



Practice Advisory

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

In This Issue

- [COVID-19: Province Moving into Step 3 on July 16](#)
- [Construction Activities: Importance of Vibration Control to Mitigate Issues for Adjacent Buildings](#)
- [Construction Site Safety: Owner Found Responsible](#)
- [Best Practices for Review of RFP Language and Supplementary Conditions to OAA 600 and Other Client Architect Contracts—Excerpt 12](#)
- [New 2021 Surety Association of Canada \(SAC\) Enhanced Bond Forms](#)
- [From the OAA's Practice Advisors: Recommended Mailing Lists](#)
- [CSA Subscription Program: Sign up NOW for FREE Access](#)

COVID -19

UPDATES

Dealing with Changing Restrictions and Supply Chain Impacts

COVID-19: Province Moving into Step 3 on July 16

On Friday, July 16, [the province moved into Step Three](#) of the Roadmap to Reopen as of 12:01 am. The [Roadmap to Reopen](#) is a three-step plan to reopen the province and gradually lift current public health measures.

Practices and Their Place of Business

Practices should think about how their place of business should adapt as restrictions are lifted or imposed, and consider what additional protocols need to be put in place to allow for safe workplaces. Practices should be mindful that restrictions will change over the course of the next couple of months. Nothing is static; remaining flexible in the strategies your office takes will help maintain business continuity. Staying current on the status of the emergency orders and associated restrictions is critical. For additional information, check out the OAA's [COVID-19 Updates](#) webpage.

Dealing with Ongoing Supply Chain Impacts

The industry continues to experience supply chain impacts affecting all stakeholders in the construction industry. Unprecedented price escalations and material shortages are having an obvious ripple effect on not only clients' projects, but also the management of practices (e.g. staffing needs, project timelines, and changing details due to lack of a product originally specified before the pandemic). For more info, refer to a previous [Practice Advisory article on supply chains](#).



Construction Activities: Importance of Vibration Control to Mitigate Issues for Adjacent Buildings

In the City of Toronto, [Bylaw 514-2008](#) requires undertaking a pre-construction inspection of adjacent buildings and structures within the zone of influence. Other municipalities may have similar bylaws. The Toronto bylaw defines the acceptable limits for vibrations resulting from construction activities. Among other requirements, the "Pre-construction inspection of adjacent buildings and structures within the zone of influence to identify existing cracks in walls, floors, and exterior cladding of the first two storeys above grade and interior finishes of all storeys below grade in sufficient detail to facilitate comparison of pre-construction and post-construction condition." Where appropriate, mitigation and monitoring programs are required.

Members should be familiar with this bylaw and its impact on requirements for general review. While most of the activities likely to produce vibrations that need to be monitored will occur in connection with larger projects, they are not exclusive to larger projects, and the vibration levels will be affected by soils types.

Even where there is no bylaw requirement, members may consider it prudent to recommend that clients consider doing pre- and post-construction surveys of adjacent properties to preclude neighbours from claiming that the work caused damage to their property.

Ontario



Construction Site Safety: Owner Found Responsible

A recent ruling by the Ontario Court of Appeal in *Ontario (Labour) v Sudbury (City)* may have far reaching implications for owners of construction sites as both the owner and an employer who sends employees to construction sites. It is not a huge leap to expect it will also have implications for architects as employers who send employees to construction sites.

The decision may be appealed, but in the interim, architects should review their responsibilities as employers under the *Occupational Health and Safety Act*. These factors should be considered:

- Who is the Constructor?
- Has your employee been adequately trained (not just Working at Heights training) and equipped for their job?
- Have you done your due diligence in determining that the construction site is being maintained as a safe work environment by the Constructor?
- Can you demonstrate that you have done your due diligence?



Best Practices for Review of RFP Language and Supplementary Conditions to OAA 600 and Other Client Architect Contracts—Excerpt 12

The OAA continues to review RFPs and contracts with the intent of identifying requirements and/or 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;
- are a contravention of either piece of legislation; or
- unreasonably increase their obligations beyond those at law.

Clicking the link below takes you to the twelfth in a series of excerpts from [Practice Tip 39.1](#) that should assist practices in making a 'go/no-go' decision with respect to responding to an RFP or in contract negotiations. It does not constitute legal advice. Members should familiarize themselves with all of 39.1, and refer to it when reviewing

RFPs, and bid and contract documents. To read previous excerpts in this series, [click here](#).



[READ MORE](#)



New 2021 Surety Association of Canada (SAC) Enhanced Bond Forms

Licensed OAA members do not have much to do with bond forms, but when they do, it is important. Architects and Licensed Technologists OAA should be able to recognize a valid bond form and know what the standard provisions are. The surety industry has published a new standard form for bonds.

The impetus behind the change is to allow bonds to be issued electronically. OAA members should be familiar with the new forms so they can check that the proper forms have been provided by contractors.

For more information about the forms, they can be accessed on the [Surety Association of Canada \(SAC\) website](#).



From the OAA Practice Advisors: Recommended Mailing Lists

Some information is best or at least most easily obtained in a timely manner by subscribing to an online mailing or distribution list. As recommended by the OAA's Practice Advisory Services (PAS) team, the link lists some that most members will find helpful.



[READ MORE](#)



CSA Subscription Program: Sign up NOW for FREE Access

As a reminder to all OAA licensed members, the Association has secured *viewing access* to all CSA Standards referenced in the building codes in use in Ontario through CSA OnDemand. **Architects and Licensed Technologists OAA are encouraged to sign up IMMEDIATELY to take full advantage of the program.**

Those interested in registering for access must enrol by using a coupon code available by logging into the OAA Member website. Please see the information and Quick User Guide on the [member side of the OAA Website](#) for details on who is qualified to register and how to get started. Enrollment in the program is subject to the terms and conditions of the OAA's agreement with the CSA.



You are subscribed as **INSERT_EMAIL**

[Click here](#) to unsubscribe or update your email preferences

The OAA office is located at 111 Moatfield Drive, Toronto, ON M3B 3L6