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SCENARIO to the PRACTICE EXAMINATION

All the characters, locations and incidents contained in this Paper are fictitious. The projects, if based on live events, have been amended to conceal specific identity.

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SCENARIO

The following information describes the hypothetical architectural practice for which you, the candidate, 'work' as an architectural assistant with two and a quarter years of professional experience. It sets out the structure of the firm and something of its philosophy, the people involved and the work they are presently doing, and the financial framework within which they are operating. It includes scenario information on various projects which may be the subject of questions in the written Examination Paper.

THE PRACTICE

GFY Architects
Geddes House
1 Union Street
CITYBURGH
CB1 9RW
United Kingdom
Tel: 004 523 0079
Fax: 004 523 7863
gfy@cityburgh.co.uk
www.gfyarchitects.co.uk

THE PARTNERSHIP

Miriam Gorst DA, RIBA, FRIAS is 61 years old. She trained at the Westcoasts University School of Architecture and was a RIBA Bronze medallist as a student. She is a past President of the Cityburgh Institute of Architects. She promotes conservation and green issues, and has gained a reputation as a good designer and as an expert witness.

John Young B.Arch, RIAS, LLM is 45 years old and joined the Partnership in 2004. He trained at the Westcoasts University School of Architecture and has recently accepted an External Examiner role for the undergraduate course. He has a keen interest in the legal context of architectural practice and successfully completed a 3-year degree course in construction law at the University of Cityburgh receiving a LLM award in 2012.

Paul Moore BArch Dip (Arch) ARIAS is 37 years old and has only just been made a partner/member. He trained at Cityburgh Art College. Before joining GFY Paul worked for a large commercial practice in Cityburgh. It was not just his design and management ability that made Paul attractive to GFY, but also his contacts in the commercial development industry. Some of these contacts have resulted in new work for the practice.

Background:

The Practice has now been in business for 30 years. GFP (the original practice established by Gorst, Flynn and Paske) was set up in 1985. Neil Paske, who had retired as a partner and was acting as a consultant to the practice, had his agreement terminated twelve years ago following a major liability issue resulting from a project he was responsible for. Fortunately, the matter was settled by the practice's Professional Indemnity Insurer before it reached court.

Duncan and Miriam, following the departure of Paske, were concerned that there was no one within the practice either capable of joining or willing to join the Partnership. They had considered in some detail a merger with a larger practice but grew increasingly troubled by the legal and fiscal complexities and by the loss of identity and control that a merger might entail.

John Young had been taught by Duncan as a student and, having set up as a sole practitioner 3 years after qualifying, had developed his practice to a point where he was over-stretched by a mix of small commissions and several large design and build projects.

John had kept in touch with Duncan, knew of GFP's good reputation, and recognised the potential benefits for both organisations in joining forces. Since neither practice had high levels of retained capital, it was relatively easy to establish a basis for partnership. This seemed to offer a natural path to growth for all three individuals, with, at long last, the introduction of some young blood into GFP.

Almost the first thing that the three agreed was that the practice name should affirm that they were practising as architects. References to "Building Design" and "Development Consultants" were dropped in favour of the unambiguous title Architects. Duncan and Miriam were happy to drop the Paske name from the practice and all three agreed that a change to GFY Architects would offer some valuable re-branding and marketing opportunities.

GFY was reconstituted as a Limited Liability Partnership in 2003.

After a gradual process of reducing his weekly time commitment to GFY Duncan Flynn retired from the Partnership in early 2012. His early retirement was prompted through the increasing volume of adjudication referrals combined with his successful writing and lecturing commissions. He had agreed to act as an ambassador to the practice in terms of external relations, extending the time frame for the handover of his long-standing client contacts, and to help with

client networking in general. This period has now passed and Duncan has no longer a connection with the practice.

Flynn's retirement from the Partnership has been entirely amicable. Miriam and John have respected his decision to make a clean break from the practice and are grateful that he had agreed to undertake his ambassador role. They would have however preferred more time to prepare for his departure, following the 6-month notice period required under the LLP agreement, and are concerned that the transfer of Duncan's practice commitments has not been to the level they would have ideally liked.

