

BCSLA FEE GUIDE

FEBRUARY 2017

CONTENTS

1	Introduction: Landscape Architecture in British Columbia	1
2	Purpose of the BCSLA Fee Guide	2
3	Scope of Landscape Architectural Services	3
3.1	Project Types	4
3.2	Level of Complexity	5
3.3	Scope of Services	6
4	Retaining a Landscape Architect	10
4.1	Role of the Landscape Architects	10
4.2	Prequalification	11
4.3	Options for Engagement	12
5	Methods for Determining Fees	15
5.1	Overview	15
5.2	Determining the Basis of Fee Calculations	16
5.2.1	Time Basis	17
5.2.2	Lump Sum Contract	17
5.2.3	Percentage Basis	17
5.3	Recommended Hourly Rates	19
6	Disbursements and Other Charges	20
6.1	Travel	20
6.2	Taxes	20
7	Payment	21
7.1	Retainer	21
7.2	Progress Billing	21
7.3	Services Provided on a Contingency Basis	21
8	Special Conditions	22
8.1	Pro Bono Services	22
8.2	Abandoned, Suspended or Deferred Work	22
8.3	Extra Work	22
8.4	Copyright	22
8.5	Re-use of Plans and Specifications	22

INTRODUCTION: LANDSCAPE ARCHITECTURE IN BRITISH COLUMBIA

Landscape architecture is a broad design profession practiced in both public and private sectors. Landscape Architects are trained and experienced professionals in the planning, design, development, preservation, protection, restoration, reclamation, rehabilitation, enhancement and management of both natural and built environments. They are employed in education and in public and private practice. In the public sector, Landscape Architects are employed in a variety of institutional, government and academic positions, and many individuals work in non-traditional roles within arts and non-governmental organizations. Landscape architects in private practice work in both dedicated landscape architecture and multidisciplinary firms on projects that reconcile land development and restoration with social and economic needs for clients with a wide range of resources and goals.

Since 1964, the British Columbia Society of Landscape Architects (BCSLA) has been the regulatory body for landscape architecture in BC under the authority granted by the Province to administer the Architects (Landscape) Act. The BCSLA is dedicated to upholding public health, safety and welfare as it relates to the professional practice of landscape architecture. Through the Architects (Landscape) Act, the title of Landscape Architect is regulated to serve the public interest. In order to use the title, an individual must be registered with the BCSLA. A Landscape Architect in BC is a professional who has successfully completed:

- The required post-secondary education;
- A set of examinations which assess a prospective registrant's ability to protect the health, safety and welfare of the public;
- A supervised internship.

Breach of the BCSLA Standards of Professional Conduct and Practice can lead to a reprimand or suspension of membership, along with losing the right to use the title "Landscape Architect". The BCSLA Standards of Professional Conduct and Practice, Bylaws, and Policies and Procedures are available to the public. These documents can be requested from the BCSLA office or found at www.bcsla.org

PURPOSE OF THE BCSLA FEE GUIDE

This Fee Guide is intended to be used by practising registered Landscape Architects and prospective clients when determining and evaluating professional compensation for services rendered by registered Landscape Architects practising in the Province of British Columbia. It includes a schedule of fees which reflects the minimum range of compensation required to meet standards of practice as set by the BCSLA. Compensation is understood to include reasonable profit and costs borne by professionals to keep their knowledge up-to-date through mandatory continuing education, research, and professional development.

Fees are ultimately a matter of negotiation between the client and the Landscape Architect and contract conditions.

Selection of a Landscape Architect for a particular project is based on a prospective client's understanding of the range of services offered and the Landscape Architect's level of experience, both of which can vary significantly from firm to firm, and from individual to individual.

The BCSLA Fee Guideline is part of an integrated information and standards service for the public and the profession of landscape architecture. References to fees indicate typical minimum conditions for professional standards of practice, subject to change depending upon project conditions and legal standards. Please confirm all terms and conditions in writing with your landscape architect.

The BCSLA will review this document periodically, and invite readers to contact the society with any comments which will be added to a "watch list" for such review.

SCOPE OF LANDSCAPE ARCHITECTURAL SERVICES

Landscape Architects plan, design and manage landscapes at a variety of scales and complexities. As a multi-disciplinary profession, landscape architecture incorporates aspects of allied disciplines such as architecture, industrial design, fine arts, botany, horticulture, soil science, geography, and ecology. Landscape architects apply creative and technical skills, as well as scientific and cultural knowledge to the design and arrangement of natural and constructed elements. The goal is to create safe, comfortable and aesthetically inspiring environments, which support and contribute to natural systems.

3.1 PROJECT TYPES

Projects involving Landscape Architects vary significantly, and may require any number of combinations of design services. Please note that the following list is intended to provide representative examples of typical projects that fall under these categories, and therefore is not limited to those shown.

TYPE 1 SPECIALIZED LANDSCAPES

These are typically more complex projects requiring the highest specialization of expertise.

