Convention Report

AIA Small Project Forum

PIA

1998 AIA Convention in San Francisco

The AIA national convention was held May 14–17, 1998 at the Moscone Center in San Francisco. The Small Project Forum (SPF) sponsored such programs as the Small Practitioner's Breakfast and the Brochure Exchange. There were many programs offered with small project/small firm content. We recognize that achitects working in small firms, as the vast majority of our members do, generally do not have the opportunity to travel to national or regional conferences. This special report is designed to convey more broadly to SPF members the essential ideas and insights offered in a sample of convention seminars and workshops.

The sessions at convention were audiotaped and are available for $13. You can earn CES LUs by listening to the tapes. To order, call ACTS at 800-642-2287 or use the order form in the June issue of *AIArchitect* (page 20). Also, visit the '98 Convention Web site at AIAOnline, *www.aiaonline.com,* to download handouts from the sessions. Lastly, you can obtain information on the speakers by contacting the AIA Professional Development Department at (202) 626-7435.

Thanks to the following Small

Project Forum members who contributed to this report: Hy Applebaum, AIA Houston; Michael Hollander, AIA Connecticut; Diana Melichar, AIA Chicago; Cynthia Pozolo, AIA Detroit; Lisa Stacholy, AIA Atlanta; and Edward Z. Wronsky, Jr., AIA Long Island. See the last page of this report for more information on the contributing members.

Workshop—Small Firm Marketing: Architecture as a Contact Sport!

Report by: Lisa Stacholy, AIA
Presented by: James R. Franklin, FAIA

Reflection

All who attended James Franklin's workshop "Small Firm Marketing: Architecture as a Contact Sport" would agree that, like others he has given, this workshop was a true gem, for it offered a better understanding of our profession. Although his talks may be "tainted" by his years of service and experience, they are also tempered with his willingness to listen and adapt new methods for interpreting each topic. This particular issue, marketing, was enlivened by both an enthusiastic group and Jim's own energy, passion, and conviction for our profession.

AIA

Decipher Energy Needs

As Jim explained, when considering marketing for the small firm, everyone needs to decipher where energy should be focused. Make a list, Jim advises, and outline potential projects and project leads, along with the current status of all projects. Also, list estimated construction cost, estimated fee, percent likelihood that the project will "go," and the percent likelihood that you'll "get" the project. To decipher the energy needs, follow the formula below:

Multiply the estimated fee by the % "go" by the % "get" =

The resulting figure is the "Projection Figure" that represents the value of the effort. This figure should be compared against figures for other potential job leads. Although far from scientific, the product helps you see the reality of where your efforts are likely best spent. (Personally, what I find valuable about this equation is how it removes the subjective "but I really want to do this project" blinders from the overall decision process). During his talk, Jim aptly stressed that our E/O insurance folks feel reassured by "Projection Figures" because they may think that we know where we're going. Also, our bankers like them because when we want to ask for capital expenditure money, they can see how we'll make good on the note.

Marketing Contact Lists

Every principal should maintain an informal list of marketing contacts, even if they are not the designated "marketing" partner. This is the process of making projects. The list should be gathered from a variety of sources: overhearing conversations at the grocery check-out line, catching the news, reading trade journals of your clients, interacting with friends, etc. The goal is to always have your ears open for any potential information and your brain turned on to filter and focus the applicable information. Remember the following steps that make marketing contacts effective.

- Follow-up with phone calls, or visits; hand written notes, faxes, letters; or media clippings to anyone whose success, or sense of well-being, benefits by your success.

- Keep these all-important questions in mind and circulate them whenever possible: Is the project real? When will it happen? How will it be funded? How big is the fund? Who are the users? What is the function? Who selects the architect? Who is the competition? What is the client's perception of me going to be?

The last question noted above probably won't be answered directly, but any and all attempts to know the angles and presumptions of the client will help you decided how to proceed.

Tools of the Trade

Marketing tools and systems are elements suggested for use on a regular basis. The tools are frequently interrelated and tend to play off each other, thus building a result greater than any single tool. The general list includes these items: notebooks, calling cards, phone, fax, computer, files, flip charts, stationary, and pouch folders. Mr. Franklin suggests that you buy and use the best tools you can afford and not feel guilty for using LOTS OF THEM. Also, be consistent when implementing new tools (e.g., try batching your marketing phone calls during your best part of the day, stand up when speaking to give better air flow and annunciation, and always remember to smile-they'll hear it in your voice). Lastly, keep the systems that you decide to use as simple as possible so that you'll actually use them, but also remember that the systems need to be VERY effective in their execution to get successful results.

What Makes a Client Good?

Each of the attendees at Jim's workshop was asked to make a short list of "good client" attributes, then complete a short theoretical questionnaire as if they were the ideal client. Following this hypothetical segment, everyone was asked to fill out the same questionnaire and answer truthfully as themselves. This exercise was aimed at verifying (or highlighting) compatibility between who we think we want to work for and who we should work for.

Networking is another facet of determining who good clients are for you. Consider that networking is "putting yourself in the right place." The best way to learn what you can do to improve your networking odds is to ask your clients.

Client selection deserves more attention than given in previous economic conditions because now that times are good, architects can (and should) be more selective about the clients with whom they decide to work. Some factors to consider are:

- Client History

- Management Structure

- Client Attitude

- Client Solvency

- Client Reputation

- Community Ties

- Chemistry.

Five Whys

When meeting, talking, or otherwise negotiating with clients, be prepared to ask (curiously, not invasively or defensively) "Why?" five times. The sooner you begin to understand their interests (and motivation), the sooner you can "sit on the same side of the table" and become partners.

What Are You Selling?

Always know, as clearly as possible, what services you are selling. Use the B141 to determine tasks and scope of services. Use your knowledge of the client (or your "account") to begin discussing services beyond a traditional B141. Offer "discovery services" to help the clients determine what is in their best interests, given their sets of goals. Or, offer projects for "wholesale" by acting as a construction manager and hiring subcontractors directly.

Five Benefits

Going back to the listing of what makes your ideal client, Jim suggests that you also prepare a list of the top five benefits to clients who use your firm for their projects. The list would ideally include points highlighted or illustrated in recommendation letters from your existing clients. Learn these by jotting down the top 10 reasons that you would hire you for any given project. Then, objectively look at the list and tell your clients a) what benefits can you offer, and b) how these benefits might help them reach their goals.

