Document Management/Retention

By

Mark Blankenship, CPCU, AIC, LEED AP
Assistant Vice President
IronPro
What is a punch list?

# 10
Top 10 Punch List Items

# 5

![Image of a door and railing]

# 4

![Image of a security camera and wall]
Top 10 Punch List Items

# 3

# 2
# 1

Piles of Paper & Data!
Agenda

Documentation Conundrums

A Model Approach to Project Documentation

Documentation Specifics

Active Filing

Archiving

Seven Steps to Risk Management

- Client, Project, & Team Selection
- Risk Evaluation & Project Planning
- Contract Preparation & Negotiation

- Communication
- Documentation
- Performance Consistent With Contract
- Responsiveness
Reality Check!

“Technology – and the accelerating rate of communications – are resulting in a redefinition of the roles and risks of all participants in the design and construction process. This fact is amplified when considering a “virtual” practice where the single office mentality is turned on its head.”

- AIA Guide to Virtual Practice

History of CAD

- CAD was created to improve productivity
  - Re-use standard details
  - Perform on-line interactive design and drafting
  - Make modifications easily

HRH A&E/AVA
Electronic File Risks

- Productivity tool now used as a medium of exchange and for archiving
- Electronic files can expose the firm to claims by clients and third parties who rely on them
- Electronic files can be used for unintended purposes
- Electronic files can be altered
- Electronic files can degrade

HRH A&E/AVA

Electronic File Risks

- Electronic files can be incompatible with the recipient’s system
- The wrong file can be transferred
- Rights to use not transferred with the file
- CAD files were not designed for contractor use
- CAD in the implementation of facilities management
- Unrealistic client expectations regarding cost and scheduling

HRH A&E/AVA
A Model Approach to Project Documentation

Why

Where/How

What

When

Start with Why

Project Delivery
- Standard of Care
- Efficiency
- Project Success
- Sanity

Record Keeping
- As reference
- Per contract
- As defense
- As marketing
Ohio Architect’s Code of Conduct

“[S]hall act with reasonable care and competence and shall apply the knowledge and skill which is ordinarily applied by registered architects of good standing, practicing in the same locality.”

- Ohio Admin Code 4703-3-07

Care vs. Competence

“In practicing architecture, professional engineering, land surveying or landscape architecture, a licensee shall act with reasonable care and competence, and shall apply technical knowledge and skill which are ordinarily applied by architects, professional engineers, professional land surveyors, or landscape architects of good standing.” (Missouri Code of Conduct.)
### Where & How

<table>
<thead>
<tr>
<th>Electronic</th>
<th>Hard Copy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessible to all?</td>
<td>Accessible?</td>
</tr>
<tr>
<td>Comprehensible?</td>
<td>Current?</td>
</tr>
<tr>
<td>Searchable?</td>
<td>Organized?</td>
</tr>
<tr>
<td>Verifiable/Reliable?</td>
<td>Searchable?</td>
</tr>
<tr>
<td>Secured?</td>
<td>Efficient?</td>
</tr>
</tbody>
</table>

### What

- **Drafts**
  - No to internal
    - Except maybe contracts
  - Yes to external

- Confirmations/Verifications

- Impact Standards for E-mail
  - More than just a meeting confirmation . . .
E-Mail Protocols

♦ Appropriate Subject Lines with Criteria
  ▪ Project and Content/Purpose

♦ Intentional Recipients
  ▪ Limited use of “reply all”

♦ Avoid Serial Strings
  ▪ The rules of three or five before a “restated issue”

♦ Footer

E-Mail as Project Communication

Footers/Disclaimers:

“This message is intended solely for the recipient identified above and should not be opened, read, or utilized by any other party. This message shall not be construed as official project information or direction except as expressly provided in the contract documents.”
Building A Process

- Templates
- Policies
- Training

Templates

The Routine
- Shop Drawings/Submittals
- Requests for Information
- Substitutions
- Site Observations
- Transmittals

The Challenges
- Telephone Calls
- Site Safety
- Value Engineering
- Non-conforming Conditions
- Additional Services
**TRANSMITTALS**

Mere cover sheet insufficient!

Need details of:
- Date:_______________________
- Specific content:______________
- Purpose:____________________
- Action expected:______________
- Response Requested By:_______

**Shop Drawings & Submittals**

Education of expectations, purpose, & process

Contractual definition of purpose & process

Express limitations in review documentation

Consequences for contractor failures

Follow up accountability
“Review is only for general conformance with the design concept of the project and general compliance with the information included in the Contract Documents. Any action shown is subject to the requirements of the drawings and specifications. Contractor is responsible for correlating and confirming dimensions at the job site, choice of fabrication processes and techniques of construction: coordination of construction: coordination of his work with that of other trades: and performing the work in a safe satisfactory manner.”

Shop Drawings & Submittals

Internal Procedures:
- Logs.
- Stamp limiting purpose and scope.
- Check list.
- Decline unnecessary reviews (e.g., means and methods).

