

# AIA OREGON 2014 POSITION STATEMENT SURVEY

## Survey Overview

### SURVEY PURPOSE

- Allow Oregon Registered Architects to provide input on draft position statements
- Ensure our positions are in align with majority viewpoints
- Provide transparency of the work of the AIAO LAC

### SURVEY QUESTIONS

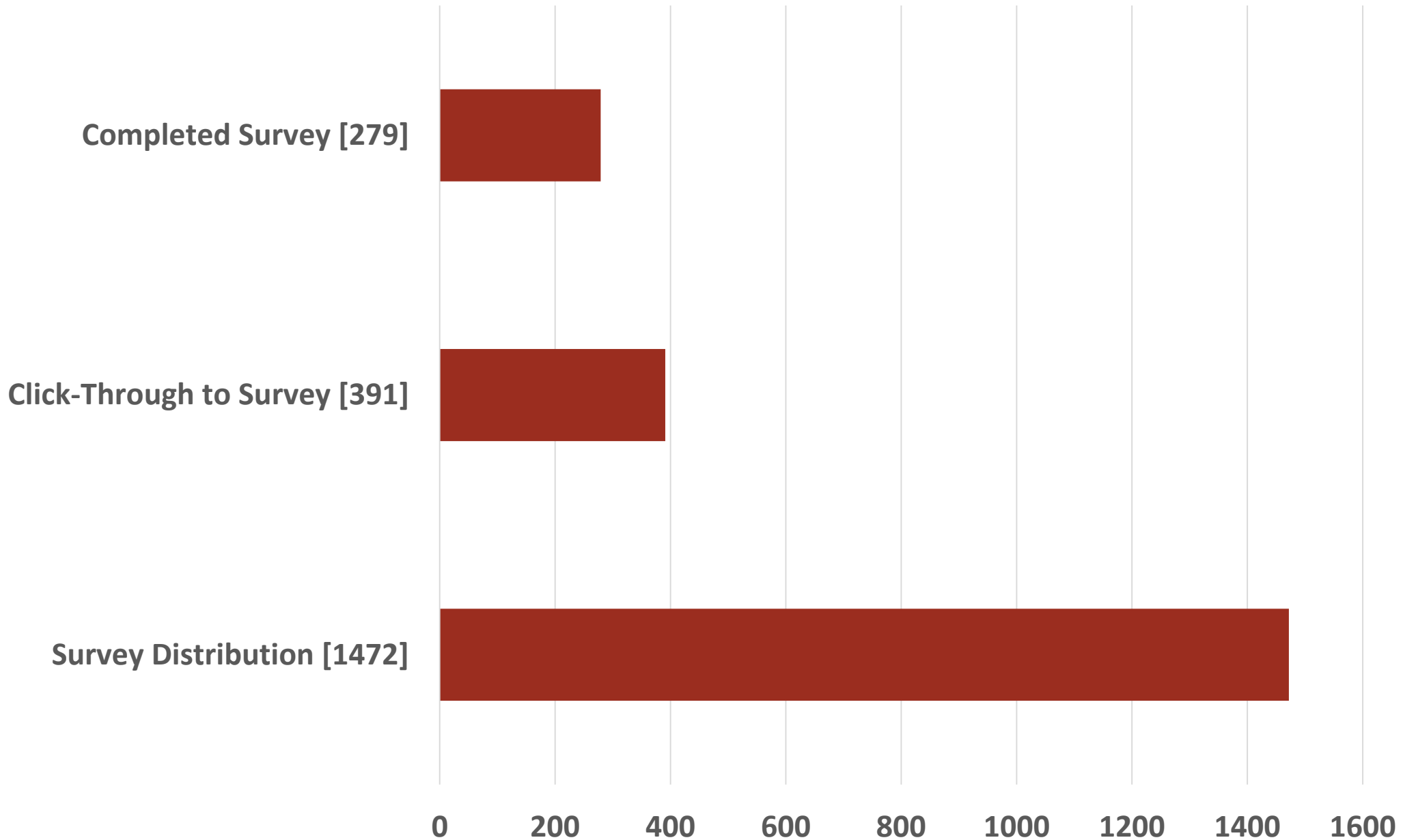
- Read & Respond to Draft Position Statements
- Prioritize 10 Position Statements
- Written Comments (optional)
- AIA Membership?

