

General Review – Building Code and Non-Code Related Matters

©2020, 2008 Ontario Association of Architects (OAA). OAA members in good standing may reproduce or distribute this Practice Tip provided this copyright notice is affixed to any reproduced or distributed copy. No rights are granted to any other person, except with express prior written consent from the OAA. The OAA reserves all other rights.

Summary

The architect must decide the frequency of general review services in order that it satisfies both contractual and professional obligations. A systematic approach helps achieve this objective.

Background

The *Architects Act* and the *Professional Engineers Act* set out the requirements for general review of buildings to be provided by the appropriate professionals.

This Practice Tip combines Building Code (BC) related issues with non-Code related issues forming the total spectrum of general review and contract administration services where the architect's contract provides for BC and non-Code issues.

Although this document refers to the situation when a client engages a holder of a certificate of practice, it also applies to those situations where an architect is engaged in the practice of architecture as an employee of an organization which does not provide a service that is part of the practice of architecture to a member of the public and therefore does not have a certificate of practice. In those situations the responsibilities of the architect are the same in order to comply with the requirements of the BC and the Regulation under the *Architects Act*.

General

It is fundamental that when engaged to provide general review, the appropriate practice is to review sufficient aspects of construction at proper stages to enable the architect to confidently state that the work is progressing in general conformity with the plans and specifications forming the basis for issuance of the building permit and all changes thereto that were authorized by the chief building official (CBO) as defined in the *Building Code Act*.

The number, frequency of general review site visits, and specific items to be reviewed are the prerogative of the architect and not the client. While it is appropriate for the client to establish the minimum number of site visits to meet their requirements, clients should not be allowed to dictate the maximum number of site visits. The architect must exercise appropriate professional judgment as to the frequency and extent of general review necessary to fulfill both contractual commitment and obligation to meet standards of the profession.

General review consists of a periodic review of representative sample locations within a project. General review is not a detailed comprehensive review, nor is it supervision or inspection, but is intermittent; neither constant nor comprehensive. Review is based on systematic, random sampling of the work and reliance is placed by the architect on the contractor's consistency in the quality of the work.

The architect must exercise professional judgment in establishing the extent of review required, taking into account the various factors that may impact on this judgment. When construction has commenced these factors may differ from that anticipated when the client/architect contract was signed and it may be necessary for the parties to agree to a change in the scope of services and related fees.

The objectives of contract administration including general review are to prepare the architect to keep ahead of events on the site and to assist the construction process to run smoothly (which is clearly to the advantage

of the owner, architect and the contractor), in order to achieve the desired end result without undesirable compromises.

The contractor is obliged to construct a building for the client which is in general conformance with the contract documents. The degree to which the architect can enforce this intent varies, and depends on the type of project delivery used: the greatest level of control is under a stipulated sum owner/contractor agreement (e.g. CCDC 2 contracts) while the least control will likely occur when the client is an owner-builder, whose objectives may be only quick completion at the lowest possible cost. The various forms of construction management and design-build contracts fall between these extremes.

Regardless of the project delivery method used, good practices in general review and contract administration should always constitute a significant part of the architect's professional services to the client.

If the architect is coordinating the services of the other consultants, some of the services are primarily the responsibility of the professional of the appropriate discipline. In those cases, the role of the architect is to be aware of and to observe those items and to be satisfied that the appropriate professional has performed the review.

Engineers, Architects and Building Officials (EABO) Forms

Inconsistencies among various municipalities as to requirements regarding occupancy as well as variants among architectural practices in providing general review reports to building officials prompted the EABO Committee to study and recommend a procedure for reporting on general review and bringing an element of closure to the process.

The EABO general review and final general review report templates are available on the OAA Website.

The general review report and final general review report are intended for BC matters only, and do not preclude issuance of reports for the non-BC matters, employing the general review report template.

If both BC and non-Code general review services are being provided, it is recommended that these be differentiated in the report. This can be accomplished by a reference designation such as prefacing each BC item with the letter 'C' for ease of reference. The key is to be clear and consistent.