Paradigm Shift

Jim postulates that we (the profession and, in a larger sense, the world) are in the midst of a paradigm shift. Previously, the *zero sum gain* was the norm (I squash you, I win). However, it appears that a transformational lead-

ership is taking place. No longer is the "I have power over you, I am the male, I make you fear something, etc." the standard method of communication. It now appears that the *Transformative Leadership* is taking root as the next standard of operation and communication. Jim likened this concept to a really good jazz band where the leader sets the beat while the others input their information and specialties at the appropriate times—each band (team) member feeding off of and contributing to the greater success of the entire band (team).

(From my perspective, I can honestly say that this is true. It is no longer an issue that I am a woman architect. If anything, it diffuses the *zero sum gain* MANtality more quickly so we can get on with the business of doing architecture more effectively, sooner).

BATNA

BATNA—Best Alternative To a Negotiated Agreement—originally from Roger Fisher and William Ury's 1981 book, *Getting to Yes*, is a very effective tool for negotiating. Essentially, it is an internally focused set of information that helps you to function your best when faced with any negotiating situation. Your BATNA is your power source for negotiations. Design it, revisit it, and revise it often because it is a helpful introspective tool.

Beyond that, consider crafting a BATNA for your client. Then, you can use that information in your negotiation to show your clients why you are their best choice and why it should be hard for them to walk away from you. Know your adversary because it is extremely helpful to be able to see things from their side of the table.

Summary and Wrap-Up

Mr. Franklin's wonderfully informative and lively workshop can be summed up in the following list:

1. Straight talk gets better results and more respect than useless fluff.

2. Active listening is an important skill that diffuses the "architect stereotype" many people have. Thus, *observe, acknowledge, encourage, ask* open-ended questions to verify points, and *interpret* what you think you've heard.

3. Negotiate on the basis of merit (not win/lose) what it will take to get to a mutual "yes."

4. BATNA: Use this first and last.

5. Use the 5 "Whys?" to determine real motivations and interests beyond the initial "position" taken.

6. Tell rather than sell: Nobody really likes to be "sold" on an idea; rather, they really like to listen, decide, and assimilate ideas into their way of thinking.

Ready, Aim, Talk Architecture: Strategic Speaking—Making the Most of your Presentations

Report by: Diana Melichar, AIA
Presented by: Jane Cohn, Assoc., AIA,
Susan Murphy, Scott Simpson, AIA

Note: Although this presentation was definitely a winner, and hopefully everyone who missed it this year will look forward to a command performance next year at the AIA convention in Dallas, I can only report on the non-interactive portion of this lecture. Much of the session was geared

toward speaking skills by using members of the audience. With this in mind, I will concentrate primarily on the mechanics of strategic speaking.

Public speaking is good for business. "Strategic" speaking is even better because through it you are targeting an audience full of potential clients who are captive. How do you get these potential clients to believe that you are sincere, credible, authoritative, and competent? How do you obtain the opportunities to speak in the first place? You must do some research and planning prior to your lecturing.

Mechanics of Strategic Speaking

1. Plan ahead. Most organizations plan a year in advance for their topics and speakers. You want to be one of them.

2. Target your audience. Even if you think you know your audience, you want to make sure your topics are of interest and will benefit them. If you speak to associations (e.g., the Bar Association), know their key issues and immediate concerns.

3. Choose a topic that will capture the interest of the audience. Whatever you're "selling," it must be subtly packaged for your audience's concerns so that they can differentiate your lecture from the others. Use the audiences "vocabulary," too, not architectural jargon that they can't recognize (i.e. massing, vertical and horizontal conveyances, etc.).

4. To get on a lecture docket, you have to write a compelling proposal telling the organization what you have to offer them. Tell them how your speech will benefit them, and what others will learn from you.

5. After your lecture is complete, follow through. This audience is

a prime target market. Don't let them disappear! Encourage follow-up phone calls, add them to your mailing lists, etc.

For your actual speaking engagement, you must be a dynamic speaker. The content of the presentation should not be your total focus because the whole "package"—content and delivery—is essential. Concentrate on the audience's agenda. After all, you are courting your audience.

Speaking should be a simple process, and *you* should be the most important visual. Your visual and vocal presentation techniques must be practiced and mastered.

Do scan the audience, but make an effort to focus on one audience member at a time for at least 5 seconds. This focusing technique should actually relax you and, consequently, relax your body language as well. One member of our session's audience tried this technique, and it worked famously.

To be dynamic, you needn't change your personality. The following tools, as well as your natural presence, should be enough to effectively connect with an audience:

* Talk louder than necessary to be heard. You will sound more enthusiastic and authoritative.

* Be more animated than you usually are. Use your hands to emphasize key points. Create your own vocabulary of 5 gestures that you regularly use during presentations.

* Assert your body in "powerful" positions. Don't use "protective" postures, like crossing your arms and legs.

Speaking is like a sport. You need to practice and practice so that when the real "game" occurs, you will be able

to adjust to the inevitable variables and nuances *without consciously thinking about them.* As Susan Murphy mentioned, Julia Child once said, "Company doesn't know what it tastes like, just serve it anyway." Meaning, you needn't memorize your speech. You know the content better than anyone, so if you make a mistake, it's not a big deal. Your delivery and positive attitude will more than make up for any errors.

Most audiences only remember three key points from any presentation, so sell them on the issues that are most important to them. Relax, enjoy your spotlight, and let your enthusiasm for the topic shine through.

Building Green for Fun and Profit

Report by: Michael Hollander, AIA Presented by: Gail Lindsey, AIA, from Design Harmony, Raleigh, NC

Gail Lindsey led a panel that included discussion from the following: *Environmental Building News*, the Center for Renewable Energy, *Environmental Resources Guide*, and Scientific Groups. A very rich "Green Resource List" was provided to all who attended, as well as fourteen great web sites filled with helpful information and the panel's top ten picks. Check it out at the AIA conference proceedings web site. The panel also offered an overview of popular tools for Green Design by their authors and publishers. Environmental Building News will soon publish a new Green Building products catalog file like Sweets! See at *www.ebuild.com*, as well as a great new book and CD on sustainable design from the Rocky Mountain Institute. Call for information: (970) 927-3851.

