

Diocese of San Diego

BUILDING AND RENOVATION GUIDELINES

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BUILDING AND RENOVATION COMMITTEE (BRC) BYLAWS

ARTICLE ONE: PURPOSE

The Building and Renovation Committee (BRC) has been established by the Diocese of San Diego to consider, review, and provide recommendations to the bishop on proposals for construction, renovation, and purchase or sale of real property standing in the name of the Roman Catholic Bishop of San Diego.

ARTICLE TWO: BRC STRUCTURE

- A. The BRC shall consist of appointed members and ex-officio members.
- B. The chairperson of the BRC is appointed by the bishop, presides over all formal meetings and reports to the diocesan Finance Council.
- C. Ex-officio BRC members are the Finance Officer and the director of Construction Services.
- D. Diocesan staff available to consult with the BRC include the director of the Office for Liturgy and Spirituality and the director of the Office for Civil Affairs.
- E. Any other appointed members shall be selected by the chairperson with the approval of the bishop.

ARTICLE THREE: TERMS OF OFFICE

- A. Appointed members shall serve a three year term.
- B. Term appointments may be staggered.

ARTICLE FOUR: MEETINGS AND ACTIVITY

- A. The BRC shall meet as needed to consider, review, and provide recommendations on construction proposals from parishes and schools.
- B. The director of Construction Services, engaging other diocesan officers as needed, shall conduct preliminary discussions of projects with parishes and diocesan institutions prior to formal BRC meetings; as well as, assist with team building, provide contract and budget review, evaluate project delivery options, and review payment plans to consultants and contractors.
- C. The BRC assists parishes and diocesan institutions with the maintenance or improvement of facilities and the purchase, lease, or sale of property.

- D. The chairperson of the BRC shall submit quarterly reports of BRC activity to the diocesan Finance Council.
- E. The BRC shall prepare and maintain "Building and Renovation Guidelines" which, upon authorization of the bishop, shall be incorporated into the diocesan handbook for use by pastors and parishioners. The guidelines shall provide information about how a parish should conduct a construction project and how a parish should proceed with property transactions.

I. PRELIMINARY DISCUSSIONS AT THE DIOCESAN LEVEL

- A. When the need for a new parish facility, remodeling project, or real estate transaction is first recognized, the pastor should contact the director of Construction Services who will facilitate preliminary discussions and assist in providing the following services:
 - 1. Assist in determining financial feasibility.
 - 2. Evaluate deferred maintenance issues on any existing parish buildings.
 - 3. Evaluate hazardous materials and/or environmental impact issues.

- B. When it is determined that a proposed construction project or real estate transaction will require debit financing, the discussions should include the diocesan Finance Officer about the possibility of a loan from the Catholic Account for Parishes and Schools, San Diego (CAPS).
 - 1. When borrowing funds from the CAPS, the parish must comply with diocesan policy (see ADMINISTRATION, Diocesan-12 in the Diocesan Handbook).
 - 2. Funding of CAPS loans to parishes is conditioned upon presentation to the BRC and approval by the bishop.
 - 3. Borrowing money from sources other than the CAPS (parishioners, banks, other institutions, etc.) is not allowed under these guidelines. Proposals to borrow money from other sources are to be submitted in writing to the Finance Officer for review and recommendation to the bishop.

- C. Preliminary approval for projects under \$100,000 for which parish funds are available and on deposit in the CAPS can be obtained from the director of Construction Services in a relatively short period of time.

- D. Drafts of all contracts resulting from projects which are before the BRC for consideration should be forwarded to the director of Construction Services for review. This review typically involves the Office for Civil Affairs and may result in negotiation and contract revision to the benefit of the parish. To be legally binding, all final contract drafts should be signed by the Attorney-in-Fact for the bishop, not the pastor.

- E. All proposed projects involving worship space require consultation with the Office for Liturgy and Spirituality which will indicate when approval by the bishop is also required (see ADMINISTRATION, Diocesan-17 in the Diocesan Handbook).

- F. The director of Construction Services should be contacted immediately for those projects involving "Life and Safety" issues.

- G. Diocesan consideration of a new parish site, development of an existing parish, or changes in parish boundaries will include discussion with the parish pastor and pastors of neighboring parishes to address any relevant concerns.

II. REAL ESTATE TRANSACTIONS

Buying and selling of real property requires processing through the Finance Officer and the Office for Civil Affairs and approval by the bishop.

Offers to purchase real property must be drafted by the Office for Civil Affairs on behalf of the parish and must include:

- a. Finance Officer review prior to opening transaction;
- b. Recommended sixty day minimum diocesan investigation/escrow period;
- c. Local Agency “discretionary” Approval, to the extent this is possible;
- d. Review and Approval of preliminary title report by director of Construction Services and/or licensed Civil Engineer.