Flynn had agreed to defer his financial settlement for a period of 12 months allowing Miriam and John time to explore the financial options to 'buy out' Duncan's equity in the Partnership. A financial settlement was reached in 2012 in the sum of £100,000 which was determined based on retained profit and share of capital. It was agreed that this is to be paid out over 5 years with an initial payment of £40,000 (paid two years ago) and five further payments of £12,000 so that there is not a huge drain on the practice's finances. An interest rate of Bank of England base rate plus 2% is applicable to the remaining payments. This was shared between Miriam and John so as to provide them with an equal shareholding in the practice.

Before Duncan's retirement the profit share agreement was:

- Duncan Flynn 30%
- Miriam Gorst 40%
- John Young 30%

Under the new agreement this split was:

- Miriam Gorst 50%
- John Young 50%

Gorst and Young were also adamant that the practice should still be named GFY Architects to maintain continuity and avoid the requirement for further rebranding. Duncan had agreed to this.

Miriam Gorst is still committed to the practice and has no immediate plans for retirement. She has taken over from Duncan Flynn as chairperson of the LLP. John Young and Miriam Gorst realise that a secession plan is now very much an issue and plan to make time over the coming year to address this. With the size of the practice and the fact that Miriam will retire in the next few years Paul Moore was made a partner. Paul has bought into the practice by taking out a business loan. The share in ownership of the LLP is now shared equally between the three partners.

Under the new agreement this split is:

- Miriam Gorst 33.3%
- John Young 33.3%
- Paul Moore 33.3%

Policy:

The practice has historically been structured around the particular strengths of the partners. They have decided still to describe themselves as partners though, under the provisions of the LLP legislation, they are formally described as Members of the LLP.

The office has a diverse workload across both private and public sectors. Gorst handles larger commercial, education and industrial developments and leads on conservation work. Mixed-use urban design based projects were normally carried out by Flynn: however this work has transferred to John following Duncan's retirement. Young has also built strongly on the varied workload he brought to the practice and has firmly established the office within Design & Build procurement, with a number of large contractor / developer clients.

John completed his first development (independently from GFY) in a joint venture project 6 years ago. Although the prevailing market conditions have prevented any opportunities since, he is still keen to explore the further potential of taking a direct financial interest in the type of small scale developments in which the practice is involved.

Paul has been made a new partner due to the amount of work he is bringing into the practice, his design talent and his ability to run large commercial projects. Paul's design talents were exemplified by a design award in 2014; 'Best Small Project', from Cityburgh Architectural Association for a large house extension (£100,000) for his brother-in-law.

Jill Khan, Peter Sikorsky and Zainab Rashid, Associates of GFY, have taken an increased role within GFY and have impressed Miriam and John with varied skills. Jill is bringing work into the practice and Peter is instrumental in running projects and the office IT System. Zainab is proving to be a very talented designer.

The Practice secures many small-scale domestic projects. Although these are beneficial in regards to workload, and in the recent financial downturn a vital aspect of the practice's cash flow, it is found to be increasingly difficult to generate any profit from them and they divert staff from larger, potentially more lucrative jobs. Both Paul and Jill have been more successful in bringing in a good proportion of these small projects over the last year. In addition to Paul's success in achieving a design award for his house extension Jill's £500k new house for the CEO of Cityburgh Developments has been shortlisted for a prestigious housing award by the National Housebuilder's Association.

The practice was successful in securing a place on the framework to undertake Cityburgh's design work for projects above £500,000-. This framework was won in conjunction with Green and Green (M&E) and Trevor Maillot (Structural) who will be appointed as sub-consultants. The framework tender process started two years ago and the fees agreed reflect the fact that the United Kingdom was still in recession. There is a scale of fees depending on the type and size of the

project. A separate project manager will be appointed meaning that GFY's role as Contract Administrator is not required.

The practice has a set procedure in place to systematically review electronic Public Procurement notices on a weekly basis. The partners and associates carefully assess whether the practice should bid: preferring projects where they have the required expertise and the capacity to score highly in quality based submissions. Feedback on unsuccessful bids is secured as a matter of policy. While the practice regularly progresses to the Invitation to Tender stage, projects are invariably being lost to considerably lower fee bids. As a result, Miriam and John have had to reassess the process for job costing / fee bidding to ensure that financial submissions are as competitive as possible.

