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Features

Principal Versus Project Manager
In this series of articles, we look at the role of the project manager as it relates to principals of both small and large architecture firms, as well as a project manager's role in contract negotiations and the qualities of a top project manager. The series is contributed by PSMJ Resources Inc.

› **Who Is in Charge of This Project?**
In small firms, principals and project managers are synonymous. But overlapping responsibility and authority can expose your firm to serious problems. Here's how to avoid the problems.

› **Your Role as Project Manager in Contract Negotiations**
The best negotiating team has three members: two who do most of the talking and one who spends more time listening. Find out how the roles differ in contract negotiations.

› **Project Manager or Financial Manager**
Find out who should be doing what.

› **Keys to Getting Top Performance**
Project managers lead with both direction and purpose. Here are some principles to apply on your next project.

Minding Your Ps: Three Fundamentals for Improving Business Performance
by Tom Larsen, AIA
The truth is a majority of architecture firms struggle with business basics. Far too many firms accept business performance as a way of life, believing that anything that takes them away from design and clients can not be good. Firms that mind their three Ps—patrons, people, and profit—are usually on a path to solvency and improved business performance.

Vicarious Liability and Cell Phone Use
Employees are increasingly using cell phones to conduct business while driving. This is a risk to the public and an exposure to the insurance and assets of employers, though.

Guiding Your Firm through Key Development Phases
by Michael Strogoff, AIA, and Phyllis Dubinsky
As with most other professional service businesses, architecture firms proceed through different stages as they mature. At some point, a firm owner may face the decision of whether to grow his or her practice. What factors should be considered when making that decision?

Protecting Your Firm from the Negligence of Others
Good design is a team effort. Often, design firms may join together in some capacity to coordinate services for a common client. Firms need to understand their legal responsibilities when they are part of a professional services team and their responsibilities for others.

Understanding How to Manage a Practice
by Jason Dale Pierce, Assoc. AIA
In our continuing coverage of the scholarship recipients to the 2004 Desert Practice Conference, we offer the second winning essay.

Emerging: An Emerging Professional's View of the 2004 Desert Practice Conference
by Jason Dale Pierce, Assoc. AIA
Scholarship recipient Jason Dale Pierce, Assoc. AIA, presents a synopsis of his experiences at the conference.

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Who Is in Charge of This Project?

In small firms, principals and project managers are synonymous. Even in large firms, principals often manage projects. But in situations where the principal is separate from the project manager, differences between the two positions must be clearly defined.

The Cost of Confusion
Overlapping responsibility and authority can expose your firm to serious problems:

- Costly duplication of effort. If decisions do not coincide, team members become confused and clients develop a poor impression of the firm. Tensions between the principal-in-charge and project manager can damage long-term working relationships. They can also undermine the motivation and performance of other team members.
- Work falling between the cracks. When there are misunderstandings about who does what, work doesn't get done and quality suffers.
- At the beginning of a project, you need to understand and define your level of authority. Find out if there are any changes in your regular responsibilities. For example, the principal may decide to represent the firm at certain project meetings attended by the client—a role you typically hold.
- Record exceptions to normally assigned duties in the project file. Note why certain elements of the project won't proceed according to the norm. With specific assignments, it is easier for the firm to review and evaluate performance.

"Project as Restaurant" Analogy
Principals are always tempted to step in and take over. Their responsibility, however, should not be the nuts and bolts of a project, but to build the business. When they delegate to project managers, it should be clear, consistent, and devoid of second-guessing.

Alan Bollinger, PE, a consultant for PSMJ Resources and vice president at CH2MHill, likens the relationship between principal and project manager to that of employees in a restaurant. "The principal is like a maitre d'. He greets the guest at the door, but then passes the guest on to the waiter (i.e., the project manager)," says Bollinger.

"As a client sponsor, the principal's role is to ensure the client is happy and comfortable. He might be involved in getting client feedback or reviewing the proposal, but the project manager should be the key communicator with the client."

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Your Role as Project Manager in Contract Negotiations

The only way a firm can excel is to push authority for negotiating to the project managers of the firm. If its project managers aren't empowered and trained to strike a deal with clients, a firm will limit its opportunities for growth.
—Frank Stasiowski, FAIA

The best negotiating team has three members: two who do most of the talking and one who spends more time listening. Project managers are the ones who should do most of the talking in contract negotiations. The other two, a principal of the firm (the listener) and the financial manager (the other speaker), are the project manager's supporting cast.

Before project managers enter into a negotiation, they should prepare very carefully. They should know the terms they want, the back-up data they will use, and their walk-out position. The following seven steps will help a project manager navigate the negotiation and come out on the other side with the price that's right.

Step 1: Define the project scope
Ask questions. A project manager should write down exactly what will be done and the client's expectations at each part of the scope. Break the scope into segments so that no segment represents more than 5 percent of the total. Also, make a list of what will not be done as part of the fee.

Step 2: Set a project schedule
Whatever format is used, go back to the scope and clarify anything that may be confusing.

Step 3: Identify the project team
Name each person who will work on the project and what each will do. Calculate the hours and fees for each person and the totals. Don't show these figures to the client; at this point, they're only for an estimate.

Step 4: Define work quality
Quality is somewhat subjective, but try to define some objective criteria. For example, offer three design alternatives, making it clear that the client must pay for additional designs.

Step 5: Discuss project risk and profit
Whether or not it is discussed with the client, a project manager should analyze it within the firm. Either make a profit commensurate with the risk, or write terms in the contract to minimize the risk.