III. FORMING A PARISH BUILDING COMMITTEE

A. In building and renovation projects, the pastor should form an ad hoc Parish Building Committee (PBC) and subcommittees as needed which should:

1. Be representative of the total parish community.
2. Engage appropriate expertise within parish membership.
 - a. Offers by volunteers within the parish and community to assist in the design and/or construction of a project can create extreme liability exposure to the parish and must be approached with caution.
 - b. During construction, whenever possible, uninsured volunteers should NOT work on elevated surfaces like scaffolding, ladders, or roof tops.
 - c. The success of every project is totally dependent upon the active involvement of the total parish, its pastor and the PBC.
3. Develop a Needs Assessment Program.
 - a. This assessment requires a great deal of research and should yield sufficient data to direct the architect in the development of a formal building program, master plan, and ultimately a specific design solution.
 - b. The PBC should allow approximately six to eight weeks to conduct this effort.
 - c. The following are absolutely essential for the architect to understand the parish's needs and requirements which the design must address:
 - (1) Profile of the parish environment and demographics.
 - (2) Profile of current parish activities.
 - (3) Determination of buildings and facilities required for parish activities with corresponding budgets and schedules.
 - (4) Identification of facility configuration and function (size, scale, relationship, orientation, appearance, economics, etc.).
 - d. Whenever possible, the needs assessment program should be made in terms of performance, not physical building form.

- e. The budget referenced in this program should include all anticipated hard and soft costs.
4. Develop a Financial Analysis.
- a. Toward preparing a financial analysis, the PBC should consider priority of needs, impact of cost on current parish activities, financial capabilities, funds available, and parish financial history.
 - b. The PBC should prepare a simplified financial analysis indicating the proposed source of project funding, including a preliminary schedule of cash demands from funds on deposit with the CAPS.
 - c. Loans from the CAPS must be scheduled well in advance of anticipated need.
 - d. The cost of all capital expenditures should come from either parish savings in the CAPS or special parish fund raising efforts.

IV. REQUIRED DIOCESAN APPROVALS

- A. Projects which will cost over \$100,000 (including professional fees, permits, testing and inspection, and furnishing and fixtures) or any project which requires a diocesan loan must be presented to the BRC at two points during the course of the project:
 - 1. At the conclusion of the schematic design phase and prior to construction documents for Concept Approval.
 - 2. Prior to construction/after bidding for Final Approval.
- B. All proposed projects involving worship space require consultation with the Office for Liturgy and Spirituality, which will indicate if the project must also be presented to the Art and Architecture Committee (AAC) and/or approved by the bishop.
- C.. Projects involving schools and educational facilities require approval by the bishop through the director of the Office for Schools.

V. PROGRAMMING AND PLANNING

- A. For any proposed project, the pastor should contact the director of Construction Services who will:
 - 1. Describe the programming and planning process.
 - 2. Explain diocesan procedures, approval requirements, and project delivery models.
 - 3. Explain the qualification-based architect selection process.
 - 5. Assist the parish in structuring presentations to the BRC.
 - 6. Serve as a technical resource throughout the planning, design, and construction process.

- B. If the proposed project involves worship space, the pastor should contact the director of the Office for Liturgy and Spirituality who will:
1. Explain procedures and approval requirements of the Art and Architecture Committee.
 2. Provide referrals of pre-qualified liturgical consultants and/or designers.
 3. Assist the parish in structuring presentations to the Art and Architecture Committee.
 4. Serve as an educational resource for the liturgical aspects of the project.
- C. The PBC, with assistance from the project architect, will develop a formal building program and master plan which will:
1. Review, analyze, and organize the PBC's Needs Assessment Analysis.
 2. Establish project objectives and timetables.
 3. Formulate site relationships and space requirements.
 4. Establish priorities and phasing.
 5. State the final program concerning the building, the site, the budget, etc.
- D. If the proposed project involves worship space, the liturgical consultant/designer will also assist with the programming tasks and conduct a comprehensive parish education plan.

VI. SCHEMATIC DESIGN PHASE AND CONCEPT APPROVAL

In response to the building program and master plan, the PBC, architect, and liturgical consultant (worship space only) will develop schematic design alternatives. Once the PBC has approved a preliminary schematic design, it will:

1. Present the schematic design to the parish.
2. Direct the architect and the liturgical designer (worship space only) to revise the design as required and obtain a consensus of approval from the parish.
3. Present the schematic design, preliminary cost estimate, construction schedule, and cash demand schedule to the BRC for concept approval.
4. Obtain any required discretionary approvals (conditional use permits, etc.) from local governing agencies.
5. Present a liturgical furnishings cost estimate and liturgical design drawings to the AAC for concept approval (worship space only).
6. Submit the project to the BRC for Concept Approval from the bishop.

