, the recipient will be subject to any withdrawal penalties that apply under the terms of their CCOF/CCFRI/ECE-WE funding agreements, or any future BC Government operating funding initiatives, with the Ministry, where eligible and approved for.

Recipients of the Childcare BC New Spaces Fund are responsible for ensuring any sub-contracted child care provider operating the child care facility will be able to meet the eligibility requirements for CCOF, the CCFRI, and ECE-WE, where eligible and approved for. Recipients are also responsible for ensuring sub-contractors remain current on the policy requirements for each program, or any future BC Government operating funding initiatives. Recipients remain

ultimately responsible for ensuring that all obligations under the New Spaces Funding Agreement continue to be met, regardless of whether it is the recipient that is running the child care operation or a contracted third party.

5. Applicant Selection and Funding Process

5.1 Call for Applications

1. Applicants submit a completed application form with mandatory supporting documentation (see details in Table 3) for the call for applications by no later than 4:30 p.m. PST on November 16th, 2021⁵.
2. The Ministry anticipates reviewing the applications from November 16th, 2021 to February 2022. During this internal review, the Ministry will screen applications for missing information⁶ and may provide applicants with an opportunity to address deficiencies in accordance with the rectification process, depending on the nature of the deficiency (see Appendix A, 8.15).
 - a. Following any rectification, the Ministry evaluates the applications based on the information set out in the Evaluation Criteria (see Section 5.2) and any other principles, preferences, or requirements set out in these guidelines. Once all the applications have been considered, and at its discretion, the Ministry selects the successful applicants.
 - b. In addition to requiring applicants to rectify deficiencies, the Ministry reserves the right to perform additional investigations and to request additional information as it deems necessary as part of the application review process. Failure on the part of an applicant to provide additional information to the Ministry when requested could result in a rejection of their application.
3. All applicants will be notified of the outcome of their application in March 2022, with successful applicants invited to enter into a New Spaces Funding Agreement with the Ministry.
4. Once the New Spaces Funding Agreement is complete, the recipient will receive the New Spaces funding in accordance with the funding disbursement schedule and will be required to start the project.
5. If the Ministry rejects an application for New Spaces Funding, then the Ministry will provide the reasons if requested by the unsuccessful applicant.

⁵ Applications received later than 4:30 p.m. PST on November 16th, 2021 will not be considered for the call for Applications (see Appendix A, 8.14).

⁶ Inaccurate information will not be rectified. Only missing information will be rectified.

5.2 Evaluation Criteria

Applications will be evaluated based on (but not limited to) the following criteria:

- A completed application⁷ must include all mandatory supporting documentation
- Project viability, as determined by the Ministry (see Appendix A, 8.18)
- Readiness to begin the project, such as ability to begin construction within six months of approval of New Spaces Funding (exceptions may be considered at the Ministry's discretion)
- Financial considerations, including:
 - Eligibility and reasonability of project costs
 - Estimated Provincial cost per space⁸
 - Portion of project costs committed to administrative, consulting and professional fees and or expenses
 - Sources of funds for the required Organization Contribution
- Demonstration of the Project's ability to:
 - Meet the priority areas listed in Section 3
 - Satisfy the requirements set out in Section 4.2
 - Meet the Province's child care objectives (see Appendix A, 8.19)
- Child care build considerations, such as:
 - Alignment with quality build standards (e.g. LEED)
 - Ownership or lease status of identified facility
 - Experience of applicant or identified contractor/project management team managing capital build projects
- Child care operations considerations, such as:
 - Whether the applicant will be directly operating the child care spaces or commit to partnering with a not-for-profit operator, *note; partnering with a for-profit operator must be justified (see the application resource)*
 - Experience of the identified operator in operating a licensed child care facility
 - Implementation of quality and environmental assessment tools
 - Staffing plan/considerations
 - Demonstrated consideration of the affordability of child care services
 - Creation of spaces offered outside of core business hours (i.e. before 6 a.m. and/or after 7 p.m., weekends, and/or overnight)
- Child care needs, such as:
 - Creation of licensed child care spaces that align with the community's child care needs, as demonstrated in the submitted Community Child Care Plan or Child Care Needs Assessment and supported by community engagement
 - Creation of spaces in underserved communities (based on Ministry data)
- Ministry-assessed risks, such as:
 - Identified project risks and mitigation strategies
 - Identified project budget risks and mitigation strategies

⁷ Applications will be evaluated on the accuracy and validity of the information provided.