### SURVEY DISTRIBUTION

- 1472 registered resident Oregon architects

# AIA OREGON 2014 POSITION STATEMENT SURVEY

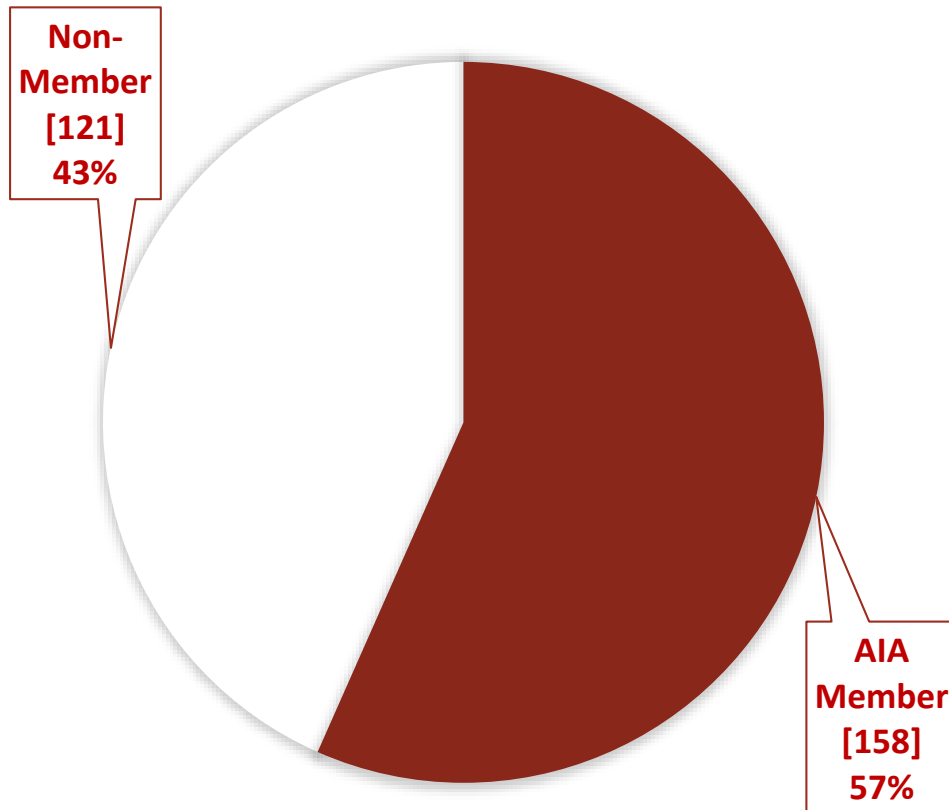
## Survey Responders



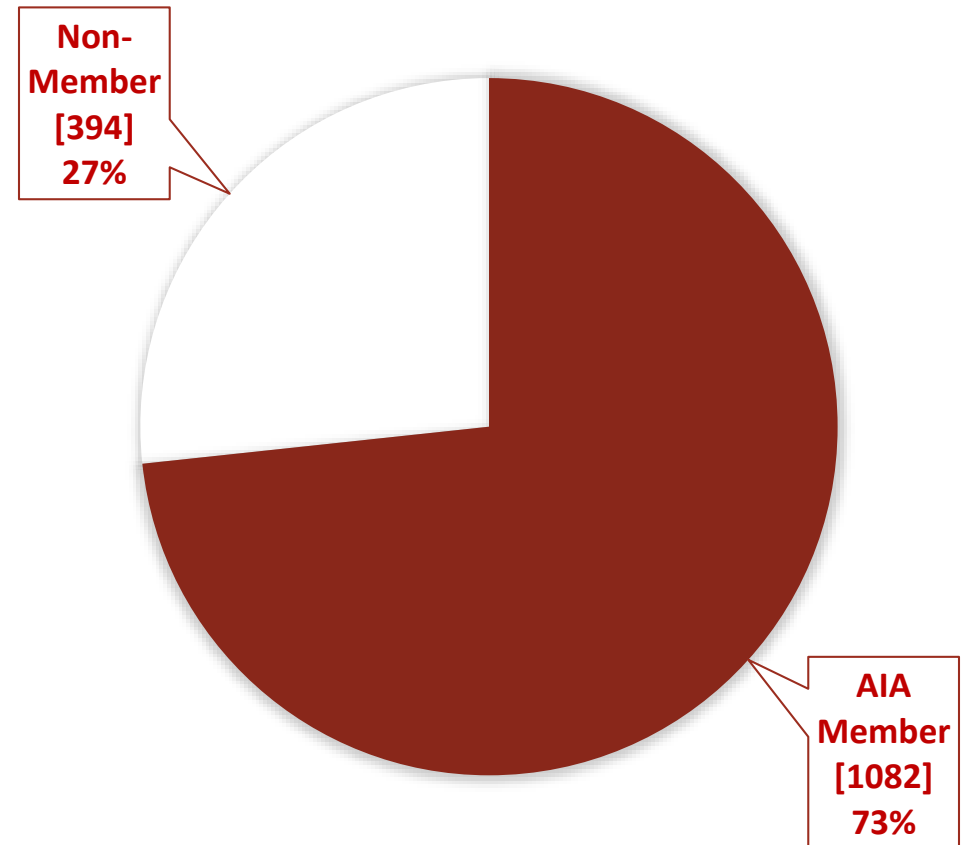
# AIA OREGON 2014 POSITION STATEMENT SURVEY

