



Practice Advisory

This is the first issue of *Practice Advisory*—a new e-newsletter for OAA members. This bimonthly communication will bring to members' attention topics that have an impact on either management of the practice or management of the project. In addition to excerpting the new **Practice Tip 39.1, Best Practices for Review of RFP Language and Supplementary Conditions to OAA 600 and Other Client-Architect Contracts**, it will share other information relevant to members. (Time-sensitive news can also be found in the regular *OAA News* e-newsletter.)



Best Practices for Review of RFP Language and Supplementary Conditions to OAA 600 and Other Client-Architect Contracts—Excerpt 1

What You Should Know, What to Look For and What to be Wary Of:

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.

The following does not constitute legal advice. It is the first 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.

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Occupational Health and Safety Act Amendments

New Requirements for Temporary Stairs

A number of amendments that came into effect on July 1 were made to regulation 851 (Industrial Establishments) under the *Occupational Health and Safety Act* (OHSA).

The changes include a requirement for temporary stairs to be at least 500 mm wide, have handrails on the open side(s) and have guards at landings. The rationale for the changes is included in the Ministry of Labour's "**Temporary Stairs Regulatory Amendment Proposal**." The temporary stair changes are implemented in Sections 75 through 77.

While temporary stairs are the responsibility of the constructor, members should be aware of the requirements and report non-compliance with OHSA requirements to a responsible person (e.g. site superintendent).



Preparing for Adjudication Changes Under the Construction Act

In preparation for the coming prompt payment and adjudication legislation under the *Construction Act*, the OAA has been collecting information and monitoring what is being said about the legislation and how it will be implemented. Perhaps surprisingly to some architects, adjudication is expected to have more of an impact on practices than will prompt payment.

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Ontario Announces Authorized Nominating Authority

As part of the full implementation of the prompt payment system, the Government of Ontario recently announced that ADR Chambers will serve as the Authorized Nominating Authority (ANA) for the province. The ANA will be known as Ontario Dispute Adjudication for Construction Contracts (ODACC), and architects can apply to be adjudicators.

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