⁸ Priority will be given to projects with a Provincial cost per space of \$40,000 or less.

6. Eligible and Ineligible Project Costs

New Spaces Funding will be considered for:

- Building a new child care facility
- The purchase, assembly and installation of a modular or portable building for use as a child care facility
- Site development costs for use as a child care facility
- Renovation of an existing building/space or classroom for use as a child care facility
- Purchase of equipment or other capital costs related to obtaining a licence to operate a child care facility

Ineligible project costs will not be funded by the Ministry. The Ministry has the sole discretion and reserves the right to determine items that may receive funding and to restrict the costs attributed to professional, administrative, and consulting services to no more than 15% of the total project costs. Changes to this will be considered only in exceptional circumstances, at the discretion of, and acceptable to, the Ministry.

6.1 Eligible Project Costs

Eligible project costs include (but are not limited to) the following:

- Direct costs related to the development and implementation of the project(s)
- Consulting services, including⁹:
 - Project management¹⁰
 - Design/engineering costs
 - Business planning development
 - Project-related professional fees (e.g. architectural, accountant), except legal costs
- Infrastructure costs (e.g. water, sewer, road, sidewalk, etc.)
- GST and PST as part of Eligible project costs, if applicable
- Capital purchases that are essential to project implementation, including:
 - Office equipment
 - Major appliances (e.g. fridge, stove, dishwasher, etc.)
 - Furniture and large equipment (e.g. change tables, strollers, room dividers, etc.)

⁹ Professional, administrative and consulting services should not exceed 15% of the overall project costs.

¹⁰ Project managers must be contracted out and must be a third party at arm's length from the project and applicant in order for their fees to be eligible for funding.

- Transport for child care purposes (e.g. bus/van used solely for the transportation of children)
- Fixtures and equipment required by fire regulations (e.g. fire alarms, exit signs, fire extinguishers, etc.)
- Permanently installed equipment (e.g. whiteboards/bulletin boards, cubbies, lighting fixtures, washroom dividers, etc.)
- Large educational materials (e.g. sand/water tables, art easels, etc.)
- Dramatic play furniture (e.g. activity tables, Indigenous drums/drumming logs, child-sized sink/stove/fridge/work bench, etc.)
- Permanent outdoor equipment (e.g. fencing, covered entrance, outdoor playground preparation, etc.)
- Outdoor play equipment (e.g. nature-based landscaping, climbers, wheeled toys, etc.)
- Accessibility equipment (e.g. wheelchair ramps, lifts, accessible playground equipment, automated doors, modified bathroom equipment, modified lighting etc.)
- Additional equipment or other capital costs, if the equipment is required to:
 - Enable the facility/facilities to become licensed under *the Community Care and Assisted Living Act* and the Child Care Licensing Regulation
 - Enable the facility/facilities to become operational
 - Create new spaces in an existing facility and ensure those new spaces are compliant with the *Community Care and Assisted Living Act* and the Child Care Licensing Regulation

6.2 Ineligible Project Costs

Ineligible project costs include (but are not limited to) the following:

- Any/all costs or expenses incurred prior to the signing of the Funding Agreement
- Non-capital items, such as toys, consumables (e.g. food, art supplies, etc.), books, games, and small appliances
- Mortgage, rent or lease payments
- New or updated software/technology
- Video surveillance equipment
- Housewares (e.g. pots/pans, dishes, flatware, brooms, garbage cans, diaper disposal units, etc.)
- Indoor play structures (e.g. climbers, tunnels, mats, cushions, etc.)
- Legal costs
- Grant writing
- Community engagement/consultation activities