An internal programme of CPD events is arranged for all staff whilst individuals are asked to attend external courses/seminars, disseminating the information to the rest of the office at internal sessions on their return. New Partner Paul Moore is responsible for the management of the practice CPD programme. Staff training is tailored to enhance the office skill base and recorded in individual personal development plans. Training plans are discussed and agreed with the partners at annual reviews, with all members of staff maintaining individual CPD/training record sheets.

John Young has assumed the position of practice Health & Safety Officer and is keen to ensure that Health & Safety is taken seriously within GFY Architects. The Practice was the subject of an HSE Construction Inspector's visit in 2006 and as result of that John has established an in-house CDM review panel.

The CDM Coordinator services previously offered by Duncan Flynn generated a modest and consistent fee income. Miriam and John realise the importance of maintaining this turnover. In view of John's current health and safety responsibilities GFY are considering the impact of the revised CDM Regulations on the practice and, in particular, how best to deal with the principal designer role. GFY also have strong links with some CDM Coordinator consultants that they have worked with previously on large projects, and have agreed that they

can work as sub-consultants to GFY if required – should GFY be unable to resource the principal designer role.

The practice is a member of the local chapter Practice Information Service. For an annual subscription this entitles the practice access to a solicitor for advice on appointments and contracts as well as regular updates on practice management, contract law and new legislation.

The practice operates a quality management system and gained formal BS ISO 9001:2000 accreditation in 2007. Re-accreditation under the ISO 9001:2008 standard was successfully achieved in 2015. The practice has also just gained accreditation for ISO 14000 Environmental Management.

The office uses current appointment documents whenever possible. This quality management document still refers to the older RIBA Work stages. The practice also works with the new RIBA plan of work introduced in 2013. The Scottish Conditions of Appointment of an Architect (SCA/2014 April 2015 revision) is preferred or the Small Project Version (ASP/2005 April 2015 revision) for simple low value projects. The use of standard appointment documents for Design and Build projects, Scottish Conditions of Appointment of an Architect are preferred and are used when a bespoke agreement is not requested. The RIBA Standard Form of Agreement RIBA Agreements 2010 (2012 revision - RIBA Plan of Work 2013 compatible versions) is also relevant, depending on client or site location.

The firm holds professional indemnity insurance to £5,000,000 for each and every claim since clients frequently require cover at this level. The policy excess figure is £10,000.

With Duncan's departure the practice has introduced a revamped website at a cost of £15,000. This has been masterminded by Jill Kahn who has the responsibility of keeping the website up to date. The creation of the website forced the practice to think very carefully about how they want to be perceived within the market and what indeed their business strategy should be. With the introduction of Paul as a new partner discussions are ongoing as to what

direction the practice should go, now that it is coming out of recession. These discussions had not drawn any real conclusions but there was a consensus that it should be concentrating on larger, more profitable projects where possible. The Partners could not agree whether they should be a design-led practice or a more commercial practice with a strong design ethos. The current consensus is that the office should be a commercial practice with a strong design ethos.

Premises:

GFY rent 3,000 sq. ft. of office premises in a 1970's office building at £20 per sq. ft. A rent review was carried out 8 years ago, the annual service charge is £9,000 with rates at £18,000 per annum and heating and lighting at £6,000 per annum. The premises are subject to a full repair and maintenance lease and the practice budget is £8,000 per annum for repairs. The Partners have decided to continue their short term recurring lease with their landlord, especially as the practice is starting to grow again.

Computers:

GFY has a fully integrated computer network with a workstation for each member of staff. Peter Sikorsky has been IT Manager for 4 years. The file server has an automatic back-up system and can be accessed by the partners and associates remotely. They use an industry standard package for word processing, spreadsheets, database and E-mail, and they have an industry standard CAD system which is used both for 3-D visualisation and production work with rendering packages for presentation work.

The practice implemented BIM just over two years ago. Nine CAD licences have been upgraded to Revit and all CAD staff attended a Revit training course. Nine computers have been upgraded to cope with the new software. Kakay and Helena have both been employed to further the practice's expertise in BIM. Even though the practice has been using Revit for two years on a variety of projects,

no one in the practice has yet performed the role of BIM Coordinator on a project.

