

March 31, 2020

Risk Management During COVID-19

COVID-19 | MATTERS DESERVING IMMEDIATE ATTENTION Building Officials Suspending Site Inspections – Part I

The City of Toronto has advised that the Building Department has effectively put its permit processing and construction site inspections “on hold.” Other municipalities have adopted a similar position.

Architects who provide Contract Administration and General Review services on projects in municipalities that are not sending building inspectors to construction sites must adopt measures to protect themselves from claims that may flow from the absence of the building department services.

One action that every architect should take immediately is the inclusion of a prominent “disclaimer” in any correspondence or reports directed to any clients, consultants, contractors and authorities, including municipal building departments. The following disclaimer is recommended:

DISCLAIMER

*This report is issued and should be read together with all previously issued reports, including reports issued by any and all consultants. Nothing in this report relieves the contractor from performing its work in accordance with the plans and specifications, pursuant to the requirements of the Ontario Building Code and the requirements of all authorities having jurisdiction. The contractor shall ensure that its work is inspected by all authorities having jurisdiction. **This report is not a substitute for and does not replace the statutory duties of authorities having jurisdiction to carry out their own independent inspections.***

The final sentence in bold should be considered mandatory for any reports or correspondence that are submitted to a building department or any authority having jurisdiction.

Refer to Pro-Demnity [COVID-19 Special Bulletin 4](#) for additional discussion and information.

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