

A guide to appointing an architect

and to being a good client



RIBA Chartered Architects

Architects act 1997

In the UK a person cannot practice or carry on a business under any name, style or title containing the word 'architect' unless he or she is registered with the Architects Registration Board (ARB). The list of ARB registered architects can be checked on the ARB website (www.arb.org.uk)

Royal Institute of British Architects

Founded in 1834, and awarded its Royal Charter in 1837, the Royal Institute of British Architects (RIBA) is the UK charter body for architecture. Its mission is to advance architecture by demonstrating benefit to society and promoting excellence in the profession.

RIBA Code of Professional Conduct

Honesty, integrity and competency, as well as concern for others and for the environment, are the foundations of the Royal Institutes' three principles of professional conduct. All members of the Royal Institute are required to comply.

Principle 1: Integrity

Members shall act with honesty and integrity at all times.

Principle 2: Competence

In the performance of their work Members shall act competently, conscientiously and responsibly. Members must be able to provide the knowledge, the ability and the financial and technical resources appropriate for their work.

Principle 3: Relationships

Members shall respect the relevant rights and interests of others.

Added Value

A RIBA Chartered Architect will supply you with much more than just the drawings for your project, whether it is a design for your home or your business or a master plan for future developments.

A sound working relationship between you and your architect will contribute significantly to the success of the project. Time spent in preliminary discussion about the requirements, the timetable, the budget, and the nature and cost of the professional resources required, is time well spent.

Your architect can provide a range of services. For a building project these include:

- Investigating the feasibility of the requirements.
- Developing design proposals.
- Applying for statutory approvals.
- Preparing construction information.
- Obtaining tenders for building work.
- Administering the building contract.

An architect works with a broad palette of skills and can provide or arrange other services connected with the project such as interior design, landscaping, or making measured surveys of a site or building.



Appointing your architect

A member of the RIBA is required by the Code of Professional Conduct to record the terms of any appointment before undertaking any work and to have the necessary competence and resources.

An agreement will comprise the conditions, schedules of services and formal confirmation of the contract in a memorandum of agreement or letter of appointment. For small projects the agreement may be set out in a self-contained letter of appointment.

Your architect undertakes to:

- Use reasonable skill and care in performing services in conformity with the normal standards of the architect's profession.
- Keep the client informed of progress and on issues affecting time, cost or quality.
- Co-operate with any other appointed designers and/or the co-ordinator appointed under the Construction (Design and Management) Regulations (the CDM co-ordinator).
- Obtain appropriate professional indemnity insurance cover.
- Only make material alteration to the services or the approved design with the client's prior approval.

You the client undertake to:

- Advise on the relative priorities of your requirements and to provide necessary and accurate information.
- Appoint other consultants and specialists required under separate agreements.
- Comply with the CDM Regulations where applicable (see page 6).
- Take decisions and respond promptly to approvals sought by your architect.
- Pay the fees, expenses and disbursements due and value-added tax where applicable.
- Employ a building contractor under a separate contract if proceeding with construction work.

The Brief

The brief will provide the basis for turning your aspirations into a deliverable project and give direction to the architect's services.

You will need to consider:

- *The functions of the finish project.* Who will use it, and what for? Have you visualised how these activities will be accommodated in the new space(s)? What are your core operations? Are there any constraints?
- *Your motivations and expectations.* What do you hope to achieve by this project, in the short and long term, for yourself and others?
- *A design direction.* Contrasting or in keeping with existing buildings? Contemporary or traditional? Are there certain materials, fixtures or finishes you favour?
- *Authority for decision making.* Who will sign off decisions about design, about costs and about day-to-day matters on site?
- *Timetables and budgets.* When should key work stages be completed, how much should they cost, and how will they be financed?

Any initial design brief should then be developed during the course of the project in parallel with the developing design, to identify or confirm the detailed requirements of such matters as operational use, quality, environment, budget, programme and procurement.



Architect's services

In addition to the role as the designer of your project, the architect may provide complementary management services such as:

- Project manager, who facilitates the appointment of the design team and manages the project to meet programme, cost and quality requirements.
- Lead consultant, who leads and co-ordinates the design by consultants, specialists and suppliers, and communicates with you on significant design issues.
- Contract administrator or employer's agent, who invites and appraises tenders, administers the building contract and reports on progress and certifies payments due.

RIBA outline plan of work

The RIBA outline plan of work organises the process of managing, designing and administering building contracts into a number of convenient work stages A to L. Architect's services and fees are usually based on these stages.

A Appraisal

Identification of client's needs and objectives, business case and possible constraints on development. Preparation of feasibility studies and assessment of options.

B Design brief

Development of the client's initial requirements, confirming key requirements and constraints. Identification of procedures and procurement methods.

C Concept

Preparation of concept design and outline proposals for structural and building services systems. Preliminary cost plan and review of procurement route.

D Design development

Preparation of a developed design, to include outline specifications. Application for detailed planning permission.

E Technical design

Preparation of technical design and specifications. Co-ordinate information for statutory standards and construction safety.

F Production information

Preparation of production information to enable tenders to be obtained and further information for construction required under the building contract.

G Tender documentation

Preparation and/or collation of tender documentation.

H Tender action

Identification and evaluation of potential contractors and/or specialists for the project. Obtaining and appraising tenders and recommendations to the client.

J Mobilisation

Arranging the building contract, appointing the contractor, issuing information to the contractor and arranging site handover to the contractor.

