

How to Find, Select and Engage an Architect Using Quality Based Selection (QBS)

"It is unwise to pay too much, but it is worse to pay too little. When you pay too much, you lose a little – that is all. When you pay too little, you sometimes lose everything, because the thing you bought was incapable of doing the thing you bought it to do. The common law of business balance prohibits paying a little and getting a lot- it cannot be done! If you deal with the lowest bidder, it is well to add something for the risk you run; and if you do that, you will have enough to pay for something better."

John Ruskin (1819-1900)

In June 2006, with the publication of its best practice guide, *Selecting a Professional Consultant*, the National Guide to Sustainable Infrastructure (Infraguide) endorsed Quality Based Selection (QBS) as the "best practice" for selecting a professional consultant. Directed towards an audience of decision-makers, technical staff, procurement staff and auditors, and policy makers, this new document emphasizes "the need to re-introduce the concept of value to consulting procurement", and envisions that "adaptation of this best practice [QBS] will create a common ground of understanding between professional consultants and governments seeking their services". It is for these reasons in particular that the Ontario Association of Architects (OAA) supports this document.

The benefits of Quality Based Selection have been realized in many countries, and for many years, on a broad range and scale of projects. Throughout the United States, for example, QBS has proven to be a reliable and responsible way to select a professional consultant. Widespread and successful in the U.S, QBS has been required by law for the procurement of architectural and engineering services for all federal projects since 1972. In addition, 47 states and hundreds of municipalities have since adopted similar legislation.

In Canada, many professional bodies recommend QBS, and Public Works & Government Services Canada and Industry Canada have in the past confirmed their support for QBS; however, QBS legislation as a procurement process for professional consulting services has yet to be attained in this country.

From the OAA's perspective, Quality Based Selection (QBS) is the most appropriate method for selecting an architect. Encouraging competition and transparency, QBS is a fair and objective process that facilitates the selection of an architect on the basis of value-based criteria and competence, including consideration for professional qualifications, creativity, and availability, in relation to the scope of work and needs of the client. Following the selection of the architect on this basis, the scope of services and professional fees are determined; and once agreed to, the architect is awarded the contract.

QBS is a process of collaboration between the client and architect from the onset. Both parties benefit greatly from a thorough and open dialog resulting in a mutual understanding of objectives and expectations. Hence, QBS is a highly effective process for achieving greatest value for the client. For example, QBS allows the client and architect to jointly examine long-term strategies for optimum life-cycle project costs in considering subjects such as innovation, sustainability, environmental integrity and the use of the most appropriate technologies. From the broader community perspective, particularly when considering government clients, this

translates into projects that protect taxpayers' interests while at the same time safeguards public health, safety and overall quality of life.

The following passage from a news release announcing the publication of the Infraguide is an informative summary of QBS as re-introducing the concept of value to consultant procurement:

"From a national community perspective, the best practice [Quality Based Selection] encourages innovation, life-cycle cost savings and sustainability. Furthermore, the best practice will ensure that quality, reliability and safety in Canada's infrastructure will be sustained. 'Designing for sustainability takes a holistic life-cycle approach accounting for all the costs including social and environmental considerations in the final solution. Sustainable solutions are high quality, reliable, aesthetic and affordable. A quality based selecting process as the primary approach to procuring professional engineering services is fundamental to supporting sustainable municipal infrastructure services', said Nancy Schepers, Director of Infraguide."

Whether you are a client representing a private corporation, large municipality, public board, a province or the nation, QBS is a reliable and responsible way to select the most qualified architect for your particular project.

As part of the QBS process, the OAA has observed that some major public client groups such as cities and municipalities have made attempts to consider the wider impact of their procurement processes on stakeholder groups -- the procurement policies of a city can have a positive effect on the health of the architectural profession and the quality of design in its municipality, while still ensuring value for the taxpayer. For example, some municipalities set aside smaller projects for small architectural firms, or in some cases for firms who have never worked with the city before. Additionally, experience need not be limited to a specific building type but can be expanded to include projects of a similar size and/or similar use. These types of policies are consistent with the QBS process and may make the cost of a proposal more attractive to firms who would not otherwise consider applying, which will give the city a better range of professional service firms to select from, while still having a place for those who have performed well in the past. This will assist the client in ensuring that their diverse needs are met while also adding to the sustainability of the design and construction industry.

QBS as three basic steps:

Step 1 is the process of finding and selecting the most qualified architect for a particular project.

Step 2 is the process of analyzing the parameters and defining scope of the project with the selected architect.

Step 3 is the preparation and submission of the Scope of Services and professional fee proposal, followed by contract negotiations as required and eventual award of the contract.

The OAA QBS Kit

Encouraged by the release of Infraguide’s best practice guide, the OAA is pleased to provide this QBS Kit. Designed to assist clients at various levels of government, school boards, hospital boards, developers and private industry in selecting and engaging an architect using QBS, the kit is a step by step guide for completing the QBS process. The diagram provided below lists the components of the OAA QBS Kit in relation to Infraguide’s “best practice” and the three step process defined above.

