**South African Council for the Architectural Profession**

**PROFESSIONAL PRACTICE EXAMINATION**

**25 MARCH 2020**

**PAPER 1 – MEMORANDUM**

* This is closed book paper.
* Candidates must answer all questions.
* Total marks for paper 1 – **150 marks**
* Time allowed for paper 1 – **3 hours**
* Pass mark – **55%** in either paper, and an average of **60%** for the two papers combined
* Please ensure that each exam book that you use displays your correct **EXAMINATION NUMBER** for identification purposes.
* No reference material, cell phones, programmable calculators, laptops and/or other electronic equipment will be permitted in the examination room.

**QUESTION 1** *25 marks*

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| 1.1 | What is the name of the statutory body that was formed to ensure uniform application of norms and guidelines set by the councils for the professions throughout the built environment? | (2) |
| The Council for the Built (1) Environment (1) |
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| 1.2 | What is the name of the statutory body tasked to implement an integrated strategy for the reconstruction, growth and development of the construction industry? | (2) |
| Construction Industry (1) Development Board (1) |
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| 1.3 | Provide the full name, number and year of origin of the Act that established the South African Council for the Architectural Profession (SACAP). | (4) |
| The Architectural (1) Profession (1) Act 44 (1) of 2000 (1) |
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| 1.4 | Under this Act, SACAP was established as a \_\_\_\_\_\_\_\_\_\_ person. | (2) |
| Juristic |
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| 1.5 | Describe two activities that SACAP undertakes in order to enact its functions.  | (6) |
| *Any of the following or in a similar vein – 3 marks for each (total 6 marks):** The protection of the public interest by identifying the type of architectural work each category of registered person is capable and competent to perform.
* Control of standards of education at tertiary institution for the purpose of professional registration by means of visiting boards.
* The administration of a Code of Professional Conduct.
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| 1.6 | Who appoints the SACAP Registrar? | (1) |
| The Council |
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| 1.7 | Aside from adhering to SACAP registration requirements, identify three reasons for engaging in Continuing Professional Development as an architectural professional. | (6) |
| *Any of the following or in a similar vein – 2 marks for each (total 6 marks):** The increasing complexity of construction
* The need for improved performance
* Ongoing development of materials, techniques and systems
* Rapid developments in information technology
* Continually changing legislative and practice frameworks
* Growing environmental imperatives
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| 1.8 | Which two bodies are recognised by the SACAP Council for the purposes of offering appropriate learning for Category 1 Continuing Professional Development activities? | (2) |
| Voluntary Associations (1)Accredited educational institutions (1) |
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**QUESTION 2** *30 marks*

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| 2.1 | What are the three words used to describe the manner in which a registered person is expected to act as part of the overriding obligation under the rules of the SACAP Code of Professional Conduct? | (6) |
| A registered person is expected act with due **skill** (2), **competency** (2) and **integrity** (2). |
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| 2.2 | In terms of the rules of the SACAP Code of Professional Conduct, what three factors determine the type of architectural practice that may be formed? | (6) |
| The registration category (2) of the most senior person (2) actively practicing in the practice (2) |
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| 2.3 | Identify six terms of the appointment of an architectural professional that must be clearly set out in writing in terms of the rules of the SACAP Code of Professional Conduct. | (12) |
| *Any of the following – 2 marks for each (total 12 marks):** The scope of the project or the works
* The scope of the services to be provided
* The allocation and limitation of responsibilities
* The fee payable for the work or services, the method for calculation of the fees, and the work stage(s) at which fees will be payable
* The budget (if applicable) or other cost limit for the project, work or service and the method and implication of estimating costs
* Provisions for termination of the agreement
* Details of the professional indemnity insurance
* Provision for dispute resolution
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| 2.4 | What is the difference between the terms 'registered principals' and 'registered professional' as found in the SACAP Code of Professional Conduct? | (4) |
| Registered **principals**: the shareholders in a practice who are registered in terms of the Act. *(2 marks)*Registered **professional**: a person registered in one of the categories of professionals referred to in terms of the Act. *(2 marks)* |
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| 2.5 | Is it correct or incorrect to state that an architectural practice must be registered with SACAP? | (2) |
| **INCORRECT** (*SACAP must be informed of the details of the practice after its establishment*) |
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**QUESTION 3** *40 marks*

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| The standard ("full") scope of an architectural professional’s service is to fulfil the roles and obligations of architectural professional, principal consultant and principal agent. You have been approached by a client to carry out architectural services on a new office building with a very limited timeframe and are being faced with numerous questions from the client regarding your roles on the project. The client is unfamiliar with the processes involved in designing a building and has questioned your roles and the need for your service in work stage 3 over and above the work in work stage 2. |
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| 3.1 | In response to the client’s queries, provide an outline of two different obligations of the architectural professional, principal consultant and principal agent on the project (two obligations for each role). | (6) |
| *Any of the following or in a similar vein – 2 marks for each role (total 6 marks):***Architectural professional:*** To furnish the building design
* To prepare local authority and construction documentation for a project
* To evaluate the work of the contractor during the construction work stage

**Principal consultant:*** To administrate the services of the other consultants
* To coordinate and lead the professional team