K Construction to practical completion

Administration of the building contract through to practical completion. Provision to the contractor of further information when required.

L Post-practical completion

Administration of contract and making final inspections. Post-occupation evaluation and review of project performance in use.



Fee options

The fee is a matter for negotiation: there is no standard or recommended basis for calculation. In proposing a fee your architect will allow for the professional and financial resources required for your specific project and for your architect's conceptual skills and specialist knowledge, on which the success of the project will be based.

Fees will likely be influenced by:

- The extents of the architect's services and the type of procurement.
- The size and complexity of the project and any specific requirements.
- Works to existing buildings (refurbishment and extensions), which are likely to be significantly more resource intensive.
- The repair and conservation of historic buildings is even more complex.
- Repetition, for example, of a number of houses or factory units in a single project and based on a generic design. The basic fee may be adjusted in recognition of the reduced level of resources required. The repetition of any design on other projects or other sites will likely require an additional fee.

Options for fee structure

The Basic Fee for normal architectural services, work stages C to L may be based upon one of the following options:

Percentage basis

In this option the fee for normal services is expressed as a percentage of the final construction cost and is best used for clearly defined building projects.

Lump sums

A fixed lump sum may be suitable where requirements are clearly defined from the outset. Provision can be made for the lump sum to be varied if time or cost vary by more than an agreed amount.

A variable lump sum may be calculated from an agreed percentage at the beginning of each stage based on the latest approved cost.. This is beneficial where requirements cannot be predetermined.

Time basis

This option will be appropriate where the scope of services cannot be foreseen or does not relate to construction work, providing partial services or additional services such as feasibility studies or protracted negotiations.

Value added

The fee can be structured to take into account the value added by your architect's services (for example, the increased value of a site or building less development costs).

In addition to the fee, expenses may also be chargeable for the cost of copies of drawings and other documents, travel, accommodation, and so on. Disbursements, such as the fees that must accompany applications for building regulations or planning approval, will also be chargeable.

Payment

Exploratory stages A and B (Appraisal and design brief) are normally carried out on a time-charge basis additional to the Basic Fee.

Fees will normally be invoiced for in monthly instalments, based on the progress of the project, for payment within 28 days. Alternatively fees may be paid at the completion of each work stage.



Legislation

Your architect will advise you on the steps that must be taken to ensure compliance with the law relating to construction work, and the need where necessary for specialist advice. Your architect can make submissions and conduct negotiations with statutory bodies, but cannot guarantee outcomes beyond his or her control.

The following legislation, briefly described below, may be relevant during the course of a project:

Town and Country Planning Act 1990

The purpose of the planning system is to regulate the use, siting and appearance of buildings and to protect the environment and public amenity.

All developments require planning permission from the local planning authority, except for internal changes to your home and certain small domestic extensions within strict criteria, which may be covered by 'permitted development rights'.

Internal or external alterations to a listed building of historical or architectural interest will require Listed Building Consent as well as planning permission.

The Building Act 1984 and The Building Regulations 2000

The Act and the Regulations apply to England and Wales and aim to secure standards of health and safety for people in and around buildings, energy conservation and the welfare and convenience of the user. The regulations apply to all new building work.

'Approved documents' set out the requirements and give practical and technical guidance on compliance. The Local Authority must be given notice, accompanied by a fee, before work commences. Building control inspectors will then make independent checks on compliance and issue a final certificate on satisfactory completion of the works.

CDM Regulations

The Construction (Design and Management) Regulations 2007 (CDM) relate to the design, construction, use, maintenance, cleaning, repair and demolition of buildings and structures. The Regulations seek to eliminate potential hazards and those that cannot be eliminated be minimised by careful design and management.

The regulations impose statutory duties on designers and contractors on all projects. They also impose statutory duties on clients (unless your project relates to your home).

If your project is notifiable under the Regulations then you must appoint a CDM co-ordinator.

Party Wall Act 1996

A notice must be served by or on behalf of the building owner notifying the owner and occupiers of the adjoining land if:

- A party wall is demolished, rebuilt, extended or repaired.
- A new building is to be constructed near the boundary.
- A new party fence is to be built.
- A new wall is to be built up to the boundary line.

Site Waste Management Plans Regulations 2008

These regulations require that any person intending to carry out a construction project with an estimated cost greater than £300,000 should prepare and maintain a waste management plan.

Disability Discrimination Acts 1995 and 2005

These Acts place obligations on companies and organisations to provide access to their premises, the building and its site, for employees and other people (invitees or the general public) of varied ability. Building owners and operators are required to ensure that the operation of their premises (new or existing) will not bring them into conflict with the acts.

These acts are not relevant for domestic projects where it relates to your own home, however approved document part M, access to and use of domestic dwellings is still applicable.



Finally a checklist. In 2003, the Commission for Architecture and the Built Environment (CABE) published a comprehensive guide for clients on creating excellent buildings *. Included was a list of the key skills and attributes shared by clients on successful projects and was roughly as follows:

- Provide strong client leadership.
- Be clear about long term goals.
- Develop and communicate a clear brief.
- Find the right people for the job.
- Learn from your own and other successful projects.
- Understand and respond to the project context.
- Focus on the priorities.
- Balance time, cost, quality and risk.
- Make a realistic financial commitment from the outset.

* Creating excellent buildings: a guide for clients
Can be downloaded from www.cabe.org.uk/publications.