QBS as Three Steps	Infraguide’s “Best Practice”	OAA QBS Kit
Step 1 Selecting the Most Qualified Architect	Request for Qualifications	1. Project Definition 2. Time Frame for Architect Selection 3. Memo requesting “Statement of Interest and Qualifications” (SOIQ)
	Evaluate and Rank Consultants	4. Evaluation Criteria for submissions of “Statement of Interest and Qualifications”
	Request for Proposal	5. Memo to short-listed Architects for “Project Proposal” and attendance at an Interview. 6. Memo to Architects not short-listed.
	Select Highest-Ranked Consultant	7. “Project Proposal” Evaluation Scoring Sheet 8. Interview Scoring Sheet 9. Group Evaluation Form 10. Memo to short-listed architects not selected.
Step 2 Analysis of the Project	Define scope	Client and Architect define parameters and scope of work for the project. Architect develops Work Breakdown Structure (WBS) for project. Client and Architect refine Scope of Services required for project.
Step 3 Engaging the Architect Submission of Fee, Negotiations, and Award of Contract	Negotiate Fee Agreement Award Assignment	Architect submits to client Scope of Services and Professional Fee Proposal for project (OAA Document 600). Client reviews contract (OAA Document 600). Client and Architect negotiate services and fees (if required). Client signs contract.

How to Use this Kit

Step 1 – Selecting the Most Qualified Architect

An expansion of material previously available on the OAA Website, this Kit consists of a series of ten user-friendly templates, accompanied by corresponding instructions for completing them. Together, these are intended to conveniently guide the user through the process of selecting the most qualified architect. Designed to be completed in the format provided, the templates may also be customized to suit individual needs.

Step 2 – Defining the Scope

The success of a project will depend directly upon the proper identification of the scope of work. After successfully completing the requirements of Step 1, the most qualified architect and the client jointly review and define the scope of work and overall parameters of the project, including the terms and conditions of the contract. Once an agreement has been reached on these matters, the architect develops and submits a detailed work plan. The client and architect review this work plan and jointly determine the scope of services for the project.

Step 3 – Submission of Fee Proposal, Negotiation and Signing the Contract

Once an agreement on the scope of services and work plan has been reached, the architect prepares and submits a fee proposal for review. If the fee proposal is accepted, both parties enter into an agreement by signing the contract. If an agreement is not reached, both parties return to Step 2 and negotiate the scope of services and fee. On reaching an agreement, both parties then sign the contract. If for any reason an agreement cannot be reached with the highest ranked architect, negotiations are terminated and the client invites the second ranked architect to complete Steps 2 and 3.

Although at the discretion of the client, after signing a contract with the successful architect, it is highly recommended that the client inform all short-listed architects of the final outcome.

The OAA recommends the use of a standard contract to facilitate the completion of Steps 2 and 3. There are currently two standard contracts in widespread use in Canada, the OAA Document 600, 2008 and the Canadian Standard Form of Agreement – Document Six, 2006 edition. Further information and a copy can be obtained as follows:

OAA Document 600, 2008 (with corresponding components) is available free of charge from the OAA Website at www.oaa.on.ca under Services and Resources > Documents Available.

Canadian Standard Form of Contract - Document Six, 2006 edition (with corresponding components) is available at www.raic.org under Contract Documents

Information for Architects

A Note on Standard Contracts

The OAA recommends the use of standard contracts to expedite the Client/Architect contract process. The standard contract includes the services provided, the fee for those services, client responsibilities, and the terms and conditions which govern the contract. In addition to identifying the value and contribution of both parties, a standard contract is a balanced document, treating both parties fairly, and is designed to avoid conflict later on when it is discovered that the expectations of the parties to the contract may differ. One of the best investments of time is a careful, item-by-item discussion with the client to define the scope of services and other terms and conditions of the contract.

A Note on Developing the Scope of Services and Fee Proposal

The OAA recommends the use of a Work Breakdown Structure (WBS) and Detailed Task List to facilitate the development of the scope of services and fees. In addition to better defining and customizing the services and fees for a particular project, the use of the WBS will ensure that all personnel involved in the preparation of the proposal are following the same parameters. The WBS will confirm the scope of services of the contract needed for the project. The WBS is also used as a project management tool during the life of the project.

The OAA also recommends the use of the RAIC "Guide to Determining Appropriate Fees for the Services of an Architect". This national guide was developed to assist a client and an architect in determining an architect's appropriate compensation for professional fees and reimbursable expenses. This guide provides an introduction to the services an architect can provide, outlines the requirements of the client-architect contract and the various factors affecting the amount of the architect's fee. This document is available via the OAA Web site under Professional Resources > Documents Available.

The following documents are available to assist architects with the preparation of the WBS and Detailed Task List that will form the basis of the final scope of services and fee proposal:

OAA Document 600, 2008.

A copy of the contract, with components specifically designed to assist with the preparation of the scope of services and fees, are included with this document.

Canadian Handbook of Practice (CHOP)

See Chapter 2.1.10: *Architectural Services and Fees* including *Checklist: Scope of Services* (Ch-28, Dec. 2004) and *Supplemental Architectural Services* (Ch-29, Sept. 1999), and Chapter 2.3.1: *Managing the Project* including *Checklist for the Management of the Architectural Project* (Ch-30, Sept. 1999)

Mastering the Business of Architecture (MBA Kit), with supplement #1

A copy of the MBA Kit is available from the OAA, and Supplement #1 is available free of charge from the OAA Website at www.oaa.on.ca under Services and Resources > Resources for Architects > MBA Supplement 1



Acknowledgement

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The Infraguide “Best Practice”, *Selecting a Professional Consultant* is available free of charge at www.infraguide.ca under Best Practices > Decision Making and Investment Planning (Published Best Practices).

About the OAA

The Ontario Association of Architects is a self-regulating organization governed by the *Architects Act*, which is a statute of the Government of Ontario.

The Association is dedicated to promoting and increasing the knowledge, skill and proficiency of its members, and administering the *Architects Act*, in order that the public interest may be served and protected.