Step 6: Make sure everyone understands the contract terms

Step 7: Quote the price

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Project Manager or Financial Manager: Who Does What?

Project Manager

- Helps prepare for negotiations, including estimating price
- Helps conduct negotiations
- Produces a project budget and follows it
- Prepares a project summary report that includes financial results

Financial Manager

- Reviews all cost proposals to ensure accuracy and appropriateness
- Verifies payment terms
- Checks accuracy of standard billing rates, if used
- Makes sure expenses are properly charged and paid during project delivery

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Keys to Getting Top Performance

What qualities do top project managers have that keep projects coming in? They not only manage and control their projects, but they lead—with direction and purpose. Their exemplary performance comes not just from doing things right, but from doing the right things. Apply these principles on your next project, and witness the difference they make:

- Define your mission. Begin with a clear understanding of your project objective. To know this, discover your clients' long-term business objective. What does they want to accomplish, not only in terms of design but also direction? Learn the owners' long-term goals and communicate them to your team. Early on, meet with your principals and all key players to get a complete view of the project scope. Once you have detailed the business goals and scope, formalize them by writing them down. Having them in front of you, you'll be able to measure and achieve success in the largest sense.
- Align and motivate your team toward the mission. Simply creating a team is not enough to succeed. To go the distance as a project manager, you need to guide and develop your team's talents to accomplish the project goals. Start by defining each team member's role and responsibilities, always keeping in mind the larger mission. Then:
  • Offer training so your team members can build the skills they need to fulfill their project roles. Make them responsible for acquiring those skills by having them sign a training statement. Base compensation awards on the degree to which your people acquire the agreed-upon skills.
  • Provide your people with all the necessary equipment. Nothing sabotages a project faster than depriving a team of their tools.
  • Give feedback. Motivate the team with project status updates. Reward excellent work with verbal and written praise. Celebrate project milestones and accomplishments. Let your team know how successfully they are achieving the project's larger goals.
- Manage your own performance. To attain the highest goals, live up to and support the best human qualities. Ask yourself the following questions:
  • Do I understand my own principles, values, and ethical standards? What are they?
  • Do I talk less and listen more? Do I listen to understand? Rather than focusing on your own agenda, open your mind and respond to the concerns and ideas of your project team members.
  • Do I build trust? Create a climate where people feel free to discuss problems without fear of retaliation. Be available and approachable. Listen to and respect your team members' ideas. Work with them to build on those ideas so that everyone wins.
  • Do I lead by example, not by directive? Do I exhibit character, integrity, competence, and excitement for my work? The competent leader who gives team members latitude to perform their own jobs builds loyalty and encourages top performance.
  • Do I have a positive attitude? If you believe you can deliver the project and fulfill the client's larger goals, and if you live out your beliefs, they will be contagious.

Your Team Is Your Ticket

In your role as project manager, the skills you need to perform your job can be divided into two categories:

- Hard skills: managing schedules, budgets, and paperwork
- Soft skills: leading, motivating, and communicating with people

In the rush to achieve the project objective, project managers may tend to brutally force the project along, pushing the hard skills without regard for human impact. But people are your key resources. It is one of a project

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manager's primary roles to build a team where members:

- Understand and support the project goal
- Fulfill their roles and responsibilities
- Operate with a high level of team spirit.

Building this team spirit will create an atmosphere that fosters the most viable concepts and technical solutions. By understanding the project's goals and objectives, your team will help you respond successfully to the project's contractual and financial constraints.

A Project Manager's First Duty: Communication

If managing projects resembles maintaining a highly tuned engine, then effective communication is your oil. It is key to realizing the client's vision. You must continually stay in contact with your client to ensure you are meeting his or her needs. It is your job to initiate this communication, to keep your clients in the loop. Without their constant input and review, you could find yourself on the road to Topeka when you're supposed to be headed for Detroit.

In the same way, you must stay constantly in touch with your team members. Keep on top of their progress and their potential roadblocks. Let them know what you expect. You want all roles, goals, problems, and solutions to stay in the open. If everyone is operating with clarity about the client's vision, with knowledge of his or her role in fulfilling that vision, and with an expanded sense of how the team is working together, then your team becomes a well-tuned machine.

Working with Your Team

The truly effective project manager seldom requires strict adherence to rigid procedures for narrowly defined tasks. Rather, on the best projects, team members take initiative to develop techniques for accomplishing the project within the broad approach the project manager describes. You should encourage them to take that initiative. Consider the diversity of talent among your team members, and find a way to "place" the best talent where it can get the best results.

Keeping the Engine Tuned

When directing a project:

- Select the best-qualified person for each task
- Give everyone day-to-day instruction, guidance, and encouragement
- Establish a climate where people are encouraged to make maximum use of their abilities
- Hold private discussions with team members about how they might do better work, solve personal problems, or realize their ambitions
- Teach individuals or groups how to fulfill their duties and responsibilities
- Apply discipline as required for them to fulfill their duties and responsibilities
- See that the team completes objectives in relation to their importance.

Deliver the Project

The project manager's role is to deliver projects—not only to your clients, but new projects from your clients to your firm. In other words, business development is key to a project manager’s job. Here are three tactics to help you bring in the next contract:

- Deliver what you sell. Clients expect you to be a lot more specific in defining, both in proposals and presentations, how you will do the work. Generalizing your phrases and processes doesn’t fly any more. You have to spell it out and tailor your methods to each client and project.
- Bait-and-switch, the favorite of used car sales staff, can cost you a contract. Again, you need to spell out what you will do and who will do it. Clients are buying people more than ever, and they expect to get the people you promised.
- Clients tend to look at the selling process as a predictor of what it will be like to work with you on the project. A firm we know of that thought it was being considerate by delaying its request for a site visit was later told, “We thought you might have trouble managing your time.”