Standards:
- Avoid “approve” or “authorize” in favor of “no exception”.
- Incorporate manufacturer’s instructions
**Shop Drawings & Submittals**

Review is only for general conformance with the design concept of the Project and general compliance with the information included in the Contract Documents. Any action shown is subject to the requirements of the drawings, specifications, Building Official directions, and manufacturer’s instructions. Contractor is responsible for correlating and confirming dimensions at the job site, choice of fabrication processes and techniques of construction: coordination of construction: coordination of his work with that of other trades: and performing the work in a safe satisfactory manner. Any follow up activity referenced below or in the attached shall be the Contractor’s sole responsibility.

**Site Safety**

Disclaim responsibility in contract.
Assign responsibility in contract.
Act and correspond consistent with contract:
- Identify concern.
- Never suggest solution.
- Reconfirm lack of responsibility.
Site Conditions 9/19/03

Site Debris accumulating
No substantial progress on roof edge, skin
Note grass growing on site areas due to limited activity

Site Safety Follow Up

On ----------, 201__, we were on the Project site and noted potential safety issues related to ______________________. As jobsite safety is not within our scope of work and is solely a contractor issue, we noted the issue to ____________. If you need any further information, please contact us. Thank you.
**Bonus Points: Coordination**

Project:  
Project Stage:  
Date:  

As of the Project Stage and Date referenced above, _______ confirms that its portion of the design is coordinated, on schedule, and on budget except as follows:
- 
- 

Signed: ____________________

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**Policies**

- Standards and aspirations establish practice.

- Seek to establish a framework, not a rigid unyielding structure – unless that is what you really need!
  - Hard “don’ts”
  - Suggestive “to do”

- Written with a toolbox for application.
Training

- The worst policy is the one not followed.
- If they don’t know it’s there, they can’t use it.
- If they don’t know how and when to use it, they will misuse it.
- Training facilitates improvement, adaptation, and additions.
- Accomplish by initial orientation and regular group updates.

Core Issues

- E-mail
- Texting
- Voicemail
- Meeting Minutes/Records
- Site Observations
- Transmittals
Texting Tensions

- Very casual (i.e. emoticons)
- Typically not preserved (but may be)
- Lack of controls

Text Rules

- NEVER while driving or operating
- Never as project information given or received
- Limited to scheduling and requests for communication
- Never with content
Most *dangerous* form of communication

Voicemail makes users vulnerable:

- Informal/Casual/Spontaneous
- One-sided documentation opportunity
- Unreliability - no confirmation of receipt or content

Four Steps to Effective Voicemail:
- Prepare (applies to all telephone calls).
- Get in, get done, get out.
- Follow up in writing as to:
  - Points of significance (*i.e.*, agreement, notification, action);
  - Corrections;
  - Clarifications.

Record of voicemails received as appropriate.
Meetings

❖ Minutes work!
- Track & update tasks
- Assign tasks
- Close tasks

❖ Seek to the recorder of the meetings.

❖ Minutes must be timely:
- Conveyed
- Reviewed
- Corrected
- Confirmed

Construction Observation

Contract specifications as to:
- Frequency
- Duration
- Limited Purpose

Disclaimer of Joint Responsibility

Focused Observations & Records:
- Standardized format
- Agreed-upon plan for transmittal
- Avoided implied expansions of duty
You wrote/said what? Now what?

- Everyone will say things they regret or could have said better.
- Prompt remedial action can clean it up.
- Silence/avoidance only makes it worse.

“This is not so much of a change as a clarification.”
“In summary, no additional cost should be anticipated for the coil, additional cost can be anticipated for the ductwork (additional materials, not duct rework).

“Based on the answer provided, [person] dropped the ball and shows lack of experience with such items as this. We do not follow through in a timely manner for changes!” (Handwritten)
Filing Systems

Centralized Filing of All “Official” Records:

- No “personal” files

- All originals in centralized system

- All copies discarded periodically (milestones/approvals) throughout project

- Standardized procedures for project closeout and archiving.

Filing Systems

Must be accessible AND usable for every team member as necessary:

- Sortable
- Searchable
- Comprehensive

Must be preservable for length of internal policies AND contract obligations.
Archiving

Archiving
- Project closeout cannot be neglected.
- Be prompt, systematic, and efficient.

Written Retention Policy
- Statute of Repose/Limitations + a year

Continued Retention in Perpetuity
- Record Drawings
- Contract and revisions
- Final Invoice
- Certificate of Final Completion

Key Documents
- Requests for Proposal
- Bid documents (including project manuals)
- Drawings and Specifications
- Reports
- Approvals
- Submittal logs
- Site visit reports
- Key correspondence
- Certificate of Substantial Completion
- Final certificate for payment
Litigation Hold

- Notice of actual or potential litigation
- Duty to retain documents relevant to the subject matter of the project dispute
- Penalties for failure to maintain records:
  - Discovery sanctions
  - Award of attorneys’ fees and expenses caused by the failure to preserve documents
  - Adverse inference with respect a missing document
  - Default judgment