## Membership Levels

AIA MEMBERSHIP OF RESPONDERS



AIA MEMBERSHIP OF OREGON ARCHITECTS



# AIA OREGON 2014 POSITION STATEMENT SURVEY

## Survey Answer Options

**YES**, I agree with the Position Statement as written.

**MAYBE**, I could agree with the Position Statement with some language changes.

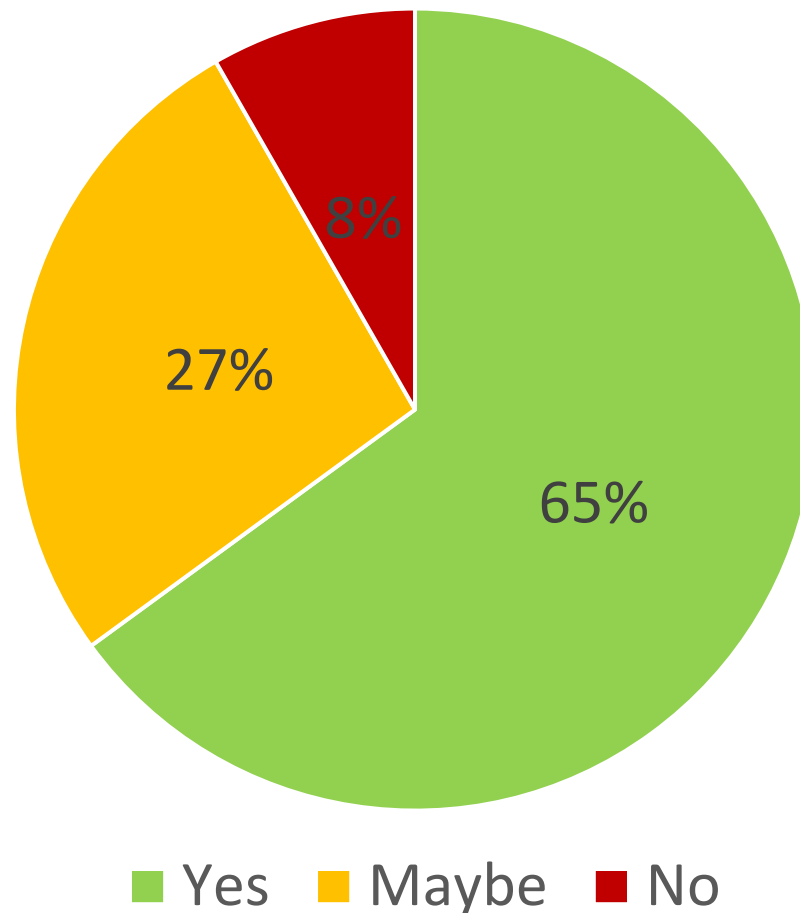
**NO**, I am fundamentally in disagreement with the Position Statement as written.

**NO OPINION.** I am not familiar with this topic or have no interest in it. *[Response option not included in 2014 survey.]*

# REGULATION OF ARCHITECTURE AND DESIGN WORK

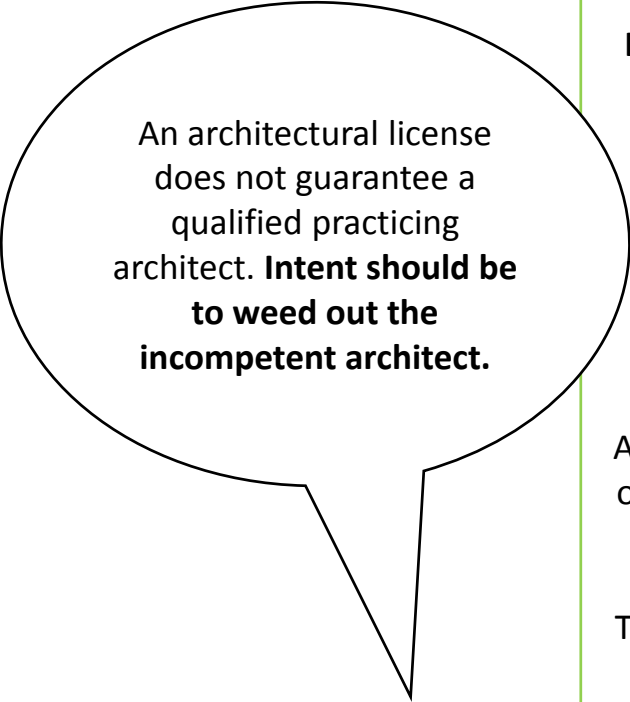
## Defining The Practice Of Architecture