Green Design and Sustainable Development

Report by: Michael Hollander, AIA
Presented by: Eric Aukee from Perkins and Will, H. Johnson from Resource Renewable Institute, W. Browning from the Rocky Mountain Institute, and K. Papamichael from Lawrence Berkley National Labs

The members of this panel outlined new directions for Green Architecture, including a bank building in the Netherlands composed of 10 towers, passive solar, gardens, and daylighting, all without any right angles. This a radical departure for this occupancy class. Other case studies cited include Randal Coxton's California Office/ Warehouse, HOK's S.C. Johnson Building in Racine WI, AT&T campus building, and a far-out example of this genre—The National Resource Center in Montana by UNIM Architects. Discussion on the architect providing a "Occupancy Manual" to go with each building (much like a product manufacturer provides an instruction manual to go with each machine), was an interesting new approach with far reaching significance. In the same vein, there was mentioned the attempt to tie part of the architect's compensation to a five year life cycle cost savings of the building produced. So if a building owner realized projected energy savings over a given span of time, a percentage of that gain would be provided to the architect as part of her or his fee. Finally, Papamichael outlined some very interesting new tools being developed by Lawrence Berkeley Labs—all of which are FREE to architects! They are state of the art, object oriented and easy to use to determine energy and design loads.

See at *www.lbl.gov.*

Note the Building Design Advisor on their web site. It looked great!

Project Team Bridges for Small Firms: Forming the Team to Effectively Manage the Risk

Report by: Cynthia K. Pozolo, AIA
Presented by: Barbara A. Sable, Assistant Vice President
Judy Lanehart Mendoza, Risk Management Specialist
Panelist: Sara E. Hawkins, Account Executive

These three employees from Victor O. Schinnerer & Co., Inc. combined a panel discussion with an informal skit to simulate a case study in risk management. Reaction to the format was quite mixed, with many participants actively involved in the case study evaluation, and many others disappointed in the unconventional format.

Regardless of format, the objective of this seminar was to present a systematic approach to promote risk management when assembling project teams. By drawing on 40 years of claims data, Schinnerer has developed a checklist to be used as a framework of consistent analysis from project to project. The checklist (or matrix) was used to teach attendees how to:

• Identify risks small-firm architects face in their practices

• Evaluate ways to respond to and control those risks to take on new challenges

•. Recognize firsthand the optimal utilization of the matrix as a practice management tool.

To understand the context and use of the matrix, which was the major focus of the seminar, the speakers briefly discussed the fundamental four-part approach to risk management: identification, assessment, response, and control. The matrix was made available to all attendees on diskette, and appears to be a very handy tool— especially when other members of the service team are unknown to the architect. It provides a mechanism for a practitioner to identify risks, quantitatively and qualitatively rate them, and then track his or her response to them.

Categories to assess relate to the client, project, your firm, consultants, contractor/selection process, other parties, fees, and the contracts. Issues in each category are summarized to provide an assessment for that category. Those assessments are then synthesized into an overall assessment, which becomes the basis for a recommendation that falls into one of four categories:

• Proceed

• Proceed with reservations

• Proceed only with changes

• Do not proceed.

Schinnerer suggests that the checklist be updated as needed throughout the project, and ultimately become part of the permanent job file. Once a firm has a series of these recorded, principals can use them to evaluate projected versus actual project data in each of the categories. That archival information, along with key information available from your underwriter, can be used as a starting point for additional business planning.

Some of that key information was passed along by Schinnerer, and is of particular interest to small firm owners:

- Industry standards show that 55% to 60% of claims made are by clients.

- Historically, 68% to 70% of claims against small firms are made by clients.

- For small firms, project type impacts the risk associated with a project.

  ** 33% of claims are for single-family home or townhouse projects

  ** 8% to 10% are for schools

  ** 8% to 10% are for multi-family housing

For more information, visit the Schinnerer web site: *www.schinnerer.com.*

Watch Your Step, It's a Mine Field! Managing the Top Three Risks Facing Architects

Report by: Diana Melichar, AIA Presented by: Patricia Barbosa, Esq., and William Dexter, Cal Polytech, San Luis Obispo

Architecture is often considered a high-risk, low-margin profession. As a matter of fact, when I finished this education session, I came to believe that we're responsible for everything (whether we like it or not) but we're not compensated enough for our risks! So how do we manage some of these risks? First, Mr. Dexter identified the top three liability issues facing architects:

1. Construction phase services

2. Owner modifications to the B-141 document (1987 ed.)

3. Liabilities for Barrier-Free design.

Construction phase services are fraught with pitfalls for which the architect can be liable, including site visits, payment certification, and changes to drawings and specifications during construction.

It is important to educate the owner prior to the construction phase about our services so his or her expectations do *not* exceed reality. The owner must understand that a site visit is not an inspection, that the architect cannot possibly police all of the craftsmanship, and that we are not reviewing construction for design compliance. (At this point, the client is probably wondering what, then, are you doing on the job site...). Instead, the architect should be observing the level of the contractor's completion of work and basic review of design issues. The architect is observing the work, but not guaranteeing the performance of the construction work.

If the architect sees a problem at the job site, he or she should make *recommendations* in writing to review the problem, and carbon copy all team members including the owner. In this way, it shifts the responsibility away from solely the architect. (Don't forget to refer to manufacturer's reps, experts, etc.).

Certificates of payment are also fraught with misunderstandings on the client's part. Your approval of payment is making a simple statement that a certain level of completion has been reached, not that you are measuring the quality of the work. Mr. Dexter suggested that architects attach pay request forms to the general contractor/owner agreement as an exhibit so all team members are clear about the language prior to construction.

Changes during construction should *always* be formalized and coordinated with the original construction docu-

ments. No casual, verbal changes! Assume that you will be sued by the end of each project to scare yourself into creating a paper trail that documents all communications.

Owner modifications to the B141 that Mr. Dexter sees as a cause for big trouble are the following:

1. The owner requests that it is the responsibility of the architect to uphold building code compliance, construction safety procedures, warranties, guarantee against environmental hazards, etc. These are ridiculous requests. Don't accept the contract language!

2. The architect guarantees construction costs. This is fraught with trouble. Need I say more?

3. The owner limits the design work. We all know what is being talking about here-the "Builder's Set." Mr. Dexter has found that the courts typically do not take the architect's position when trouble occurs. This is because our licensing forces us to uphold certain responsibilities that are implied on every project. How do we avoid trouble in this case? He suggest that we have the owner indemnify us in writing concerning the extent of liability for the architect with a "builder's set."

