



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

COVID-19: Limitation Period Order Ends on September 14

Other Orders under the Reopening Ontario Act Extended to September 22

On August 20, the Ontario government [extended the orders](#) currently in force under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA). All orders under the ROA have been extended to Monday, September 22, 2020, with the following exceptions: [the Education Sector](#) order ended on August 31, and the [Limitation Periods](#) order will end on Monday, September 14, when suspended time periods resume running.

You should retain any documents related to affected projects until after the applicable limitation period expires.

Confirm with your legal counsel which projects are affected and when the limitation periods expire.





Best Practices for Review of RFP Language and Supplementary Conditions to OAA 600 and Other Client-Architect Contracts—Excerpt 7

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 [seventh](#) 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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Practice Tip 2 on Privacy: Latest Update

From time to time, OAA staff undertake the review of Practice Tips at the request of a committee or when laws change. [Practice Tip 2, *Legislative Overview – What Every Architectural Practice Needs to Know About Government Legislation*](#), needed updating as some of the mentioned laws, in particular those related to privacy and freedom of information, had been amended.



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Records of Site Condition: When a Municipality's Checklist Doesn't Coincide with the *Environmental Protection Act*

A member wrote to the OAA to advise that the information contained in several municipalities' applicable law checklists is misleading in relation to the requirements of Records of Site Condition - Part XV.1 of the *Environmental Protection Act*, O.Reg 153/04. While such checklists are convenient and may be helpful, they are not authoritative and do not relieve members of their professional responsibilities in relation to compliance with applicable law.

Similarly, building permit applications and other forms having their origins in provincial or federal legislation might lead to an expectation of consistency or of a standardized approach, but they should be carefully reviewed. Each municipality might have its own distinct "flavour" as to what is required. Members are encouraged to not only review the municipalities' processes, but also be aware of the underlying provincial or federal requirements.



COP Holders and the Mandatory Practice Consultation Program

Each year, 10 per cent of OAA Practices are randomly selected and notified they are required to complete the online Practice Consultation Survey (PCS), as well as all individuals that have obtained a new CoP within the last year. This is a mandatory requirement for maintaining a Certificate of Practice.



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