The Practice of Architecture and the Practice of Engineering are distinct, unique, and complimentary practices. They are defined per Oregon Revised Statutes (ORS), and as much as possible the distinctions between the two practices must be better defined. AIAO believes that the definitions can be improved.



# REGULATION OF ARCHITECTURE AND DESIGN WORK

## Defining The Practice Of Architecture



An architectural license does not guarantee a qualified practicing architect. **Intent should be to weed out the incompetent architect.**



**I think the laws where the Architect requirement is scrapped for the allowance of a PE Professional Engineer is bunk:**

Some engineers have lousy IAQ knowledge.  
Some engineers have no knowledge of water tightness.  
Some engineers have limited planning skills.  
Some engineers have limited Green Knowledge.  
Some engineers have limited coordinated abilities.

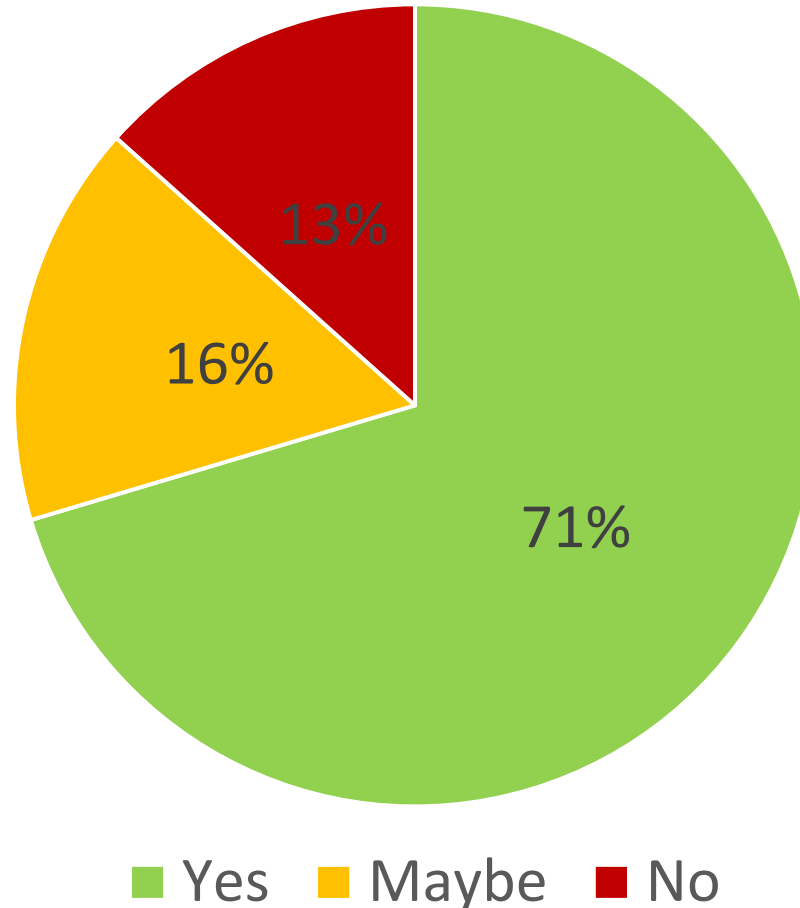
Architects are not perfect as well, yet I'm limited to my practice of engineering where Engineers can toss my license and do the projects themselves.

The developer industry has taken too much advantage of these unfair practices that the State of Oregon allows.

# REGULATION OF ARCHITECTURE AND DESIGN WORK

## Exemption to the Architecture Practice Act

Existing standards for exempt buildings in Oregon are based on size and height. These standards do not adequately protect special occupancies such as Day Care facilities and structures for assembly that could occupy buildings less than 4,000 sf in size. AIAO believes the existing standards are too lenient and more stringent protections should be implemented.