Ten Steps to Project Team Success

You've got good people working for you. But are you getting their best work? In competitive times, your ability to adeptly "stoke the fire" can make the

difference between a good project and great project.
In leading your team, try these ten surefire tactics:

- During project planning, make sure you get buy-in from each key team member. Your team includes extended personnel, such as the client, approval agencies, and outside consultants. Without their commitments to your budget and schedule, they have a built-in excuse for failure.
- Hold a project kickoff meeting and make it a pizza party. While your team is eating, tell them about the project background and walk them through your project plan, including objectives and deliverables. Show each member how his or her role contributes to the big picture. Let your team ask questions and provide you with feedback on their understanding of what's ahead. The party will help build enthusiasm, incite motivation, and foster a positive attitude.
- From the beginning, determine the level of quality the client expects and is willing to pay for. Make sure your team understands just what the client wants. Productivity falls if a project team builds a Rolls Royce when the client ordered a Chevrolet.
- Meet with your team regularly to review scope. If new scope items have been added, review changes in the deliverables that will follow from those changes.
- Communicate constantly. There has never been a project team who complained that their manager gave them too much information. Your primary function as project manager is to ensure that your team members are using current information to achieve up-to-date objectives.
- Sit alone with each team member and, as you assign his or her tasks, review the objectives and details of each one. Have the person explain the tasks back to you to avoid confusion. Ask if he or she has the resources and information to complete the work on time and within budget.
- When assigning a task to a junior team member, make the task shorter, not necessarily easier. Junior members can grow and learn by taking on more challenging tasks, but they can't be left on too long a leash. Keep their productivity high by frequently visiting and supervising them.
- Establish multiple milestones. Huge tasks that last for months are daunting and discouraging. Regular, frequent, and discreet markers foster a spirit of progress, accomplishment, and enthusiasm.
- While it sounds obvious, make sure you've assigned people with appropriate expertise and experience to all project tasks. All firms suffer from skill shortages, yet sometimes day-to-day, ad hoc task assigning results in some square pegs in round holes. In your weekly project management meeting, review current task assignments as they relate to appropriate personnel.
- Learn to delegate lesser tasks, and teach your team members to do the same. Productivity falls off when highly paid staff find themselves doing low-value work.

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Minding Your Ps: Three Fundamentals for Improving Business Performance

Tom Larsen, AIA

What's going on when an Ohio architecture firm headed by a rising star wins a major coveted industry award but struggles to meet payroll? Or when a busy California firm works for almost a year to complete multiple projects, only to discover they have nothing new in the pipeline, forcing them to lay off half of their staff? Or consider their closest competitor with an enviable backlog that keeps them working nonstop but they "never make a dime."

Could you add your own firm as an example? The truth is the majority of architecture firms struggle with business basics. But when lives are affected, and talented people are unable to earn a living, the old lament that "architecture is a great way to go broke" provides no comfort.

Unfortunately, the typical response is all or nothing, to either ignore the problem or embark on developing an all-encompassing "systems" solution.

Two Approaches Guaranteed to Fail

Far too many architecture firms accept poor business performance as a way of life, believing that anything that takes them away from design and clients cannot be good. But the refusal to invest time in developing business skills has the opposite effect—and they are unable to deliver the high quality projects and services they really want to provide.

By the same token, the "whole new systems" solution cannot deliver the hoped for results. The objectives of these perfect solutions are often too far out in the future, and lack the pragmatism to deal with here and now problems, to guarantee implementation. Simply put, these initiatives run out of energy long before they bear any fruit.

The Third Way: Minding Your Ps

The third path to solvency and improved business performance is to focus on the three Ps: patrons, people, and profit.

Patrons. Firms cannot survive without great clients. It's a mistake, however, for firms to treat clients as equally important. In fact, you need to separate the good client from the average and from the bad—using quantitative measures such as how profitable the client is or how many quality prospects the client refers. Once you recognize your clients as good, bad, and average, you can modify the type and quality of service you provide to reflect their desirability. I recommend you do this exercise at least annually to eliminate the bottom 10–20 percent of your client base.

People. It is axiomatic that architecture firms must have intellectual capital. Yet few firms proactively manage their talent, allowing mediocre employees to stay for years because they do a sufficient job, while great architects a level below them leave in droves because of limited chances to advance. I recommend you cull your employees at least annually to eliminate the bottom 10–20 percent.

Profit. Finally, firms need to be profitable in order to reinvest in their business as well as to create a "war chest" for unexpected events. The AIA Firm Survey reports average firm profitability at 10.5 percent. Many high-performing firms have profit margins closer to 30 percent.

Taken together, the three Ps give architects a long-term measure of firm performance. I recommend reviewing these measures on a regular basis, preferably every three to six months. Measuring any more frequently will only lead to excessive bureaucracy and micromanagement, measuring annually may not provide enough underlying information to fix the fourth P: the problem.

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Linking the Ps for Short-Term Management

So how do you measure short-term performance to ensure there are no surprises with the Ps? Repeatedly we find that high-performing firms use three measures to link the three Ps: marketing, cash flow, and staff utilization. Senior managers who monitor and adjust operational plans proactively have a far greater chance of delivering on the three Ps for their firms.