- Custom residential design
- Resort properties / golf courses
- Agricultural estates (e.g. wineries)
- Memorials, columbaria and gardens of remembrance
- Heritage restoration
- Fountains and water features
- Historic garden design, restoration, or conservation
- Amusement and theme parks/attractions
- Zoo, safari, and wildlife projects
- Museums and art galleries



TYPE 2 CIVIC LANDSCAPES

Projects within urban and sub-urban areas that require a broad range of services

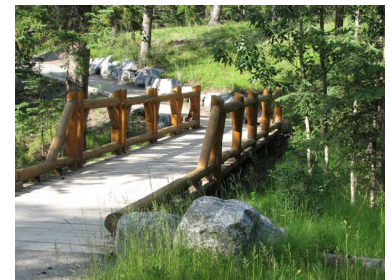
- Urban parks
- Public squares
- Urban design and streetscapes
- Institutional design
- Hospitals, health care facilities and therapeutic gardens
- Botanical gardens
- College & university campuses
- Daycares, elementary schoolyards, secondary school grounds and playing fields
- Greenways, bicycle trails, and multi-use paths
- Community and district parks with multi-use sports facilities
- Playgrounds and splash pads
- Multi-family housing developments (high-rise, mid-rise, and low-rise)
- Commercial and industrial developments
- Roof top gardens and green roofs
- Vehicular circulation design, parking lots and roadside facilities
- Coastal marinas and water recreation
- Inland marinas, river and lakeside developments
- Environmental reclamation and remediation
- Shoreline biodiversity and restoration



TYPE 3 RURAL/INDUSTRIAL LANDSCAPES

Planning and design projects in a greenfield context that require development to support pedestrian uses, usually with minimal vehicular infrastructure.

- Rural parks
- Recreational developments and multi-use trails
- Regional, provincial, and national parks
- Industrial facilities
- Maintenance facilities
- Wastewater and water treatment facilities
- Environmental restoration projects eg. stormwater ponds and wetlands
- Multi-use trails
- Campsites and tourist facilities
- Cemeteries
- Recreational and regional parks
- Reclamation and restoration of quarries or derelict lands (brownfields)



3.2 LEVEL OF COMPLEXITY

Clients and design consultants need to have a mutual understanding of a project's complexity. The following definitions describe three levels of complexity, and are offered to assist in establishing the scope of work and ultimately a reasonable fee for consulting services. At all levels of complexity, it is a standard requirement to provide project deliverables are produced in a digital form. It is also standard practice for the level of service to include each step necessary to obtain approvals, produce contract documents, and administer construction through to final acceptance of the project.

3.2.1 Simple

A standard level of complexity typically applies to a single project with a straight forward approval process, minor municipal and environmental constraints and limited underground servicing infrastructure. Most often, it involves a one-step design process, and requires a basic understanding of public health, safety and welfare, and some knowledge of building code requirements.

3.2.2 Standard

This level of complexity typically requires a broad range of skill and coordination to obtain approvals. The conceptual design phase may require several solutions, and detailed design can require up to four submissions, coordinated with sub-consultants at each stage. Projects at this level possess unique site conditions that involve custom design detailing and adherence to stringent municipal requirements. It may often involve participation in the public consultation process.