- Training activities (e.g. Food Safe, First Aid, etc.)
- Project-related costs or fees payable to the eligible applicant (or the applicant's directors or officers) and/or fees payable to a third party not at arm's length from the project or applicant (or the applicant's directors or officers) for products or services (see definitions on page 27)
- Ongoing costs for existing staff salaries and benefits
- Costs related to attending conferences and trade shows
- Costs associated with directly meeting and/or lobbying of any level of government
- Coordinating/hosting conferences or events
- Vehicles (other than vehicles used solely for the transportation of children in connection with the provision of childcare for the Child Care Facility)
- Remuneration and travel of elected officials
- Meals and project travel expenses
- Academic research
- Financing costs and interest charges
- Warranties
- Costs related to the purchasing of real estate, buildings, and/or commercial space (with the exception of modular buildings)

7. How to Apply

1. Review these Childcare BC New Spaces Fund Guidelines and [Frequently Asked Questions](#).
2. Review the [Child Care Licensing Regulation](#), the [Community Care and Assisted Living Act](#), and the [Rules for Operating a Licensed Child Care Facility](#).
3. Review the [Childcare BC New Spaces Fund application Resource](#), as this will provide useful resources and information to support your application.
4. Contact your local Health Authority and speak to a Licensing Officer to ensure your proposed child care facility meets the regulations and requirements to obtain a licence under the [Community Care and Assisted Living Act](#) and [Child Care Licensing Regulation](#)¹¹.
5. Complete the [application form](#), and ensure all sections are complete. Each application must include the mandatory supporting documentation, based on the applicant type (see Table 3). All mandatory supporting documentation must be specific to the legal entity applying for the funding and may not be supplied by a parent company or subsidiary.
6. Submit the application with the supporting documentation online by email at MCF.CCCF@gov.bc.ca no later than 4:30 p.m. PST on November 16th, 2021 to be considered for the call for applications. By submitting an application, applicants agree to the terms and conditions governing the Childcare BC New Spaces Fund (Appendix A), the commitment periods (Section 4.1) and the program requirements (Section 4.2).

¹¹ Please note: Approval of funding under the Childcare BC New Spaces Fund does not mean the site, floor, or outdoor space plans are approved by your local health authority office or Licensing Officer. It is important to involve your local Licensing Officer in the early stages of planning to ensure the project proposed to the Childcare BC New Spaces Fund can be achieved.

Table 3: Mandatory Supporting Documentation Based on Applicant Type

Applicant Type	Application and Mandatory Documentation Requirements
Public sector organizations and Indigenous Governments, through direct delivery or delivery by a third-party non-profit child care provider	<ul style="list-style-type: none"> • Completed application form • Proof of ownership/lease agreement (only applicable for Indigenous Governments if the facility is located off reserve) • Project cost estimate (completed by facility’s project manager) • Evidence of financial commitment to the project if the total project cost surpasses the maximum provincial funding amount (e.g. board resolution showing school board will support and fund the remaining amount) • Floor plans, site plans, outdoor space plans (conceptual drawings accepted), including details of square metres/feet for retained and new spaces, and details of features such as sinks, toilets, and, if applicable, nap rooms and change tables, include rotation schedules if applicable • Copy of <i>Community Care and Assisted Living Act</i> licence(s) for projects proposing to expand an existing Child Care Facility (if applicable) • Confirmation of engagement of a not-for-profit child care provider (if available at time of application)¹² if not directly operating the facility • A copy of the facility’s Inclusion Policy • Documentation of community need (e.g. Community Child Care Plan, community action plan, Child Care Needs Assessment, etc.) • If the project is located within or on the grounds of a school, the School District must provide the school capacity as well as the current and ten-year projected enrolment • If the facility is to use offsite outdoor play space, submission of an approval letter from a licensing officer is required
Not-For-Profit Organizations (Societies) (including Not-For-Profit Child Care Providers, Child Development Centres, and Indigenous Not-For-Profits Organizations)	<ul style="list-style-type: none"> • Completed application form • Proof of ownership/lease agreement (only applicable for Not-For-Profit Indigenous Organizations if the facility is located off reserve) • Source and proof of all financial contributions to the project including gifts- in-kind and other sources of funding¹³ • Detailed project budget with cost estimates as supported by quotes (referenced below) • Two detailed quotes for each budget item provided by a third party at arm’s length from each other, the applicant (which includes directors and officers of the applicant) and the project (i.e. site development, equipment, and Building Costs) <p><i>(Continued on next page)</i></p>