In my opinion, this is a tough sell. Most clients don't know one type of drawing set from another, and a more detailed drawing set will usually price you out of the competition. Mr. Dexter's answer: don't take the job then.

Access codes were the last mine field discussed. Ms. Barbosa is an attorney who used to police architects in the State of California for ADA and barrier-free issues. Here's what she

found when she was the deputy attorney general:

1. Most architects did not know how to interpret ADA issues. She found that because ADA is a civil rights issue, the codes cannot be interpreted in the same way as typical building codes. Just because a design provides access does not mean it complies. If there is more than one interpretation for a design issue, the stricter interpretation applies (the one that provides the most access). Sounds pretty straight forward, right? Here's a real example that one audience member brought-up:

   • The architect draws a ramp into his design on the interior of the building near the front lobby. There is already a route available for handicapped access that leads to a side entry to the building. The owner does not want to pay for or construct a new ramp. Who's in trouble if the ramp doesn't get constructed? You guessed it: the architect. Make sure that you review ADA and state codes and choose the stricter of the two. Then, explain to the client the need to choose the stricter governing rules.

2. Architects cannot and should not rely on building code officials/plan examiners for compliance with the ADA. The officials have *complete immunity* and the architect has *complete liability* for ADA issues. If an issue has already been interpreted in writing by the state in which you are working, and it is a stricter interpretation than the federal guidelines, take the interpretation of the state.

3. Not only can disabled persons sue for inaccessibility, so can persons *associated* with the disabled persons!

4. Certain projects are high risk in nature-public and state projects, in particular. Make sure you do your homework when reviewing codes. Consider hiring an ADA expert to review your plans as a second opinion, but remember that consultants only give opinions. Ultimately, the architect is responsible for all code interpretations.

Conducting The Historic Structures Report

Report by: Michael Hollander, AIA

Thirty some preservation-minded architects gathered at Golden Gate Park's Conservatory of Flowers, a marvelous glass and wood San Francisco landmark. This 1878 structure, the park's oldest and one of the few glass and wood greenhouses in the U.S., was the site for our day-long building investigation and analysis. To help get us started, Hugh Miller, FAIA, expert in this area, gave us a brief review of the HSR—Historic Structures Report—history, focusing on it as a dynamic process between architectural team and client. Next, the San Francisco firm Architectural Resources Group, responsible for this project's restoration, presented a detailed project description. Bruce Judd from ARG led the discussion with members from his firm. Lloyd Jary, AIA from San Antonio rounded out the presentation. Following the 1-1/2 hour discussion, we broke into five groups—site, structure, systems, interior, and exterior—to analyze the structure based on the program outlined and return with our findings and

recommendations. It was enlightening to see how practicing architects could come together and within a few hours produce a collaborative study of this extraordinary structure. All manner of observation was recorded. One ingenuous group collected paint samples from the structure as part of their report. Finally, the San Francisco firm ARG outlined their final and approved solutions walking us through their design process.

All benefited from this workshop with ideas flowing from ARG to workshop participants and back. Many observations from the group brought new insight to the ARG team, making this a truly interactive experience. Several workshop members, including a classmate I had not seen in 30 years, expressed interest in adding this specialty to the services their firms offer. This workshop provided both the tools and the practical experience to do just that. A thorough binder on HSR process, complete with drawings of the examined structure, was given to each participant. Combining a study seminar within a building tour is a most effective architectural learning experience, one I heartily recommend for future conferences.

Silicon Graphics and Bentley Systems

Report by: Michael Hollander, AIA

Silicon Graphics and Bentley Systems combined forces to provide an update of their hardware/software capabilities. They also offered a tour of the new Mountain View headquarters Amphitheater Technology Center along with members of the Studios Architecture and Devon Construction team responsible for the project.

High tech and fast track, this

impressive facility provides state of the art presentation space flanked by open style cafeteria, lounge, and social spaces with offices and lab areas as appendages. This surely represents the new workplace as defined by the Silicon Valley set. I chose not to tour their building or campus but elected instead to visit a multimedia, real time simulation at their "Visionary"—a miniature Imax type screening room (three rows and about 180 degree screen). Originally one of three such theaters to showcase Silicon Graphics capability, there are now 50 centers world wide used for research, design, and presentations. The design simulations include walk and fly thrus so realistic they approach video, but they are at three times the frame speed per second and are entirely computer generated. They showed three examples: an airport addition in Saudi Arabia; the planned reconstruction of the Bay Area Bridge, showing three design alternatives; and a new town. Using texture mapping, these walk thrus so resemble actual building materials, landscaping, and topography, it is truly amazing. And all without time for redraw. Its instantaneous visualization is backed up by Silicon Graphics horsepower that would satisfy the needs of the Pentagon. Who knows...we will probably all have that capability on our desks within a very short time!

How to Say Yes— How to Say No

Report by: Edward Z. Wronsky, Jr., AIA
Presented by: Ava J. Abramowitz, Esq., Hon. AIA

The new AIA contract document B141 is designed to return architects to the center of the design process. Architects should regard it as a sales tool to explain the value that they add to the project. It can also be seen as an opportunity to manage risk profitably.

In exchange for having a license and charging for professional services, architects must act as reasonably prudent professionals; failure to do so is punishable under tort law. However, professionals can not guarantee results —they can only help the Owner to achieve success. It is the professional's responsibility to specify appropriate materials and systems for a project. If these subsequently prove to be inappropriate, an architect is not expected to have had more knowledge than any reasonably prudent professional. In her talk, Ms. Abramowitz cited asbestos, once the best fire retardant available, as an example. Although it later proved to be dangerous, architects were not held liable if they had specified it. An architect's compliance with the profession's standard of care is a defense to failure to achieve the desired result.

Contract law defines the Contractor's relationship with the Owner. The Contractor agrees to provide the Owner with a product exactly as described in the contract documents. Conformance to industry practice is not a defense for failure to adhere to the contract documents.

The goal of a design contract is threefold: to make the progress of the project predictable, to help the parties achieve their strategic objectives, and to make sure that the party in the best position to control the risk has all the power and responsibility needed. When architects are asked to expand their involvement in a project, they should consider the following:

- Exposure—How risky is this for me personally?

- Capability—Can I manage this exposure?