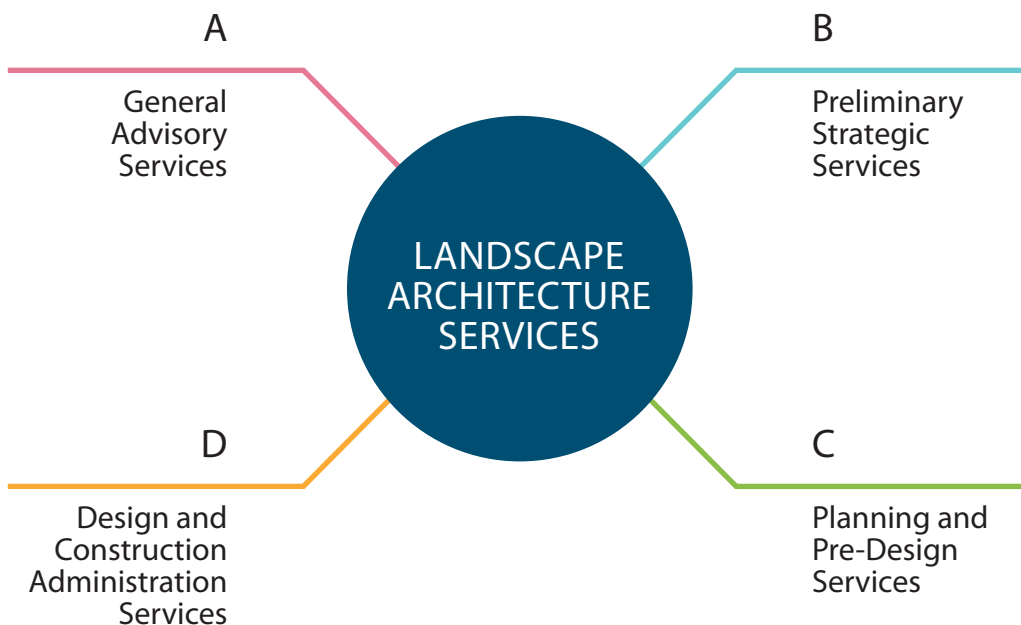
3.2.3 Complex

Complex projects often involve multiple stakeholders and stages of approvals, as well as numerous meetings with clients, team members and approval agencies. Complex projects may also include coordination of utilities and underground infrastructure. Heritage or archaeological issues, site contamination, multiple sites and/or green building (e.g. LEED) standards. Approvals may be required from senior levels of government, and projects may be phased over a number of years.

3.3 SCOPE OF SERVICES

For the purposes of determining a fee structure for a given project, typical services provided by Landscape Architects can be summarized in the following four categories:

- A. General Advisory Services – general consulting services, peer reviews and advice to clients and their respective stakeholders
- B. Preliminary Strategic Services – preliminary review and/or research services that support strategic decision making by clients and their respective stakeholders
- C. Planning and Pre-Design Services - planning or pre-design services that assist a municipality, quasi-government agency or private land owner with strategic management, design and/or development of a site, neighbourhood, city or region
- D. Design and Construction Administration Services – design for a project that results in a built product



The following is an expanded list of the types of services that fall under the above categories.

A. General Advisory Services: includes general consulting services, peer reviews and advice to clients and their respective stakeholders.

1. General consulting and advice
 2. Project management
 3. Administrative services
 4. Development of terms of reference
 5. Consultant coordination
 6. Peer review
 7. Senior expert involvement (including testimony at court hearings, mediation, insurance investigation, or other similar situations)
-

B. Preliminary Strategic Services: Preliminary review and/or research required to support strategic decision-making by clients and their respective stakeholders. This may include:

1. Research
2. Environmental studies
3. Feasibility studies/reports
4. Design visualization services
5. Graphic communication
6. Appraisals
7. Public consultation

C. Planning and Pre-design services: Services that assist a municipality, quasi-governmental agency or private landowner with the strategic management, design and/or development of a site, neighbourhood, city or region. These include:

1. Analysis of relevant planning, economic and environmental data
2. Inventory studies
3. Overall program development
4. Development of alternative concepts/ illustrative plans
5. Evaluation of concepts
6. Design visualization
7. Opinion of Probable Costs and other financial considerations
8. Master planning documents (strategic)
9. Guidelines and planning documents
10. Planning and rezoning approvals
11. Public consultation
12. Estimates/Opinions of Probable Costs
13. Project team meetings

-
- D. Design and Construction Administration: Services that contribute to the design and development of a project site, and that result in a built product. They typically consist of the following:

D1. Schematic Design

1. Site analysis, opportunities/constraints mapping
2. Master plans and illustrative plans
3. Conceptual designs
4. Site plans
5. Preliminary Estimates of Probable Costs
6. Preliminary permit applications
7. Estimates of Probable Costs
8. Consultant coordination
9. Public consultation
10. Team meetings

D2. Design Development

1. Design development documents
2. Permit applications such as Development Permit (DP) / Preliminary Plan Approval (PPA)
3. Outline specifications
4. Estimates of Probable Costs
5. Preliminary certification review & documentation (LEED, Living Building Challenge, CPTED, Sustainable Sites, Envision, etc.)
6. Team meetings

D3. Construction Documentation

1. Tree management and protection plans
2. Layout and material plans
3. Grading plans
4. Planting plans and plant lists
5. Irrigation plans
6. Construction details
7. Specifications
8. Cost estimates
9. Schedules of Assurance eg. BCSLA Schedule C-L or BC Building Code Schedule B.
10. Final certification documentation (LEED, etc.)
11. Team meetings

ADDITIONAL SERVICE NOTE:

The following tasks can be completed by a Landscape Architect during the construction documentation phase but are not typically part of a standard project and therefore should be itemized as an additional service not included in percentage based fee estimates:

- a. Signage plans
- b. Demolition plans
- c. Applications for grants or loans, etc.
- d. Phased construction documents
- e. Arborist reports

D4. Tender Administration

1. Prequalification of proponents
2. Preparation and issuance of addenda
3. Review of tenders
4. Providing recommendations for bid selection
5. Preparation of contract documents (consolidating addenda and tender drawings sets issued for construction)
6. Team meetings

ADDITIONAL SERVICE NOTE:

The following tasks can be completed by a Landscape Architect during the tender administration phase but are not typically part of a standard project and therefore should be itemized as an additional service not included in percentage based fee estimates:

- a. Management of the tender process

D5 Construction Administration

1. Field reviews and reports (conducted periodically during construction to monitor and report on the execution of construction as they relate to contract drawings and specifications)
2. Response to a Request For Information (RFI)
3. Preparing and issuing a notice of Contemplated Change Notice (CCN) or a Change Order (CO)
4. Reviewing and certifying progress claims from the contractor, and recommending payments
5. Issuing Declaration of "Substantial Performance" as defined in the British Columbia Builders Lien Act. If such legislation is not in force, "substantial performance of the work" is reached when the work is ready for use, or is being used for the purpose intended, and is certified as such by the Landscape Architect with BCSLA or BC Building Code Schedule C-B.
6. Issuing "Deficiency" reports for determination of holdbacks.
7. Issuing Declarations of "Total Performance of the Work"
8. Preparing record drawings
9. Team meetings

ADDITIONAL SERVICE NOTE:

The following tasks can be completed by a Landscape Architect during construction administration but are not typically part of a standard project and therefore should be itemized as an additional service not included in percentage based fee estimates:

- a. Contract Administration (note that this differs from the typical construction administration services)

D6 Post-Construction

1. Warranty Inspection & Review

ADDITIONAL SERVICE NOTE:

The following tasks can be completed by a Landscape Architect after construction but are not typically part of a standard project and therefore should be itemized as an additional service not included in percentage based fee estimates:

- a. Project close-out (creating operation and maintenance manuals)
- b. Conducting post occupancy studies
- c. Supplying project evaluation reports

RETAINING A LANDSCAPE ARCHITECT

When planning to retain a Landscape Architect for a project or an assignment, it is important to determine what role they will play and whether they will act as the prime consultant, a sub-consultant or a participant in a joint venture. This is typically determined based on the level of involvement entrusted the Landscape Architect and if they are “leading” the project or contributing to it. The following section describes in more detail the different roles that a Landscape Architect may take on.

4.1 ROLE OF THE LANDSCAPE ARCHITECT

Prime Consultant

A prime consultant is a professional or firm commissioned to lead a consulting team from project initiation to final acceptance. This includes the planning, design and preparation of all related documents. Prime consultants work in accordance with an agreement directly with the client/owner that describes scope of service, deliverables, fees and reimbursable expenses. The prime consultant’s role often includes determination of the services which best serve the project, and the assembly, management and coordination of a team of professionals. The role may also include integration of sub-consultants and coordination of quality assurance and documentation.

Sub-consultant

A sub-consultant is typically retained to perform a specialized service for projects that require multi-disciplinary design and implementation skills. The sub-consultant typically signs an agreement with the prime consultant or client that defines services and fees. Fees may be paid by either the owner or the prime consultant. The sub-consultant agrees to observe the covenants and meet all relevant obligations contained in the written agreement between the owner and prime consultant.

Joint Venture Consultant

A Joint Venture is a formal and legally binding relationship between two or more parties who agree to pool their resources to act as one legal entity for the limited purpose of completing a project or a specific task. Each firm is responsible for profits and losses and all associated costs to complete the project. The Joint Venture (JV) relationship may be its own entity, separate and apart from the participant’s other business interests. Each firm must be acknowledged for their respective services unless the Joint Venture agreement states otherwise.

4.2 PREQUALIFICATION

The prospective client should ensure that the list of consultants invited to submit a proposal includes those with the appropriate qualifications for the project in question. Typical methods for establishing a list of consultants include:

- **Expression of Interest:** A formal request for a letter of interest and qualifications which is publicly advertised and/or directly circulated to consultants. Interested participants then submit a brief description of their qualifications and experience to demonstrate their suitability for the project. The initial evaluation and screening process serves as a basis for a shortlist of qualified consultants who are then asked to submit a proposal of services.
- **Formal Prequalification/Request for Qualifications (RFQ):** A process that establishes either a shortlist of available consultants, or an ongoing roster which is periodically updated. Consultants who wish to be included on the list may apply for consideration. It is important to note that clients with special projects may require consultants with specific qualifications who may be found through personal referral or advertisements. The BCSLA Membership Directory (www.bcsla.org) provides a list of Landscape Architects and their areas of practice.
- **Municipal or Agency Consultant Roster:** A public sector shortlist of consultants for a specific project. Alternatively, a municipality or agency may ask individual consultants to submit detailed qualifications.
- **Informal Prequalification:** An informal list of consultants is often based on personal and business referrals, and may include consultants who have previously worked for the client and/or firms from a professional association's membership directory.