¹² If the applicant is a public sector organization or Indigenous Government and does not have a confirmed provider at the time of application, they must commit to directly delivering the child care service(s) or commit to securing a partnership with a not-for-profit child care provider.

¹³ Applicable to Indigenous Not-For-Profit Organizations (societies) only when total project costs surpasses Maximum Provincial Funding Amount (for example: band council resolution showing support and funding for the remaining amount).

Applicant Type	Application and Mandatory Documentation Requirements
	<ul style="list-style-type: none"> • Floor plans, site plans, outdoor space plans (conceptual drawings accepted), including details of square metres/feet for retained and new spaces, and details of features such as sinks, toilets and, if applicable, nap rooms and change tables, include rotation schedules if applicable • Copy of <i>Community Care and Assisted Living Act</i> licence(s) for projects proposing to expand an existing Child Care Facility (if applicable) • Documentation to support community need (e.g. Community Child Care Plan, community action plan, Child Care Needs Assessment, etc.) • A copy of the facility’s Inclusion Policy • Confirmation of child care operator (if applicable) • If the facility is to use offsite outdoor play space, submission of an approval letter from a Licensing Officer is required

Appendix A – Terms & Conditions

The following terms and conditions apply to all applicants to the Childcare BC New Spaces Fund. Submission of an application indicates acceptance of these terms.

8.1 Terms and Conditions Non-Binding Process

The application process relates to the provision of grants and as such, is a form of government transfer. This is not a procurement process and therefore is not intended to create, and shall not create, a formal legally binding bidding process and shall instead be governed by the law applicable to direct commercial negotiations. For greater certainty and without limitation: (a) the application process shall not give rise to any “Contract A” based tendering law duties or any other legal obligations arising out of any process contract or collateral contract; and (b) neither the applicant nor the Ministry shall have the right to make any claims against the other with respect to the decision to enter into a Funding Agreement and pay a grant, failure to enter into a Funding Agreement, failure to honour an application or any other claims based on a breach of “Contract A” or other tendering law duties or obligations.

The application process is intended to permit the Ministry to identify potential recipients of funding with whom the Ministry may enter into a Funding Agreement. No legal relationship or obligation about the provision of goods or services shall be created between the applicant and the Ministry by the application process or by entering into a Funding Agreement with the applicant or by providing funding under the Funding Agreement. While the pricing information provided in the application will be non-binding prior to execution of a Funding Agreement, such information will be assessed during the evaluation of the application. Any inaccurate, misleading, or incomplete information, including withdrawn or altered pricing, could adversely impact any such evaluation, or decision to enter into a Funding Agreement.

8.2 Ministry Discretion to Waive Deficiencies

The Ministry will be under no obligation to disqualify an application that fails to comply with a stated rule or requirement and may allow the applicant to rectify shortcomings or lack of information in their application. This is the case even where the terms “must”, “shall”, “will” or “mandatory” are used in the program guidelines.

8.3 Applicant Representations & Warranties

By submitting an application under the Childcare BC New Spaces Fund, the applicant affirms that they have not knowingly made any false representations or made a breach of warranty. The Ministry may refuse to enter into a Funding Agreement, or provide funding, or rescind a Funding Agreement already entered into if the Ministry discovers that the applicant’s application contains misrepresentations or any other inaccurate, misleading, or incomplete information. Examples include, but are not limited to, incomplete and/or disorganized submissions, providing insufficient information, the omission of pertinent information, making false claims and

misleading program staff, misrepresenting the applicant's business and personal relationships, misrepresenting Ministry and applicant interactions, discrepancies within the information provided to the Ministry, and discrepancies between information provided to the Ministry and other governing bodies.