# REGULATION OF ARCHITECTURE AND DESIGN WORK

## Exemption to the Architecture Practice Act

AIAO should also look into **licensed health care and personal care facilities** along with the day care facilities. These need to be designed by architects, the codes need to be more clear as some are also required to meet building codes other than the state building codes (ie NFPA body of building codes as required for federal funding for services provided within the environment) and the path for review of those codes should be clarified.

My qualifications on the inclusionary/licensing questions have to do with:

1] my belief that many competent architects entered the field through study and apprenticeship AND passing the licensing exam and not necessarily by passing through the stricture of an accredited school curriculum only. Creativity is not necessarily an intellectually learned exercise and a midterm grade is not equivalent to a rigorous exam question. I think I remember correctly that Norm Zimmer, Pietro Belluschi and Frank LLOYD Wright would serve as examples in different ways.

2] I do believe both the public and the profession do need to be protected, but I've witnessed for many years as the profession attempts to exclude other design professionals AND provide services the public does not want that can be or are protected by proscriptive paths etc. in the building codes.

In the commercial construction business contractors, electricians, plumbers etc, all contractors no matter the size of the project must be licensed. A commercial building under 4,000 square feet the only person working on the project that does not need a license is the Architect or designer. Why is that? Why does the contractor get such power to deflect competition that way. Architects deserve the same protection against unlicensed competition and the public deserves that protection.

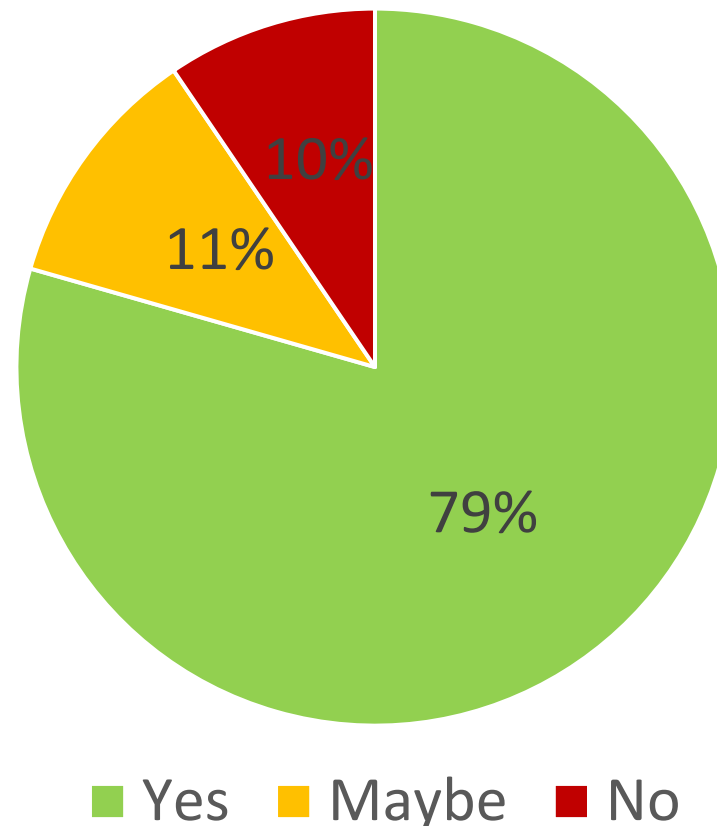
I believe architects should also be required to design all new single family homes and remodels that include additions.



# REGULATION OF ARCHITECTURE AND DESIGN WORK

## Expanded Practice Act Protection to Other Designers

AIAO believes that only architects and engineers licensed through examination possess the necessary education, training and experience to protect the health, safety and welfare of the public in the built environment. Other individuals may possess useful skills in designing within the built environment, but fragmentation of responsible control of the building design process endangers and misleads the public as to respective areas of competence and expertise. AIAO opposes practice or title regulation of individuals or groups other than architects and engineers for the design of buildings.



# REGULATION OF ARCHITECTURE AND DESIGN WORK

## Expanded Practice Act Protection to Other Designers

I think the regulations have gotten out of control. It is absurd that people can get sued for calling themselves an architect, when that is what they do every day as their job. Not everyone goes through the licensing path, or cannot due to unnecessary regulations (ex: foreign architects). I should be able to call myself as an architect in Washington with an Oregon License, the process is the same, it is a money grab.