- Responsibility—What duties do I need to manage the risk?

- Power—What control, authority and fee are attendant upon the assumption of this additional responsibility?

The Owner's concern is for the success of the project. Thus, it is futile for architects to complain to the Owner about liability exposure—the Owner could care less. The Architect's risk options are the following: take it; leave it; make it less risky by learning about it; allocate it to someone more capable; or transfer it through insurance.

When a portion of a contract that you are considering doesn't make sense, read it aloud. If it still doesn't make sense, read it to someone else. If it still doesn't make sense, assume it makes no sense and don't sign it. If you can't measure something objectively, redefine it. Avoid "the best," and "most spacious" type phrases. Remember that everything is negotiable and that every quid deserves a quo.

Next, Ms. Abramowitz reviewed several clauses that owners often ask be included in the definition of an architect's responsibilities. Beware of responsibility without power, and remember that power includes compensation. Do not agree to "assist" the interior designer and be responsible for the "overall look of the space and coordination." Be careful not to "certify" anything of which you can not be absolutely certain. Qualify requests for certification with "to the best of my knowledge, information, and belief," or "it appears to comply with the contract documents," etc. Advise the Owner that you cannot make an insupportable statement. Do not agree to supply "complete and adequate documents for the construction of the project." Few, if any, owners are willing to

pay for the extensive detailing implied by that statement, and you do not want to cut out the Contractor's expertise. The project will benefit if certain issues are addressed in the field. Don't guarantee code compliance. Government laws are often contradictory and open to interpretation. It's safe to use "endeavor to comply." If you must agree to accept responsibility for correction of deficiencies, make sure that this is defined as the net additional cost due to negligently designed contract documents or specifications. If additional doors are required, agree to pay the cost of retroactive installation, not the cost of the doors themselves.

Workshop—Project Administration: A Bridge to Successful Projects

Report by: Lisa Stacholy, AIA
Presenter: Steve L. Wintner, AIA

What do client expectations, balancing staffing and deadlines, consultant's information and project scheduling all have in common? Steve Wintner answered this question in his workshop "Project Administration: A Bridge to Successful Projects."

The root to successful execution of a project is based not only in the administration of each project, but also in the core of the firm that has the right tools in place to handle the majority of potential project situations. Thus, clear communication within the firm is at the root of successful projects. Steve Wintner presented a strong workshop that offered the "nuts and bolts" approach to project administration, which well could have been titled Project and Firm Administration. Mr. Wintner looked beyond each individual project and addressed common issues across all projects to develop

methods for maintaining a firm that runs itself much like a well-run project. It's all in the focus.

The workshop touched on several major aspects of project and firm management.

The Problem Solving Model illustrates the flow of information from issue to resolution, with the major focus being on thinking and rethinking the results as a process to the end.

The Communication Matrix reviews the flow of information from all players on a project through the project manager to result in (hopefully) the most successful dissemination of information. Not discussed, however, was how to handle information not passed through the project manager, but, rather, directly between the related players.

Project Milestones, Inception, and Final Contract Review looks at the entire "paper trail" process of project administration. Of particular interest are elements of the contract review procedure prior to execution of the contract. For example, it is important to verify who signed the contract for the client: Are they an officer? Do they have the authority to enter into the agreement? If not, you should find someone who is, as you don't want have a contract that is unenforceable. Also, consider using "task listing" as in B141 to *a)* assist your client in understanding the services you will provide for them and *b)* negotiate a fair fee for the scope of your services.

Project Budgeting reviews two different forms of determining a fee: Top-down and Bottom-up. Top-down is typically used in governmental situations where the project fee is a given and the scope of services are refined to determine feasibility. Bottom-up should be used for the majority of remaining fee determination. The

following illustrates how the information should be collected and analyzed.

Billing Rate Formula
Labor Cost:
(Salary per hour per employee) +

Payroll Benefits:
(Customary & Mandatory) +

Net Overhead: (Indirect operating expenses) = Break Even Point

Example Calculation
(Labor $10.00/hr   3.50
x Benefits
factor 35%)

plus   12.00+3.50=15.50
(Labor $10.00/hr
x New Overhead
120%)

plus   25.50/.80=**$31.88**
(Labor $10.00/hr
profit margin 80%)

Important Factors
- Bill approximately $2.50 for every dollar of hourly salary paid.

- Marketing labor is typically 30% of net revenue.

- National average for customary and mandatory benefits is 30% of labor cost.

- National average for indirect operating expense is 120% of labor cost.

Firm Level Calculation
The basic methods used to improve profitability are reducing overhead and increasing billings. To reduce overhead, reduce support staff (the 120% figure above) and/or hire project specific contract employees who will be completely billable to the project.

Seven Key Points for Project Managers

1. *Plan:* Anticipate tasks required to meet scope of services and develop budget hours for each phase.

2. *Organize:* Define roles and responsibilities for each team member.

3. *Staff:* Prepare hourly staffing schedules during Plan phase; get team members to "buy-in" to the time frames.

4. *Direct:* Provide on-going guidance through each phase of work.

5. *Coordinate:* Oversee daily project functions with internal work force and consultants; make sure to keep client "in the loop."

6. *Monitor:* Maintain clear open communication with all team members by informing and updating them.

7. *Evaluate:* Provide feedback to team members to make project work better. Complete formal performance reviews at project completion.

Project Scheduling

Typically, the following eight main elements are contained in a good project schedule:

1. Easily communicates information

2. Flexible and adapts to changes

3. Has support of entire team

4. Shows interrelationship of tasks prepared in calendar days

5. Creates the "challenge" of early, but attainable deadlines

6. Accommodates review/revision and slippage time

7. Correlates with other projects/office activities

8. Allows for work beyond contract date.

Fee Collection

At project commencement, verify with the client where invoices should be sent and any critical cut-off days for accounts payable processing.

The better the project control for scheduling and time expended, the more likely the project will be profitable. So long as time sheets are accurate, complete, and current, you won't lose any money due to sloppy record keeping.

Consider submitting separate invoices for reimbursables versus fees. Why? Because the fee is typically spelled out in great detail in your contract and clients will typically try to debate the reimbursables itemized, separate invoices eliminate the opportunity to delay payment on fees for a few hundred dollars of reimbursables.