**Principal agent:*** To administer the construction contract
* To certify the stages of completion
* To evaluate claims during the construction work stage
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| 3.2 | The client does not fully understand the difference between your service in work stage 2 and work in work stage 3. In order to explain, identify the titles for these two work stages plus the proportion of the total fee to be allocated to each. To differentiate between work stage 2 and 3, describe two aspects of the service you will provide for each. | (16) |
| **Work Stage 2: Concept and Viability (Design Concept)** *(1 mark)*15% of total fee *(1 mark)**(3 marks for any of the following – total 6 marks)** Prepare an initial design and advise on:
* the intended space provisions and planning relationships
* proposed materials and intended building services
* the technical and functional characteristics of the design
* Check for conformity of the concept with the rights to the use of the land
* Review the anticipated costs of the project
* Review the project program

**Work Stage 3: Design Development** *(1 mark)*20% of total fee*(1 mark)**(3 marks for any of the following – total 6 marks)** Confirm the scope and complexity
* Review the design, and consult with local and statutory authorities
* Develop the design, construction system, materials and component
* Incorporate and coordinate all services and the work of consultants
* Review the design, costing and program with the consultants
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| 3.3 | Identify six of the parameters on which the SACAP guideline fees and disbursements for architectural services are based. | (6) |
| *Any of the following – 1 marks for each (total 6 marks):** Scope of services
* Scope of the project / works
* Project program
* Cost of the work
* Cost of the project
* Appointment of other consultants
* Appointment of contractor
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| 3.4 | What should occur if any of the above parameters materially change? | (4) |
| There must be an adjustment (2) to the guideline fee (1) and disbursements (1) due. |
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| 3.5 | Why does one indicate that fees would be due for each work stage? What would be the alternative? | (4) |
| This a requirement of the SACAP Code of Professional Conduct (2). Alternatively one will only receive payment of fees once all the services for the entire project have been carried out (completed the mandate). (2) |
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| 3.6 | In a project with a limited timeframe, what option may be considered in the provision of architectural services and what would be the impact of selecting such option? | (4) |
| The option of 'fast tracking' (2) which would entail additional resources to complete the project within the allocated time and an increase of 30% of the architectural professional’s fee. (2) |
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**QUESTION 4** *30 marks*

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| 4.1 | Identify four advantages of entering into a standard form of Professional Service Agreement with a client. | (8) |
| *2 marks for any of the following or in a similar vein (total 8 marks):** Allows the architectural professional to be confident of the business arrangement with the client.
* Addresses the obligations and responsibilities of the client and the architectural professional.
* Sets clear limits to responsibility and liability.
* Allows for effective dispute resolution.
* It is a consensus document drafted and agreed by the constituent bodies.
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| 4.2 | Identify five risks inherent in agreeing to provide architectural services on a project at risk. | (10) |
| *2 marks for any of the following or in a similar vein (total 12 marks):** Possibility for not being paid for the work carried out
* Possibility of not being appointed if and when the project proceeds
* Possibility of Professional Indemnity (PI) insurance refuting claims arising or increased insurance premiums
* SACAP fee scales do not allow for compensation for works carried out at risk
* Liabilities to the client that may arise from inadequate work or omissions
* Records and history indicate low success rate arising from work done at risk
* Possibility of allocating too much time and effort on risk work and diminished ability to attend to current clients or projects
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| 4.3 | Indicate whether the following statements regarding the services of an architectural professional are correct or incorrect. Provide a motivation for each. |
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| 1. | Professional Indemnity insurance must be provided by the architectural professional. | (3) |
| **INCORRECT** (1) – provided the architectural professional informs the client that no PI insurance is in place (2). |
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| 2. | The architectural professional will manage the contractor during construction. | (3) |
| **INCORRECT** (1) – the requirement of the architectural professional as principal agent is to administer the construction contract, not to manage the contractor (2). |
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| 3. | The service must be comparable to what another architectural professional would provide under the same circumstances during the same period of time. | (3) |
| **CORRECT** (1) – this is the means to determine reasonable professional skill, care and diligence (2). |
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| 4. | The contractor is not permitted to contribute to the services provided during the design work stage. | (3) |
| **INCORRECT** (1) – there are contractual arrangements whereby the contractor acts as an integral part of the professional team (2). |
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**QUESTION 5** *25 marks*

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| 5.1 | Identify five architectural services that qualify for additional professional fees. | (10) |
| *2 marks for any of the items listed under 1.2.1 of the SACAP Framework for Professional Fees Guideline: Board Notice 121 of 2015 (total 10 marks)* |
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| 5.2 | Which form of business entity would one consider when forming a newly established architectural practice? | (3) |
| *3 marks for any of the following:** Sole Proprietorship
* Partnership
* Incorporated Company
* Proprietary Limited
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| 5.3 | Identify three forms of legislation to be considered when formalising an architectural practice as a business entity. | (6) |
| *2 marks for any of the following or in a similar vein (total 6 marks):** Companies Act
* Labour Relations Act
* Basic Conditions of Employment Act
* Skills Development Act
* Unemployment Insurance Act
* Occupational Health and Safety Act
* Unemployment Insurance Fund Act
* Value Added Tax Act
* Income Tax Act
* Broad-Based Black Economic Empowerment Act
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| 5.4 | Identify three ways in which one could appoint an employee in order to obtain additional personnel resources. | (6) |
| *2 marks for any of the following or in a similar vein (total 6 marks):** independent contractors / contract workers
* temporary employees
* permanent employees
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