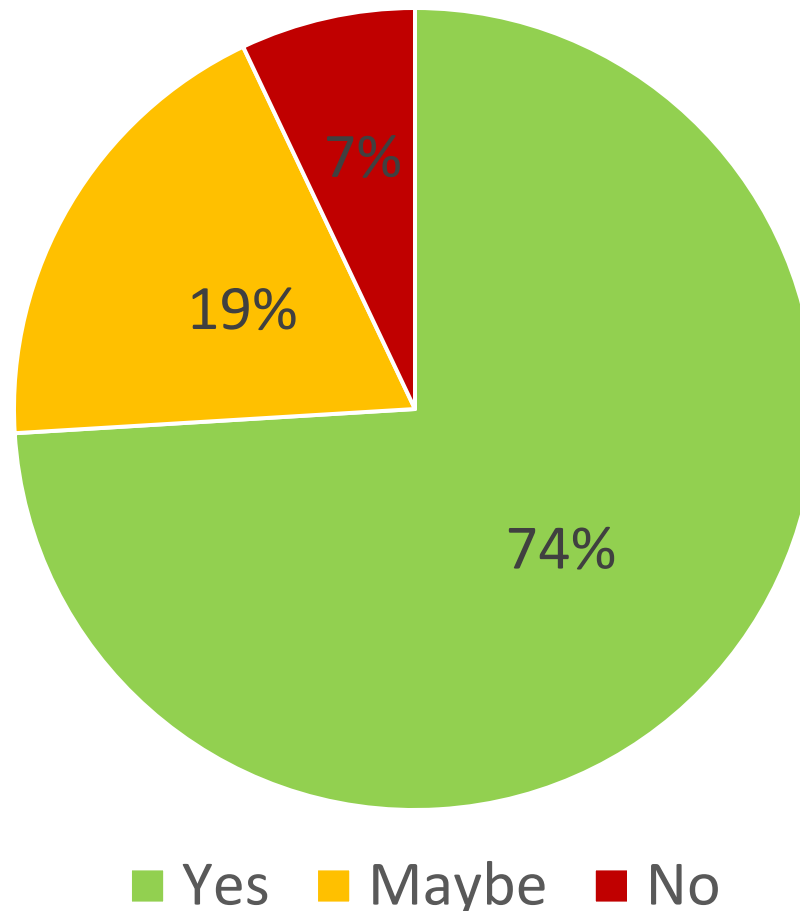
Over the past few years I have noticed more and more "**designers**" practicing as "**Architects**" when they are not licensed to do so. A quick glance at sites such as houzz.com, porch.com, yellowbook.com, myhomepro.org, and other such sites shows a lack of distinction between the two groups (unlicensed vs. licensed). Here in central Oregon it's something of a free for all.

Your language relative to restrictions on the practice of architecture is very broad and makes no accommodation for Interior Designers, who if duly certified, should be allowed to oversee and stamp projects of appropriate scope.

# PUBLIC PROCUREMENT

## Quality-Based Selection (QBS)

AIAO supports public policies, requirements, and administrative procedures in public and private procurement processes that mandate the open selection of architects on the basis of qualifications and oppose hiring of architects on the basis of fees. Qualifications-based selection is essential to fostering quality design that serves public health and safety in the built environment.



# PUBLIC PROCUREMENT

## Quality-Based Selection (QBS)

Consideration should be given to the **initial additional cost impact to the owner** of a building that some of these actions would cause possibly making it too expensive to build.

Other implications of making any **architect the "master"** of the building industry by virtue of holding a license but not experience is cause for concern.

Also, only allowing an architect with specific experience in a building type pursue that particular project is short sighted and exclusionary.

Several of the questions applied requirements to both public and private projects, that we are used to seeing in other states when it comes to public projects such as QBS. **Procurement processes should not be mandated for private projects.**

Make it easier for smaller lesser known, less financially powerful architects to compete for projects on a merit based, not experience based system.

QBS is absolutely wrong. It effectively locks out all RFP applicants that do not have prior experience in a given building/project type. HENCE, while I have designed many k-12 schools and libraries employed with firms, under my own firm, I have no experience and therefore would not score adequately to win an RFP in these ( or other ) categories. This criteria unfairly discriminates against firms who are unable to meet the requirement but otherwise have the talent and capability to execute.

I firmly believe... that the Qualifications Based Approval criteria are flat out wrong. It merely serves the interests of established firms in retaining control of the marketplace. In lieu of a legitimate competition system as used in Europe the criteria need to be changed.

Public project opportunities should not be decided on discriminatory basis such as current. Public Agencies should be obligated to award contracts to the best designers through an open interview process.

Fees should be a consideration as smaller firms may have an advantage over larger firms in being able to deliver services at a more cost effective rate. Firms that are more efficient, but less experienced should not be excluded from consideration. The public should benefit from lower costs in terms of fees and better design from innovative firms.

