



# Practice Advisory

*Practice Advisory* brings to members' attention topics that have an impact on either management of the practice or management of the project.

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# COVID - 19

## UPDATES

### COVID-19 Updates: Return to Step Two (with Modifications)

On Monday January 3, 2022, the Government of Ontario announced the province will return to a [modified version of Step Two](#) of the Roadmap to Reopen, effective **Wednesday, January 5** at 12:01 a.m. for at least 21 days.

The OAA encourages members to review the regulation, [O. Reg. 263/20 Rules for Areas in Step 2](#), for the full list of mandatory public health and workplace safety measures as it impacts their practices.

For more information, and additional links, visit the OAA's [COVID-19 Updates](#) page.



## Your Practice and End Users License Agreements: Reading the Fine Print

End user license agreements (EULAs) are probably among the least-read and most-ignored documents. To try to get software users to read EULAs, publishers changed the processes to force users to scroll through the text before they could select “Agree” and click on “Accept.” For the most part, users just scrolled as fast as they could to get through the process and start using the latest and greatest version of the software they just purchased.

Publishers have become more serious about copy protection and software piracy. While your practice might be in general conformance with software licenses, “general conformance” is not good enough if a software publisher audits your usage. [Click here](#) to learn about some of the common transgressions, as well as suggested preventative measures.



## Best Practices for Review of RFP Language and Supplementary Conditions to OAA 600 and Other Client Architect Contracts—Excerpt 15

The OAA continues to review RFPs and contracts with the intent of identifying requirements and provisions that:

- may be uninsurable;
- require an Architect or Licensed Technologist OAA to contract out of their professional obligations as set out in the *Architects Act* and Regulation 27;
- contravene either piece of legislation; or

- unreasonably increase their obligations beyond those at law.

The [article linked here](#) does not constitute legal advice. It is the last in a series of excerpts from [Practice Tip PT.39.1](#) that should assist practices in making a “go/no-go” decision with respect to responding to an RFP or in contract negotiations. Members should familiarize themselves with all of PT.39.1 and refer to it when reviewing RFPs, and bid and contract documents. To read previous installments in this series, [click here](#).

## PRODEMUNITY INSURANCE COMPANY

### Offering Construction Services: New ProDem Exclusions

As reported in the [Practice Advisory \(issue 15\)](#), a new restriction on coverage has been introduced by [Pro-Demnity Insurance Co.](#) Entitled “[Excluded Services Endorsement](#),” it will be added automatically to new professional liability insurance policies and/or upon renewal of existing policies, effective **January 1, 2022**.

[Click here](#) to learn more about this important change. If your business model includes the Delivery of Construction Services, please contact your insurance advisor and your legal counsel.

# Ontario



### Building Code Updates: Changes to Related Fees

As reported in *CodeNews* Issue 320 (December 29, 2021), the Government of Ontario has announced fee increases for some of the services related to provisions in the building code. The Ministry of Municipal Housing and Affairs (MMAH) website has the complete list of the [changes to building code](#) related fees effective January 1, 2022.

OAA members should [register to receive](#) the periodic *CodeNews* emails.



## Legislative Assembly of Ontario

### Ontario Passes *Working for Workers Act*, 2021

On November 30, 2021, the Ontario government passed [Bill 27, \*Working for Workers Act\*, 2021](#). Some changes envisioned by this legislation may be of interest to OAA practices and members, including:

- requiring employers with 25 or more employees to have a written policy about employees disconnecting from their job at the end of the workday;
- banning use of non-compete agreements that prevent people from exploring other work opportunities to make it easier for workers to advance in their careers;
- helping remove Canadian experience requirements for internationally trained individuals to get licensed in a regulated profession and get access to jobs that match their qualifications and skills; and
- enabling the Workplace Safety and Insurance Board (WSIB) to work with entities, like the Canada Revenue Agency (CRA), to streamline remittances for businesses, enabling a way to give them an efficient one-stop-shop for submitting premiums and payroll deductions.

The OAA closely reviewed this legislation when it was introduced, and made [a submission to the Standing Committee on Social Policy](#). While the Association supports the first two initiatives, it is studying the third more closely as additional information becomes available. Once more is known, the decision whether to pursue an exemption will be determined at Council and shared with the membership.

Learn more about the bill and how it may impact your practice, [click here](#).



### Excess Soils Regulation in Ontario (O.Reg. 406/19): Resources and Practical Considerations

As previously reported in [Practice Advisory \(issue 15\)](#), on **January 1, 2021**, [Regulation 406/19 On-site and Excess Soil Management](#) came into effect. Members working on construction projects that involve excavated soil should be familiar with the requirements as well as understand the project team's roles and responsibilities under the *Environmental Protection Act*.

[Click here](#) to learn more about resources for managing your obligations, as well as gain some practical strategies and considerations to discuss with the project team.



**RAIC | IRAC**

**Royal Architectural Institute of Canada  
Institut royal d'architecture du Canada**

## RAIC Fee Guide: Digital Version Now Free for Download

“A Guide to Determining Appropriate Fees for the Services of an Architect” was developed by the Royal Architectural Institute of Canada (RAIC) as a resource to help guide a fair exchange of value in establishing appropriate fees and scope of architectural services.

As of **January 4**, the 2019 edition is free to all on the [RAIC website](#), as a pdf, and can still be purchased as a printed booklet. A link is also provided in the [OAA's Documents & Publications portal](#).

The OAA continues to support this guide as a means to facilitate the determination of appropriate fees for a project. The resource's recommendations apply to building projects of any size, climatic condition, construction type, and occupancy in Canada.



**NORTH AMERICAN ARCHITECTURAL  
WOODWORK STANDARDS**



## *North American Architectural Woodwork Standards (NAAWS): New Errata Edition*

[Launched in late 2021](#), the 4.0 edition of the *North American Architectural Woodwork Standards (NAAWS)* supersedes the previous 3.1 edition dating from 2014. Free to download, the NAAWS recently advised of this new errata edition.

For additional information on how to download latest document, [click here](#).



## City of Toronto Implements Concept to Keys (C2K) – Planning and Development Applications

As of December 6, 2021, [all development applications](#) at the City of Toronto will be submitted online through the [Application Submission Tool \(AST\)](#). [Concept 2 Keys \(C2K\)](#) was created to implement improvements to development review in response to recommendations made in the City's End-to-End Review of the Development Review Process.

The city hosted an information session on **December 2, 2021** to show how to use the AST and answer questions.

To receive the monthly C2K Connect newsletter, email [Concept2Keys@toronto.ca](mailto:Concept2Keys@toronto.ca) with "UPDATES" in the subject line. For additional information on this new city program, [click here](#).

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