

Architectural Practice: Ethics, Professional Liability and Business

Loft, 9:30 am – 12:30 pm

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Contact order (you may expect a response during Tuesday morning):

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Course Website: go to www.uwaterloo.ca ... Offices & Services ... Waterloo LEARN
Mac-ophiles must use Firefox 3.6, rather than another browser

Office hours: FRIDAYS, after class – typically 2:30 – 4:30 p.m., Adjunct office
Prior to 31 January: kindly fill out the Student Questionnaire

Text: *to be purchased from the UW Bookstore or World's Biggest/Chapters/other:*
"Start & Run a Consulting Business", Douglas Gray, BA, LLB, Self-Counsel Press

Readings:

Required clips are on LEARN (in .pdf), entire book is on reserve at Musagetes:

"The Canadian Law of Architecture and Engineering",

Beverley M. McLachlin and Wilfred J. Wallace, Butterworths, 1987

"Law for Professional Engineers",

D.L. Marston, B.Sc., P.Eng., LL.B., McGraw-Hill Ryerson, 1981

"Canadian Handbook of Practice for Architects", Second Edition, vols. 1-3,

Royal Architectural Institute of Canada

(optional: students may order a complete electronic copy for \$75 at raic.org)

"The Architect's Handbook of Professional Practice", 13th ed.,

The American Institute of Architects, Joseph A. Demkin ed., 2001

"Mastering the Business of Architecture",

David A. Stone, Impact Initiatives Inc. for the Ontario Association of Architects, 1999

"Becoming a Critical Thinker", 4th Ed.,

Sherry Diestler, Pearson Education Inc., 2005

Course Description: This course is an introduction to the nature of the self-governing profession in Ontario, the legal context in which architects practice in Canada, and the essential fiduciary relationships between professionals and others. This course aims to provide an understanding of the roles an architect may be asked to take, and the inherent risks. Forms of partnership, rules of professional conduct, the constituents of an enforceable contract, and client-architect relations are among the essential elements to be studied. Factors affecting both the cost of construction and the ability of an architect to conduct a viable business will be presented. Students will explore typical challenges encountered in practice and discuss these with experienced professionals. Students will:

- Participate in several "scenario training" sessions, in class,
- Complete a series of required readings and quizzes (on LEARN) within the time periods proscribed (see Lesson Schedule),
- Complete an individual project, and
- Complete a group project.

Schedule of DUE-dates for grades:

Thurs 2 Feb, 10 am	Register re Project #2: group members & choice of business, email BR directly at bmross@uwaterloo.ca
Thurs 2 Feb, 9 pm	Quiz #1, Contracts & Torts, on Waterloo LEARN website
Thurs 16 Feb, 9 pm	Quiz #2, Clients, Fees & Office types, on Waterloo LEARN website

(20-24 Feb: READING WEEK)

Thurs 1 March, 9 pm	Project #1 (.pdf on Waterloo LEARN + hard copy to Admin. bin)
Fri 19 March, 5 pm	Project #2 90% DRAFT (.pdf LEARN + hard copy to Admin. bin)
Fri 26 March, in class	Consultations with professional advisors re P#2 Business Plan
Fri 30 March, NOON	hand in Project #2 FINAL (.pdf on LEARN + hard copy to class)
Thurs 5 April, 9 pm	Quiz #3, Cost Analysis, Role during Construction & Ethics

Lesson Schedule:**6 January, Lesson 1: Identifying Issues**

Lesson 1 Agenda

Introductions & Outline of the Course

Scenario Training #1: Issue Identification (3%)

13 January, Lesson 2: Four Primary Roles in Consulting Practice

Prior to Lesson 2: Readings re Contracts, Torts

McLachlin Chapter 6, General Principles of Contract Law

Marston Chapter 3, Tort Liability

Lesson 2 Agenda

Professional Fundamentals: Roles, Risks, Contracts and Torts

Introduction to course resources

On choosing your emphasis and achieving balance

Introduction of Project #2, Business Plan

20 January, Lesson 3: The Client

Prior to Lesson 2: Readings to prepare for Scenario Training

David Maister, How Clients Choose

Ten things you need to know about your potential clients (clipped from AIA 4.1)