8.4 Unacceptable Behaviour

The Ministry may refuse to enter into a Funding Agreement, or provide funding, or rescind a Funding Agreement already entered into if the applicant displays and/or conducts unacceptable behaviour, in the opinion of the Ministry. Examples of unacceptable behaviour include, but are not limited to, violating applicable laws, impersonating a person or entity, the use of verbally abusive language, threatening Ministry staff, and breaching the Ministry's privacy and security.

8.5 Ministry Due Diligence

The Ministry may, in its sole discretion, verify information provided in the application. If in the sole discretion of the Ministry, the Ministry determines that the application contains misrepresentations or any other inaccurate, misleading, or incomplete information, the Ministry may disqualify the applicant from the application process. The Ministry may consider the applicant's past performance on previous contracts with the Ministry and other investigations as the Ministry deems appropriate. If the applicant has previously applied multiple times for the same project and the project was deemed ineligible each time due to inability to meet the requirements, the Ministry may disqualify the applicant or the project.

8.6 Applicant Responsibility

It is the sole responsibility of the applicant to ensure all the fields and documents in a complete Childcare BC New Spaces Fund application are supplied and submitted at the time of application and during the rectification process. The Ministry is under no obligation to inform the applicant of any missing documents after the initial notification of deficiencies has been provided.

8.7 Applicants to Review All Documents

It is the applicant's responsibility to examine all documents comprising the Childcare BC New Spaces Fund Program application and to report any errors, omissions, or ambiguities and seek additional information by contacting the Ministry.

8.8 No Liability for Errors

While the Ministry has used reasonable efforts to ensure the accurate representation of information in these guidelines, such information is supplied solely for applicants. The Ministry does not warrant or guarantee the accuracy of such information, nor is such information necessarily comprehensive or exhaustive. Nothing in this application process is intended to relieve applicants from the obligation to conduct their own due diligence, form their own opinions, and reach their own conclusions at all stages of the application process.

8.9 Selection

Applications will be reviewed, evaluated and selected internally by Ministry staff in accordance with the requirements and principles set out in these guidelines. The Ministry cannot guarantee any applicant that their submission of an application will lead to the Ministry providing funding under a New Space Funding Agreement. The Ministry may change and/or update portions of the program guidelines that are relevant to a particular stage in the process at any time. Further, the Ministry may close the application call, in whole or in part, at any time in its sole discretion and without liability, without negotiating or entering into a Funding Agreement under this application process.

8.10 No Incorporation by Reference

should be contained within the application. The content of websites, or other external documents referred to in the applicant's application, will not be considered as part of the submission. The Ministry is under no obligation to seek out information not contained in an application.

8.11 Working Language of the Ministry

All applications should be submitted in English. The Ministry is under no obligation to translate any application or any part thereof from any language into English; and the Ministry is under no obligation to review any application or any part thereof, in a language other than English.

8.12 Applications from a Single Entity

The Ministry will only accept applications from a single legal entity that will act as the main contact to the Ministry in respect to the application process and for the purposes of obligations under any Funding Agreement.

8.13 Changes to Application or Supporting Documentation

An applicant is not bound by its application. By submission of a clear and detailed written notice to the program, an applicant may withdraw at any time throughout the duration of the application process before entering into a Funding Agreement.

8.14 Late Applications

Applications received in whole or in part after the call closure date will be rejected by the Ministry at the Ministry's sole discretion. Applicants are therefore encouraged to submit full and complete applications in a timely fashion.

8.15 Rectification

The Ministry may at its discretion offer a rectification process to allow applicants to correct deficiencies (i.e. missing information) in their application and/or supporting documentation. Applicants that are notified of deficiencies will be provided an opportunity to address the deficiencies. It is the sole responsibility of the applicant to correct deficiencies within the designated rectification time period allowed by the Ministry. To ensure administrative fairness

for all applicants, the Ministry will not provide direct support to applicants during the rectification time period apart from clarification of deficiencies. Applicants failing to respond to the notification of deficiencies will be assessed on the initial application or have their application rejected in its entirety.