Administration:

John Young took on responsibility for re-drafting the Management Rules of the LLP following Duncan's retirement. Gorst, Young and Moore are Designated Members of the LLP. Miriam is responsible for financial management and John for resource management and office job running systems, with Duncan Flynn's responsibility for external relations now shared by all three partners. John remains interested in current thinking about key performance indicators and hopes to find time to explore whether GFY's systems can be developed to respond to such issues. Paul's role in the practice is primarily to win work and to run major projects.

The PA/Practice Secretary, Roberta Smith handles the day-to-day administrative load for the practice with input from part-time bookkeeper Hubert Reed. In addition, the Practice Secretary who has been trained in a variety of computing programmes provides efficient financial control and management reports in respect of the status of the practice.

The office has a 35-hour working week and a 1575-hour working year, allowing for all holidays and a provision for lost time. Holidays total 30 working days per annum, including statutory days. A flexitime arrangement was introduced following representations by several members of staff.

Staff:

The office salary structure was last reviewed in the last year. With Paul being made up to a partner, Peter and Zainab have been promoted to associates.

Nearly all salaries have been subject to an inflationary pay rise, but this still means that many are still working on a reduce salary compared to five years ago.

This year has seen the employment of Cormac McCarthy, a technologist with good technical skills and working knowledge of Revit. Part-time bookkeeper Hubert Reed reduced his commitment to the office to 1-day per week.

PERSONNEL

Name	Annual salary	Position	Cost to the office Per hour
Miriam Gorst	£50,500 (notional salary)	Partner	£65.00
John Young	£50,500 (notional salary)	Partner	£65.00
Paul Moore BArch Dip (Arch) ARIAS	£50,500 (notional salary)	Partner	£65.00
Jill Kahn ARIAS, RIBA, Lib	£39,000	Associate	£48.00
Peter Sikorsky Dip Arch RIBA	£35,100	Associate	£45.00
Zainab Rashid.BArch.Dip.(Arch) ARIAS	£35,100	Associate	£45.00
Cormac McCarthy	£28,000	Technologist	£36.00
Helen Goldie	£27,350	Technologist	£35.00
Kakay Lim Dip.(Arch) ARIAS	£27,350	Architect	£35.00
Candidate BArch Dip Arch	£23,000	Architectural Assistant	£30.00
Hazel Jones BArch Dip Arch	£24,000	Architect	£31.00
Patrick O'Connell BArch Dip Arch	£21,000	Graduate	£27.00
Helena Chadwick	£21,000	Graduate	£27.00
Roberta Smith BA	£24,750	PA Secretary to Partners	
Melanie McKean	£20,000	Secretary	
Hubert Reed	£4,000	Part time book keeper	

The cost to the office hourly rate in the table above is calculated as the share of salary and overhead costs for the office as a whole attributable to each technical member (including partners). It excludes any provision for profit.

The office uses the rate of 18 pence per £100 of salary when charging clients on a time basis.

Financial Summary:

Although the practice experienced a downturn in turn-over and profitability over the last 6 years things seem to be changing, and the practice has returned to a semblance of normality. Workload has increased but fees are still at a low level

Profit levels peaked at 33% for 2007-2008, reduced to 20% for 2008-2009 and dropped again to 17.5% for 2009-2010. Turnover for 2011-2012 reduced to £660,000 with a profit level of 15.93%. Turnover for 2012-2013 was up at £711,000 with a profit of 14.9%. Turnover for 2013-2014 was up again at £926,000 with a profit of 26%. In 2014-2015 profits increased again to 28% due to a slight rise in fee levels. Turnover increased to £1,067,123.

Miriam is more optimistic about the financial forecast for 2015/16 projecting a turnover of £1,150,000. Profit levels are forecast to be reasonably stable at 27 - 28%. This reduced level of profit from 2007 is indicative of the reduced fee levels being received for projects.

The management team have continued to tighten up on overheads wherever possible. Partner earnings have increased especially with the introduction of Paul as a new partner.

Cash reserves have remained static. However, the value of bad debts having to be written off from the balance sheet has tailed off during the last 12 months. Cash flow has improved greatly. The partners are now happy that reserves are just above the target 3-month turnover calculus, and are comfortable that the cash balance is substantial enough to cover cash flow without reliance on bank finance.

As a result of the financial measures undertaken the practice continues to improve and out performs many of its competitors.

