



HORIZONS ARCHITECTURE

The design process can be a daunting procedure. This GUIDE represents part of an effort to take the burden out of the building process. It will answer some common questions and give some understanding of the practice and processes used to get your project completed successfully.

ARCHITECTURAL PROCESS GUIDE

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OBJECTIVE

The means by which a building comes into existence is truly a process and not an event. It can be a most taxing experience if not approached in a logical and systematic way. Historically the building process has yielded many frequently asked questions from clients, so this Guide has been designed to answer some of those questions and offer a level of confidence to any person who has a desire to participate in the building of their own dreams.

For purposes of explanation, the Architectural Process is divided into FOUR main Stages, with subsections at each stage. This is the basic order of the three main stages;

STAGE 1: DESIGN

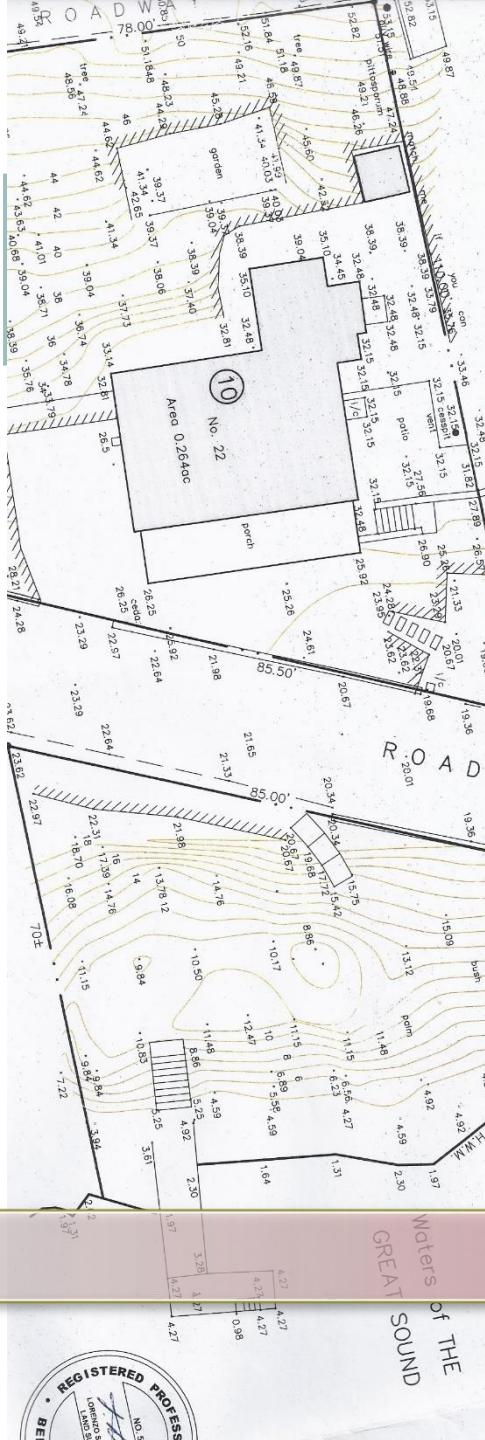
STAGE 2: PERMIT APPROVAL

STAGE 3: TENDER

STAGE 4: CONSTRUCTION

It should be known that even though each stage is distinct and sequential, there are times when they do not follow with such a perfect order. For instance, a project under construction (STAGE 4: CONSTRUCTION) could require a revision to a foundation design based on the site conditions found during excavation. This would mean redesign (STAGE 1: DESIGN PHASE), and then possibly require a Planning submission for the approval of the revision (STAGE 2: PERMIT APPROVALS) before the work could commence on site.

This document therefore serves as a “GUIDE” for the predominant practice, and not an exhaustive explanation of every case. We trust you will find it helpful.