RAIC Practice Builder, An Intense Look at Decision Makers

Researching the Project (clipped from OAA & MBA Kit)

CHOP 2.1.3, Public Relations and Marketing

CHOP Go/NoGo Checklist

Skim (be aware of): CCAC Rules for Competitions 1990

OAA website re Limited Competitions

AIA Handbook 1.2, Understanding Client Values

AIA Handbook 4.1, How Architects Choose Clients

Lesson 3 Agenda

Scenario Training #2: Architects Evaluating Clients Evaluating Architects (5%)

Class discussion about Architect – Client Relationships

27 January, Lesson 4: Roles, Risks, Contracts and Torts

Prior to Lesson 3: Readings re Contracts, Torts

Cases from the Insurance "Claims" reports – as announced in class

Lesson 3 Agenda

Detailed discussion of the 3 Claims cases

Guests: David Croft & John Hackett, ProDemnity Insurance

for Thursday 2 Feb, 10 a.m.: **register your group** & choice of business on LEARN

for Thursday 2 Feb, 9 pm: **Quiz #1**, Contracts & Torts (9%)

3 February, Lesson 5: Fees & Time Management (4.5 hours)**

Prior to Lesson 4: Readings to prepare for Scenario Training

CHOP 2.3.1, Management of the Project

A Client's Guide to Engaging an Architect in Ontario – Fee Charts (OAA 2008)

Selections from the MBA Kit: 1-5, Work Breakdown Structures

1-6, Scope, Non-Traditional

2A-1, Using the WBS

2A-4, Task Duration

3A-2, Project Planning

Lesson 4 Agenda

Approaches to Estimating Fees

Intro to The WBS Method & Project #1, Individual Project Work Plan

Scenario Training #3: Using the WBS (5%)

10 February, Lesson 6: The Office (Practice Structures & Business Primer)

Prior to Lesson 5: Readings to prepare for Scenario Training

CHOP 2.1.1, Organization of an Architectural Practice

AIA Handbook 6.1, Firm Planning

Douglas Gray, 1. Understanding the Consulting Business

Douglas Gray, 2. Self-Assessment

Douglas Gray, 4. Legal Forms of Business Structure

Douglas Gray, 5. Selecting Business and Professional Advisors

Douglas Gray, 9. How to Legally Minimize Paying Tax

AIA Handbook Section 4, skim sidebar on p.1 of each section

Lesson 5 Agenda

Types of Practice: Corporations, Partnerships & Sole Proprietorships

Introduction of format for Project #2, Business Start-up

Scenario Training #4: Office Structures

Prep for Quiz #2 (Review of Lessons 2, 4 & 5)

for 16 Feb., 9 pm: **QUIZ #2** re Clients, Fees & Office Types (9%)

17 February, Lesson 7: The Architect's Role, During Construction

Prior to Lesson 7: Readings to prepare for in-class discussion

CHOP 2.3.9, Construction Procurement

CHOP 2.3.11, Contract Administration – Field Functions

OAA Practice Bulletin A.10, General Review, Professional Standards

Architect as Arbitrator, ProDemnity Insurance "Claims" Bulletin

Lesson 7 Agenda

What does "putting my seal on a drawing" mean?

Architect – who needs one?