Marketing links patrons and people. Successful firms typically have a higher backlog of work than their struggling counterparts. Because they have managed their people (rewarding the high-performers, eliminating the poor), they can match the client load to the people, not the other way around. High-performing firms typically have more potential work than they can execute and select patrons based on value to the firm.

At the same time, successful firms also ensure the marketing pipeline is always healthy knowing that even with the best clients projects can stop and start. Hence, they constantly measure potential projects, RFP, shortlist, and project win rates.

Cash flow links patrons and profits. If your firm is performing poorly, this is the first place to look for improvement. It is not uncommon for design firms to have more than 90 days’ receivables. On the other hand, I know of firms who operate at less than 30 days. They achieve this by ensuring absolute client satisfaction and through proactive but not antagonistic collections. Furthermore, these successful firms ensure they are not funding their cash flow on the backs of their subconsultants. By proactively managing both sources and uses of cash, the great firms plan for the natural up and down swings rather than by reacting to them.

Utilization links people and profits. If a firm is managing its marketing pipeline and its cash flow, the only other major metric it must track is utilization. Those firms that maintain technical staff utilization (staff billable/staff total hours) in the upper-70s and overall utilization (including non-technical staff) in the mid- to upper-60s ensure their staff is focused on solving client problems.

You should measure these links at least monthly but preferably every other week to ensure both projects and office are on track. These metrics should be at your fingertips in your accounting and marketing software. If not, you can quickly create them in a simple spreadsheet.

Balance All Metrics

As a final note, make sure to look at all the metrics. Fixing any one metric in isolation only results in addressing an individual symptom rather than underlying problems.

Furthermore don’t jump from metric to metric looking for “the” solution. It is not uncommon to fix a cash flow problem only to find a problem with utilization, while only fixing utilization may create a marketing problem that can then turn into a cash flow problem again. Achieving success relies on balancing all three and keeping them all equally important.

Combining the Measures of Success

Unlike manufacturers, architecture firms cannot build up an inventory. Instead, they must have measures in place that will allow them to match supply and demand profitably. By monitoring patrons, people, and profits biannually and marketing, cash flow, and utilization on a semiweekly basis, all the elements of successful management are covered to create a profitable future.

Tom Larsen, AIA, is principal of Larsen Associates in Milford, Conn. His breakthrough strategies, marketing, and operational plans lead to long-lasting business performance improvement for clients.

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Vicarious Liability and Cell Phone Use

Editor's Note: This article is reprinted with permission from Victor O. Schinnerer and Company Inc. It originally appeared in the March-April 2004 issue of Guidelines. *Schinnerer is a Legacy sponsor of the Practice Management Knowledge Community.*

Employees are increasingly using cell phones to conduct business while driving. This is a risk to the public and an exposure to the insurance and assets of employers.

If an employee is involved in a car accident and cell phone use is a factor, the employer may be held liable. The employer can be sued for vicarious liability for the employee's negligence if the employee was acting within the scope of employment. It is relatively easy to show that the driver's attention was diverted by cell phone use. According to a 1997 study by the *New England Journal of Medicine*, cell phone use while driving increases the risk of having an accident by four times.

The risk to the firm, however, may go beyond the legal theory of vicarious liability. The allegation may be that the employer did not take public safety into consideration. If a firm encourages its employees to use cell phones while driving, direct liability may exist.

Legal liability from cell phone usage is unclear. But if a negligence claim reaches a jury, a finding of responsibility may be likely.

An official written policy about cell phone use should be created. The policy may prohibit cell phone use for business purposes while driving. Or the policy could specify that such use is only permitted if a hands-free phone is available and driving conditions are suitable.

Further complicating the matter is that states and municipalities have enacted laws that regulate the use of cell phones in cars. Firm policies should make it clear that inappropriate cell phone use is prohibited in jurisdictions where such use is banned.

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Guiding Your Firm Through Key Development Phases

Michael Strogoff, AIA, and Phyllis Dubinsky

Editor's note: This article was adapted from a presentation by Michael Strogoff, AIA, and Phyllis Dubinsky at the joint 2004 AIA California Council/AIA Practice Management Knowledge Community Conference in Indian Wells, Calif.

Operating a growing and successful design practice requires an ongoing commitment, unrelenting energy, creativity, capital, an entrepreneurial attitude, and a set of talents that go far beyond those required to manage a small office. Whether expanding from a sole proprietorship to 10 professionals or from 10 to 30 professionals, the potential rewards are huge: greater design opportunities, larger and more significant projects, professional recognition, higher compensation, greater financial stability, and a chance to work with more sophisticated clients and more talented staff. On the other hand, don’t underestimate either the effort required or the impact on your personal and professional lives that growing a design practice entails. Critical to that discovery is an understanding of how you like to work, what you are willing and not willing to relinquish, and the cultural foundation of your firm.

The Different Stages of a Design Business

As with most other professional service businesses, architecture firms proceed through different stages as they mature.

