



BUILDING

EXPLORATORY PHASE

A house is built in stages: to accelerate the progress of your site (the final cost of your building), the architect can assist you in every step of the way, or in the normal course the master of mission work, or[you entrust additional tasks that will be specified in the contract you sign.

Architect signs a "work for hire" contract with you.

If he realizes the plan and support directly in construction, you sign a construction contract with him to supply a plan.

Your site will be opened on three conditions:

- you have verified that your land is buildable,
- you obtained if required loans for the purchase of the land (if you are not the owner), construction of the house (different connections included) and finally the payment of the architect's fees, the surveyor, or possible design offices,
- you have obtained your permission.

Any contract signed before obtaining of loans which you have planned to use (and that you have taken care to list in the contract) to be concluded under the condition precedent of obtaining them (Law of 13 July 1979 on the protection Credit related borrowers).

PREPARING YOUR FILE BUILDING PERMIT APPLICATION

The architect may, on the basis of the previous information, start work on the assembly of the building dossier. During the design period that follows, the dialogue must be ongoing between you and the architect so that the adopted party expresses your needs, your tastes and your financial possibilities.

1 - Preliminary studies and preliminary design

- If you plan to build, the architect works with you:
 - the ground, its location, its environment, its topography, the characteristics of his basement, easements attached to it,
 - climate,
 - what you need and what makes your well-being.
- If you are planning to transform a home, a workshop, a barn, the architect must proceed with a preliminary examination of the condition of the premises on which the scope of work and cost depend.

The combination of these different pieces of information allows the architect to make you one or more proposals called a "sketch".

After the sketch phase, which gives a first idea of what you want to achieve and what it will cost, the preliminary design is intended to clarify the overall design of the project. It is at this stage of the design that you will determine a general party on which the architect will refine its project.

It will then move to the next stage, the "final draft".



2 - The final draft

The permit application package to build will be studied from the final pre-project including:

- project Integration into the site,
- a base plan construction,
- a plan on different levels, cuts and facades,
- details on materials, roofing, colors,
- built surfaces,
- an overall estimate of the cost of the work.

Graphic materials are usually drawn to scale of 1 cm / m.

THE BUILDING PERMIT AND DEVELOP

1 - The building permit is mandatory:

- for any new construction creating a floor area or footprint greater than 20m²,
- for all work performed on existing buildings that have the effect of:
 - creating a floor area or footprint greater than 20 m²;
 - creating a floor area or footprint greater than 40 m² in urban areas of a local development plan or a similar document; However, between 20 m² and 40 m² of floor area or footprint, a building permit is required when carrying out the work bears the surface or total control of construction beyond the 170 m²;
- when the carriers or the facade of the building are modified, where the work is accompanied by a change of destination between destinations defined in Article R. 123-9.

2 - The steps to take and the case investigation

The architect brings to your account, all the parts required to deposit your file.

The application for a building permit specifies:

- your identity and that of the architect,
- the location and size of the land,
- the nature of the work,
- the destination of the buildings,
- the floor area of the projected structures, (if there occurs distributed according to destination),
- if you do not own the land, the ownership,
- the information that you and the architect have read the general rules of construction especially when your building is subject to accessibility rules.

Attached to the application for a building permit are:

- a plan to locate the land within the municipality,
- the architectural project including: a leaflet, a ground plan of the buildings, the plan of facades and roofs, the sectional plan, graph paper to assess the project's integration into the existing site and two photographic documents .

The file is sent by registered letter with acknowledgment of receipt, the mayor of the municipality in which lie your home or building. It is established in four copies (one or two additional copies may be requested, for example, when your construction project is located in the heart of a national park).

In general, the management response will be sent within two months from the date you receive the notice of receipt of services informing you that your application is complete. The administration has a period of one month to ask for any missing parts.

The notice of receipt of the administration tells you the processing time required: it is two months to build a house and can be up to six months if your property is in a conservation area.

The architect understands the regulations and administrative practices: following the investigation of the case by providing the missing pieces and providing the information requested without delay by the city or any of the requested services (EDF, Departmental Directorate of Equipment and agriculture ...) it accelerates the process of obtaining your license.



Once the building permit obtained you need to display a sign with details about the construction on the ground and visible from the public road.

At this stage, the architect will proceed with the implementation of the overall design of the project that the companies will see.

THE OPENING OF THE SITE

1 - The overall project design studies

You are now in the final stage of the design; the architect develops a detailed project including all the elements that enable companies consulted to know the limits of their benefits and appreciate the nature, quantity, quality of operation and so you make specific offers.

Overall project design studies include:

- Plans, sections, and elevations drawn to scale of 2 cm / m,
- Detailed specifications,
- an indicative timetable for completion of the work by trades.

2 - consulting business

The contractor:

- is a unique company that will handle all of the construction, by outsourcing some of the work to specialized companies; then it is solely responsible for the proper performance of the contract,
- exist of several companies: contractor, roofers, plumbers, painters ... Each company is responsible for the proper execution of the work you have entrusted to him. In this case, an additional mission synthesis and OPC (coordination of actions of various stakeholders during the construction period) is required.

Whatever the formula that you retain the architect's duty to advise you in the choice of the company:

- he studied, specialist advise, quotes offered,
- he checks the qualifications and professional guarantees. It is not recommend to choose a company if it deems not to present sufficient guarantees.