8.16 Additional Information

All Ministry prescribed modifications to the application process will be posted to the program webpage where the original documents are available to applicants. It is the sole responsibility of the applicant to check for modifications on the webpage.

8.17 Conflict of Interest & Lobbying

An applicant may be precluded from participating in the application process if the applicant's (including its directors and officers) current or past corporate or other interests or activities, or may, in the Ministry's opinion, give rise to an actual, potential or perceived conflict of interest in connection with the program. This includes, but is not limited to, involvement by an applicant in the preparation of the application or a relationship with any employee, contractor or representative of the Ministry involved in preparation of the application, participating on the evaluation committee or in the administration of the Funding Agreement and those involved in the development of the program. If an applicant is in doubt as to whether there might be a conflict of interest, the applicant should consult with the program prior to providing an application. By submitting an application, the applicant will be required to represent that it is not aware of any circumstances that would give rise to a conflict of interest that is actual, potential, or perceived in respect to the call for applications.

8.18 Project Viability

The Ministry may disqualify the applicant if the project's viability is unsubstantiated, as determined by the Ministry. A project's viability may be in question for reasons such as, but not limited to, financial viability, long-term sustainability, non-compliance, unmitigated risks, and additional deficiencies that may limit the project's ability to meet the Province's objective to create quality, accessible, and affordable licensed child care spaces.

8.19 Alignment with Provincial Objectives

The Childcare BC (CCBC) New Spaces Fund is instrumental in supporting the Province's CCBC Plan. The CCBC Plan is a strategic initiative to ensure British Columbian families have access to affordable, quality, and inclusive child care that meets their needs. The program is delivered in a manner that is in line and consistent with the objectives of the CCBC Plan, ensuring that the Ministry is investing in projects creating new licensed child care spaces that meet the Province's child care objectives. The Ministry may in its sole direction disqualify the applicant if the project does not align with the Province's objective of creating accessible, affordable, quality, and inclusive child care, as determined by the Ministry. The Ministry is under no obligation to support or fund applicants or projects that do not align with Provincial objectives.

8.20 Costs of Process

The applicant and the Ministry will each bear their own costs associated with or incurred throughout the application process, including any costs arising out of: (a) the preparation and publication by the Ministry of the Program Guidelines and other written documents and website material; (b) the preparation and submission of an application; (c) the evaluation process; and (d) participation in due diligence activities, interviews, demonstrations, discussions, presentations, negotiations, or any other activities related to the application process.

8.21 Communication with Media

The applicant may not at any time directly or indirectly communicate with the media in relation to the application process or any agreement negotiated pursuant to the application without first obtaining the written permission of the Ministry prior to the Provincial public announcement.

8.22 Complaints

If the applicant has questions or concerns about the service provided by Ministry staff, or about a funding decision, they may contact Child Care Capital and Community Services through email at MCF.CCCF@gov.bc.ca with the following subject: “Attention: Operations Supervisor - Complaint”, or by telephone at 1-888-338-6622 (option 5) and request to speak with a Child Care Capital Funding Operations Supervisor.

8.23 Appeals

The applicant may appeal a funding decision or disqualification if the applicant has first contacted an operations supervisor and discussed their questions and concerns regarding the decision. If the applicant wishes to appeal a decision or disqualification, they must submit written notice to the Child Care Capital and Community Services branch at MCF.CCCF@gov.bc.ca with the following subject: “Appeal.” The written notice must include reasons why the funding decision or disqualification should be reconsidered. An appeal will be reviewed by senior level management, who will contact the applicant once a decision has been made.

Following an appeal, if an applicant has additional questions or concerns regarding the Ministry’s decision, they can submit a complaint to the [Office of the Ombudsperson](#). The Office of the Ombudsperson is an independent statutory office of the provincial legislature that impartially investigates individual complaints about potential unfair administrative actions by provincial public authorities.