- **Infancy**. Most architecture firms start as one- or two-person businesses although some start with several principals and a small staff. During the infancy period, the owner (or owners) determines the firm’s concept; makes almost every design, management, and business development decision; and wears many operational hats (designer, marketer, manager, technician). Few accounting or management systems exist and the owner easily manages by walking around. During the infancy stage, the business depends on the owner and would come to a screeching halt in the owner’s absence. One should note that some firms move beyond the infancy stage within a year or two while others, sometimes consciously and sometimes not, never move beyond this point.
- **Concentration**. The firm starts to prosper as it focuses its marketing efforts and develops operational efficiencies. The owner starts to redefine his or her role, assumes more strategic responsibilities and relinquishes some of the day-to-day operations. Staff size usually is 5 to 10 people, although some firms move into the concentration phase with fewer staff.
- **Momentum**. Through speaking, publications, awards, networking, and other marketing-driven activities, as well as some completed projects under the firm’s name, a firm expands its visibility and starts creating synergies. At the same time, an owner starts to redefine the firm’s mission, refines the business operations, and assumes more leadership.
- **Stability**. A firm enjoys a steady and predictable stream of new work and repeat clients, expands the services it offers as well as its geographical reach, fills staff positions with mature and talented people, and reinvests increasing amounts of profit into further defining the next milestones for the firm. The owner(s) role includes mentoring younger staff and keeping the firm focused on its mission.
- **Mastery**. When this final stage is reached, a practice no longer depends on any single person or set of owners and an ownership transition plan is solidly in place. While always requiring talented staff, the business pretty much runs on autopilot. The one exception may be the “name on the door” designer who, while supported by a strong core staff, often needs to be more engaged in most projects. The good news: firms usually get to choose their clients and projects at that point.

In addition to these stages, design firms face new challenges as they reach size plateaus, generally at 8 to 12 people, 20 to 25 people, 35 to 40 people,

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and beyond 80 people. At each plateau, owners must hand over more control, hire more senior staff and mid-level managers, obtain more sophisticated financial systems and controls, and invest in more elaborate marketing materials and efforts. What a firm does well as a 12-person office is not translatable into a 30-person office without redefining the owner's roles and developing new systems. And firms that continue to expand incrementally without implementing changes place their firms' reputations and financial health at risk.

To Grow or Not to Grow

The most strategic business decision an owner makes is whether to grow the practice. Some architectural designers choose to remain small and enjoy the design control and autonomy that a small sole proprietorship allows. They experience less stress and fewer sleepless nights than designers responsible for large payrolls and competing demands on their time. Others are driven to grow beyond the confines of a small practice and embrace new sets of challenges.

When deciding whether to remain small or grow your practice, two considerations far outweigh all others. First, will growing your practice help align your personal, professional, and financial goals? For example, will the professional recognition and strategic marketing benefits gained by expanding your practice justify the additional time, emotional energy, and impact on your family life? Will the potential financial rewards outweigh the added risks? Second, can you grow your practice based on your core values and vision? For example, if client satisfaction is your highest priority, will expanding your practice enable you to deliver higher levels of customer service? If you are most motivated by design quality and innovation, will a small or large practice provide better opportunities to achieve your design goals? And perhaps the core question is, Will you remain true to your passions?

Managing Growth

Assuming you want to grow your practice, follow these steps to reach the mastery stage of business, paying special attention as you cross each size plateau.

Leadership

- Constantly communicate your vision. Your clients and staff look to you for leadership and guidance. The most effective way of leading is by communicating your vision at every turn. In turn, expect your staff to actively communicate your firm's vision to clients, consultants, and other outside people.
- Spend time each day working on your business rather than doing the business. Don't let months or years go by before making strategic business changes. Instead, carve out 15 to 30 minutes of quiet time each day to identify activities that move your firm closer to your vision and help propel your business to the next stage.
- Establish training and mentoring programs for future leaders. Focus your educational and training resources on your most highly skilled employees and expose them to as many aspects of your practice as possible.
- Identify potential problems before they spiral out of control. Don't wait until clients, staff, or consultants tell you about problems. By that time, your ability to address those problems is limited.
- Don't assume that clients or consultants are looking out for you, no matter how great your relationship. Nurture your relationships whenever possible, but keep in mind that when push comes to shove (or money is involved), most people look out for themselves. Talk to your clients and consultants with conviction and tell them what they need to know, not simply what they want to hear. The impacts of reversing a bad situation are huge.
- Get a "brain trust" of advisors. No matter what size firm and how many principals, outside perspectives are invaluable. Relying on the best marketing consultants and management advisors available will save you tremendous amounts of time, money, and wasted effort.
- Plan your exit strategy. Most ownership transitions take 5 to 10 years to implement so it's never too early to start planning.
- Hold each other accountable. Partners in a growing firm must accept specific areas of responsibility and follow through on their commitments and understand the ramifications of their actions. In turn, partners must hold their colleagues accountable and confront other partners when they are not performing well.

Business Development

- Differentiate your firm. Offer services your competitors don’t provide. Decide whether your firm is design-focused, client-focused, or delivery-focused. Then craft a few targeted marketing points to convey your message. For example, if you are a design-focused firm that provides architectural design services for hospital facilities, a mission statement such as, "We're in the business of creating healing environments that support efficient health care delivery" is far more compelling than “We provide architectural design services for hospitals.” Consider exploring important strategic alliances as a way to enter a market geographically or further define the strengths of your practice. Avoid the temptation to follow the leaders. Instead, stay ahead of the curve by identifying future trends and properly positioning your firm as an industry leader.
- Screen your clients. Most design professionals have had clients they wish they had never met. Likely, initial signs warned of a lurking problem. But because early clues often go unheeded, design professionals may suffer months or years of agony placating difficult clients while telling themselves, "I should have known." As you grow your practice, be wary of clients who don’t listen to or respect your design opinions, are inflexible or unwilling to negotiate, undervalue your services, have unrealistic expectations, assign a representative who doesn't have the authority to make decisions, or are simply fee shopping. Remember, the easiest time to jettison a questionable client is before you start working with them.
- Expose yourself. Sustaining a large practice requires ongoing marketing. In addition to free publicity, get from behind your desk and start networking. At the least, invite prospective clients to lunch. Visit past clients. Participate on (client-oriented) committees and make contact with colleagues, allied professionals, and vendors.
- Look toward the future. Define your next service line, office or market sector, and consider adding depth to key existing areas.