4.3 OPTIONS FOR ENGAGEMENT

Direct Appointment or Sole-source Procurement

Direct Appointment or Sole Source Procurement involves one consultant directly hired without competing with other firms for either an individual project, or they are retained on an ongoing basis. This option may be appropriate when:

1. A highly specialized consultant is required and only one consultant has suitable qualifications or availability. Clients may also choose this approach when time or budget constraints make an extensive search impractical;
 2. The contract is very small, and a local consultant offers both the necessary skills and a solid record of satisfactory work for the client or;
 3. When there are severe time constraints and a consultant is available with the necessary skills, and a solid record of past performance for the client.
-

Request for Proposal (RFP) Fixed-Fee Proposal Call

A client-initiated invitation to bid via a public advertisement, or invitations to select candidates who may be on a prequalify consultant roster. An RFP is used when the scope is well defined and where the determining factor for consultant selection is a combination of primarily qualifications and fees. Bidders are asked to state their experience, methodology, staff resources, fees and estimated expenses to complete the work. Following an evaluation of the proposals, consultants may be asked to attend an interview before a decision is made.

Request for Proposal (RFP) Two Stage Proposal Call

The RFP two-stage proposal call process is an invitation to bid similar to a Fixed Fee Proposal Call, however proponents are narrowed down to a smaller shortlist who may be asked to attend an interview. During the interview, proponents may be asked to expand upon the

contents of their proposal following an outline provided by the client. This process is appropriate for larger budget proposals (more than \$100,000), or for projects that require specialized services.

Request for Quotations

A request for quotations process is an invitation to change to provide an estimate and services for a prequalify group of consultants (as per one of the methods noted in Section 4.2 above) where the scope is well defined or the assignment is not complex. The invitation is typically a request to complete a scope of work, define experience, methodology, staff resources, fee/expenses and to complete those services. The determining factor for consultant selection is fee oriented. The process is generally very simple for both parties.

Limited Source Procurement

Three to five (3-5) qualified consultants are asked to negotiate with the client. In such cases, the firms under consideration are known to the client, or have been recommended for the type of work in question. This approach is useful when the client lacks either the time or the staff to evaluate detailed proposals from more than five consultants. It also makes more efficient use of a consultant's time and resources, and offers a greater chance of success. For limited source procurement, the client typically:

1. Approaches the consultants about the assignment and determines their interest and availability.
2. Contacts the consultant's references;
3. Requests a written proposal;
4. Evaluates the proposals, and draws up a shortlist of consultants to be interviewed if required;
5. Interviews proponents;
6. Negotiates with the leading candidate to refine the approach, scope and any other conditions of the agreement.

Alternative Financing and Procurement (AFP)

Private and public sector entities set up a joint business structure that allows them to share potential increases to project costs or delays associated with project delivery. This approach is most often chosen for complex public works projects. AFPs include:

- Design-Build (DB)
- Design Build Finance (DBF)
- Design Build Finance Maintain (DBFM)

AFP projects are competitively bid, and project types generally include healthcare, educational and justice facilities and transportation projects. In British Columbia, the principal issuer of ADPs is the Ministry of Transportation and Infrastructure (MOTI). However, they are also used by health and education authorities, and other levels of government. Landscape Architects can provide services to either of the two types of AFP projects:

1. Planning design and compliance services
2. Competitor bid-teams including (DB, DBF and DBFM)

Planning and Design Compliance:

Landscape architects are regularly invited to join a multi-disciplinary team of consultants that competes with other teams to win a contract. In Canada, RFPs are published on the MERX electronic tendering system and are open to all consultants. The successful team is awarded a contract to prepare compliance documents. As a member of a compliance team, a Landscape Architect may participate in any or all of the following:

- Meetings with client representatives to determine project program
- Developing design responses to the program
- Creating illustrative landscape plans for submissions to local municipalities
- Developing design guidelines and standards to form part of proponent documentation
- Creating project specific output specifications (PSOS)
- Developing design solutions and criteria to meet green building standards such as LEED (Leadership in Energy and Environmental Design) or other.

- Planning design presentation meetings by bid proponents (DB)
- Preparing and evaluating RFP documentation
- Evaluating bids
- Ensuring compliance of work completed by selected bid team at milestones (50%, 75%, 100% design development (DD) and 50%, 75%, 100% construction documentation (CD).
- Approving final documents through to the end of construction period. (Compliance services are bid on a lump sum basis based upon billing rates and services noted in Section 5.3.2.)

Competitor Bid Team (DB, DBF, DBFM):

Competing teams of design consultants bid on the opportunity to design and build the project. These comprehensive groups are typically led by a contractor builder. The three-step process begins with a Pre-Qualification (RFQ) that results in a shortlist of teams approved to bid on the project. Once a bid is submitted, it is evaluated for its compliance and financial viability. The highest ranking proponent is identified as the preferred proponent, and then moves on to a third stage of review. Members of bidding teams (including Landscape Architects) do a great deal of work, and take on a financial risk while they complete the following tasks:

- Develop plans and other documents in response to the RFP/bid documents.
- Develop alternative design solutions to meet the intent of the compliance team PSOS specifications and exemplar design.
- Coordinate design elements with the design team within a compressed timeframe.
- Develop plans meet local jurisdiction's requirements and approval processes.
- Prepare design submission to minimum 50% DD
- Complete design specifications to meet PSOS requirements.
- Participate in multiple design presentations.
- Provide additional services when the preferred proponent is selected. At this stage interim compensation is usually paid, and an agreement for subsequent fees and scope (at an above normal percentage) is established. Services at this stage include: 50%, 75% and 100% Design Development (DD) drawings.