20 - 24 February ----- READING WEEK -----

Suggested readings to assist with Project #2: AIA Handbook 6.2, Strategic Planning for the Design Firm; 6.6, Starting a Firm; 8.4, Acquiring Capital; 8.2, Financial Planning; p. 485, How to Select a Lawyer, and p. 190 Selecting a Financial Consultant (consult hard copy on reserve in Musagetes); D. Gray additional sections as needed

2 March, Lesson 8: Project Cost Control

Prior to Lesson 9: Readings to prepare for Scenario Training
CHOP 2.3.3, Cost Planning & Control
AIA Handbook 14.4, Construction Cost Management
Donald Trump speaks out about the United Nations Building (1 & 2)
Lesson 9 Agenda
Demonstration of Cost Analysis using Factors
Scenario Training #5: Questioning Cost Estimates (5%)

9 March, Lesson 9: Do Architects add Value ? **LECTURE THEATRE2:00 pm****

Guest: Professor Larry Smith, Department of Economics, UWaterloo

Lesson 8 Readings:

"The Economic Potential of Architecture", L. Smith (avail. online after lecture)

16 March, Lesson 10: Discussing Professional Ethics

Prior to Lesson 6: Readings to prepare for in-class discussion
McLachlin Chapter 5, Ethical Obligations
Diestler pp. 45-46, Common Rationalizations, "Ethics in Action"
CHOP 1.1.2, Professional Conduct & Ethics
AIA Codes of Ethics: OAA, AIA, and UIA
Ethics cases
Lesson 6 Agenda
Questions re Quiz #2
How Ethical challenges arise
The structure of the OAA

23 March, Lesson 11: Business Start-ups – Project #2 (Group)

Prior to Lesson 11: Prepare questions to ask your professional advisors
Lesson 11 Agenda: Presentations of Project 2, Business Start-up
Guest Advisors: TBA

30 March, MORNING: reserve in case of a "snow day"

9:30-12:30

30 March, AFTERNOON: last class

2:00-5:00 p.m.

Where do we go from here?

Prior to Lesson 12: Readings (elective background)
RAIC Consultation Paper on a Model Architectural Policy
Succeeding by Design (a.k.a. The McGill Report)
AIA Handbook 7.4, Public Service and Community Involvement
Lesson 12 Agenda
Prep for Quiz #3 & Review of key concepts in this course
*Guest: Rick Haldenby, Director of the School of Architecture,
on The Historical Context of Practice*

5 April @9 pm QUIZ #3 DUE, Ethics, Roles during Construction & Cost analysis (9%)

6 April: Good Friday

Evaluation and Weighting:

23% for in-class "scenario training" exercises (1 @ 3% + 4 @ 5%)
27% for quizzes on readings (to be done on LEARN: 3 @ 9%),
20% for an individual project, "Work Breakdown Structure",
30% for a group project, "Practice Set-up", to be presented in-class, and
5% max. for additional elective activities or substitutions

Expectations

A series of in-class, group exercises ("scenario training") is intended for students to practice identifying issues in legal and business contexts. Students are expected to engage in short "brainstorming" work with their group, and to take turns presenting the findings to the class as a whole. To obtain a grade, each student must submit a worksheet at the end of the exercise; these are expected to contain the unique reflections and expressions of the individual student making the submission; the usual University expectations with respect to academic integrity apply (see below). Missing three "scenario training" exercises will constitute a failure of the entire course.

Quizzes will reflect in-class discussions and scenario training. Students are required to prepare for each class by completing the relevant readings and to follow-up, by taking the related quizzes. The quizzes may be taken open-book, at a time and location chosen by the student, by the hour indicated. Failure to write any quiz within the proscribed time limit will result in forfeiture of the opportunity to write that particular quiz at another time.

Attendance at all classes is mandatory. Absence from three of the twelve Lessons listed above will constitute a failure of the entire course. A maximum of one elective activity may be done as a substitution for one prescribed exercise (scenario training or quiz). "Additional elective activities" may include: documenting the results of in-class "scenario training" exercises, or formal preparation of relevant issues for in-class discussion.

For the individual "Project Work Plan", each individual student will create a task list and fee proposal in the required format (to be provided). This is to be submitted in hard copy as well as in digital (.pdf) format.