Client Management

- Provide consistent leadership. You must be thoughtful and forthright in your leadership while, at the same time, you are listening to the needs of your client. You are there to provide a valuable service, educate, and ultimately create an appropriate solution.
- Understand the rules of the road early. Conduct project kick-off meetings with your client and key stakeholders. Make sure the expectations from you and your client are realistic and, if they start to change, review those changes immediately and address accordingly.
- Communicate as often as appropriate and possible. Keep clients informed of activities on the project and accountable for their actions and decisions. Manage each project as a partnership with your client.

Staff Management

- Only hire the best. Staff are, by far, your most valuable and expensive asset. Don’t settle for mediocrity. Act quickly to either turn marginal employees into superior ones or replace them. When hiring, always talk to at least two references. If a prospect doesn’t have two references, don't consider them.
- Get up and walk around. Always have a strong sense of what's happening on every project and with every staff member. Train your staff by providing immediate feedback whenever you review their design work.
- Practice effective delegation. Let staff make mistakes as part of their development; trust and empower staff; provide clear direction about your objectives and expectations; make yourself accessible to provide guidance and answer questions; provide timely input and constructive feedback; and show genuine appreciation after a task is successfully completed.

Ownership Transition

- Start early. Don’t expect a white knight to appear a year before you want to retire—most ownership transitions require 5 to 10 years to successfully implement.
- Focus on the next generation. Identify future owners early in their careers and develop individualized mentoring programs. Look for future owners 10 to 20 years younger than you.
- Establish realistic expectations. Not all internal transitions work out. Some prospective owners lack the ambition, skills, risk tolerance, or financial means to assume ownership. Identify a large enough pool of future owners to allow some attrition.

- Constantly work to create future value. Identify the factors that add value to your firm and develop specific goals for continually improving your firm’s value based on these factors.
- Get outside advice. Seek expert guidance about exit strategies available to each owner, transition guidelines, purchase values, transfer mechanisms, and mentoring programs.

Financial Management

- Don’t view profits as discretionary. Profits are essential to attract and retain top staff, pay bonuses, weather industry cycles, invest in technology, and reward yourself for the risks you incur.
- Don’t confuse good cash flow with success. As a business expands and the cash rolls in, a lot of problems get disguised. Develop 6- and 12-month projections to gain a clearer picture.
- Focus on revenue, but watch your pennies. Eliminating $100 a day in unneeded expenses increases your bottom line by $30,000 per year.

Negotiating Fees

- Base your fees on value, not costs. Most clients place value on anticipated results, not on the amount of time a design professional expends. Practice communicating the benefits your firm provides. Walk prospective clients through a few recent projects. Let your design speak for itself and focus your discussions on how you helped clients achieve their goals, saved clients money, or completed designs on schedule and on budget.
- Don’t negotiate with yourself. Instead, focus on communicating value to your clients. Fees will then assume less importance to them.
- Remember everything is negotiable. The key is to formulate the right strategy and persuade each client that your desired outcomes are also in their interests.

Finally, think outside the box and use your creativity when growing your practice. This is how meaningful change happens.

Michael Strogoff, AIA, provides strategic marketing, practice management, negotiations, and ownership transition consulting. He has advised more than 100 design firms and provided in-house training to firms nationwide. Phyllis Dubinsky specializes in strategic marketing and business services for service firms. Prior to forming her own firm in 2002, she was a principal of Perkins & Will. Her 20 years of experience includes leading the marketing and strategic efforts for large and small practices. Her work was recognized with the prestigious Leonardo Award.

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Practice Management Digest

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Protecting Your Firm from the Negligence of Others

Editor's Note: This article is reprinted with permission from Victor O. Schinnerer and Company Inc. It originally appeared in the March-April 2004 issue of Guidelines*. Schinnerer is a Legacy sponsor of the Practice Management Knowledge Community.*

Good design is a team effort. Usually, a group of independent firms join together in some capacity to coordinate services for a common client. And design firms often have to rely on the services of consultants who are not a part of the design team. Firms need to understand their legal responsibilities when they are part of a professional services team and their responsibilities for others. One firm can have legal responsibility for the actions of another in much the same way that it has responsibility for the actions of its employees. This is called vicarious liability.

Establishing Relationships and Determining the Risks

Teaming relationships on projects can be divided into three categories: joint ventures, separate independent contractors, and prime-consultant arrangements.

If firms provide professional services to a client together, they are in essence a joint venture. It does not matter what term the firms use to describe their teaming relationship. If they both sign a contract or indicate to a client that they both have responsibility, they are usually jointly and severally liable for the services provided by either party.

Independent contractors provide some services on a project. Often, they are hired directly by the client. Or they provide services to the design team that are clearly separate from the services for which the client is paying the design team. In general, when a party hires an independent contractor, that contractor has control over its own activities. The client, or prime, can instruct the independent contractor on what to do but not how to do it. A prime is generally not liable for the tort claims of its independent contractors.