Forum with AIA Chief Economist Kermit Baker, PhD: Financial Benchmarks of Architectural Firms

Report by: Hy Applebaum, AIA
Presented by: Representatives from Management Design, McGraw Hill, PSMJ, and Zweig White

The title of this seminar appeared dry and boring, but I thought, what the heck, it may tell me something I need to know.

What a surprise it was when I realized that this seminar was the most interesting and exciting session of all I attended!

All the panelists were in general agreement on issues starting with the notion that that Architects are probably the most underpaid professional on the face of the earth. A 9.2% net profit was the national average for 1997, up

from 9% the previous year. Of importance was the fact that, regardless of the economy, percentage doesn't vary much. Despite this trend, Architects are busier now than they've ever been.

A discussion followed relating to what is profit. The panel concurred that in a business environment, the entrepreneur will try to reduce profit on paper to reduce the tax burden. It was therefore deduced that Architects are brilliant businesspeople for they seem to spend whatever they accumulate over 9% for items chargeable to office expense or salaries. There was also a consensus that Architects could realize a 17% profit with better management skills and very little additional effort. Like Avis, they try harder to please but not harder to squeeze. Firms making 25–33% net profit were cited to prove their case as we hung out our tongues and drooled.

George Schrohe of Management Design offered the following statistics from a survey of California A/E and design firms for 1997:

Firm Size

1–5 staff	35%
6–15 staff	34%

Staff Composition

staff of 1–5	54.2% arePrincipals
	26.9% are Technical
	11.4% are Administrative
staff of 6–15	19.1% are Principals
	50.1% are Technical
	17.2% are Administrative

Billing Rates

	Calif.	National Average
Principals	$115	$105
Associate	$94	$85
Architect	$83	61

| Sr. Project Manager | $90 | $80 |
| Sr. Draftsman | $64 | $50 |

Overhead (before profit distribution)
California: 1–15 staff 156%
National Average: 1–15 staff 154.5%

Net Effective Multiplier
California: 1–15 staff 2.60
National Average: 1–15 staff 2.88

Chargeable Ratio
California: 1–15 staff 67%
National Average: 1–15 staff 63.2%

**Direct Personnel Expense
(before profit distribution)**
California: 1–15 staff 1.22
National Average: 1–15 staff 1.43

**Mark-up on Reimbursable Expenses
(17% of firms questioned do not
mark-up)**
1–15 staff 9–20% w/50% of respond-
ing firms @ 19% average

**Break even Multiplier: The Ratio
of the cost of direct labor plus all
general and administrative expenses
to the labor cost**

DIRECT LABOR
+(GENERAL &
ADMINISTRATIVE EXPENSES)
_____
DIRECT LABOR EXPENSE

**Chargeable Rate: The percentage
of total staff dollars charged to
revenue generating projects**

DIRECT LABOR EXPENSE
_____
TOTAL PAYROLL EXPENSE

William Fanning of PSMJ passed out
an "Executive Summary" that outlined
other important facts comparing 1997
to 1996:

- There were unnoticeable changes in
  staffing.

- No change in Gross Revenue
  between '97 and '96.

- A +3% change in backlog between
  '96 and '97.

- Average collection days increased
  from 60 days to 67 days.

  (Note: Changes in staff size and
  backlog of work are key indicators
  of financial health)

- Average employee hourly rate was
  $19.38/hour with average staff
  salaries at $41,196.00.

- Marketing costs are 5.6% of net
  revenue.

The results of this survey are very
close to topping the results achieved
during the 1980's, the previous high
mark of the profession.

The panel advised that Architects
should set higher goals for their firms
than the averages shown. Only by set-
ting these higher goals will firms pros-
per, providing attractive returns to staff
and owners.

HOW DO YOU RATE?

Negotiating with Clients

Report by: Edward Z. Wronsky, Jr., AIA
Presented by: Michael Strogoff, AIA

Most architects do not like to negotiate
contracts. Negotiation is seldom
addressed in schools. Once in practice,
we are afraid that unless we meet the
Owner's price, we will lose the job.
Reduction in the scope of services
can be detrimental to the project and
should be of primary concern to the
Owner as well as the Architect. If we
agree to provide the services at overly
reduced fees, we set up client expecta-
tions that we will continue to concede.

Negotiation of a good project
agreement is one of the best opportu-
nities that architects have to increase
profits, expand services, reduce risks,
and promote ongoing client satisfac-
tion. Also, we have an opportunity to
solidify a strategic partnership with
the Owner. The first step is to identify
and understand the Owner's concerns.
Only after addressing the Owner's
concerns can we ask that our needs
be addressed as well. The 1997 AIA
Form B-141 was developed to elabo-
rate the Architect's services. In his pre-
sentation, Mr. Strogoff suggested that
we use the form as a guideline to draw
the Owner out about expectations and
objectives. This meeting should take
place before developing a work plan
and fee structure. A successful pro-
posal addresses the Owner's needs and
how the Architect is uniquely qualified
to satisfy them. References to similar
projects and testimonies from past
clients with whom the Owner can
identify help to reinforce the concept
that we are the best architects for the
job. Only when the Architect begins to
understand where the Owner is com-
ing from can a proposal be tailored for
the project.

Mr. Strogoff stressed that it is much
easier to negotiate fees for additional
services before the contract is signed.
It is considerably more difficult to ask
for additional compensation in the
middle of the project. Don't let the
Owner think that you are willing to
provide additional services as part of
your basic fee.

When the project is a renovation,
either document your assumptions or
address the cost of identifying and
specifying remedial work. Always
quantify the number of site visits you
expect to make over the course of the
project. If the Owner wants more
intensive involvement, increase your

fee accordingly. If the Owner's last project soured because users were unhappy, suggest building a full-scale mock-up. Most architects don't like to sell their services, but if you have the expertise to address an owner's needs, you have an obligation to let it be known. Once you've sold one additional service, you have an opportunity to sell more.

