

“Architecture cannot save the world
but it can be a good example”
Alvar Aalto

[Building with an architect]



ORDRE DES
ARCHITECTES

You and the architect

Accountable architecture and sustainable development	3
The architect's role	4
Architect's scope of services	4
Favour full services	5
Who consults an architect?	5
The architect as your advisor	6
What guarantees does the architect provide ?	7
Guarantee of skill	7
Guarantee of ethics	7
Contractual guarantee	7
Professional guarantees	8
When is the appointment of an architect a legal obligation ?	9
How much does an architect charge ?	10
Fee calculations	10
Is an architect expensive for a private client ?	11
Useful Addresses	12

Through his/her generalist training and his/her role at the centre of the project, the architect has acquired a global vision of the techniques and issues related to the implementation of an accountable architecture. Accordingly, he/she supports a fully sustainable development approach in his/her professional practice.

Accountable architecture and sustainable development

Sustainable development rests on four pillars

An environmental pillar

The architect guarantees that your construction will be “accountable”, that it will be sited in harmony with an area already structured by transport networks, service networks (electricity, water, etc.), and economic or commercial activity. Accordingly, he/she takes care to limit the impact of construction upon the existing environment by maintaining the density of the built environment and avoids wasting development land, agricultural and natural resources. He/she also respects the safety regulations and takes into consideration all the ecological and sanitary requirements. He/she favours the use of local materials with a low environmental impact.

An economic pillar

The architect locates his/her approach within an eco-efficient process that guarantees the reduction of energy consumption and good thermal performance of the building. A “bio-climatic” design ensures comfort in winter, as in summer, by avoiding excessive seasonal consumption. If possible, the architect will exceed existing standards. He/she anticipates the “global cost” incurred by the maintenance and repairs to the building.

A social pillar

The architect integrates the need for social diversity, the cohabitation of generations and the different activities of residents. Above all, he/she takes into account the use that you will make of the building. He/she should plan for its future use and modularity in anticipation of the foreseeable evolutions of your family or your activities.

A cultural pillar

The architect aims for a good integration of the construction within its cultural and traditional context. He/she is aware of local materials and practices. By avoiding the pastiche of traditional forms, he/she also aims at a cultural fulfilment through the creation of contemporary architecture.

In their globality and complexity, these objectives will be attained by the high level of attention given by the architect to your project, to your needs and your uses, as well as by his/her ability to advise on the brief and its implementation.

The architect's role

ARCHITECT'S SCOPE OF SERVICES

The architect's vocation is to participate in all matters that relate to the development of space and, in particular, the act to build.

The architect intervenes on the construction, the rehabilitation, the adaptation of landscapes, public or private buildings, housing, professional and industrial or commercial buildings. His/her intervention is a legal obligation for the elaboration of the architectural project that is subject to a planning permission application (except for the exclusions cited in Article 4 of the Architecture Act 1977). The architect responds to the expectations of each end-user whilst taking into consideration the collective interest.

The client, also known as the building owner, appoints the architect to design the architectural project.

The architectural project defines the siting of the buildings, their composition, their layout and the expression of their volume, as well as the choice of materials and colours, on the drawings and in the specifications.

Due to his/her training, the architect has the ability to participate at each stage of a project; from the design through to construction of the works:

- advice on the choice of site;
- design;
- cost analysis;
- finance;
- administrative procedures;
- tender call action;
- monitoring construction;
- handover of the works; and
- expertise.

FAVOUR FULL SERVICES

The architect can better carry out his/her appointment when he/she takes charge of the operation from start to finish. He/she is the best placed to assist you with the contract administration of construction. He/she guides you through the construction process and assists you to transform your ideas into reality, while obtaining the best from a site.

His/her full service is the gage of quality, performances and savings over time. He/she guarantees the client the best value for money at the time of investment and considerable subsequent savings. The architect meets with clients, monitors construction and co-ordinates with the different parties: local elected representatives, state employees, manufacturers, bankers, developers, and contractors.

Man or woman of the situation, he/she oversees that deadlines are met and informs his/her client about the progress on site.

WHO CONSULTS AN ARCHITECT ?

In France, the architect is consulted by:

- **the private individual** because to build, or to renovate, is one of the most important decisions in his life and that of his family;
- **the local elected representative** because he is judged, along with his team, on his ability to develop the region, to improve community facilities and the quality of life of his fellow citizens;
- **the shopkeeper** because the layout of his/her store and its window dressing influence its turnover;
- **the developer** because buyers and tenants have become more and more conscious of the quality of spaces, services and the environment as factors for better marketing;
- **the industrialist** because the functionality, the flexibility of use and technical performances of the premises facilitate better productivity. Workplace conditions and their image are also assets for the company,
- **the joint-owners** because the layout and the maintenance of the common areas influence the costs and life-span of the asset; and
- **the farmer** because the modernization of family and collective holding farm buildings improves their profitability and protects the quality of landscape.