Managing the Risk of Others

A prime-consultant arrangement usually means that only the prime is contractually liable to the client. This privity of contract establishes broad rights for the client against the prime. The client's rights against consultants are usually limited. At times, they extend no farther than the rights of any other member of society.

When a prime firm is registered in one profession, it must subcontract out a portion of the design to another professional in a different specialty. While the non-licensed prime cannot instruct the consultant on how to design, it may still be held responsible for a loss relating solely to the negligence of the consultant.

Courts generally presume vicarious liability for a design professional arising out of the negligence of an independent contractor employed as a design consultant. This is due to an overriding responsibility of the prime to protect the health and safety of the public. This presumption is based primarily on traditional contract principles and public policy arguments.

Contracts for professional services create a non-delegable duty on the part of the prime to provide plans that conform to applicable codes, standards, and regulations. Therefore, even if the prime has no authority under state registration laws to control the design activities of a consultant, the prime still has vicarious liability for the consultant's professional services.

A consultant, however, may escape liability if the client requires the prime to use a specific consultant. Even if there is no separate direct relationship between the client and consultant, the consultant may be determined to be an

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independent contractor and solely responsible for its own actions.

Coverage for Vicarious Liability

CNA's professional liability insurance policy defends policyholders against allegations of their negligence and pays on their behalf if the firm, or its employees, are found to have performed professional services in a negligent manner, which in turn caused harm. Intrinsic in this broad policy is coverage for the negligence of those providing services through the prime design professional. There is coverage for the vicarious liability of the insured firm for the negligence of its consultants.

While the prime's CNA policy will protect it from the negligence of consultants, the policy does not defend or pay on behalf of the consultants. Therefore, if the consultants want protection for their professional services, they must have their own professional liability insurance coverage. Separate coverage not only protects the consultant, it protects the prime design professional since the design professional should be able to look to its consultants to stand financially behind the services they provide.

Managing Exposures

With rare exceptions, a prime design professional is responsible for the negligence of those providing services on behalf of the prime. Therefore, care should be taken in all cases to select interprofessional consultants who are qualified and capable of providing their services. Even if the consultant is selected by the client or could be considered a truly independent contractor, insurance protection should exist.

Some consultants may want to have the prime assume all, or a major share, of the risk that they will perform their services adequately. Consultants who attempt to shift risk to the prime by unreasonably limiting their liability to the prime or a third party through their contract with the prime design professional should be carefully evaluated. Limiting the consultant's risk simply increases the likelihood that the prime will be held liable beyond its share of any harm.

For guidance in assessing vicarious liability and creating contract language, please refer to Schinnerer's *Managing Risk Through Contract Language and the Terms and Conditions Review Guide.* These contract review tools address specific contract issues and model language.

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Understanding How to Manage a Practice

Jason Dale Pierce, Assoc. AIA

Editor's Note: The Practice Management Knowledge Community offered scholarships to two emerging professionals to attend the 2004 Desert Practice Conference, "Controlling Chaos," which took place in October in Indian Wells, Calif. Scholarship applicants were asked to respond to the following questions: Why are you interested in practice management? How will attending the 2004 Desert Practice Conference benefit your career? How will your attendance at the conference benefit the Practice Management Knowledge Community and the AIA? This is the second of the two winning essays in our continuing series.

An internship promises opportunities to continue your architecture education by exposing you to the realities of the profession. Those realities range from project management to construction administration to expansion of your design skills. Few interns, however, are exposed to practice management. Unless you work in two- or three-person firms, most management decisions and discussions are done without your involvement or behind closed doors. Rarely do principals sit with interns and discuss practice management aspects of the firm.

When I become principal of my own firm, I would like to have a better understanding of how to manage my practice. We all have ideas of how our current firm could be better. We also all vow to do things differently when we have our own firm. Nevertheless, why should we flounder for the first few years after starting our firm, trying to figure what works and what does not? The Practice Management Knowledge Community provides interested members a wealth of knowledge about these very issues, allowing me to consider the options and issues facing architecture practice prior to starting my own firm.

When I first realized I wanted to be an architect, I immediately pictured my future as a principal of my own successful firm, sitting in a sun-drenched studio, bent over a drafting desk designing some of the world’s most influential buildings. Everyday I would sketch out innovative design solutions that I would take to a small group of dedicated, enthusiastic employees who would see to it that every detail would be implemented exactly as I envisioned.

Now, after several years of working in the profession, I realize my dreams never delved into the facets of what it would take to make my firm successful. No one ever told me establishing a successful firm requires more than exemplary design skills; it also requires strong leadership, accounting knowledge, constant marketing, people management skills, and a myriad of other abilities. Most of these requirements are rarely, if ever, taught in school or in years of practice.

As the current local Young Architects Forum (YAF) chair and YAF regional liaison, I am always discussing various aspects of architecture with young architects across my region. The knowledge I will gain from this conference will enable me to speak about the issues and lead discussion groups within my professional community and professional endeavors. In addition, I expect the conference to provide me with the necessary resources to help steer peers, when asked, in the right direction for more information. Bringing this level of knowledge to my community and sharing the knowledge with others will only help strengthen the local profession.

Jason Dale Pierce, Assoc. AIA, works with Bond Wolfe Architects Inc., in St. Louis.

