



True Partnerships

Consider Keeping Architects on Through Construction

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In the multifamily industry, the traditional way of doing business has been to hire an architect to provide only basic services, which includes an industry standard set of construction documents for permit. Once the permits are in hand, the architect is often released from any further duties, including construction administration, which is the phase of the job where the majority of problems arise for owners.

With rising insurance costs and increasing threats of litigation—not to mention the liability the owner, architect, and contractor will have long after the project is complete—safeguards are a necessary part of construction. Most will agree that professional liability insurance is one of the most common safeguards. While owners can take out supplementary insurance policies on a project-by-project basis for further protection, we are finding today that possibly the best defense against risk for the owner is establishing a true partnership with the design professional and keeping them involved throughout the construction administration phase of the project.

As an owner, should you choose not to retain the architect of record for construction administration, an alternative is to hire a third-party reviewer rather than attempting to perform these services on your own. However, the design architect is in the best position to administer the contract effectively because he or she knows your project better than anyone. By working to develop a true partnership, you will help keep

the project on track and significantly minimize the risk of claims.

Early Collaboration

When the owner and architect communicate openly in the project's early stages, they identify design, construction, and administrative tasks that must be addressed.

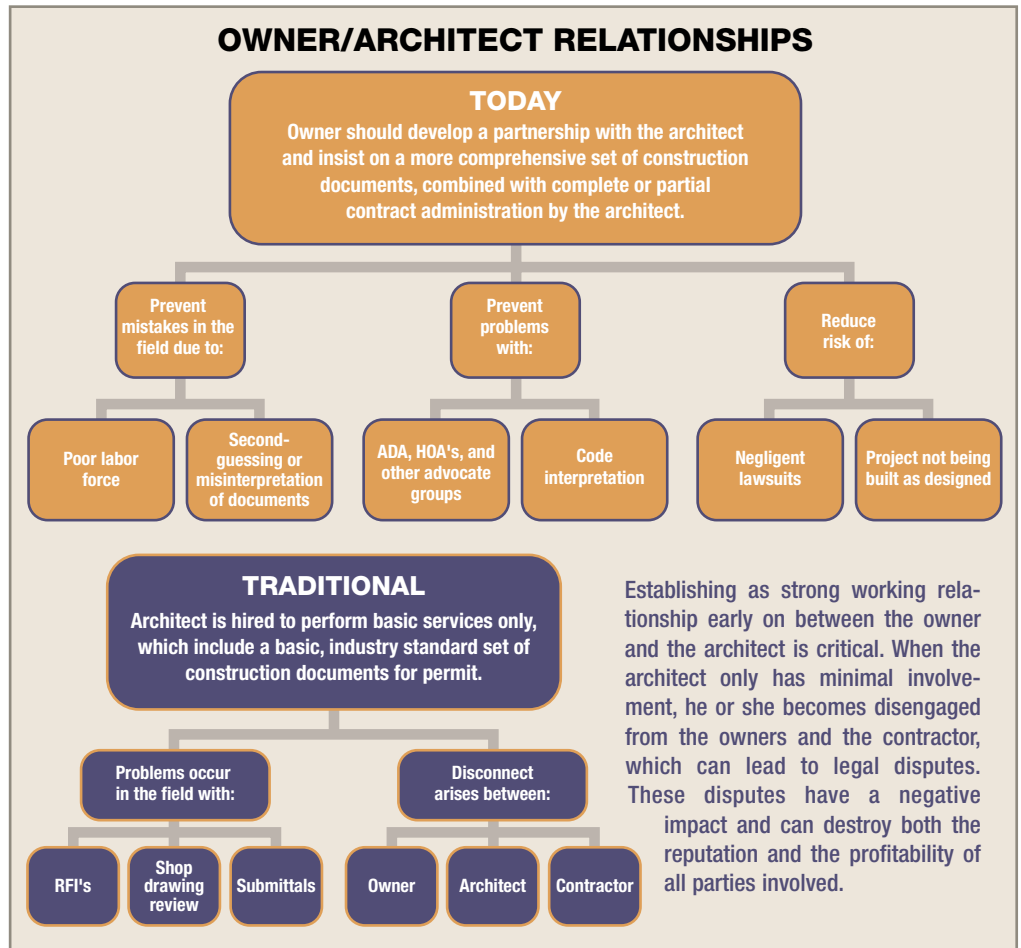
When hired to administer the contract, the architect can approve shop drawings, handle change orders during construction, monitor the progress of the contractor, conduct site observations, evaluate the project for compliance with

the drawings and specifications, and determine the dates of substantial and final completion. Problems begin when the architect only has minimal involvement with the project.

Effects in the Field

When the architect is involved in construction administration he or she can confirm the contractor's understanding of the design, ensure compliance with the contract documents, and, ultimately, see that your project is built as designed.

When the architect isn't involved in submittals, responding to requests for





information, or reviewing shop drawings, the contractor is forced to use his or her own judgment and proceed without proper clarification. This is the point where mistakes are most often made.

A perfect set of drawings won't ensure that your project will be built as

designed or without mistakes. When owners insist that the architect be involved and request documents that are more comprehensive than the basic industry standard set, owners increase the chances that the project will be built correctly and in compliance with

applicable codes, laws, and regulations. When risks are ignored, disputes arise and claims result.

Drawings Review

Shop drawing review is an important and complex step in the development process. Yet, it's often overlooked because either the architect didn't include it as part of the contract, or the owner doesn't want to compensate the architect for this service. It's a time-consuming process that carries great risk, but it's manageable and can be very effective in reducing problems during construction.

Victor O. Schinnerer & Co., a professional liability and risk management company in Chevy Chase, Md., points out that problems associated with shop drawings and other submittals most often occur when the developer and design professional don't work together. When the two parties work as a team, they can institute checklists and systems to log, track, and follow-up on the submittal process, as well as monitor schedules.

The effective review of shop drawings is an important concern and one that has taken on increased significance. Because of the time and risk associated with the service, it's to your benefit, as an owner, to retain the design professional to perform shop drawing review. In the end, it serves as an additional means of proactive risk management and provides protection for all parties involved.

Liability is a serious and growing threat that lingers for years after project completion. Yet, there are a number of safeguards owners can institute to defend themselves and their projects. As an owner, if you are willing to take extra precaution by insistence on more comprehensive construction documents combined with complete, or even partial, construction administration, you can significantly reduce your risk and avert litigation. As a result, you will play an active role in producing a successful new project that is built on time and as designed. ■

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