The architect's role

THE ARCHITECT AS YOUR ADVISOR

Because you have your lifestyle and personal tastes...

Above all, the architect's role is to listen to you. Based on your requirements, your tastes, your lifestyle, the future evolution of your family, the architect helps you to define your project; the layout of spaces, the rational use of areas, the organization of internal volumes, the external aspect ...

The architect does not sell neither model nor standard plans because your project should not impose upon you a standardized lifestyle. He/she organizes the space according to your tastes, to your needs and plays with of the constraints to provide you greater personalisation. His/her added value is the purpose-made solution at the least cost.

The architect is someone of dialogue yet he/she is also a reasonable person. He/she proposes a project compatible with your financial means. Once the brief and its cost are clearly defined with you, he/she is your intermediary with the contractors so that you benefit from a quality construction in terms of its cost effectiveness.

Because you want construction to start as soon as possible ...

In order to build, even on a site which you own or that you are purchasing, you have to obtain administrative approval. On your behalf, the architect prepares the planning permission application. In addition to your construction project, this file should include the different legal, administrative and technical information that you are obliged to provide. If you wish, the architect can undertake the necessary action on your behalf. Thereby, he/she submits to the relevant service your planning application and follows up its instruction. By supplying in anticipation the information requested by the administration, he/she can considerably accelerate the timescale for obtaining your approval.

What guarantees does the architect give ?

Guarantee of skill

The degree in architecture is the result of long studies during which the future professional acquires the knowledge indispensable for the development of the architectural project and its construction.

The practice of the profession and the title of architect (or *agréé en architecture*) are regulated. Nobody can practice and use the title architect without being insured and registered by a regional council of the *Ordre des Architectes*.

To verify that the person you are going to appoint is indeed an architect or (*agréé en architecture*), consult the *Tableau des Architectes* (www.architectes.org/tableau) or telephone the *Conseil Régional de l'Ordre des Architectes* in your region.

Throughout his/her career, the architect maintains and improves his/her knowledge through continued professional development.

As such rehabilitation, the removal of asbestos, safety management on construction sites, impact and environmental studies, real estate surveys, expertise, computer graphics... are particular domains where the architect develops his/her skills.

Guarantee of ethics

At the time of his/her registration with l'Ordre, the architect takes oath and makes a commitment to respect the *Code of Professional Conduct* that defines the architect's services and his/her professional obligations; a duty to advise, to assist and, in particular, the obligations towards his/her clients.

Non-compliance with these rules can lead to disciplinary measures/action (warning, suspension or struck off the register).

Contractual guarantee

The services you confide to the architect are to be confirmed in writing, clearly indicating the mutual obligations of each party. The signing of this architect's appointment agreement is an obligation imposed by the *Code of Professional Conduct*.

In particular, this agreement has to stipulate:

- the exact extent of the services that the architect undertakes to perform on your behalf;
- the basis of his/her professional fees. The architect's fees are negotiated before the signature of the agreement;
- the method of fee payments. The architect proposes a detailed schedule of payments that you will settle in accordance with the advancement of his/her appointment, from the preliminary studies up until the final work stage;
- the precise deadlines that he/she should respect, during the design stage, for the production of the different documents and the deadlines you should respect in order to approve them; and
- the professional insurances that the architect and you, as project owner, (construction insurance) are obliged to subscribe.

What guarantees does the architect give ?

Professional guarantees

Compulsory insurance

Among construction professionals, the most extensive insurance obligations are imposed upon the architect.

All parties to the act of building must have insurance. The architect is legally required to be insured to cover all the acts that engage his/her professional responsibility; that is:

- to cover his/her professional appointments;
- to cover damage caused to third parties; and
- to cover disorders and faults that he can be considered to be responsible.

However, he alone is registered with a professional body of which one of the main responsibilities is to check that its members have really subscribed this insurance. The default of insurance is liable to serious disciplinary measures.

Duty to advise

The architect has a duty to advise that applies throughout the services that he is confided. For the most part, his/her advice is confirmed in writing:

- **at the design stage:** the architect should advise you on the feasibility of the project, advise you on the ground or underground conditions, warn you of the shortcomings of work carried out at lowest cost or possible overruns of the planned budget, of risks of the proposed construction to adjoining buildings, ...;
- **at the construction stage:** the architect should advise to you on the choice of contractors, on the quality and characteristics of materials to be used (he can also advise you against the use of certain materials); and
- **at the hand over stage:** he/she should inform you of all visible defects and faults.