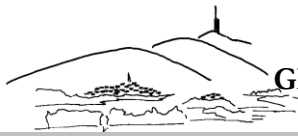
Finally, the architect is required by the Code of professional duties to inform you of any personal ties he may have with a company.

3 - The award of contracts: contracts for house or building contract without providing plans

- If one company is responsible for the entire construction, you will sign with it a "house of building contract without providing plans". This contract is regulated; a number of provisions are mandatory and the contractor is required to provide you with the delivery guarantee prices and deadlines.
- If several companies are involved in construction, a leading enterprise-loading at least one of structural work, power-down of water out of air, you will sign with it a "contract to build a house or building without providing plans ", and then each of the companies that are involved, a "contract for lot by lot."
- If several companies are involved in construction, you sign a "contract for lot by lot" with each trade (mason, roofer, plumber, electrician ...). The business contract is poorly regulated and requires special vigilance on your part. You can refer to establish your contract with the NF P-3-001 developed by AFNOR. A model contract is available on www.architectes.org.

Clauses to be included in any contract for:

- the nature and scope of the mission that you entrust to the company,
- a bill of quantities and specific, detailed implementation plans for trades,
- indication that the company is insured for professional liability and references of his professional insurance,
- the price including VAT, the index that will be calculated and any revisions; if provided,
- a timetable of work by trade,



- the time for the start of construction and finishing deadline, providing charge penalties of the company in case of delay,
- the precise planning of payments, depending on the progress of each category of work,
- the terms on receipt of and lifted reserves, if any,
- a retaining 5% of the total price (which can be replaced by a deposit of a licensed financial institution) as a guarantee, for reservations made upon receipt of the work. Retention money will be returned to the company one year from receipt, to the extent that it will have performed the repairs. It will be returned to him before, if approved without reservations,
- a clause providing for a condition about getting your loans,
- the possibility, if the repairs are not carried out, to call another company at the expense of the failing company,
- managing an account prorate to the management accounts of the vagaries of their facts businesses.

4 - Your obligations:

The damage-insurance book "construction insurance"

Before the opening of the site, you need to subscribe as a client, a damage-book insurance "construction insurance" from the insurer of your choice. This insurance is designed to enable rapid repair of defects guaranteeing you support the work, regardless of the research responsibilities. It covers you for 10 years after the reception for vices and defects that compromise the strength of the structure or make it unfit for its intend (leaky or thermal insulation of walls for example).

MANAGEMENT OF WORK

Once signed works are started you need to go to the town hall, providing the "statutory declaration of Start of Work" (the form is issued at the same time that the order granting you license build).

Once your site is opened, you can entrust to the architect the general direction of work:

- organizes and directs site meetings and drafts reports,
- periodically inspects the site and check the progress of work by state bodies and their compliance with the contract documents,
- keeps you regularly informed of the progress of operations,
- verifies the situations established by companies and offers, given the progress of work, to pay the installments provided for contracts you signed with them.

The architect is not held in a constant presence on the site. In general, unless otherwise provided in the contract, the average frequency of his visits weekly.

RECEIPT OF WORK AND CLOSING THE ACCOUNTS

The architect is present and brings you its full support. His role as prime contractor is indeed to alert you to any faults, defects or apparent construction defects, which then will be reserves.

1. When the work is completed, every company asks you to make the acceptance of works

The reception of the works is for you and for the various trades occurring on site, an act of great importance: it is the starting point of the biennial and ten-year guarantees.

It is the act by which you recognize as a client, that work was performed according to business contracts and the resulting PC and that their implementation is consistent with the rules of the registered letter with receipt.

2. The reception of the works must be established by a report signed by you and by the companies

- if the work is said to be in perfect condition, the reception is pronounced without reserve,
- if defects or imperfections are detected (apparent defects), you can either refuse to accept, or accept reservations by saying: these will be specified in a responsible company by registered letter with acknowledgment of receipt .

In one case or the other, the company must, within the framework of the implementation of its obligations, make the necessary repairs within the time you mentioned in the minutes of obtaining good reception or in an annex to the trial -verbal.



If beyond this period, the work has not been made, and if you have anticipated this possibility in the corporate contract, you have the right to enforce them by another company to "costs and risks" of failing firm; the cost to him will be charged at the time of final settlement.

3. After the reception, the architect checks the memories of each company intervened on site and stops for sale

The total cost of the work should be the amount that was specified in the corporate markets. If necessary, the architect operates deductions under contract:

- Discounts or any late penalties,
- 5% holdback if the receipt was made without reservation, the 5% recorded can be returned. However, if the receipt was made with reservations, recorded 5% will be paid to the contractor until one year after the date of receipt, except of course if the contractor has not fulfilled its obligations. You must then notify him your opposition motivated by registered letter with acknowledgment of receipt.

The architect operates any revaluations of the contract:

- for the additional work that you have ordered,
- to take into account, where appropriate, changes in the index that you took as a reference in your contract.

4. The statement certifying completion

At the completion of the work, you must go to the town hall and provide a statement attestation completion and compliance work to the building permit.

This declaration is made either by you or by architect who was responsible for directing the work.

A full mission entrusted to the architect thus proves to be a better solution since it ensures work compliance.