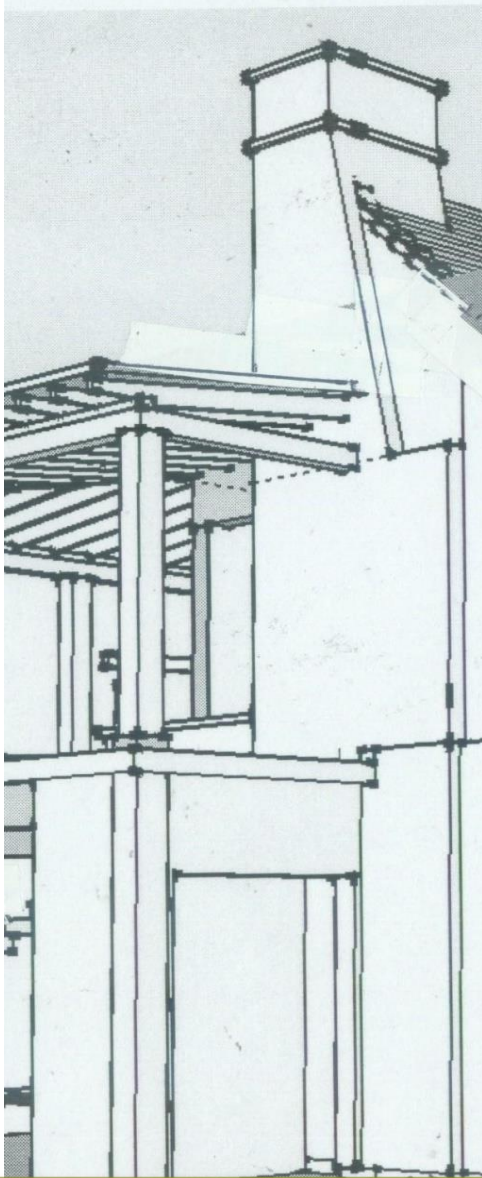
STAGE 1: DESIGN THE INITIAL CONTACT

Initial contact about your project will involve a phone conversation as an introduction to Horizons and the work you would like to have done. It is always best to have as much information as you can muster about your intended project and the site you have in mind to build on. This information can include (but is not limited to);

- Existing drawings of the buildings on site
- A recent survey of the property (example shown on this page)
- Deed description for the property (needed only where no survey exists)
- A “wish list” of the elements you would like to see included in the design.

The initial contact will be followed by a site visit to look at the property and discuss your ideas further. We will go over the processes of design, planning, your budget, logistics of product procurement, feasibility, the time line and possibly some additional ideas you may not have considered. The goal of this meeting is to leave the client with a real sense of what can be accomplished on site, what is required in order to proceed, and to give us enough information in order to develop a fee proposal for the design work.

The essential information to begin with includes the land and building surveys, the first of which should be no more than 10 years old as per Planning Department regulations. If this information is not available or deemed unsuitable for use, the first step of the design process will be to acquire accurate survey information as base plans for design. Finally, be advised that the land survey will not be required where the intended changes are internal or well beyond the boundaries (Need is on a case by case basis).

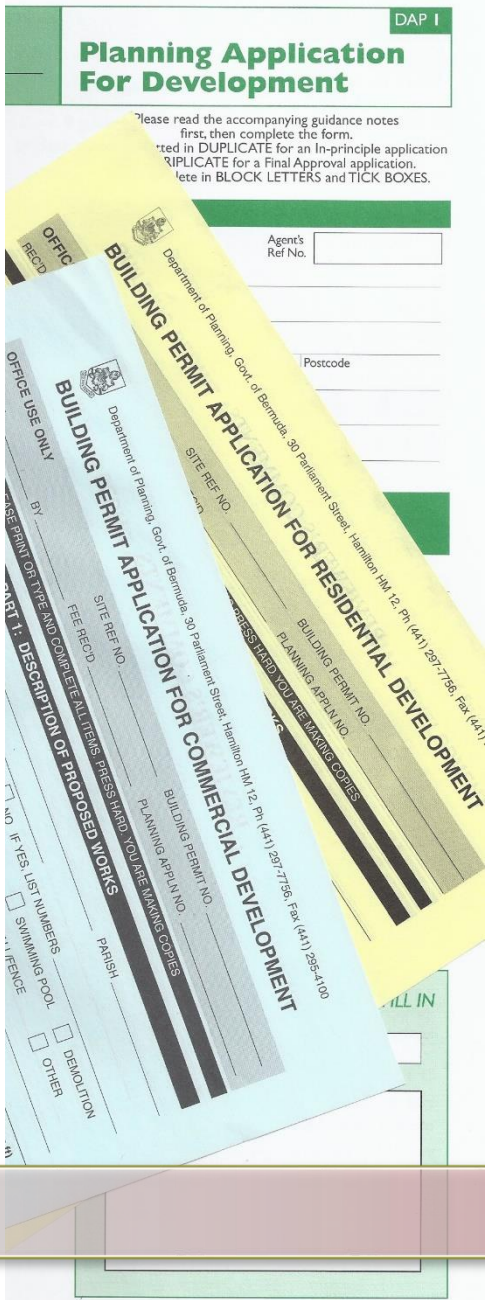


THE DESIGN PROCESS

For Horizons, Empathy is the beginning of good design. We aim to understand first all of the elements that affect and are affected, and to accumulate all of the information we can about the site, client wishes, the context, budget, special parameters and the applicable codes. With good information we can then embark on the process of design.