Mr. Strogoff then listed the traits of a good negotiator:

1. Be both trustworthy and trusting.

2. Stay detached from the issues— don't take them personally.

3. Don't be afraid of conflict.

4. Be tactful, articulate, and patient.

5. Try to understand people and what motivates them.

6. Develop intuition and learn to read between the lines.

7. Be knowledgeable.

He then suggested the following methods for moving beyond impasses:

1. Prioritize the needs of both parties.

2. Circle back to other areas upon which you have agreed.

3. Discuss trade-offs.

4. Make mutual concessions that don't cost much.

5. Share your reasons for opposition.

6. Step away from the bargaining table, but leave the door open.

He concluded with six hints that architects can use to improve our negotiating skills:

1. Create a constructive negotiating environment by focusing on your client's interests.

2. Don't respond too quickly.

3. Know your alternatives.

4. Even if something is in print, it's still negotiable.

5. It never hurts to ask.

6. Remember that Owners usually want to reach an agreement as much as you do.

Side Kicks or Saddlebags—Choosing Business Partners Who are Right for You

Report by: Diana Melichar, AIA
Presented by: Maria Carpenter Ort

What does it take to make and maintain good partnerships? Why do some fail and some succeed? How do you find the right partner for you? These are some of the questions that Maria Carpenter Ort addressed in her lively and interactive seminar based on her recently published book entitled *The Significant Seven: Key Issues in Business Partnership.*

Maria made it clear that every partner brings certain expectations and values to a business relationship. And even if you think you know your potential future partners, you probably don't know everything about them. What are their long term goals? Needs to control? Behavior patterns with money? Partnership is very personal, and certainly a marriage of personalities and finances. She suggests that rather than blindly stepping into a potential disaster, you should step back and evaluate your future marriage objectively.

When a partnership opportunity knocks on your door, Maria suggests that you remember four things:

1. Slow down and get to know your partner.

2. You don't know what you think you know so, again, gain more information.

3. Partnership is personal; therefore, learn more about your partner's values and ethics.

4. Seek objective information by setting aside gut reactions and seeking objective information about your partner.

What key characteristics differentiate a sidekick (someone you'd like to have as a partner) from a saddlebag (someone who won't be a good partner)?

Sidekick Characteristics—Here's what you should be looking for in a potential partner:

1. The entrepreneurial energy and drive to handle a lot of responsibility and work are essential.

2. A positive attitude is better than one that will drag you down. There's nothing worse than having to motivate your partner. You want your partner to be running with you, not feeling like lead boots.

3. A willingness and ability to communicate are important—especially when times are tough.

4. Flexibility and tolerance will allow partners to be accepting of differences and be willing to give new perspective on ideas.

5. Emotional maturity is a must. Sometimes partners can be irrational, unstable, and hard to deal with. Avoid these types!

6. Similar ethics and values will allow your personalities to effectively mesh together.

Saddlebag Characteristics—These are personality characteristics that you should avoid in a potential partner:

1. Someone with a negative attitude; why work with a partner who will not be supportive, a naysayer who is likely to say "no" all the time

2. Someone unreceptive to ideas of others and unwilling to brainstorm

3. An energy drainer who is overly dependent, a whiner, or a "high-maintenance" personality

4. The lone wolf—a person who can't consider other's opinions and has to do things his or her own way

5. A person whose values and ethics are radically different than your own.

During our seminar, we broke into small groups to compared a brief questionnaire based on Ms. Ort's "The Significant Seven Survey" concerning our values, ethics, and working styles. Many of our responses to these questionnaires were radically different, illustrating how easily conflicts could arise in a partnership. These questions included how we would deal with taxes, work/lifestyle, money and spending habits, employee issues, etc.

Although Ms. Ort did not pitch her book and pamphlet, I think most of us were convinced that we should slow down and "look before we leap" into a partnership. One way to do this is to buy her book and try the questionnaire. To order either one, contact the Duckmint Press, (602) 266-4433. I know I will.

The High Performance Workplace: Design for Greater Efficiency and Effectiveness

Report by: Cynthia K. Pozolo, AIA
Presented by: Jack Tanis,
Steelcase, Inc.

This seminar focused on the connection between the design of physical facilities and the quality of work that goes on within them. The presenter used case studies and industry research to explore 'The Changing Architecture of Business' and 'The Changing Business of Architecture.' The discussion was certainly helpful for those involved in commercial office design, especially as it relates to alternative officing and furniture systems applications.

Several trends in business were reviewed for their impact on physical design, including:

• The need for dynamic settings to support the way people are working as individuals and in teams

• The tendency for businesses to measure results such as customer satisfaction, employee satisfaction, and profitability

• Information technology and management.

Noting that each worker now spends an average of 38% of his or her time working with information technology (computers), and about 50% working in groups or teams, Mr. Tanis noted that "knowledge work" calls for different behavior. It also calls for different infrastructure, and designers must be cognizant of the relationship between re-engineering business and redefining the workspace. Since this relationship

varies so extensively with each client, professionals must carefully assess the actual impact of terms such as efficiency, effectiveness, teaming, and hoteling, for example.

The presenter took the concepts a bit further and attempted to show examples of cost benefit analyses for redefined workspaces. Using terms such as "cycle time reduction" and "space saving measurables," the point was made that design criteria are changing, business criteria are changing, and the measurable success of the two are interdependent.

For those of you doing commercial work, you might be familiar with many of the concepts covered (also made famous by a popular comic strip), and are now looking for some significant post-occupancy studies to complete the evaluation cycle. Unfortunately, lack of such studies was a weak point of the seminar, and one that Mr. Tanis admitted is necessary to bring further credibility to the concepts presented.

Should you wish to check into these concepts further, you can contact him at jack.tanis@steelcase.com.

Digital Pond

Report by: Michael Hollander, AIA

Around the corner from the Moscone Convention Center, on 4th Street, a workshop presented by Digital Pond explored advanced 3D technologies and their architectural applications. Here the capability demonstrated are all easily available today for typical architectural workstations at costs in line with current software. Five software applications were shown including the following:

• Electric Image—a rendering and animation package

- Photoshop—for producing Photomontages

- Lightscape—rendering with radiosity (and my favorite)

- Photovista by Panorama and Macromedia Director—a multimedia software application for web based design.

Again we broke into small groups, clustered around a terminal, and watched a ten minute example of each software demonstrated by a pro. We also received a tour of the Digital Pond facilities with explanations of their very high end and digital imaging capabilities. Five distinguished experts in the computer graphics field held a round table discussion to end this sold-out and jam-packed workshop.

Anybody interested in any of these products can call me or Chris McKenney, Digital Pond, (415) 495-7663.