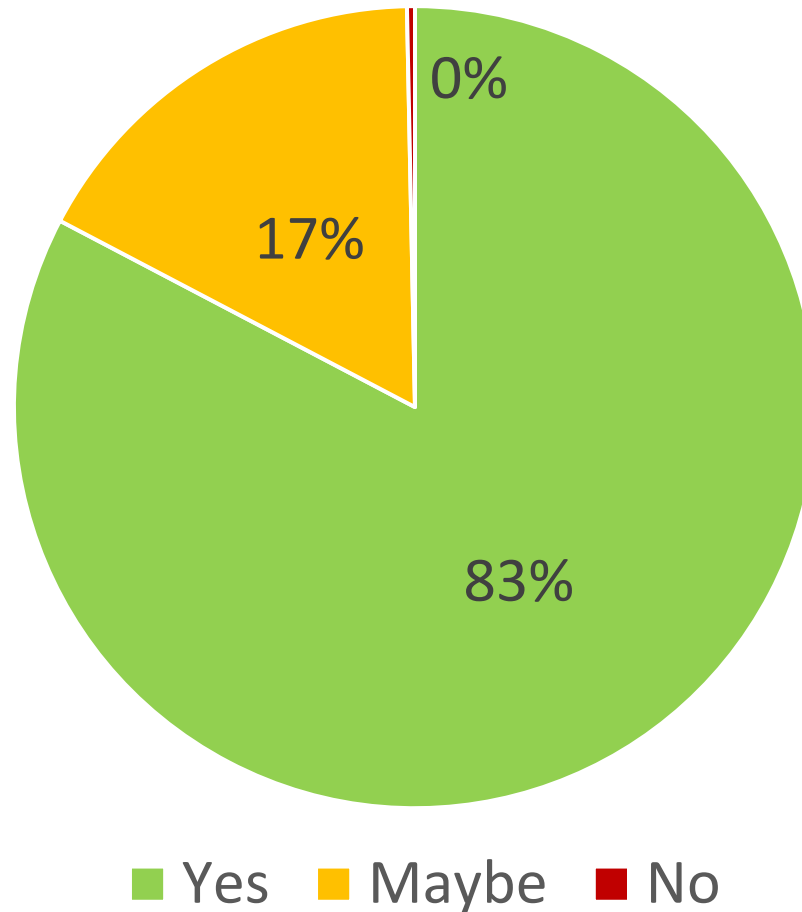
**Quality Based Selection:** Fee should not be a criteria for selection. Qualification based selection **limits creativity and innovation.** **Compensated design competitions with qualifications** is the best selection process.

Getting QBS adopted by the Oregon legislature & signed into law by the Governor was a MAJOR EFFORT over several sessions! WE MUST NOT LET THIS SLIP. And, if we were a really smart profession, we'd provide "continuing ed" to public administrators and decision makers, like school boards, Leagues of Oregon Cities / Counties, port commissions, etc. My anecdotal experience is that in rural Oregon, THEY DON'T GET IT! They think it's perfectly legit for A/E to "bid!"

# TORT REFORM

## Oregon Architect Liability

AIAO promotes fair and responsible limits on architect's liability, including maintaining limited statute of repose and limiting certificate of merit law to professionals with the same license familiar with the practice of architecture in Oregon.



# TORT REFORM

## Oregon Architect Liability

Small architectural firms should have the same statute of limitations as enacted for large firms last year. There should be some form of legal protection for all firms from predatory lawsuits. There should be licensing for 'expert witnesses'.

