

The information contained in this document is meant to serve as a helpful reference but should not be interpreted as legal or other professional advice. Though the information may be updated periodically, due to the rapidly changing legal and regulatory landscape related to the COVID-19 outbreak, it may at any time be out of date, and the AIA does not guarantee the accuracy of the information. Where appropriate, you should seek the advice of an appropriate licensed professional or relevant government office in your location for advice on current laws and regulations, and the application of those laws to any and all legal instruments.

COVID-19 Sample Site Visit Policies

1. Construction Administration & Site Visitation Guidelines

[Firm] has instituted guidelines for site visitations and construction administration services in an effort to respond to the current COVID-19 situation. We understand that the continuation of construction varies for each project and jurisdiction, but this document seeks to communicate our position as a firm and respond to a number of questions we have received.

In jurisdictions where certain construction continues in compliance with local guidelines and regulations, we will be required to continue to provide construction administration services to these projects. However, we will review our CA services in a rational way which assures the proper safety protocols are in place and respects our individual team member's concerns. Therefore, we are implementing the following guidelines for all CA services during this period:

1. When possible, all CA should be supported remotely and virtually. This is already happening on most of our projects and many CMs, Contractors, and Consultants have already made the transition, which is proving to be effective. This could include, but not be limited to:
 - Conference calls or Virtual meetings (WebEx, Skype, etc.) in lieu of site meetings
 - Virtual walk-throughs
 - Video/Photo reviews

2. The Contractor or CM has the sole responsibility for maintaining site safety and the safety of individuals working on and around the site. When site visits are required, a copy of the site safety plan with regard to COVID-19 should be provided by the CM, Contractor, and Client for review by [Firm] leadership and team to assure that the proper protocols are in place and that our teams can be protected. The site safety plan should follow the OSHA Guidance for Preparing Workplaces for COVID-19 as outlined in OSHA 3990-03 2020 or the equivalent. All site safety plans should provide for provision of proper protection required by said plan for any of our employees going to site, such as gloves, masks, eye protection, etc., as well as the maintenance of social distancing standards while on site.

3. [Firm] leadership (PIC, Studio Leader, PM, etc.) along with the individual project team members shall review the submitted site safety plan. If there are faults in the site safety plan submitted, or one does not exist, kindly notify the necessary parties and deny any site visit until actions are taken to provide the proper assurances and protocols.

4. Each staff member should employ their professional judgment and common sense and be certain to take into consideration their own individual circumstances. Do you feel comfortable with the site safety plan and with those who will be carrying it out? Do you, or a member of your household, have risk factors or feel particularly susceptible? Only after review of protocols and confidence by both leadership and the employee that the visit will be safe should we agree to conduct a site visit.
5. If for any reason an individual team member does not feel comfortable, regardless of the comprehensiveness of the site safety plan, no one should feel pressured to make a site visit until their level of confidence has returned. Team members should notify [Firm] leadership immediately so they can communicate the concern or arrange for alternatives to meet our contractual obligations. **We will support our team members in their individual decisions regarding these matters.**
6. It is recommended to avoid public transportation to and from jobsites whenever possible. We understand that not all staff have access to a private vehicle for jobsite visits but, if so, the firm will reimburse for mileage, tolls, and parking. The use of Uber or Lyft, where team members feel comfortable doing so, is also an option. Common sense should be used in all decisions.

Our primary concern is the health and well-being of all our employees while fulfilling our contractual obligations. We have a number of critical projects that will demand field services and we will try to fulfill those obligations while making sure that our staff is comfortable and secure.

Should you have particular questions, please address them to the project's Principal in Charge.

2. Remote Construction Contract Administration (CA) Services and Site Observation Protocols

Continuing Construction Contract Administration Services

In response to the current COVID-19 Pandemic and in furtherance of our WFH (work from home) policy, we are instituting remote CA services protocols. It is our intent to continue delivering construction phase services and fulfilling our contractual obligations but to do so using remote technology wherever possible. We have discussed this with several national contractors with whom we are currently working and have developed the following recommendations. As many situations are unique, each team must develop methods and tools that work for the owner, contractor, [Firm] and our consultants.

A. Project and Owner / Architect / Contractor (OAC) Meetings

All scheduled site and OAC meetings must immediately be moved to remote communication platforms provided by either the contractors or [Firm] as appropriate.

B. Certificates for Payment Site Visits and Site Observation Reports

Each design team must coordinate with contractor teams to develop strategies that allow for real-time video observation that can be directed to some degree by the [Firm] team. This must be combined with on-site photographs used in site observation reports. Several contractors are currently doing this by combining their current platforms (Procore, Prologue, PlanGrid or similar) for site photos and information sharing and with video-communication technology such as FaceTime or Skype. Others have gone even further by using geolocated real-time video feeds that can be accessible to design teams.