- Apply for government approvals of the site plan.
- Prepare green building (LEED - Leadership in Energy and Environmental Design) and other certification systems documentation, if applicable.
- Complete 50%, 75% and 100% Construction Documents (CD)
- Attend meetings at all stages of the DD and CD stages
- Provide administration services to address quality control, communications and coordination with other design disciplines.
- Provide construction administration services: monitoring and inspections to project completion.

Fees relating to AFP projects are often awarded at key milestones, and include:

- Pursuit fees relating to submission of bid document
- Award of contract disclosure
- Financial or commercial close design development (DD)
- Construction development (CD)
- Construction administration (CA)

These milestones are particular to each project, and should be reviewed in detail in the context of the service and fee contract established with the builder.

Landscape Architects participating in AFPs are encouraged to become familiar with CCDC 15 – 2013 (or most current) design services contract between design-builder and consultant when quoting fees on design-build projects. The 2013 version has the consensus agreement from the following organizations: the Canadian Construction Association (CCA), Construction Specifications Canada (CSC), Association of Consulting Engineering Companies Canada (ACEC) and the RAIC / Architecture Canada.

METHODS FOR DETERMINING FEES

5.1 OVERVIEW

The following fee guide is offered to assist both Landscape Architects and potential clients in determining fees. For any specific project, the approach is most often dictated by the project scope, size and complexity, as well as factors which include:

- Type and scale of project
- Time and effort required
- Proposed construction budget
- Complexity of design
- Geographic location
- Number of meetings
- Requirements of the approving agencies and/or administrator
- The number of submissions required
- Requirements and expectations of the client group
- Unique and/or specialized skills required

Within this context, fees are ultimately a matter of negotiation between the client and the Landscape Architect.

Relationship between Fees and Project Budget

The overall project budget (and the portions available for Landscape Architecture and construction respectively) will have a direct bearing on the design fees. When determining fees based on a construction budget, the Landscape Architect should confirm whether his or her scope of work is included in the portion associated with the other consultants. Both client and consultant must have a solid understanding of the project scope, size and construction budget in order to clearly define the extent of the work, the complexity, and the level of skill required (see section 5.3).

The following table lists recommended methods of compensation based on services most often included in a project scope.

METHODS FOR DETERMINING FEES	TYPICAL SCOPE OF SERVICES								
	General Advisory Services	Preliminary Strategic Services	Planning and Pre-Design Services	Site Design, Documentation and Construction Administration Services					
	A	B	C	D1	D2	D3	D4	D5	D6
Time Basis	•	•	•	•	•	•	•	•	•
Lump Sum Fee	•	•	•	•	•	•	•	•	•
Percentage Basis				•	•	•	•	•	•

5.2 DETERMINING THE BASIS OF FEE CALCULATIONS

A scope of work can vary significantly from one project to the next. The highest level of involvement would be leading a project as a prime consultant (see section 3.4), and the lowest may be soft landscape (or planting) design, or a brief consultation on a general question. Fees calculated as a lump sum or percentage of the construction budget must be based on a clear written understanding of the consulting work (labour and materials), and a clear definition of the responsibilities. The contract price includes all elements designed or specified by the Landscape Architect (setting aside applicable taxes and any additional costs such as permits).

Where the estimated construction value or budget (or a portion thereof) is unknown, fees for these services should be estimated using a time basis, such as an hourly rate, at current market rates by the Landscape Architect (refer to section 5.3 for the Recommended Hourly Rates based on current market conditions).

Typically, all methods for determining fees may require confirmation and agreement of an “upset” fee amount confirmed with the client in advance, which confirms the maximum amount of fee that can be billed for any given project. Only services clearly defined as being outside of the scope noted in the contract can be billed as additional services before the work is initiated, and after the landscape architect and the client have agreed.

The three most common methods for determining fees are:

- Time Basis Rate and/or Per Diem Rate
- Lump Sum Fee
- Percentage-Based Fee

5.2.1 Time Basis

A Landscape Architect is often paid on an hourly basis when the scope of work is not clearly defined, is specialized, or is difficult to clearly define in advance. Fees are also calculated on a time basis in cases where the consultant has little or no control over the work required and/or the timeframe. It is often utilized at the beginning and/or near the completion of project, as well as for additional services. Some comments on this form of compensation:

- An agreement to pay an hourly or per diem rate contract often reflects a client's trust and respect for the skills, reputation and integrity of the consultant.
- All hourly rates include a proportion of the firm's overhead, with senior staff and principal's rates reflecting their managerial responsibilities.
- Special services, such as expert witness testimony, typically qualify for a higher negotiated hourly rate.
- Hourly rates for staff are usually set at 2.5 - 3.5 times their salary and benefits, with the range varying according to the nature of the firm's work, level of experience, and market conditions.
- Travel time may be charged at the same hourly rate as other work, or the amount of compensation may be negotiated for projects requiring extensive travel.
- Time basis agreements may establish an upset amount as a ceiling for the Landscape Architect's fees. This mechanism requires that the consultant give the client adequate warning before the agreed sum is reached. Any work beyond the upset amount is delivered on the time basis, or is completed according to a revised amount. The ceiling may be changed at intervals by mutual agreement.
- Fee for extra work are typically calculated based on hourly rates.

