

## Question and Answer: Meeting Challenges and Overcoming Obstacles During CCA

Presenter: Ken Soch

**Q: In a Design-Build Contract with the Client/Owner, what should be the Architects level of responsibility during the CA phase? I have seen conditions where GC is CM.**

A: Because there are potentially different contractual relationships and approaches I suggest consulting the Architect's handbook of Professional Practice chapters on Project Delivery and Project Delivery Methods. The AIA Design/Build family of agreements including G704 may also provide insight.

**Q: Is there a deadline for a G.C. to respond to a Proposed Change?**

A: If the Owner desires a change and a Proposal Request AIA document G709 is used, the time limit to submit the proposal can be stipulated on that form. Division 01 General requirements, section 012600 – Contract Modifications Procedures of limits this to 20 if not otherwise specified. Article 7 of the AIA 201 General Conditions of the Contract for Construction require the contractor to act “promptly” with regard to contract modifications or changes in the work.

**Q: How successful are you in getting a submittal schedule? This seems to be a struggle to get even though we express the importance of it for staffing, etc.**

A: We get them more often than not.

**Q: Regarding punchlist, do you include your consultant's punchlist into yours and issue one list from the design team or have a separate list from each consultant, what about owner punch list items?**

A: The general contractor is responsible for generating the initial punch lists. When the contractor considers the project or a portion of the project substantially complete they notify the architect and identify the items that are not complete. From that point the preferred scenario, which is typically preferred by the contractor as well, is to walk through with the design professionals, Owner and contractor. Items requiring completion or correction identified are then incorporated in the contractors list. If a consultant is contracted to the architect then their list is gathered with the architect's.

**Q: How best to handle owner design changes during construction?**

A: As stipulated in the construction documents. The Proposal Request process using Proposal Request AIA document G709 as discussed in the previous question above. The general conditions also outline the protocol for Change Orders and Change Order Directives or minor changes in the work.

**Q: What if the Owner decides not to retain the Architect for CCA work? What steps should the Architect take? What is the Architect's boundary of due diligence?**

A: The boundary is what the law obligates a licensed architect to with regard to practicing architecture. I suggest having a discussion with the potential client about how they would then expect those obligations to be upheld. Beyond that one would need to understand what the local authority requires with regard to substantial completion and/or certify compliance with the building permit requirements and drawings.

**Q: In pre-construction conference meetings, do you recommend review of drawings and specification sections with subcontractors?**

A: Sure, but I expect that the general contractor has met their responsibility to do that. I recommend the approach and discussion outlined in the presentation.

**Q: How do you deal with problems when change orders substitute materials that are not the same as what was approved in the code review and building permit?**

A: First of all substitutions should be proposed before the contract is executed. Changes in the permit documents require re-permitting in most jurisdictions. Consult and confirm these requirements with the authority having jurisdiction. There are requirements in the documents, specifically the project manual sections that deal with requests for substitutions. These extend to requiring that the contractor obtain the approval of the authority having jurisdiction.

**Q: Is your firm using any particular software to do field reports, photos or punchlists and if so would you mind sharing what are they?**

A: We prepare field reports with the usual available word processing software so the information in them is available to those that need it. It isn't appropriate to advocate one tool or another within the limits of this webinar.

**Q: If the owner has their own form of contract that is customized for their purposes should the Architect insist that the Owner counsel prepares the General Conditions and the Supplementary General Conditions?**

A: I am not an attorney; I'm not qualified to advise anyone with regard to drafting contracts or legal agreements. Remember that the Owner – Architect Agreement is drafted based on an understanding of what the conditions of the contract include.

**Q: Does your firm use AIA Document G612 "Owner's Instructions to the Architect regarding the Construction Contract" when preparing the Division 00 documents and 01 sections included in the Project Manual?**

A: No we do not typically. However it does look like a good tool to use to address the items included and to initiate that discussion and elicit a response.

**Q: What is typical contractual timeline requirement for submittal reviews? RFI responses?**

A: In my experience generally 10 business days, but that can be extended if review is necessary by a secondary consultant or in the case of large or complex submittals. 7 business days for RFIs.