1. Feasibility & Master Planning - Feasibility is the accumulation and study of information in order to determine the viability of a project (i.e. what makes the most sense to build). Master Planning is the layout of the site and all potential buildings and major site features, along with the pedestrian and vehicular circulation patterns. This level of planning helps to determine the entire scope of the project and the best order of development.
2. Preliminary Design - The first layer of design for your project.
3. Design Development - The development of drawings for the purposes of client review and Planning Approval.
4. Construction Documents - The development of detailed drawings for which the Permit can be granted, and from which the building will be constructed.

Once the basic design has been agreed upon, each level of design represents another level of detail with additional drawings and schedules that describe every aspect of the work.



STAGE 2: PERMIT APPROVAL

THE PLANNING PROCESS

For most projects there are **(2) two steps** to acquiring a Building Permit (or permission to build). The first step is to attain **Planning Permission (step 1)** below which tells you **what** you are allowed to build; and the second is the **Building Permit (step 2)** below which specifies **how** it is to be built. These are two distinct, separate and sequential submissions, both requiring specific drawings to meet Planning stipulations.

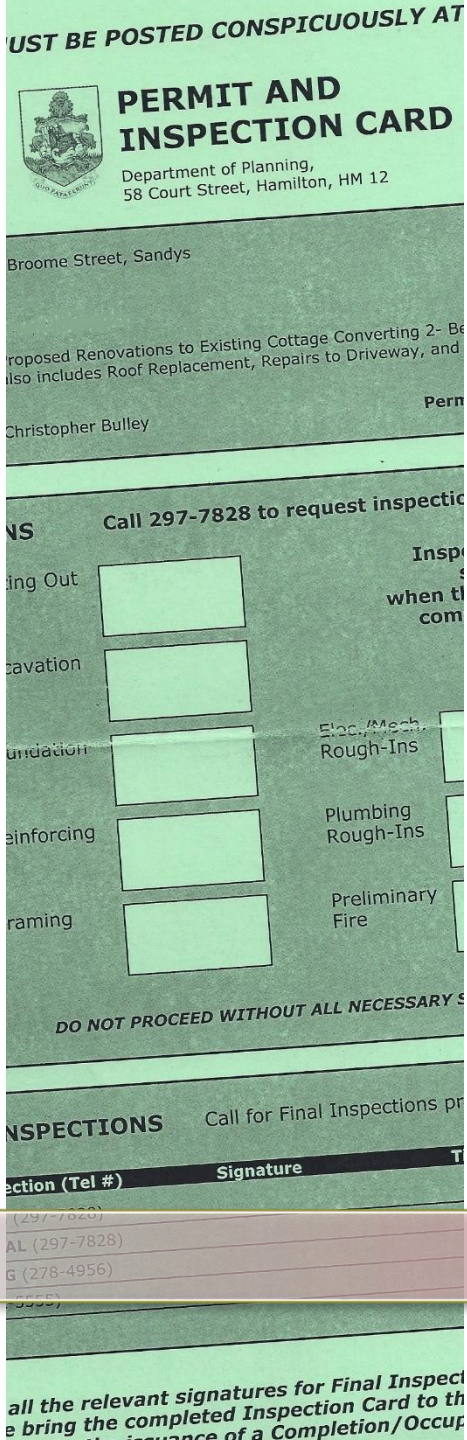
Step 1: Final Approval (DAP1 Form) - A common misconception is that once approval has been granted at this stage, the client is then free to build. This is incorrect! Final Approval defines “**WHAT**” one can build. The proposal would be deemed to have no negative effects on the environment, its neighbors, or the “Bermuda Image”.

Step 2: Building Permit Application - Here the Building Control Officers will review “**HOW**” the proposal is to be erected and whether or not the materials & methods meet minimum Health & Safety standards.

In some cases there are alternative or additional steps that must be taken in order to acquire a Permit:

Approval in Principle (DAP1 Form) - For large or complicated projects where the basic concept of the project is being scrutinized, this preliminary stage precedes the Final Approval (**step 1** above), and the complete Planning process becomes a **(3) three step** process.

Permitted Development Application - When a project meets the basic requirements of ‘The Planning Statement’, with a max. of 500 sq. ft. on one level (with another 500 sq.ft. above), the application can be submitted using this shorter process. A Permit to build can be granted in as short as 2 weeks using this method.



DIFFICULTIES WITH THE PLANNING DEPARTMENT

The Planning Process requires constant dialogue between your designer and the Planner in order to resolve all of the working parts of the application. The goal is to meet Planning requirements with a view to grant the client a happy result in the end. However, for those times when the client's desires do not harmonize with the will of the Department, resolution can take two forms.

