

COMPETITION-NOTICE POLICY

In a global marketplace the organized delivery of a competition for services has been found to be a fair, effective and efficient way of reconciling diverse interests with design solutions for complex projects.

Any project or competition advertised by the BCSLA will be subject to the overriding obligations of the BCSLA for the public interest and professional statutory obligations of the BCSLA under the *Architects (Landscape) Act* (BC), and reciprocal agreements with other organizations. This includes upholding the public interest in health, safety and welfare and in the planning, design, development, preservation, protection, restoration, reclamation, enhancement and management of the natural and built environment by furthering standards of professional landscape architecture in British Columbia.

A. COMPETITION-NOTICE POLICY PURPOSES

1. From time to time the British Columbia Society of Landscape Architects (“BCSLA”) will advertise competitions for project owners, competition sponsors or competition managers (“Sponsors”). The effect of this policy is to clarify rules which bind BCSLA members; as such this policy will apply to all BCSLA agreements for Competition Notice services (“*Competition Notices*”).
2. Objectives:
The objectives of this policy are threefold:
 - a. to help a competition Sponsor understand the importance of competitions in raising standards over the long-term for their business and the marketplace, and the value of prudent risk-management in aligning expectations of process;
 - b. to help BCSLA members (“Members”), who may be invited to participate in competitions understand their role and expectations, and;
 - c. to make it clear that any project or competition advertised by the BCSLA is subject to the overriding obligations of the BCSLA for the public interest and professional statutory obligations that further standards of professional landscape architecture in British Columbia.
3. Binding Effect. This Policy is binding on the BCSLA and its Members, and must be incorporated into agreements with Sponsors who wish to have the BCSLA advertise their project and or competition. If a Sponsor fails to comply with these conditions in a timely way, the BCSLA may immediately withdraw or refuse to advertise that Competition, subject to providing notice to the Sponsor and BCSLA Members. This Policy identifies the rules associated with a Sponsor requesting that the BCSLA advertise a Competition, and requirement that the Sponsor declares that it will comply with this policy.
4. Limitations. Unless otherwise agreed expressly in writing or by Board resolution to promote excellence in the profession and communities, the BCSLA is not acting as a knowledgeable neutral, nor is the society making any other representation or warranty to its Members, the Sponsor or any third party to indicate an endorsement, oversight or review of the Sponsor, the project or the Competition by the BCSLA.

This policy does NOT include a review of the Competition process and its integration with that of other professions or public regulators. However the BCSLA may be bound from time to time by conventions to provide reciprocal notice of competitions to other professional organizations or local governments or other regulators which are made public through BCSLA notices.

Limitations also include restrictions on the Sponsor’s use of any design ideas or details of a Landscape Architect or Member of the BCSLA for any project other than the named project of the competition and by anyone other than the creator or original owner unless fair and reasonable compensation is expressly agreed upon.

B. COMPETITIONS

1. This policy applies to all processes in which a Sponsor funds or administers a problem-solving exercise involving the comparison of solutions against named criteria for the selection of a design or Landscape Architect, including providing recognition or awards (a “Competition”), and seeks assistance from the BCSLA in advertising or otherwise providing notice for same.
2. Advertising or notices must include basic information for the more effective use of Sponsors and members’ time. Minimum standards include defining for BCSLA engagement under this policy for such competitions: (a) organizing by scope of entrants, (b) the process and criteria for review, and; (c) desired outcomes, in addition to a project brief.
 - a. The scope of entrants must be defined in advance. Generally this refers to selecting one of two approaches:
 - i. **Open Competition** – where all BCSLA Members or others in good standing for the qualifications required may enter, or
 - ii. **Limited or Invitational Competition** – by the invitation of the Host, generally restricted to three, but on occasion up to six Landscape Architects, who may include those from different jurisdictions
 - b. The BCSLA recommends that all Competitions include a detailed project profile or functional program that describes criteria and provides data, including design objectives, site requirements, historical context, spatial requirements, site systems, future flexibility, including restrictions based on site or use, cost, timing, materials, specialized regulations or other preferences of the Sponsor. The Competition may also identify services required to complete essential baseline information after the Competition is concluded.
 - c. The process of reviewing the Competition entries must also be defined in advance, generally either as,
 - i. **Single-stage Competition** – where all competitors make a single submission to the Sponsor, or;
 - ii. **Two-stage Competition** – where a preliminary stage (often under an open call for submissions) focuses on conceptual designs and qualifications, and is assessed by a jury which selects a short-list of those to be invited for a final submission and final jury decision.
 - d. The desired outcomes may be defined as,
 - i. **Ideas Competition** – where the successful competition entry is defined largely by design ideas, with pragmatic details of function and cost to be resolved later, or;
 - ii. **Qualifications-based Services** – generally for an integrated scope of strategic planning or review, design, and oversight services and documentation, including construction drawings.