Note: Time Basis compensation does not include disbursements or other expenses.

5.2.2 Lump Sum Contract

This method for determining compensation is typically calculated as a lump sum fee amount where a total value is determined and agreed upon with the client.

A lump sum contract is recommended for situations where the Landscape Architect can control the project parameters, and where these remain consistent through the life of the project. Such an agreement should clearly define all services to be provided. This is typically only appropriate and recommended for well-defined projects, and where

the client understands his/her financial commitment in advance.

Note: Lump sum/fixed fee compensation does not include disbursements or other expenses.

5.2.3 Percentage Basis

A percentage-based contract is based on percentage of construction cost. In cases where there is a clearly defined scope of work, and where the project will follow a standard process as listed below, then compensation may be based on a percentage of the budget cost of construction:

- Schematic Design and Conceptual Design
- Design Development
- Construction Documentation
- Tender
- Construction Administration

Percentage-based fees are typically calculated on the landscape architect's preliminary estimate of the landscape construction budget at the beginning of a percentage based project. However, this number is adjusted as more precise information becomes available, with a final determination at the completion of the contract. The final adjustment may reduce the contract figure when a portion of the anticipated work is not required or delivered. In such circumstances, the landscape architect shall receive fees for all design services provided, irrespective of whether the project is constructed.

A percentage based fee does not typically include:

- a. Project Management (including Prime Consultant).
- b. Rezoning applications.
- c. Liaison and/or coordination with government agencies and statutory authorities.
- d. Preparation for, and participation in public meetings.
- e. Certification program review and documentation (LEED, CPTED, etc.).
- f. Preparation of as-built/record drawings.

Compensation for the above services should be calculated on a lump sum or time basis.

As noted in Section 3.1 above, determining percentage based fees from landscape construction budgets can be determined based on the project type (Type 1 – Specialized Landscapes; Type 2 – Civic Landscapes and Type 3 – Rural/Industrial Landscape) and its level of complexity (Simple, Standard or Complex). The following table provides guidance on the percentages that should be applied based on project type and level of complexity:

ESTIMATED CONSTRUCTION BUDGET	RECOMMENDED PERCENTAGE FOR CONSULTING FEE (BY PROJECT TYPE)								
	TYPE 1 SPECIALIZED LANDSCAPES			TYPE 2 CIVIC LANDSCAPES			TYPE 3 RURAL/ INDUSTRIAL		
	Simple	Standard	Complex	Simple	Standard	Complex	Simple	Standard	Complex
\$10,000 to \$25,000	20%	22%	25%	19%	20%	21%	18%	19%	20%
25,000 to \$50,000	19.5%	19%	20%	18%	19%	20%	17%	18%	19%
\$50,000 to \$75,000	19.5%	16%	17%	17%	18%	19%	16%	17%	18%
\$75,000 to \$100,000	18.5%	16%	17%	16%	17%	18%	15%	16%	17%
\$100,000 to \$200,000	18%	19%	20%	15.5%	17%	18%	14%	15%	16%
\$200,000 to \$500,000	17%	18%	19%	13.5%	15%	16.5%	12%	13%	14%
\$500,000 to \$1million	16%	17%	18%	12%	13%	14%	11%	12%	13%
\$1 million to \$2 million	15%	16%	17%	11%	12%	13%	10%	11%	12%
\$2 million to \$5 million	12%	13%	14%	9%	10%	11%	8%	9%	10%
\$5 million to \$7 million	10%	11%	12%	8.5%	9.5%	10.5%	7%	8%	9%
\$7 million to \$10 million	8.5%	9.5%	10.5%	7.5%	8%	9%	6.5%	7.7%	8%
\$10 million +	8%	9%	10%	7%	7.5%	8%	5%	6.5%	7%

5.3 RECOMMENDED HOURLY RATES

The following chart is a sampling of the current minimum ranges of hourly rates for Landscape Architectural services in British Columbia. The range reflects differences in skill and complexity of the services rendered, the individual's role on a project, and their level of experience. Any calculation of compensation based on hourly rates should reference these minimum ranges. Please note: an individual may legitimately charge for their time as a rate above those shown here, provided they have demonstrated the value, and the client has agreed to the terms.

