

General

From time to time, ICBC's business needs may require it to retain additional Legal Counsel to provide claims-related legal services. Since 1999, ICBC has retained external law firms to provide legal services to support Claims operations through a program known as the "Strategic Alliance." Law firms interested in providing claims-related legal services to ICBC can submit an application to be considered for Strategic Alliance 7, which is anticipated to be in effect for three (3) years effective April 1, 2019, with an option to renew for two (2) additional years.

ICBC, a provincial Crown corporation established in 1973, is the sole provider of Basic (universal compulsory) auto insurance in British Columbia (B.C.). ICBC also sells Optional auto insurance products in a competitive marketplace and is responsible for driver licensing, vehicle registration and licensing. Further details on ICBC can be found at icbc.com.

Practice Areas

Applicants are asked to submit CVs for their legal team ("Legal Team") including lawyers and paralegals. Legal Teams should be experienced in one or more of the following practice areas:

- Personal Injury Defence (motor vehicle and other)
- Other Insurance Defence
- Personal Injury Plaintiff (motor vehicle)
- Other Claims litigation services

Requirements

Applicants are required to meet the following:

- Law Firms must sign the Mutual Non-Disclosure Agreement (MNDA) in Appendix A.
- Law Firms must agree to comply with FIPPA. FIPPA contains provisions restricting — and in most cases, prohibiting storage of, access to, or disclosure of, personal information outside Canada. These provisions and certain other provisions, including associated offences and penalties, apply directly to anyone who enters into a contract to perform services for ICBC. A copy of the Act is available at www.bclaws.ca.
- All lawyers apply to Strategic Alliance must be called to the B.C. Bar, be in good standing with the Law Society of British Columbia, and be able to meet the minimum years of experience requirements set out below.
- The law firm must be located in a minimum of one region listed in Appendix B — ICBC Regional Coverage Requirements.
- Complexity 1 & 2 Assignments at least one lawyer at the law firm must have a minimum of 5 years' experience handling motor vehicle personal injury, insurance defence, or other tort litigation, within the Supreme Court of British Columbia. (See Appendix C)
- Complexity 3 Assignments — at least one lawyer at the law firm must have a minimum 7 years' experience, handling motor vehicle personal injury, insurance defence or other tort litigation within the Supreme Court of British Columbia. (See Appendix C)
- Complexity 4 Assignments — at least one lawyer at the law firm must have a minimum 10 years' experience, handling ICBC claims litigation, from pleadings phase through to trial phase, within the Supreme Court of British Columbia. (See Appendix C)

Application Requirements

Each application should comprise of:

- **Email subject line:** Application for Strategic Alliance from (Applicant Name)
- **Email:** CLS-SpecialCounsel@icbc.com
- Signed Mutual Non-Disclosure Agreement (MNDA)
- Applicants are welcome to include a brief executive summary describing their law firm (maximum 2 pages) and must be in English
- Completed Application Form with accompanying CVs for each Legal Team Member

Law Firm Interview

Subject to ICBC's business needs, Applicants who met the Requirements set out above may be invited for a panel interview to further assess qualifications. Applicants may be requested to provide additional information that will assist ICBC in qualifying firms to complexity and regions. Other information could include, but is not limited to:

- Past/current experience with ICBC
- References
- Financial checks
- Association/Bar verifications
- Background checks

Contract Discussions

Successful Applicants will be invited to enter into contract discussions. During the contract discussions ICBC may request additional information from Applicants in efforts to further assess ability to meet business requirements. Final approval will be at the sole discretion of ICBC.

Appendix A – Mutual Non-Disclosure Agreement (MNDA)

[Click here to download MNDA](#)

Appendix B – ICBC Regional Coverage Requirements

<p>A. LOWER MAINLAND REGION</p> <ul style="list-style-type: none"> • Burnaby • North Vancouver • Pemberton • Richmond • Squamish • Vancouver • West Vancouver • Whistler • Abbotsford • Chilliwack • Clearbrook • Coquitlam • Delta • Langley • Maple Ridge • New Westminster • Pitt Meadows • Port Coquitlam • Surrey • White Rock 	<p>B. VICTORIA REGION</p> <ul style="list-style-type: none"> • Sidney • Victoria <p>C. UPPER ISLAND REGION</p> <ul style="list-style-type: none"> • Campbell River • Comox • Courtenay • Duncan • Fanny Bay • Nanaimo • Port Alberni • Powell River • Sechelt <p>D. OKANAGAN REGION</p> <ul style="list-style-type: none"> • Kamloops • Kelowna • Lillooet • Osoyoos • Penticton • Salmon Arm • Summerland • Vernon 	<p>K. KOOTENAYS REGION</p> <ul style="list-style-type: none"> • Castlegar • Cranbrook • Fernie • Golden • Nelson • Revelstoke • Rossland • Trail <p>F. PEACE RIVER REGION</p> <ul style="list-style-type: none"> • Dawson Creek • Fort St. John • Mackenzie <p>G. PRINCE RUPERT REGION</p> <ul style="list-style-type: none"> • Prince Rupert • Smithers • Terrace <p>H. CARIBOO REGION</p> <ul style="list-style-type: none"> • Prince George • Quesnel • Williams Lake
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Appendix C – Complexity Assignment Definitions

Files are assigned according to the file complexity and the law firms’ demonstrated background and experience. Files must be handled and overseen by lawyers with the appropriate level of legal expertise.

ICBC subdivides legal work into ‘Medium’ and ‘High’ complexity. Complexity 1, 2 and 3 files described below are “Medium” complexity. Complexity 4, 5 and 6 files are considered “High” complexity. When a file is assigned, the principal at the firm is expected to review the initial materials and given conduct of the file to appropriate Counsel.

The complexity descriptors below consider the injury suffered by the plaintiff and the impairment suffered by the plaintiff as the primary consideration for the complexity assignment.

Complexity Assignment	Description
Complexity 1	Soft tissue injury that have a normal return to function with no serious impairment.
Complexity 2	Soft tissue injury that have allegations of other injuries but no evidence to support allegation – normal return to function and no serious impairment.
Complexity 3	Soft tissue and other injuries that includes independent evidence to support medical condition(s), impact on work and consideration of serious impairment that may impact ongoing function.
Complexity 4	Soft tissue or other injury that includes independent evidence to support medical condition(s), impact on work and meets serious impairment definition and will impact ongoing function.
Complexity 5	Includes catastrophic injuries with independent evidence to support medical condition(s), impact on work and serious impairment that will impact ongoing function. Future support is required.
Complexity 6	Assigned to Counsel to manage appeals to the BC Court of Appeal and/or Supreme Court of Canada.