Locations of the Work requested for observation by design teams and those shown by contractors must be clearly documented to create a record of design teams' observations during the real-time video observations and what it requested for observation but may not have been shown or shown in enough detail.

C. Punch Lists and Project Completion

We don't have a realistic way to complete these services without being on-site. Require that contractors have completed the Work and their own punch lists and that the site is available for the smallest possible group to verify the contractors' punch lists.

D. Owner / Lender Considerations

Owners must be provided opportunities to provide input into the virtual CA plan and ultimately provide approval that such will satisfy the requirements of the Owner / Architect Agreement. Each team must inquire about any third-party obligations that owners may have regarding CA. Additionally, to the extent required, owners must seek approvals from Lenders, which must be provided to the design teams, that the virtual CA will comply with and satisfy any requirements under owners' loan documents.

3. Contract Administration Duties

The principals have put together the following guidance as we navigate through this challenging time. We want to share some insights and tips specific to CA work, such as punch lists and other on-site work that our clients might continue to require notwithstanding the public health crisis. Although [Firm] is operating on a "work from home" basis, we remain conscious of our contractual obligations during CA. First and foremost, as mentioned previously on [intranet], please speak directly with your Principal in Charge if you feel uncomfortable with anything you are asked to do by a client or contractor, whether attending meetings, performing punch list work, etc. Your health, safety and wellness is the top priority, period. To reiterate other guidance that has been provided already:

- You should no longer be traveling by air or mass transit to perform CA work. If a client expects otherwise, please escalate the situation to your studio leader.
- Calls or video conferences in lieu of in-person meetings – and virtual jobsite visits – should be the default right now. (For example, even HUD has issued guidance to its inspectors regarding out of town architects who might be unable to attend HUD-scheduled visits for pay app review.)
- If you do not feel well, or have been sick in the last two weeks, stay home!

We have found that, industry-wide, the vast majority of owners are being accommodating and understanding in light of the extraordinary circumstances. After all, with some creative thinking and the assistance of modern technology, most jobsite work can be handled with a phone call or with someone from the construction team using a video call to walk through the site and show the conditions. To that end, if accommodations are made by a client or contractor, it is important for you to make a record of these accommodations by sending an email to the client (something along the lines of, “Due to COVID-19 precautions, you are agreeing that [Firm] may do _____ instead of requiring _____.”) However, despite everything mentioned above, if a client nevertheless requires your presence at a jobsite:

- Ask in advance for an agenda and a written list of items to be discussed so that you can evaluate whether or not they can be handled over the phone or video conference.
- Call the contractor and inquire about the protocols that will be observed on the jobsite, such as social distancing requirements, the provision of protective measures (e.g., masks, gloves, sanitizer), etc. Many jurisdictions are now requiring this of contractors. For example, the Mayor of Denver issued an order yesterday requiring the construction business to “develop and strictly implement written Physical Distancing protocols” in order to continue operating during this time.
- Make sure to confirm, the day of your visit, that the job site remains open. We are seeing an increasing number of jurisdictions shut down job sites, and the overall landscape is changing every day.
- Limit the number of participants as much as possible, e.g., only one representative each from the client, the contractor, etc.
- Keep your distance. Maintain at least six feet of separation between people (as per CDC social distancing guidance). This means that if an elevator isn’t large enough, take separate trips.
- Don’t share resources. Tablet computers, drawings and mobile phones should be used and handled by one person only.
- Tips for punch list work:
 - A complete list of spaces available to punch should be sent well in advance of the visit. We should be walking a generous amount of spaces if we will be on site.
 - Spaces must be at 100% (completely pre-punched), with all appliances, casework, equipment, fixtures and amenities installed and in working order.

- Spaces should be empty of other tradespeople during the punch walk to minimize interaction. Keep the CDC -recommended distance when walking through corridors and hallways.
- Do not share tablets, blue tape or other resources during the walk: one person records, one person marks with blue tape.

[Firm] will continue to monitor developments on a daily basis and provide guidance accordingly, as has happened for several weeks now. Again, if you have questions or concerns about your specific project please contact your Principal in Charge to discuss your concerns.

Keep safe and keep in touch.

Additional resources are available at: <https://www.aia.org/pages/6280670-covid-19-resources-for-architects>

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Contributions: If you have a policy or feedback to share, please contact me at kathleenmccormick@aia.org.