Items listed under 4.0 Previous Deficiencies should be prefaced with the report number when the deficient item was first reported.

Once a deficient item has been appropriately attended to, it should be recorded as such on the next report and then deleted from subsequent reports.

Attachments, if any, may be referred to under 5.0 to alert recipient of the attachment and whether included or sent under separate cover.

If the report is more than one page, subsequent pages should be numbered sequentially and sufficient identification entered to facilitate assembly of the complete report if any of the pages should go astray. At a minimum, the project number; report number; and name of practice should be stated at the top of each page.

Only work which has actually been observed during the review of representative samples can be said to have been reviewed, and comments on the balance of the work are assumptions based on extrapolation.

The issuance of the final general review report to the CBO signifies that in the opinion of the architect and engineers, the work is in general conformity with the building permit documents except for those issues identified as not in compliance (if any).

Suggested Procedure

1. Review this document and the applicable chapters in the Canadian Handbook of Practice (CHOP) and establish a scope of services including an estimated schedule of visits commensurate with the size complexity and duration of the project. Do this when preparing your fee quotation and discuss the general review process with your client in sufficient detail to satisfy yourself that there is mutual understanding of the scope of your services. Execute a contract between your client and yourself which records the agreed to scope of services, related fees and an amending provision to adjust the contract should circumstances differ from what was initially agreed.
2. Review the contract administration services including the general review schedule of visits when the construction contract has been awarded, making adjustments as necessary. Identify to the contractor all specific events about which you will require sufficient advance notification, particularly in relation to the scheduling of the portions of the work which will require pre-construction meetings.
3. Inter-relate with consultants, testing and inspection agencies and others whose services you are coordinating, and advise them of your expectations for recording and reporting on-site activities and any other contract administration services.
4. Review the construction contract documents and the client/architect contract to predetermine what you will be reviewing. Prepare a checklist to facilitate your review and other services.
5. If your client,
 - a) Does not engage you to undertake the general review of the construction,
 - b) Terminates your services during the general review of the construction, or
 - c) Engages you to undertake general review that differs in any way from the responsibilities herein described, you should, make the client aware in writing of the requirements of the BC, and also notify the CBO in writing of your status in relation to the requirement for the general review of the construction to be undertaken by an architect.
6. Conduct your review systematically in an established routine or pattern.
7. Prepare and submit required general review reports to your client, the contractor and the CBO.
8. If you are responsible for the coordination of engineering consultants, organize their review of the corresponding checklist items to complement your review.

If you are not responsible for the coordination of engineering consultants, either cooperate with whoever is coordinating all consultants and forward a copy of your review to them, or, in the alternative, submit your review directly to the CBO with notations alongside of items not reviewed by you.

You should also advise your client in writing that you are **not responsible for**,

 - i. Other consultant's failure to provide the services for which he/she has been retained.
 - ii. The contractor's failure to carry out the work in accordance with the contract documents.
9. Utilize OAA/OGCA (Ontario General Contractors Association) Take-Over Procedures, Document No. 100 current edition, for recommended procedures concerning substantial performance and completion of take-over of projects.
10. At the appropriate time, conduct a review to determine if the work can be signed-off and if so, submit the final general review report to the owner, contractor, CBO and, if appropriate, to the other consultants.

Continue performing general review services on the balance of the project until outstanding deficiencies have been addressed and signed off.

Definition

“**General review**”, in relation to the construction, enlargement or alteration of a building, means an examination of the building to determine whether the construction, enlargement or alteration is in general conformity with the design governing the construction, enlargement or alteration, an reporting thereon; (“examen de conformité”) *from Architects Act*

References

Canadian Handbook of Practice for Architects: Contract Administration Field Functions

OAA/OGCA Take-over procedures Document No. 100,

EABO General Review Templates

Attachments

EABO - General Review Report (pdf)

EABO - Final General Review Report (pdf):

The OAA does not provide legal, insurance or accounting advice. Readers are advised to consult their own legal, accounting or insurance representatives to obtain suitable professional advice in those regards.