**Q: RE: Submittals required. It is often hard to get contractor to submit submittals that relate to one another together for concurrent review, even if contract docs. Have you encountered this and how have you addressed?**

A: We review the submittal requirements stipulated in the contract documents with them at the initial OAC meeting. See the suggested agenda in the webinar. Complete submittals are addressed and we return incomplete submittals un-reviewed.

**Q: While the GC is responsible for checking dimensions to make sure elements fit into construction, I find it hard to resist checking all dimensions thoroughly myself. Should architects leave dimensions to contractors or work together to make sure everything will fit when it arrives on site?**

A: The architect's responsibility for reviewing contractor's submittals is to review them for conformance with the contract documents.

**Q: A formal Submittal Schedule is typically specified, but do you have a tip for getting the Contractor to actually submit it early?**

A: I recommend the approach and discussion outlined in the presentation, then holding them accountable.

**Q: Do you or any of your staff use the Construction Specifications Institute certifications, like CCA (Certified Construction Contract Administrator)?**

A: We have CSI Certified Construction Specifiers (CCS) and Certified Construction Document Technologists (CDT) on our staff.

**Q: Does your firm use AIA Document D200 "Project Checklist" to determine CCA tasks?**

A: SCB has developed our own project phase checklists. They are not unlike AIA Document D200, but are drafted to correlate with how we deliver our services.

**Q: Re: the submittal question...often the owner will let the contractor slide on these things. How do you get Owner to appreciate the importance of concurrent review?**

A: I do not understand the question.

**Q: For Ken... why would a "New Face" or why would it have to be a disadvantage if the CCA is involved from early in the construction document phase or even DD's like they should be when their eyes can help the team and have a better understanding of what they will be seeing in the field. Advocating they enter late in the project is not efficient.**

A: That is not what is being advocated, exactly the opposite for the reasons you state. The webinar proposes early involvement as an advantage.

**Q: What is the majority of your firm's work, if you have one: Design-Bid-Build, Design-Build, CM at Risk?**

A: Design-Bid-Build.

**Q: Does your firm have a copy of the Construction Specifications Institute "Construction Contract Administration Practice Guide" for reference by your staff?**

A: Yes.

**Q: Have any of your employees in CCA Received their CCCA from CSI and if so has it been valuable?**

A: We have no CSI Certified CCAs.

**Q: Is the person performing CCA services given an opportunity to review and redline the Specifications and Drawings before they are issued for construction?**

A: Yes.

**Q: what are you using Bluebeam for specifically?**

A: Answering within the context of this presentation, we evaluate as many tools as we can to determine which can offer the most toward enhancing our efficiency or quality of work. This software along with others is being evaluated based on suggestion by our employees that have experience with it.

**Q: How does your firm verify Contractor's Change Order Proposal figures for increases in time and money before forwarding to Owner?**

A: If there are unit prices established then we may consider or make recommendations to the owner based on those. Otherwise as an architect one can only consider if the scope is correct and speculate regarding the rest, which isn't helpful or productive.

**Q: How many CCDs lead to claims?**

A: The objective of the webinar is to develop an approach toward best practice.

**Q: what hardware do you use in the field when you are doing a punchlist?**

A: There have been times when the contractor has facilitated the use of hand held electronic devices. In my opinion these offer opportunities to enhance efficiency and minimize the time required in the process.

**Non-Questions also addressed:**

**Under "Scope of Service" only AIA documents are mentioned. Not all projects use (or permit) AIA documents, including Federal work and some private owners. Recognizing that this Webinar cannot cover everything, a mention of this fact would have been appropriate.**

Response: The intention was not to advocate any particular form of agreement or document, but to suggest where opportunities for overcoming obstacles/challenges present themselves, in the context of the discussion regarding the scope of services and the scope of work.

**Procedures and Process: The agenda item to place submittals on hold pending coordination with other work should not be necessary - the contractor is responsible for means, methods and sequencing. They should organize and submit their submittals in a manner consistent with how they want to build the building. The submission of a submittal schedule that is linked to the construction schedule is recommended to assist the contractor in delivering submittals in a timely and organized manner.**

Response: The "Sample Agenda" was used to suggest items that could be discussed at the initial O/A/C meeting to set the ground rules that all parties can understand and agree to. The discussion would therefore be in regard to submitting complete submittals for review.