GFY operate a separate bank account to hold moneys required for VAT and tax. A monthly amount is directed to this account to pay for corporation tax and the VAT element paid on invoices is transferred to this account to ensure that the money is always there to make the quarterly VAT payments to Her Majesty's Revenue and Customs.

In light of a number of recent project issues GFY are now diligent in ensuring that separate accounts are created when clients' money is being held and managed by the practice.

CONSULTANTS/ADVISERS

LEGAL

DUN, TRIPP and FORSYTH, Solicitors, 70 Albert Road, CITYBURGH, CB2 8OA
Contact: Mr Brett Forsyth, Milt LLB.

FINANCIAL

MONTROSE Ltd, Accountants, 3 Albert Close, CITYBURGH, CB2 7AA.
Contact: Mr Virus Susendrah CA. (The financial year runs from 1st September to 31 August).

BANK

BURGHDALE BANK PLC, 92 Chambers Street, CITYBURGH, CB1 3PN.
Contact: Ms Irene McSplash (Senior Manager).

INSURANCE.

EASTERN ASSURANCE PLC, 46 The Square, CITYBURGH, CB1 2EM.
Contact: Mr Sean Gordon

For professional consultation the following firms have been regularly used. Other Consultants for Building Services, Landscape, Fire Engineering etc. are engaged as necessary depending on the nature and source of each job.

QUANTITY SURVEYORS

MANNARS SURVEYORS, 14 Chambers Court, CITYBURGH, CB1 XA.
Contact: Mr Rod Mannars LLB ARICS. Mannars are an old firm with a good reputation and some bright younger staff.

CONSTRUCTION COST CONSULTANTS

GLM (West) Ltd., 20 UPPER TOWN, WESTBURGH W1 2UP
Contact: Geom. Le Mesurier, FRICS, ACI Arb, APS.

STRUCTURAL ENGINEERS

TREVOR MAILLOT BSc Eng MStrucE, 14 BRADE STREET, CITYBURGH, CB4 7TS.
Contact: Mr Maillot. A small firm established in 1990.

ENVIRONMENTAL ENGINEERS

GREEN & GREEN, 127 Brade Place, CB4 BTZ.
Contact: Mr George Green BSc MIMech MIEE.
An experienced firm with a keen awareness of building sustainability

Specific Background to Questions

Question 1

Not necessary

Question 2

Project:	Fishing Bothy at Loch Austerity
Client:	Sir Thomas Greaves, CEO of Call Centre Developments
Stage:	New Project Enquiry
Contract Value:	£50,000 ex VAT, fees and other disbursements

Background Notes:

Sir Thomas Greaves is the CEO of Call Centre Developments (CCD). GFY acted as architects for CCD two years ago in connection with their Office Pavilion development in Cityburgh.

Question 3

Project:	New offices for council. Existing 800 sq.m listed building with 950sq.m modern extension
Client:	Cityburgh Council
Appointment:	SCA/2014, with design team being novated when second stage tender has been submitted
Contract:	SBCC DB/Scot (2011 Edition)
Procurement	Two stage design and build. First stage is tender based on profit and preliminaries
Design Team:	Architect/ Lead consultant/ CA: GFY Architects; Structural Engineers: Trevor Maillot; M&E Engineers: Green and Green; Costs Consultants: Mannars Surveyors. All appointed through Cityburgh framework appointment. Architect to employ Structural and M&E Consultants. This framework was won on a quality cost ratio of 50/50 and the fees are very low.

Question 3 (cont.)

For this project they are 3.2% for the combined listed and new building works.

Contractor: To be appointed

Construction Value: £2.85m

Notes

Green and Green are a small traditional practice and within their framework appointment are only contracted to provide schematic service drawings for full coordination by the contractor. They have recently trained their first technician in Revit but have limited capability in BIM.

Trevor Malliot is a larger practice and has been using Revit for over three years.

Mannars Surveyors are a very traditional practice who measures all elements of the building from paper copies of drawings.

Question 4

Project: Potential new build house

Client: Mr Waffle

Appointment: Scottish Conditions of Appointment of an Architect SCA/2014, April 2015 Revision. Full service – stages 0 to 6

Contract: SBC/Q/Scot 2011 (2011 Edition)

Design Team: Lead consultant / Architect / CA: GFY Architects;
Structural Engineers: Trevor Maillot; M&E Engineers: Green and Green; Costs Consultants: Mannars Surveyors

Construction Value: To be firmed up but in region of £500,000

Staff: Peter Sikorsky & candidate

Question 5

Background and Status of project

4000m² office building for the Cityburgh Transport Authority, an arm's length company which runs the Cityburgh public transport network.