Typically a single-stage approach is used for smaller projects, and a two-stage competition approach is followed for landscape architectural projects of national or regional importance, with the latter providing a budget for paid jurors and qualifying respondents. In such cases, an open first stage is preferred.

An Ideas Competition is intended for long-term legacy or aspirational projects and will require compensation, intellectual property and oversight of the successful landscape architect, and;

A Qualifications-based Services Competition brief includes a request for education, experience with local conditions and project type, the capacity to perform both the design and technical services and, performance systems of governance and project management for strategic oversight and risk-management in complex projects.

C. GENERAL CONDITIONS

The following conditions must be satisfied before the BCSLA will advertise or otherwise provide notice of a competition:

1. The Sponsor must agree in writing, in a form acceptable to the BCSLA that it will comply with then applicable Competition Policy conditions which will be attached. This will include restrictions on use of intellectual property noted above and on conflicts-of-interests that sponsors, jurors and those involved with the decision-process are not eligible to participate in a Competition, subject to full disclosure of such interests.
2. The Sponsor must agree in writing that the BCSLA may choose to notify to its Members if the BCSLA determines, in its sole discretion that the Sponsor is not complying with such Policy.
3. The Sponsor must provide to the BCSLA notices of the scope of entrants, process of review, amendments and desired outcomes as noted above.
4. The BCSLA reserves the right to reject any or all projects or competitions, as determined by the BCSLA in its sole discretion for any reason including concerns that:
 - a. the BCSLA or any of its Members may be brought into disrepute; and
 - b. such project or competition is inconsistent with the objects of the BCSLA for the professional practice of landscape architecture in British Columbia.
5. The BCSLA may from time to time give general notice of pending or in-process competitions, and indicate which ones comply with this policy.
6. The Sponsor is expected to organize Competitions in good faith and treat all Respondents fairly and without bias through the following practices:
 - a. Disclosure of a competition deadline for submissions, and a note that late submissions will not be considered unless a formal amendment has been provided with due notice.
 - b. Clear communication of submission requirements and evaluation criteria in the competition documents, and a commitment to evaluation of a respondent's submission the basis of the disclosed criteria.
 - c. Requirement that respondents disclose all conflicts-of-interests in writing at the time of submission. Such disclosure must be provided to the BCSLA or Respondents on request. For the integrity of the process and outcomes, conflicts-of-interests are defined broadly to include personal or business relationships, as well as any other interests which could influence an evaluator's decision.
 - d. Requirement that the Sponsor and all persons involved in the evaluation of submissions identify and respect confidential information of each Respondent.
 - e. Provision that intellectual property, including all trademarks and copyright in and to each design and related details and specifications be retained by the creator or party duly providing the information. All entries shall be anonymous when presented to the assessors, under a numbering or other submission system without distinguishing logos or marks.
 - f. Expectation that the Sponsor enter into an agreement with the successful Respondent in a form that is consistent with fair and reasonable industry practice.

This policy is subject to revision, and is intended for general use while being subject to special conditions or circumstances. Please check the BCSLA website for most recent version, and do not hesitate to contact the BCSLA office with questions or suggestions.

This policy will be reviewed by the Board of Directors of the British Columbia Society of Landscape Architects every two (2) years, or more frequently if required.

Vancouver April 2016