When is the appointment of an architect a legal obligation ?

For companies, recourse to an architect is **legally required** to design and document **every project subject to planning permission**, whether it is the construction of a house, the transformation or extension of an existing building, an office, shop or other premises (Article 3, Architecture Act 1977).

For private individuals wanting to build or to rehabilitate for their own use, **recourse to an architect is compulsory** if the nett area (*surface hors œuvre nette*) of the construction (other than for agricultural purposes) exceeds 170m².

But the intervention of an architect always turns out to be advantageous, even if the alteration work to an existing building is a total area less than 170 m² or on the list of works subject to a simple building notice.

When you do not appoint an architect, public organizations exist to assist you with additional information for your application. In order to do this, you can consult the Conseil d'Architecture, d'Urbanisme et de l'Environnement (CAUE) of your department who, without charge, will inform you of the preliminary stages to elaborate a project and about site constraints where you wish to build. A CAUE architect will advise you on the best possibilities to integrate your house on the site and will, possibly, propose changes likely to suit you better, in compliance with current town planning regulations.

Further, in most of the regions, there exist "Maisons de l'architecture" (Architecture Centres) that also give more detailed information to potential builders.

If choosing an architect is to choose a competence recognized by law, a relationship of trust between the client and architect is fundamental to the success of the project.

How much does an architect charge ?

FEE CALCULATIONS

The ordinance of 1st December 1986, relative to the freedom of prices and competition, established the principle of the free-market economy. Professional fees are freely negotiated between the client and the architect. By decisions of the Conseil de la Concurrence (Office of Fair Trading), professional organizations cannot diffuse fee scales. On the other hand, nothing prevents the architect to establish his/her own fee schedule.

The agreement that you enter into with the architect should stipulate the basis of the fee calculation as well as the amount of fees. The architect's remuneration essentially depends on three factors:

- the cost of the works;
- the complexity of the operation; and
- the extent and complexity of the appointment that you confide to him/her.

It is impossible to know the final cost of construction if the contractors consulted have not yet submitted their tenders. Consequently, an article in the architect's appointment agreement can stipulate that if the construction cost exceeds what's known as a "tolerance" margin between the estimated cost of the works and the total real cost, the architect fee initially agreed is reduced.

Professional fees can be calculated according to three main methods:

Lump Sum Fee: This formula can only apply when the appointment and the construction project are perfectly known in advance. The lump sum amount is then determined before the appointment commences. The lump sum fee is usually used when the area of construction is less than 170m².

Percentage Fee: Preferably, it applies when the appointment is defined well in advance but the construction project is not. It is the solution most often retained for a full appointment.

Time Spent Fee: It applies to short-term and well defined appointments such as consulting, advice or expertise services.

These different methods of calculating professional fees can be also combined between them.

IS AN ARCHITECT EXPENSIVE FOR A PRIVATE CLIENT ?

You pay the architect, but he/she can save you money ...

- recourse to an architect assures the private client of competitive tendering between contractors. This is a factor that reduces the costs under consideration. Moreover, cost control of the works takes place as construction progresses;
- the architect should permanently monitor that the construction schedule is respected. He/she checks that materials and construction techniques correspond to what was agreed in the construction contracts;
- a building, constructed by a professional who engages his personal responsibility, will have an improved and longer life, thus reducing maintenance costs;
- the architect's fees are negotiable with the client whilst, for example, the profit margin of the builder of detached houses is not clearly identified; and
- the architect, a professional of sustainable development, will propose technical solutions that are best adapted to the building, to the site and to your requirements, as well as the best energy performances. Your bills will feel the effect.

Useful Addresses

Tableau de l'Ordre des Architectes (Architects' Register)

If you are looking for an architect, consult the Architects' Register of the Ordre des Architectes:

www.architectes.org/tableau and their portfolios www.architectes.org/portfolios

The regional councils of the Ordre des Architectes

The regional councils of the Ordre des Architectes register architects, check their insurances, oversee professional conduct and can organize conciliation in case of a dispute between a client and his/her architect: www.architectes.org/conseils-regionaux

Les Maisons de l'architecture

Architecture Centres diffuse architectural culture throughout the French national territory. Find them on the Réseau des maisons de l'architecture website www.ma-lereseau.org and on www.archicontemporaine.org, a database of recent projects by architects.

CAUE

The CAUE (Conseils d'Architecture, d'Urbanisme et d'Environnement) are departmental information and advice services open to the general public: www.caue.org

ANIL/ADIL

Agence Nationale d'Information sur le Logement, the national housing information agency, manages a network of departmental agencies (ADIL) that, without charge, provide private individuals detailed advice on all aspects of the legal, financial and fiscal problems associated with housing: www.anil.org



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