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Emerging: An Emerging Professional's View of the 2004 Desert Practice Conference

Jason Dale Pierce, Assoc. AIA

Editor's Note: A final requirement of scholarship recipients to the 2004 Desert Practice Conference was to provide a synopsis of their conference experience. Here, recipient Jason Dale Pierce presents his synopsis.

Looking beyond the benefits of an all-expense paid trip to a beautiful resort hotel and spa in Palm Springs, what inspired me to enter the essay contest was that the conference contained a special track for emerging professionals. Having been to several conferences on various aspects of the profession, few, if any, actually focused on the emerging professional. I found it refreshing to see there were seasoned professionals who believed the next generation of architects could have a profound effect on the future of the profession.

In addition to the track on emerging professionals, I found the overall premise of the Desert Practice Conference, “controlling chaos,” extremely compelling. The conference was to provide an in-depth look at practice management challenges through a series of speakers and workshops geared toward different aspects of running and sustaining a successful architecture practice.

I have been working in a firm for about four years now since receiving my professional degree. It was amazing to find myself so unprepared for how many aspects of a project went virtually unmentioned in my education. In addition so much has changed during my short tenure in the profession with technology and the array of how projects are delivered. Globalization is an ever-encroaching reality that so many businesses, including architects, must grasp and embrace or become obsolete. The possibility of having this compelling dialogue with other like-minded individuals made me excited to experience the diverse dedication the conference provided for those of us scrambling to be the next wave of leaders within the field of architecture.

The opening keynote speaker, John Seely Brown, set the tone for the conference. His focus was living, learning, and working in the digital age. His lecture delved into how today’s generation is learning so vastly different from previous generations. He stressed the need for current leaders of the profession not to discredit the younger generation because of their lack of learning by the same methods as they did. In fact, Brown believes this “digital” generation may be better prepared to be more successful than their predecessors were. One of the most interesting concepts he stressed repeatedly was his advice for today’s firm leaders to practice reverse mentoring, which he defined as the younger generation teaching the seasoned professional. I found this breadth of acceptance to be inspiring.

In the individual workshops I got a chance to interact and learn from colleagues from firms around the country. For example, one workshop, “People Skills,” provided practical information that could be applied immediately to the management of my projects back at the office, especially when I am trying to sell a design idea to a client or get the contractor to realize why I detailed something the way I did. This workshop gave an in-depth look at the basic people skills all employees and employers should understand and practice in order to have a more cohesive team that provides excellent service and quality design solutions. This topic of how to communicate with people I find to be one of the most pertinent to architects but one of the least taught in school or sought after in continuing education opportunities.

What we do in our career is deal with clients, contractors, product representatives, city officials, consultants, and other project team members. If we cannot communicate effectively and clearly understand what our counterparts are saying both verbally and nonverbally, then how can we create better design solutions for clients and with our design team? This workshop gave me the basics for starting to understand personality type. Each

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person you encounter in your career is motivated and makes decisions differently. Their ultimate decisions stem from the vastly different set of experiences they have had in their lives, both professionally and personally.

Another workshop, “Defining Your Strategic Context,” provided insight on how to establish your firm for a successful future. The workshop was a valuable resource for those thinking of starting their own firm. It provided a simple outline to assist in defining what you want your firm to be and how you want it to operate. At the same time, the workshop provided examples of how existing firms can reinvigorate themselves through simple planning guides that would give a refreshing look at the firm’s original founding goals, current performance, and areas in need of change and their inhibitors of change.

Outside the keynote speakers and individual workshops is where I obtained an even greater sense of how small the profession is and how sharing experiences with colleagues can be one of the greatest benefits for your career. To my surprise, I was also able to gain information on how to run projects, as well as run a firm, by simply talking with other firm leaders attending the conference. Most architecture firms are based on the same two basic ideas providing design solutions to their clients along with quality service to help them through the design and construction process. Each firm has experience handling difficult situations and developing projects that were a success. These experiences, both good and bad, could be beneficial to anyone interested in becoming a better employee, a better employer, and possibly starting your own firm.

The conference gave me the opportunity to talk to numerous people at all stages in their careers, most of them eager to give advice and discuss successes as well as problems they have encountered in their firms, projects, and careers. Several of them also expressed admiration when they found out how new I was to the field of architecture and that I was an intern seeking more knowledge of the profession. A few people told me they wished to have attended more conferences such as this when they were younger to help them avoid some of the hiccups they experienced in their careers thus far, which made the winning of this scholarship that much more rewarding.

I came away from this conference with a sketchbook full of notes on beneficial techniques for sustaining and perpetuating a successful architecture firm. I also reconfirmed my belief of the inherent value of attending events such as this. It always surprises me how motivated I am after attending a conference on architecture. I always seem to come away with an incredible renewed vigor about my profession and the power that “we” as architects and designers possess to shape the world around us.

If there were one thing I would recommend to all architects and designers, no matter how small or large the practice, whether firm owner, project manager, or intern, it would be to attend at least one professional conference or workshop a year. These events enable you to step back from your routine of paper shuffling, value engineering, and tiring marketing endeavors to take a critical look at the career you chose to dedicate your life. You gain the elusive, valuable tool of a different vantage point. It forces you to hear ideas of how others are dealing with similar issues or problems, which may bring about a moment of clarity on how you can solve such issues in your own life and practice. To me, the conference could be summed up by Clark Kellogg when he stated in the workshop, “Giving Young (& old) Professionals Purpose,” “All professionals should always be emerging.”

Jason Dale Pierce, Assoc. AIA, works with Bond Wolfe Architect Inc. in St. Louis.