For the group project, "Practice Set-up", each individual student will prepare a portion of a business plan in the required format (to be provided). The group project is to be coordinated by the group and bound together as a hard copy report, and backed up with a digital version (.pdf). A group will be constituted of four persons. Procedures for registering groups and choosing the project details will be discussed in class. Failure to submit either project will constitute a failure of the entire course.

Participation grades: Authentic participation will be rewarded during scenario training. Students will be encouraged to question assumptions and discover areas for further inquiry. The quality of critical thinking will receive better grades than knowledge of "the right answer".

Class participation: Please do NOT use personal electronic devices during class time.

Collaborative work: The group project will be evaluated as follows: 15% common grade for the whole package plus 15% individual grade for the section prepared by the individual.

Digital submissions: Projects must be submitted in hard copy and supplemented with a digital copy in .pdf format. Quizzes must be submitted via Waterloo LEARN.

Late submissions: If due dates in this class conflict with other academic obligations, within the M. Arch. program, students are expected to negotiate alternative arrangements in advance. If this is not done, then grades will be deducted at a rate of 1% per business day, to a maximum of half of the available grades for the assignment.

Office hours: Students are invited to make individual appointments, during hours to be announced in class (typically Friday afternoons). Responses to student queries, via email, will be made, as far as possible, on Tuesday mornings ONLY.

Academic Integrity:

In order to maintain a culture of academic integrity, members of the University of Waterloo community are expected to promote honesty, trust, fairness, respect and responsibility. Check www.uwaterloo.ca/academicintegrity/ for more information. A student is expected to know what constitutes academic integrity, to avoid committing academic offenses, and to take responsibility for her/his actions. A student who is unsure whether an action constitutes an offense, or who needs help in learning how to avoid offenses (e.g. plagiarism, cheating) or about rules for group work / collaboration should seek guidance from the course professor, or the Graduate Officer. For information on categories of offenses and types of penalties, students should refer to Policy #71, Student Academic Discipline, <http://www.adm.uwaterloo.ca/infosec/Policies/policy71.htm>. A student who believes that a decision affecting some aspect of his/her university life has been unfair or unreasonable may have grounds for initiating a grievance, in accord with Policy #70, Student Grievance; see <http://www.adm.uwaterloo.ca/infosec/Policies/policy70.htm>. A decision made or penalty imposed under Policy 70 or Policy 71 may be appealed, if there is a ground; see Policy 72.

Integrity is integrity – no matter what the setting. One who chooses to plagiarize or collaborate outside the protocols established in class misrepresents oneself and insults the readers and reviewers of one's work as well as one's fellow students. Since doing intellectual work is the core business of the academy, this kind of behaviour is considered a very serious offense; the one who is found guilty of such misrepresentation is very likely to face an early end to his or her relationship with the academy. Likewise, in an a consulting setting, if one misleads someone, one guilty of professional misconduct – the consequence in that case would be that one's relationship with the profession would likely end.

ANY time you take someone else's words from one piece of paper and put them onto another piece of paper and put your name over them, without citing your source, you are misleading your readers. THERE ARE NO EXCEPTIONS. For a swift, accessible overview of the specifics of academic integrity, I recommend watching all three of the 5-minute videos re plagiarism, collaboration and honesty, via <http://www.lib.uwaterloo.ca/gradait/>

Plagiarism detection software (Turnitin) will be used to screen assignments in this course. This is being done to verify that use of all materials and sources in assignments is documented. Students will be given an option if they do not want to have their assignment screened by Turnitin. In the first week of the term, details will be provided about arrangements and alternatives for the use of Turnitin in this course.

Note for students with disabilities: The Office for Persons with Disabilities (OPD), located in Needles Hall, Room 1132, collaborates with all academic departments to arrange appropriate accommodations for students with disabilities without compromising the academic integrity of the curriculum. If you require academic accommodations to lessen the impact of your disability, please register with the OPD at the beginning of each academic term. Once registered with OPD, please meet with the professor, in confidence, during my office hours to discuss your needs.