

# **BUILDING AUTHORITY AND THE DIOCESAN BUILDING COMMISSION**

## **I. CANONICAL NORMS AND DEFINITIONS**

- A. The Pastor's Role Proper routine maintenance of buildings is the responsibility of the parish under the pastor's leadership. Planned, regular maintenance prolongs the useful life of parish structures. Such routine maintenance is ordinary parish expenditure.
- B. The Building Commission In conjunction with the diocesan Consultors, the diocesan Building Commission advises the bishop on projects involving building and construction. Its focus is architectural and liturgical.
- C. The Diocesan Building Commission is accountable to the diocesan bishop who seeks the advice of the College of Consultors. The Commission is also ready to help parishes and other diocesan juridic persons in preparing specific proposals to present to the bishop for approval.

## **II MEMBERSHIP OF THE DIOCESAN BUILDING COMMISSION**

- A. The diocesan Building Commission members will be appointed by the bishop for a six year term, renewable indefinitely or for a period of time agreeable to both parties.
- B. The members shall be drawn from, but not exclusive to, former or current building professionals, including:
  - An architect
  - A general contractor
  - A mechanical or electrical engineer
  - A liturgist
  - A civil engineer
  - A committee chair

## **III LAW AND DIOCESAN POLICIES**

- A. **WORSHIP SPACE** All remodeling of the worship space of a church, chapel or established oratory must first be referred to the bishop. If the bishop agrees with the concept, he will then refer the project to the diocesan Building Commission. In such cases, the diocesan Building Commission will ask the diocesan liturgist on the committee to review the plan, or seek advice of a person approved by the bishop who is skilled in liturgical matters.
- B. **ALL OTHER PARISH PROJECTS** All projects requiring an expenditure of an estimated cost that exceeds \$10,000.00 must be submitted to the

bishop for approval. Bishop will refer projects that he deems appropriate to the diocesan Building Commission.

- C. For all the above cases, it is not permissible for anyone to legally or validly enter into contracts without the approval of the bishop who is the corporation president of ecclesiastical institutions within his jurisdiction, according to civil law. ([See sample contract, Appendix VI-3.](#))

#### IV **PROCESS OF DEVELOPING A PROJECT**

- A. After receiving the recommendation of the Parish Council, the first formal step in initiating a project is for the pastor to seek initial approval from the diocesan bishop. This initial request must be written and include a description, a basic sketch/preliminary blueprint and a basic assessment of the financial plan for the project.
- B. If the bishop agrees with the concept, he will refer the project to the diocesan Building Commission. The bishop may choose to consult with the College of Consultors to discuss the viability and future plans for the parish or institution desiring to begin the project to determine if this a prudent course of action for this parish or institution. The financing of the project and the ability of the parish to meet those obligations will be discussed. This will include a review of the ongoing expenses and cash flow of the parish.
- C. When the bishop has given first approval, the pastor and parish leaders can continue toward completion of the first four phases of the American Institute of Architects' eight phases construction plan. These are:
  - Pre-design
  - Site Analysis
  - Schematic Design
  - Design Development
- D. The pastor and parish leaders may meet with the diocesan Building Commission, or a designated representative of the commission in Rapid City or at the site of the proposed project if it is deemed helpful. Any additional detailed information concerning the basic sketch/blueprint and financial plan that may not have been included in the initial request should be presented at this time.
- E. The Building Commission will then review the remodeling sketch/blueprints and the financial plan. The financial plan must include a plan to cover the projected costs plus a contingency of 15%. One half of the projected costs and one half of the 15% contingency costs must be in hand prior to receiving a final recommendation from the Building Commission. If the Building Commission desires additional information, contact with the pastor, or his delegate, will be made as soon as possible. When a full understanding of the project is attained, the Building Commission will provide a recommendation to the bishop.
- F. The bishop may seek the advice of the College of Consultors regarding the recommendations of the Building Commission. If the bishop does not

deem it necessary to consult with the College of Consultors, he may choose to directly grant approval for the project, with the expectation that all recommendations from the Building Commission will be followed.

- G. When final approval is granted by the bishop, the pastor and parish leaders may proceed to completion of the project. This may include the remaining phases of the American Institute of Architects' eight phases construction plan. These are:
- Construction Documents
  - Bidding/Negotiation
  - Construction
  - Post Construction
- H. If a Design-construction method is employed or if bids come well beyond the budget plan for the project or if the project itself is radically altered from its initial conception, it is required that consultation takes place with the diocesan Building Commission. In cases of unresolved issues, the bishop may be asked to enter into these discussions. Change orders of \$5,000.00 or more must be submitted to the Diocesan Building Commission chairman to allow the committee to review and provide a recommendation to the bishop. Approval by the bishop is required before change orders proceed.
- I. When construction contracts are ready for signature, the bishop as president and the vicar general and chancellor will also give their proxy votes to the pastor to vote at a meeting of the parish corporation to accept or reject the bids and sign the necessary contracts. The pastor as corporate secretary/treasurer, also voting the proxies of the president, vice president and two officials of the parish council (trustees) are to meet as the corporate board to accept or reject the bids, approve the contracts, and permanently record the action in the minutes of the parish corporation (council minutes). Copies of contractual agreements are to be sent to the Diocesan Building Commission.

Building Committee, pages 76-78 - updated March 5, 2007

Building Committee, pages 76-79 - updated October 31, 2007

Building Committee, pages 76-79 - updated September 1, 2009