VII. DESIGN PHASE – CONSTRUCTION DOCUMENTATION

After obtaining concept approval from the bishop, the PBC will:

1. Direct the architect and liturgical designer (worship space only) to proceed with construction documents.
2. Submit construction documents to local governing agencies for building permit processing.

3. Submit an updated construction cost estimate and construction schedule to the director of Construction Services who will assist the PBC in structuring a presentation to the BRC for final approval.
4. Submit an updated liturgical furnishings cost estimate and final liturgical design drawings to the AAC for final approval (worship space only).

VIII. BIDDING, CONTRACT NEGOTIATION, AND FINAL APPROVAL

- A. Prior to the project receiving final approval from the bishop, the parish shall submit to the director of Construction Services a list of five (minimum) to ten (maximum) general contractors that they wish to bid the work. All general contractors on this list must:
 1. Be pre-qualified and approved by the BRC and the architect.
 2. Have the ability to provide a performance and payment bond for the value of the work.
 3. Maintain general liability insurance limits no less than \$1,000,000 combined single limit per occurrence placed with insurers with a Best's rating of no less than A:VII.
 4. Agree to use AIA contract documents.
- B. The architect will provide all approved bidders with the same documentation and information.
- C. During bidding, all bidder inquiries shall be directed to the architect only.
- D. Bids must be within the budget previously approved by the bishop or project scope will be reduced accordingly.
- E. Alternative project delivery methods (i.e. Design/Build, Negotiated Fee, Time and Materials, etc.) may be considered if it is demonstrated that it is beneficial to the parish and the diocese.
- F. The project is submitted to the BRC for Final Approval by the bishop. The presentation is to include the name of the selected general contractor, analysis of construction costs, and financing plan including any required loan from the PSDL Trust.
- G. Construction contracts are prepared by the architect, submitted to the successful bidder for review and comment, and then submitted to the director of Construction Services for review and comment.
- H. Once reviewed and approved by the director of Construction Services, all construction contracts are signed by the Bishop of San Diego or his attorney-in-fact.
- I. Liturgical furnishing and artwork contracts, within the scope approved by the bishop, are negotiated, reviewed by the Finance Officer, and then executed by the parish.
- J. The pastor shall contact the diocese to schedule a ground breaking ceremony if appropriate.

IX. CONSTRUCTION

- A. The architect shall submit to the director of Construction Services an agenda for the pre-construction conference. This meeting will establish:
 - 1. Diocesan role during construction.
 - 2. On-site construction meeting schedule.
 - 3. Procedures for requests for information, requests for proposals, change orders, payment certificates, shop drawing submittals, and lines of communication.

- B. Processing Payments
 - 1. During the course of construction, payment certificates are:
 - a. Prepared monthly by the contractor.
 - b. Submitted to the architect for approval.
 - c. Approved by the pastor after architect's approval.
 - d. Submitted by the pastor to the diocese for payment.
 - e. Approved by the director of Construction Services and issued to accounting for payment.
 - 2. Checks issued will be made payable to the parish or to specified contractors or vendors.
 - 3. The pastor will be responsible for making payments to the contractor, within schedule.

- C. Changes in the Work
 - 1. The pastor shall be responsible for maintaining the project budget and shall not initiate changes which cause the project to exceed the budget approved by the bishop.
 - 2. Changes due to unforeseen conditions which exceed 1% of the value of the contract will require approval from the bishop and may result in subsequent reductions to the project scope.
 - 3. Changes due to errors and omissions of the contractor and/or architect that are determined by the director of Construction Services to be within the standard of care of the industry will be paid for under the contingency line item.
 - 4. Changes due to errors and omissions of the contractor and/or architect that are determined by the director of Construction Services to be below the standard of care of the industry, or due to negligence, will be paid by the responsible parties through mediation conducted by the director of Construction Services.

D. Expense Reports

Monthly expense reports of all project costs will be submitted to the director of Construction Services.

X. PROJECT COMPLETION

- A. The architect will certify substantial completion and final completion of the project.

- B. The architect will verify that all liens have been released prior to approval of final payment certification.
- C. The contractor will provide maintenance schedule prior to final payment.
- D. The architect will be responsible to obtain a Certificate of Occupancy from the general contractor which has been issued by the local governing agency prior to the parish occupying the building.
- E. The architect will be responsible to direct the general contractor to prepare a valid Notice of Completion to be filed and recorded with the County after the architect has certified final completion.
- F. The filing and recording of the Notice of Completion with the County will start the general contractor's warrantee period.
- G. The pastor should contact the diocese to schedule the dedication ceremony if appropriate.