



Practice Advisory

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

COVID -19

UPDATES

Updates on Rules and Regulations During the Pandemic

COVID-19: Second Provincial Emergency in Effect & Impacts on Construction Activities

The Ontario government declared a second provincial emergency under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act* (EMPCA). The OAA recommends you review the information frequently as the Emergency Orders are being revised often and may impact your place of business, construction sites, etc.

The Government of Ontario has posted a [document](#) that summarizes public health and workplace safety measures associated with the province-wide shutdown. It includes general public health and workplace safety measures for all businesses, organizations, and facilities, as well as lists the businesses permitted to open along with sector-specific public health and workplace safety measures. (Refer to [O. 82/20](#) for additional information.) The government has also released regulation outlining which construction activities fall within the scope of essential services. For a full, updated list, refer to Section 43 of the *Reopening Ontario (A Flexible Response to COVID-19) Act*.

Businesses with questions about closures of at-risk workplaces or how emergency measures affect their business or employment can call the [Stop the Spread Business Information Line](#) at 1-888-444-3659.

Practices may also want to review [Canadian Revenue Agency's COVID-19 page](#) for information on programs in place for businesses. The [Province of Ontario](#) is also putting a new [Ontario Small Business Support Grant](#) in place.

The OAA continues to update its [COVID-19 webpage](#) to support OAA members as new information and recommendations become available.



Ministry of Municipal
Affairs and Housing

Ontario

New Ontario Building Code (OBC) Amendments

CodeNews 310 advised that the Ministry of Municipal Affairs and Housing (MMAH) filed Ontario Regulation 762/20, which has amended the Ontario Building Code (known as Ontario Regulation 332/12). The OBC amendments, which were filed on December 16, 2020, can be found in the consolidated version at www.ontario.ca/laws/regulation/120332.



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Best Practices for Review of RFP Language and Supplementary Conditions to OAA 600 and Other Client-Architect Contracts—Excerpt 9

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;
- are a contravention of either piece of legislation; or
- unreasonably increase their obligations beyond those at law.

The article in the link below does not constitute legal advice. It is the ninth 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. 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](#)

CCDC

CCDC 2-2020 and CCDC Division 01 Now Available

CCDC 2-2020 and CCDC Division 01 have been officially released. The Canadian Construction Documents Committee (CCDC) has taken over responsibility for Divisions 00 and 01 of the specifications, while Construction Specifications Canada (CSC) focuses on the technical divisions. This has resulted in significant changes to the General Conditions of the contract.

OAA members are advised to get copies of CCDC 2-2020 and Division 01 for review. In-house and client-generated Division 01s will need to be updated to include provisions that were in CCDC 2-2008, but have been removed from CCDC 2-2020.

The OAA does not know if, when, or how the developers of commercially available master specs will respond to these changes.



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New Practice Tip PT.00 and Regulatory Notice R.00 Posted on OAA Website

To ensure OAA members and other users can quickly find the information they are seeking, two indexes are available on the OAA Website: PT.00, Index to Practice Tips, and R.00, Index to Regulatory Notices. Both can be found in the Practice Advisory

Knowledge Base by selecting either “Practice Tips” or “Regulatory Notices” from the list of Article Types.



New Framework for Excess Soil on Construction Sites

In the context of the new Regulations 406/19 On-site and Excess Soil Management, the Government of Ontario offers a technical document that lays out excess soil quality standards and rules.

Members working on construction projects that involve excavated soil should get familiar with the requirements as well as understand project team’s roles and responsibilities under the *Environment Protection Act*.



CODENEWS.CA

Changes to Building Code Related Fees – Effective January 1, 2021

On January 1, 2021, the Building Code related service fee increased. Based on CodeNews 309, the fee for the following provisions in the Building Code will rise:

- Registration for building practitioners;
- Building Code Commission applications; and
- Minister’s Rulings applications for authorizing the use of innovative products.

There will be no fee increase in 2021 for Building Materials Evaluation Commission Applications.



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