The contract is being run under an NEC3 contract, Option C, Target Contract. GFY is employed by the contractor under the NEC 3 Professional Services Contract.

The project has proceeded reasonably and relations on site are fine, although there have been a number of issues where the contractor has not followed our information. The contract period is 15 months and there are 3 months to go.

The contract is being run by the Project Manager.

Question 6

Appointment:	January 2012 (SCA 2011).
Fee:	4.5%.
Project:	New Headquarters building for AccessAll, a national disability organisation at Eastburn Road, Cityburgh.
Client:	Access All
QS:	Mannars Surveyors
Structural:	Trevor Maillot
M&E Consultants:	None (M&E design by subcontractor).
Contractor:	Vogon Construction Ltd
Contract:	SBC/Q/Scot 2011. Practical Completion: 25.05.14. Expiry of Rectification period: 25.05.15.
Project Status:	The Certificate of Making Good is imminent
CDM:	Applies in full
Project Value:	Contract Sum £3,200,000

Question 6 (cont.)

Project Team:	Miriam Gorst, Partner responsible, Candidate.
Background:	Newbuild headquarters for national disability organisation, including offices, drop-in centre, activities rooms, and overnight accommodation.

Question 7

Appointment:	None
Project:	Proposed newbuild operations office for recycling & waste-management company.
Prospective Client:	Dent Industrial Services Ltd.
QS:	No QS to be appointed.
Structural:	To be appointed.
Project Status:	RIBA Workstage 0.
Project Value:	Client's budget £3,000,000.
Background:	<p>The prospective Client has appointed a Project Manager, Tricia McMillan of TMM Project Management Ltd, to pull together a design team for the design & procurement of the new building on their existing yard at Hollop Industrial Estate on the edge of Cityburgh.</p> <p>Dent Industrial Services have previously engaged GFY to obtain retrospective Planning Permission for a landfill site, were pleased with GFY's performance, and now want to appoint them for the new office building.</p>

Question 8

Project:	Re-development of Business and Industry site as Housing Development
Client:	Big Company Ltd
Site:	<p>The site is a 3 Hectare development which is predominantly car parking for business use that is on site which is a call centre and engineering business. The site is in Cityburb and is typically residential in the surrounding area, normally three and four storey tenements. The site is leafy and is bounded to the north by the River City. The existing business is moving to a new purpose built headquarters building in Cityburgh which is in the same council area. It is anticipated that the existing buildings on the site will be demolished as part of the development.</p> <p>The site constitutes a Major Development and has received Planning Permission in Principle.</p>

Design & Build Procurement:

GFY appointed as Architect by Main Contractor, Grey Line Construction. GFY assisted in the design proposal and have not consulted the Planning Authority yet.

Value: £10M

Question 9

Background and Status of project

1000 sq. m health centre involving conversion and extension of existing derelict villa. The office won the project through a competitive bid as a team with M&E and Structural engineers as part of the team. Consultant appointments, however, are separate.

The project is being developed by the local regeneration company Smalltown Development Ltd (SDL), who will own the building and let it to the GP practice.

Design and Build with Novation (part way through Stage 3).

SBCC Design and Build Contract

Question 9 (cont.)

Sawtooth Construction (who are notoriously tricky to deal with, albeit competent) have had their tender accepted. The tender was competitive and clear of qualifications.

At present the novation of consultants is under negotiation. GFY and Trevor Maillot Structural Engineers have agreed and sign their agreement some time ago, but everything has now gone somewhat quiet...

Question 10

Project:	Hammer House Rear Extension, Cityburb
Client:	Mr & Mrs Sailor
Stage:	Tender
Design Team:	Architect (CA), Structural Engineer, Services Engineer, No QS
Budget:	£150,000 plus VAT
Comment:	Job has taken longer than programmed due to numerous client changes, we are on a fixed fee.
Proposed Contract:	MW Scot (Nov 2011), construction period 12 weeks, proposed start date 30/11/2015