STAFF LEVEL	HOURLY RATES
Principal	\$160 – 350
Senior Landscape Architect	\$140 – 200
Project Manager	\$120 - 150
Intermediate Landscape Architect	\$100 – 140
Junior Landscape Architect	\$90 – 120
Intern Landscape Architect / Landscape Designer	\$80 – 110
CADD / Graphic Support / Administration	\$60 – 100
Graphic Support / Administration	\$60 - 85

DISBURSEMENTS AND OTHER CHARGES

A standard flat rate for disbursements is sometimes applied and added to the contract based on a percentage of the total fee (typically between 5.0 % to 8.0%), which may include but is not limited to electronic messages and data transfers, telephone bills, basic printing and graphic reproduction, and basic shipping/mail courier services. Expenses or disbursements that are typically estimated and billed at cost (and typically outside this standard flat rate) include but are not limited to:

- a. Vehicle/transit use (rates typically follow those set by the Treasury Board of Canada).
- b. Travel and living expenses
- c. Printing, photography, and graphic reproduction
- d. Models
- e. Special graphics & communication
- f. Advertising for tenders and delivery charges
- g. Special supplies and equipment
- h. Cost of additional insurance (if required)
- i. Expenses paid out by the consultant on the client's behalf, and not otherwise covered by the contract (permit fees, monitoring and testing fees topographic or legal survey and other items of documented base information)

Note: Disbursements may or may not include an administration charge.

6.1 TRAVEL

Travel time should be negotiated as part of a standard fee contract.

6.2 TAXES

Fees and disbursements may be subject to applicable taxes which should be estimated separately, and in addition to, fees and disbursements.

PAYMENT

Contracts in writing should confirm and supersede all implied conditions. Please confirm all terms and conditions with your landscape architect.

7.1 RETAINER

A retainer fee is an advance payment made by a client to secure the services of a consultant. Retainer fees are normally held until completion of the project and are credited in the final invoice for service. Retainers are most often required for new clients where there is no payment history or established business relationship, or for existing clients where project start-up costs will be covered in advance.

7.2 PROGRESS BILLING

Progress billing for landscape architectural services is typically invoiced on a monthly basis and is based on either time and costs or milestones reached on a project, and associated deliverables. Payment is usually due within 30 days, with interest accruing after this point. Alternatively, invoices may be issued as specific project milestones are reached. Billing terms are typically included in the client contract with the landscape architect.

7.3 SERVICES PROVIDED ON A CONTINGENCY BASIS

In exceptional circumstances a professional may agree to work on a deferred payment basis contingent upon a triggering event, such as financing, development permits or substantial completion of a project. The Landscape Architect may accept considerable risk of non-payment, as a result and negotiated fees or compensation therefore reflect a significant premium for such risk. These agreements are highly specific and subject to changing standards in law and the marketplace. If compensation is in the form of equity in a project, additional conditions for professional standards in the public interest are required, including concerns for conflicts of interests and independent delivery of services. Current legal advice is advised for this type of agreement.

SPECIAL CONDITIONS

8.1 PRO BONO SERVICES

A professional is expected from time to time to volunteer his or her time and expertise for the public good. This is typically done to help those who cannot pay, or a not-for-profit organization. Depending upon the organization's ability to pay and practices with other consultants, variations include honoraria payments or payments for disbursement.

8.2 ABANDONED, SUSPENDED OR DEFERRED WORK

If a client or owner abandons or abnormally delays a project at any point after entering into a contract with a landscape architect, the landscape architect should receive payment for all services rendered (and associated disbursements) as of the date of suspension. This may also include compensation for expenses arising from the delay if it has been negotiated as part of the contract. Costs resulting from circumstances such as an extension of the construction period, client takeover from a contractor, or any court action must also be addressed and negotiated.

8.3 EXTRA WORK

Compensation for services beyond the negotiated scope of work is typically based on hourly rates (see chart in Section 4).

8.4 COPYRIGHT

Ownership of all copyright in the design, including original drawings, specifications and other documents is held by and remains the property of the landscape architect. Typical conditions are that upon (a) payment of required project fees in full, and (b) attribution of the work to the landscape architect in all materials showing the finished work, the client receives a license to use and copy such drawings and specifications for uses related to the original project or client archives.

Please note that such license does not normally include any right to re-use all or any part of a Landscape Architects' work for a project extension or second project and that such reuse must be subject to a separate agreement with the Landscape Architect. Typically, such reuse is barred by a continuing condition of the original contract between client and Landscape Architect, in addition to copyright.

Such license however does normally include a right to assign all of the copyright in any project to a subsequent owner, on notice to the Landscape Architect and on like conditions.

8.5 RE-USE OF PLANS AND SPECIFICATIONS

A client should negotiate a royalty for use of a landscape architect's plans and/or specifications for a second or subsequent project. This will include fees for any additional services required to adapt the work to the new circumstances.