Using the Web as a Bridge Between Architectural Education and Practice

Report by: Michael Hollander, AIA
Presented by: Doug Noble and staff from USC

This presentation offered a fascinating exploration into many different aspects of the Web. Personally, I wanted to learn what students in architectural schools were up to and how they were pushing the envelope of this new medium; I was not disappointed. Noble's group's hand-out on Web sites was great, well worth the 1½ hour presentation. Indices, courseware and tutorials, professional societies, tools, government research resources, prod-

uct vendors, Web discussion groups, and firm profiles were all discussed. Portfolio distribution, document distribution, and marketing were highlighted as key Web uses today. With ad revenue of 200 million in 1997, 900 million this year, the future of the Web seems assured. A discussion on designing and structuring Web-based data followed.

Free Web-based tools from this presentation can be found on AIA's web site. All conference proceedings should also be available.

The Sole Practitioners Breakfast

Report by: Hy Applebaum, AIA
Presented by: Arnie Lerner, AIA

I must start with a generous thanks to Donald Wardlaw for developing this national program to a sought after event. I was told that the popularity of the "Breakfast" was increasing and to anticipate at least 60 reservations. Who would have expected over 120 people to show up without even knowing what the program was to be?

The AIA focus for this year was "Bridges" and, in keeping with this theme, Arnie Lerner, AIA, of Arnie Lerner + Associates, was asked to speak on alternate services that he, as an Architect, has performed. Mr. Lerner has spun interesting areas of personal interests into a professional practice outside the realm of the standard work an Architect performs.

After graduating from the University of Kansas School of Architecture and Urban Design in 1969, he volunteered and worked for Vista in the Community Design Center in Chicago. There he developed his political savvy and socially-conscious values before he embarked on his next

career as a Boston based photographer. This experience sharpened his understanding of history as well as the needs of the disadvantaged and gifted. Upon settling in San Francisco, his interest in community affairs got him involved with affordable housing issues. He also began providing architectural services for low to moderate income homeowners of historic buildings. While serving on the San Francisco Board of Directors, he created a Design Mediation Service for the Planning Department, which was instrumental in saving the Mendelsohn Maimomides Hospital.

Arnie's interest in Architecture was, and still is, primarily in Historic Preservation, but when the ADA laws were passed, a new world opened up. Rehabs of old and historic structures incorporating accessibility standards became a mainstay for his practice as he did work with cities, communities, and individuals. He is definitely not your run-of-the-mill Architect.

We were privy to a slide show of some of the projects completed, or in the throws of completion, and then questioning began. I found the most interesting question—well, really the answer—the most revealing. Mr. Lerner was asked if one could really develop a successful (i.e., profitable) practice in what the asker perceived as a limited field. Arnie just smiled, rolled his eyes, then, after a few moments, told us how he was going to enlarge his staff and expand. The conversations were still going on after the session was called to an end.

Intranet/Extranet/New Methods of Collaborating on Web

Report by: Michael Hollander, AIA
Presented by: Phil Compton, Paul Doherty, AIA, Thomas Fowler, Assoc. AIA, and Ken Sanders

Many other speakers at the convention echoed the same theme offered at this seminar, that COLLABORATION was the single most important aspect of the Web for our profession!

ARUP Partners, a 5000 member firm of consulting engineers with 60 offices worldwide, illustrated how these new technologies have been used to knit together a private network for all offices to share resources and capabilities. Work flow and information exchange have significantly impacted on their design process and on the resulting bottom line. Check it out on-line: *www.arupusa.com.*

Paul Doherty of the Digit Group discussed trends and new opportunities including outsourcing IT, information management and distribution (See *Value Migration* by Adrian J. Slywotzky, Random House), construction information management, and new remote digital tools.

Thomas Fowler of California Polytechnic State University's Architecture Department brought us the view from academia, focusing on collaborative learning, distance learning, live design crits, and studios via the web, like CIDS, Collaborative Interactive Design Studio. See at *suntzu.larc.calpoly.edu/cids/.*

Finally, Ken Sanders, author and partner at Zimmer, Gunsul, Frasca showed how his firm is using collaborative capabilities of the Web. He discussed tools such as Evolv's Project Center, available at *www.evolv.com,* and *www.bluelineonline.com* as exam-

ples of generic software extranet tools that firms can use for low rental fees instead of developing costly proprietary software in-house. These can be of particular interest to small and medium size firms!

Work and Family— How to Develop A Plan For A Stronger Family

Report by: Hy Applebaum, AIA
Presented by: Douglas Thompson, CPA, Everett and Douglas Thompson Associates, Inc. Dallas, Texas

To properly relate what this seminar really means, it's probably best if I put this in a personal vein by conveying what it means to me. Hopefully, there will be a useful message or parable to draw from it.

This June I celebrated my 43rd anniversary and my 34th year in business. Luckily, my wife has always, or at least till 4 or 5 years ago, allowed me to pretty well have my way. Her perception of me was that I thought more of my work then I did of our family. Raising three boys was a handful and it took a great deal of her time. I believe I had something to do with it, but I rarely get any credit. My oldest is an Architect. Now that all three are in adulthood raising families of their own, my wife has been feeling neglected. She had complained that everything I do comes before any consideration of her space. Her usual complaint had been "When is it my time?"

Like Doctors, our time is very consumed with our business affairs, because being an architect goes beyond a vocation. It is a way of life, one often difficult to rationalize to a family.

This seminar was designed to help you program the way you want to live as a family member and as a professional. Planning is the means to:

- Reduce Stress
- Set common goals
- Keep a marriage happy and focused.

Just like a design project, it takes visioning, programming, budgeting of time, compromising, and focusing on short and long term objectives. This seminar suggested that you and your spouse review these issues together and come to a common set of goals and personal needs. There are nine possible questions to consider:

1. What kind of family is this to be?
2. What kind of relationship do you want to have within your family?
3. What kind of household do you want?
4. What role will spirituality play in your family?
5. Do you want to be rich (whatever rich means to you)?
6. How important is it to be involved with the community?
7. What kind of pace do want for your family?
8. What are your feelings about financial security?
9. What kind of communication do you want between and among family members?

If you are serious about pleasing each other, you will:

- Set a purpose to your lives
- Establish a value system
- Conceive a vision of harmony
- Negotiate for common goals
- Implement.

In my case, so many of our goals had been fulfilled, we never thought about new objectives. With new goals and priorities, I foresee a rewarding finality to my life.

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If you would like to report on issues relevant to the Small Project Forum from your area on a regular basis, we invite you to join our network of Local Advisors.