

Standard Documents and Fees for Services

To facilitate mutual-trust relationships in design projects, and to encourage the public's trust in the profession of architecture, the Northwest Territories Association of Architects strongly recommends the use of standard documents and fee schedules for architectural services.

STANDARD CONTRACTS AND DOCUMENTS

The Royal Architectural Institute of Canada (RAIC) and the Canadian Construction Association have developed mutually acceptable standard contract forms for use in the construction industry across Canada. These forms present standards that are well-understood by the profession and the construction industry. They are recognized as the fairest means of allocating risk between parties to a construction project and they include provisions that may not be addressed in generic professional services contracts, such as reasonable standards of care, the responsibilities of the client and architect, and dispute resolution. These documents are also routinely reviewed and refined by both the RAIC and the Canadian Construction Documents Committee (CCDC), which is comprised of the Association of Consulting Engineering Companies – Canada (ACEC), the Canadian Construction Association (CCA), Construction Specifications Canada (CSC) and the RAIC.

The normally accepted standard form of agreement between architect and client across Canada is RAIC's Document Six: *"Canadian Standard Form of Contract for Architectural Services"*. This balanced agreement has been developed through extensive consultation and legal review with the architectural, engineering and construction industry and represents the only agreement type that is synchronized with the Standard CCDC agreements between Client and Contractor.

It is suggested that only current versions of contract documents – either paper originals or sealed electronic documents – that are published by the RAIC and CCDC be used for building projects in the Northwest Territories. It is further encouraged that practitioners solicit and recommend the use of these documents by the clients, owners, contractors, and subcontractors of such projects. While the NWTA A cannot obligate a client to alter its agreements with practitioners (Architects), we must advise our members about potentially harmful contract clauses or outcomes that could impact both parties and warn against the use of contract documents that may omit or unfairly represent the interests of any party.

Changes to Standard Contracts

Changes or modifications to a standard form contract should be in the form of Supplementary Conditions and attached as a schedule or appendix; however, designers, contractors and clients should carefully consider how Supplementary Conditions change the meaning of a standard form contract to ensure that these changes are acceptable.

STANDARD FEES FOR SERVICES

Since 2009, NWTA A members have endorsed the RAIC's *"Guide to Determining Appropriate Fees for the Services of an Architect"*.

This Guide adequately demonstrates the diverse range of factors and potential project delivery methods that practitioners are obligated to consider when entering into an agreement to provide professional consulting services. Its intent is to support a fair exchange of value in establishing appropriate fees for an architect's professional services.

Significant variances and nuances in the design and construction industry make it impossible to assume that the same professional fee will be appropriate for all projects, even if the projects are of the same size and building type. Requirements will vary, and this document helps both client and architect in determining the appropriate fee for an architect's services for their unique building project.

While use of this Guide or similar fee guides is not a requirement, the NWTAA assesses and monitors all standards, whether required, suggested or commonly accepted, to maintain the integrity of the architectural profession and to protect the public interest.

RESOURCES

- **RAIC Contract Documents**
<https://raic.org/raic/contract-documents>
- **Canadian Construction Documents Committee**
<https://www.ccdc.org/>
- ***A Guide to Determining Appropriate Fees for the Services of an Architect***
<https://raic.org/node/24688>

The Northwest Territories Association of Architects' Council issues Practice Bulletins to be used as general interpretations, clarifications and/or elaborations of the requirements set in the *Architects Act* and NWTAA Bylaws. NWTAA does not provide legal, accounting or insurance advice and is not responsible for any errors or omissions with respect to such matters that may be contained herein. Readers are advised to consult their own legal, accounting or insurance representatives to obtain suitable professional advice in those regards. Inquiries regarding the contents of this Practice Bulletin can be directed to the NWTAA office by email at ed@nwtaa.ca. Further information relating to the registration of NWTAA members, the *Architects Act* and the NWTAA Bylaws can be accessed online at www.nwtaa.ca.