Appendix B – Written Quotes

Where written quotes in support of project costs are required and submitted with the application, these quotes must be from third party entities at arm’s length from the applicant (including directors and officers of an applicant). Applicants who provide invalid or otherwise deficient quotes can be disqualified at the sole discretion of the Ministry. All written quotes must include the following components:

- a. Name of company or individual providing the service/items. Note: Quotes must come from companies that are a third party at arm’s length from each other, the applicant, and the project¹⁴
- b. Date and length of time quote is valid (if applicable)
- c. Description/scope of work involved (if applicable)
- d. Total or estimated cost, total or estimated tax amount, and the total or estimated cost after taxes (in Canadian dollars), if applicable. Note: If your facility or organization receives a tax exemption or rebate, please indicate the estimated dollar value of the exemption on any submitted quote(s)

¹⁴The Ministry reserves the right to verify all information with third party sources. Additional information may be requested during the Application process.

Appendix C – Definitions

Applicant: an applicant for Childcare BC New Spaces Funding.

Application: a complete application form and mandatory supporting documentation that the applicant must submit in support of their request for Childcare BC New Spaces Funding.

Budget: a detailed estimate of the costs to complete the project, determined where necessary by cost estimates by certified contractors, engineers, architects or other qualified parties, in accordance with the plans and specifications provided to the Ministry as part of the application process.

Businesses and Corporate Companies: sole proprietorships, partnerships, limited companies and incorporations.

Building Costs: expenses incurred by the applicant for labour and material in connection with the project.

Call for Applications Open Date: the first day an application is eligible to be received and considered at the respective notification of results point (see Table 1).

Capital Build: in the context of these guidelines, the construction of new facilities and renovation of existing facilities, or the development of amenities for the purpose of a Child Care Operation.

Child Care Facility: the physical building, facility, or area of land on which these improvements sit, and the applicant occupies and uses, or proposes to occupy and use, for the purpose of its Child Care Operation.

Child Care Fee Reduction Initiative (CCFRI): a stream of funding provided under CCOF provided to eligible enrolled licensed child care facilities for the purpose of reducing parent monthly fees for enrolled children.

Child Care Needs Assessment: an assessment of the community's child care needs. Often includes statistics on population and growth of children in the community, available child care spaces, and provides strategies, actions, and partnerships that will support and address child care.

Child Care Operating Funding Program (CCOF): operating funding provided by the Ministry to eligible enrolled licensed child care facilities to assist with the day-to-day costs of running a licensed child care facility.

Child Care Operation: the delivery of child care services in a licensed facility.

Child Care Spaces: a full-time licensed space or two part-time child care spaces (e.g. a before school space and an after school space).

Child Development Centre: an agency contracted by the Ministry of Children and Family Development to deliver therapy services to children with special needs (occupational therapy, physiotherapy, and speech language therapy). Some of these agencies are also contracted by the Ministry to deliver Infant Development and/or Support Child Development programs, including Indigenous programs.

Child Minding: a child care program located in a facility (i.e. Recreation Centre, Shopping Centre, etc.), that allows parents to participate at the facility while their children are cared for by an adult.

Children with Support Needs: children who are experiencing, or who are at risk of, developmental delay or disability and who require support beyond that required by children in general. The developmental delay or disability may be in one or more of the following areas: physical, cognitive, social, emotional, communicative, or behavioural.

Community Child Care Plan: local government plans regarding the child care needs of the community, including an inventory of existing child care spaces and space creation targets.

Conceptual Drawings: a floor plan of the child care facility that graphically communicates the details and design principles of the proposed project space, completed by an individual at arm's length from the applicant. Conceptual drawings must be clear and legible and provide a scale and major dimensions.

Direct Costs: expenses directly related to the development and implementation of the project which may include (but are not limited to) equipment, building materials, and labour related directly to the project.

