

ACE conference

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ace-cae.eu

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01

Architect - Client Checklist

A Guide (not a Contract) comprising three elements:

- **General guidance** on how to set up a legally binding contract
- A brief contract **checklist**
- **Links** to various national and international contract **templates** available online

A legally-binding contract is **a contract between two parties that can be legally enforced.**

A binding contract requires three elements:

- 1. Agreement** offer-acceptance
- 2. Consideration** exchange of economic value
- 3. Intention** to enter into the agreement

A verbal agreement may also be legally binding if it contains these 3 elements.

A written agreement prevents misunderstandings later on.

Contract Checklist:

1. Identity of the Parties
2. Definitions
3. Description of the assignment
4. Obligations of the architect
5. Project administration and archiving duties
6. Professional standards and ethics
7. Obligations of the client
8. Liability and Insurance
9. Fees and expenses
10. Copyright license
11. Suspension or termination
12. Dispute resolution and applicable law
13. Signatures

02

Architect-
Architect
Collaborations

Introduction

When seeking cross-border collaboration it is important to:

- Choose the right **strategic match**
- Achieve a **correct** and friendly reciprocal **relationship** with local architects
- Not impose external standards without **understanding local requirements**
- **Seek synergy** such that the collaboration is stronger than the individual parties.

Architect-Architect collaborations may be of four types:

- A. Division of Profit and Loss
- B. Division of Compensation
- C. Different architects for different phases
(usually this is a client choice with little collaboration)
- D. International architect and local consultant
(may be considered too asymmetrical)

Key Steps in setting up a collaboration:

1. Determine whether a formal setup as an **independent organisation** / practice is required.
2. If not, decide on the **type of collaboration** (joint venture / association).
3. Prepare an agreement with a **matrix** documenting **work split** and responsibilities by **phases**.
4. **Assign** effort and responsibility where it is **needed**.
5. Keep careful and transparent **records** of costs, bills, payments and distribution of funds.
6. Decide whether one or both firms will **sign** the **agreement** with the **client**.
7. Review **insurance** policies to make sure they are appropriate.
8. **Consult** your legal, accounting and insurance advisors.

Thank you for your attention!

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