Appeals to the Minister - When a project has gone the required route and is refused by the Planning Board in the end, the natural course of action is to Appeal the application. A defense of the application can be made to the Minister citing the reasons it should reasonably be considered. An independent overseas assessor makes intermittent visits to the island for the purpose of objectively reviewing Appellant arguments and making recommendation to the Minister. The decision of the Minister is final.

Court Proceedings - When every other avenue has been taken a client can resort to making the project a legal matter.

There is no longer a Retroactive Facility that will enable a project to be resolved after the works have begun. There are stiff penalties with Legislation in place in order to enforce them for those who proceed with work before permissions are granted. This is therefore not advisable.

*HORIZONS DOES NOT ACCEPT LIABILITY OR RESPONSIBILITY FOR ANY WORK OF ANY SCOPE OR NATURE DONE WITHOUT THE NECESSARY PERMISSION OF THE PLANNING DEPARTMENT. WORKS WITHOUT PERMISSIONS ARE CARRIED OUT AT THE RISK TO THE OWNER AND CONTRACTOR ALONE.

TABLE OF ARTICLES

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- 22.1 Supplement to Article 3, Contract Sum
- 22.2 Supplement to Article 6, Enumeration of Contract Documents
- 22.3 Supplement to Paragraph 7.5, Ownership and Use of Architect's Drawings, Specifications and Other Instruments of Service
- 22.4 Supplement to Paragraph 8.1, Information and Services Required of the Contractor
- 22.5 Supplement to Paragraph 9.5, Taxes
- 22.6 Supplement to Paragraph 9.6, Permits, Fees and Notices
- 22.7 Supplement to Paragraph 9.7, Allowances
- 22.8 Supplement to Article 11, Subcontractors
- 9.9 Supplement to Paragraph 17.3, Property Insurance
- 10 Supplement to Paragraph 19.1 Miscellaneous Provisions
- 11 Supplement to Paragraph 20.2, Termination by the Owner
- 12 Supplement to Paragraph 21, Claims and Disputes

APPENDICES

- Contract Administration
- Mediation
- Arbitration

- Work to be Carried out by Owner or by Separate Contractors
- Designated Subcontractors
- Designated Suppliers
- Materials to be Supplied by Owner

ADDITIONAL CONDITIONS (List herein Special Conditions if any)

CONSTRUCTION CONTRACTS COMMITTEE
Comprising:
THE CONSTRUCTION ASSOCIATION OF BERMUDA
THE INSTITUTE OF BERMUDA ARCHITECTS
THE CHARTERED INSTITUTE OF ARBITRATORS (BERMUDA)

GENERAL CONDITIONS TO THE SUPPLEMENTARY CONDITIONS TO THE ABBREVIATED CONTRACT FOR CONSTRUCTION

STAGE 3: TENDER

THE TENDER PROCESS

This involves the invitation given to contractors to submit a price for the project, along with the management of that bidding process, and the final selection of the construction company. We will prepare the bidding packages, qualify the bidders, and present the documents along with the conditions and time constraints for tender returns. Finally the construction contract is drafted which outlines the works and the terms.

This is a standard service available which may or may not be utilized by the client in order to save money. The extent to which we serve is almost always the client's choice. It is recommended however that one should not decline this service so as to ensure that the tender process goes well, and the correct terms which protect the client through construction are present in the agreement.



STAGE 4: CONSTRUCTION

THE CONSTRUCTION PROCESS

The CONSTRUCTION STAGE begins with the agreement between the contractor of choice and the client, and ends with an Occupancy Certificate and the payment of the final retention. The designer's role is typically to ensure that the structure is built in accordance with the construction documents.

When a contractor has been selected, they are required to submit a payment schedule to the client. Once approved, this becomes the basis for disbursement of the funds through construction. In recent times where banks are the source for the funding of the project, they require that the phases of construction be reviewed before payment is made. This is the role of the designer or some other project management entity, and it has become mandatory in order to protect the bank's investment in the project, and to ensure that it is completed. It is important to note that the words "oversee" or "supervise" are never indicative of the typical designer's role and should not be used to describe it.

CONCLUSION

The intent of this document was to cover the most frequently asked questions about the typical design and construction process. It is not intended to be exhaustive and therefore does not include some aspects of the process. We trust that this has been enlightening, and that its creation might encourage conversation about your design needs. We stand ready to assist in any way that we can and look forward to having a chat about your dream development soon.

Sincerely,
jeremy o. johnson.