Financial Reconciliation Package: includes (1) copies of all current Community Care Facility Licenses issued under the Community Care and Assisted Living Act; (2) a completed Financial Reconciliation Form, dated and signed by an authorized signatory of the Organization certifying that the project has been completed in accordance with the approved plans and specifications; and, (3) the Ministry's itemized expense report itemizing all eligible project costs incurred and paid by the funding recipient, as stated in the Funding Guidelines, dated and signed by an independent, arm's length, licensed Public Practice Chartered Professional Accountant (CPA), for Public Organizations the itemized expense report may be reviewed and signed by an accountant, treasurer or chief financial officer.

Call Closure Date: the last day an application is eligible to be received and considered at the notification of results point (see Table 1).

Notification of Results: the time at which successful applicants considered under the call for applications will receive notice of their success and be invited to enter into a New Spaces Funding Agreement.

Early Childhood Educator Wage Enhancement (ECE-WE): a wage enhancement for eligible front-line ECEs working in eligible child care facilities intended to improve the recruitment and retention of ECEs to support the overall quality of early care and learning programs.

Funding Agreement: an agreement between the Ministry and the applicant, under either the Child Care BC Act or the HRFA under which the Ministry provides a Childcare BC New Spaces Fund grant to the recipient for the purpose of the recipient creating licensed child care spaces.

Human Resource Facility Act (HRFA): the HRFA allows the Ministry to place legal notations on funding recipients' property titles – restricting the sale, mortgage, or transfer of the property without prior approval of the Ministry.

Indigenous Not-For-Profit Organization: a Society as defined below.

Licensed Child Care Spaces: the number of spaces as reported on a Community Care Facility Licence issued under the *Community Care and Assisted Living Act*.

Local Government: means a municipality or regional district.

Maximum Provincial Funding Amount: the maximum funding amount the Ministry will provide for the proposed/approved project to create new licensed child care spaces.

Ministry: the Ministry of Children and Family Development.

Modular Building: a building that consists of prefabricated panels that are transported and assembled on site. Unlike portable buildings, these structures are intended to remain in one location for the duration of their life.

Not-For-Profit Organization: a Society as defined below.

Not-For-Profit Child Care Provider: a child care provider that is incorporated as a Society.

Occasional Child Care: a child care program that is provided on an occasional or short-term basis.

Organization Contribution: the financial contribution required by the organization as set out in section 4.1: contribution percentages and maximum amounts. The organization contribution may include gift-in-kind, other grant funds, or loans from financial institutions. Volunteer labour will not be considered as part of the organization's contribution.

Plans and Specifications: all detailed plans, drawings, and specifications for the work required to carry out and complete the proposed project and/or to acquire the assets for use in implementing the project.

Portable Building: is in all essential features completely constructed before delivery and is designed to be moved from location to location.

Program: the Childcare BC New Spaces Fund Program (formerly Major Capital Funding), operated by the Ministry of Children and Family Development.

Professional Fees: fees charged by individuals trained in specific fields, such as architects.

Project: the project as described by the applicant in the application, which involves the creation of licensed child care spaces.

Project Costs: all the amounts to be paid by the applicant to any person, firm, or corporation dealing at arm's length with the applicant for construction of the projects or acquisition of its components and which, in the opinion of the Ministry have been necessarily and properly incurred.

Recipient: applicants that receive funding through the Childcare BC New Spaces Fund to build new licensed child care spaces.

Society: an incorporated, independent, and democratic organization that is required to comply with the [Societies Act](#), or the [Canada Not-For-Profit Corporations Act](#).

Site Development Costs: expenses incurred to prepare a plot of land for the construction of a Child Care Facility.

Third Party at Arm's Length: the condition that the companies/suppliers providing quotes or services for the project are independent, market value and on an equal footing from one another, the applicant, and the project (e.g. not a spouse/common law, child, parent, sibling, applicant's director and/or officers, business partners etc.).

Underserved Communities: are communities/geographic areas and populations with limited or a lack of access to child care relative to other communities in British Columbia.