

## RFP/Contract Alert – Municipality of Chatham-Kent

**RFP #R17-171**

## Architectural Services – New Animal Shelter



Architects should be aware of what are considered inappropriate, unfair, and unreasonable conditions in the RFP by the Municipality of Chatham-Kent for the above noted project.

Section 11 (scope of work) states submission should include a budget (item 11c) and concept drawings (item 11d) – complying with this requirement is a contravention of the Architect's Act. The RFP contains terms and conditions that may be uninsurable or unavailable under the architect's professional liability insurance and provides additional risks with terms that are unbalanced.

Additional problematic items in the RFP include: requiring the Architect to prepare project manuals, as-built files, and close out documents (scope of work items 3&5); requiring the architect to "ensure" or "warrant" (guarantee) performance (various locations); uninsurable indemnification clause (6.9, page 23);

Architects should review the RFP carefully giving due consideration to the professional liability and business risks of the clauses it contains. Architects should also be aware that agreeing to the terms of this RFP may constitute professional misconduct.

You are subscribed as **INSERT\_EMAIL**

[Click here](#) to unsubscribe or update your e-mail preferences

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

**We're Moving:** The OAA is relocating 1 km west to: **1 Duncan Mill Rd., Toronto, ON M3B 1Z2**. For the duration of the **OAA Headquarters Renew + Refresh project** beginning September 5, 2017.