

# GENERAL RULES FOR PROJECTS OF CONSTRUCTION/RENOVATION/RESTORATION

## 1.1. Construction management

With regard to diocesan and parish construction projects, it is important to remember that religious buildings are unique structures which require intervention by architects, engineers and general contractors who are both competent and experienced.

The three main roles for people involved in a construction project are as follows:

1. The project representative of the parish  
His/her role is to be the spokesperson to communicate the instructions of the parish to the consultant (or, when there is no consultant, the general contractor)
2. The consultant (architect or experienced engineer) who has the skills, knowledge and experience necessary to advise the parish which hopes to complete a construction project in all its scope, regardless of its size. However, for projects over \$100,000, hiring a consultant is always necessary.
3. The contractor/general contractor  
who is committed to the work laid out in the plans, and the specifications, for a set price.

## 1.2. Legal questions

Consequently, projects for expansion, renovation and restoration and new construction projects almost always require a building permit and the recruitment of an architect or engineer. And when it comes to work being done on a historical or heritage building, the architect or engineer selected must have demonstrated experience with this type of building, and a thorough knowledge of the *Ontario Building Code*, the *Heritage Act of Ontario* and any applicable codes. The project must comply with the laws in force.

## 1.3. Insurance

Before starting a project, it is essential to obtain an insurance certificate that provides adequate coverage for the project and does not omit any protection area for the construction, which is not covered under the current insurance of the parish or the diocese. At a minimum, you must obtain an amount equal to the insured value of the property (the amount indicated on the annual insurance bill).

When the insurance contract is underwritten by the contractor, the "Roman Catholic Episcopal Corporation of Ottawa" (the legal name of the Archdiocese of Ottawa) must be included as being additionally insured.

Please see the complete list of applicable insurance, which the parish or the contractor must take out. This list was prepared by the AECO with reference to the standards established by the *Canadian Construction Documents Committee (CCDC)* - see Resource DC18-R05.

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#### 1.4. Workers compensation / Health and safety at work

The work must be performed in full compliance with the provisions and regulations of the *Occupational Health and Safety Act*. The contractor must undertake to provide a work accident compensation program for all those which have been hired to do the work. Proof of involvement by the Workplace Safety and Insurance Board (WSIB) will provide the required evidence. Since January 1, 2013, the protection of the WSIB is required for most people in the construction industry before work begins.

#### 1.5. Master Builders ACT (MBA) and designated substances (asbestos, arsenic, lead, mercury, etc.)

A question to ask before you start the project: is there any asbestos, mold, lead paint or any other hazardous material? Under the *Ontario Regulation 278/05*, **the owner** is required to publish a report on materials made of asbestos (Materials Based on Asbestos - MBA). In addition, legislation requires that a report on MBA and designated substances be written and provided to either the contractor or the Construction Director before the start of the project.

#### 1.6. Work by volunteers on the parish project

When volunteer work is proposed for a construction or renovation project, the skills and experience of those volunteers must first be confirmed. If the worker actually has the skills and experience required, a formal written contract must be concluded between the volunteer worker and the owner as recommended by the Assembly of Catholic Bishops of Ontario (ACBO). Volunteer work performed must be of the same good quality as that of paid work, and must be carried out in accordance with the same criteria of discipline necessary to maintain a safe and orderly workplace. For more details, please see [pages 5 and 6](#) of the *Guidelines for Construction Projects of the ACBO*.

#### 1.7. General provisions of contract

For all projects, a formal and written contract must be concluded between the owner (RCECO) in trust on behalf of the parish) and the contractor. The terms and conditions of such an agreement must cover all current issues of a contract (e. g. health and safety, scope of work, schedule, insurance, quality of execution, compensation and warranty).

**In cases where projects are worth under \$100,000**, a simplified contract may be agreed on with the contractor. For a construction contract template, see Resource CC18-R03.

**In cases of projects worth more than \$100,000**, the services of a qualified consultant (architect or engineer) must be retained to prepare the plans and specifications, and a contractor/general entrepreneur must be hired based on the recommendation of your consultant. A professional contract with the architect or the engineer will have to be signed, and also a contract with the contractor/general contractor chosen in accordance with Form CCDC 2-2008 at a fixed-price contract, see Resource CC18-R04.

Before one can enter into a contract on behalf of the RCECO, by signature or otherwise, the parish must have obtained the approval of the Archbishop.

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#### **1.8. Transparent remuneration**

Parishes should meet the requirements of the Canada Revenue Agency (CRA) as regards expenses/funds collected for their project. The parish must ensure that the work payments are issued in the form of cheque, credit card or authorized electronic banking operations. In the case of volunteer work, only reimbursement for reasonable expenses, accompanied by the original invoices or receipts, is allowed. "Volunteer" work should not be compensated in cash or in kind, whether in the form of a salary, honorarium, cash compensation or other. Warning from the CRA: A registered charitable organization does not have the right to issue an official donation receipt for a gift of service.

Parishes should not hire individuals who are blood relatives or related by marriage to the pastor. This also applies to companies, or other suppliers, including the owners, associates or responsible employees who are related to the pastor.

#### **1.9. Projects that always require the Archbishop's prior approval**

In all circumstances, even when the costs of the project are below \$15,000, projects affecting the architecture or structure of the Church, or projects that affect the items that are liturgical or valuable to the Church, or when it is a matter of capital campaigns or new construction, these projects must be considered by the College of Consultors and receive the prior approval of the Archbishop. In some cases, these projects must also be reviewed by the Diocesan Board of Finance, and the Presbyterial Council.

When it comes to litigation, the parish must obtain the authorization of the Archbishop before it can launch a challenge or initiate a litigious action.