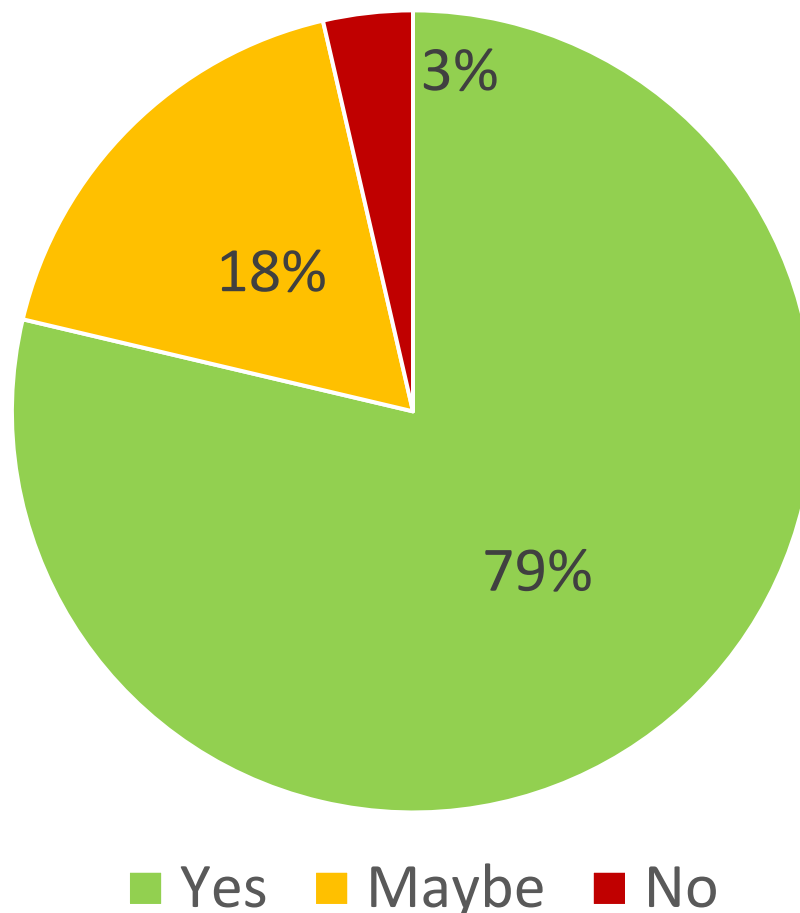
Encourage reductions of **Limits of Liability** and Statutes of Limitations for Architects to **7 years**.

Our liability is far too high for the compensation we get. I have never been at a firm that is NOT getting sued, because lawyers know they can. Lawyers in Portland are actually going around to condos and threatening the HOAs if they DON'T sue 6 months before the statute is up.

# PROJECT DELIVERY

## Design-Build Project Delivery Method

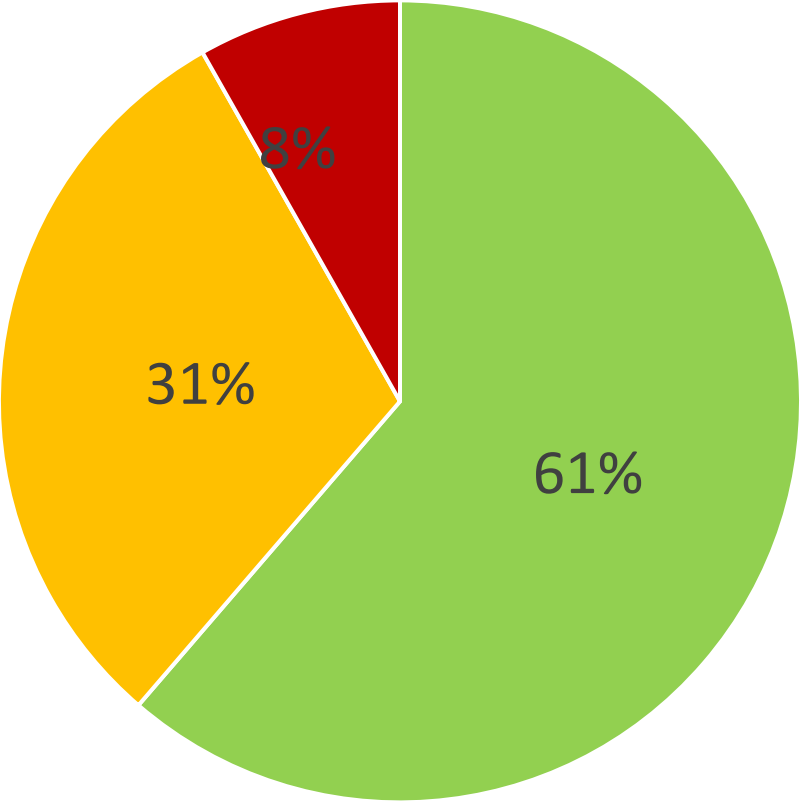
AIAO strongly recommends the establishment of best-practices for Design-Build procurement within the State of Oregon, and supports a Qualifications-Based or Value-Based rather than Cost-Based selection process, shortlisting no more than 3 teams, and providing appropriate stipends to non-winning shortlisted teams when teams are expected to provide a building design as part of the selection process.



# PROJECT DELIVERY

## Public-Private Partnerships (P3 or PPP)

AIAO believes that PPP projects, if executed under carefully-established best practices, have the opportunity to provide long-term value to society. As such we strongly encourage the government formation of agencies to establish best practices and to promote the appropriate regulation of PPP projects to ensure long-term value is achieved under this delivery method.



■ Yes ■ Maybe ■ No

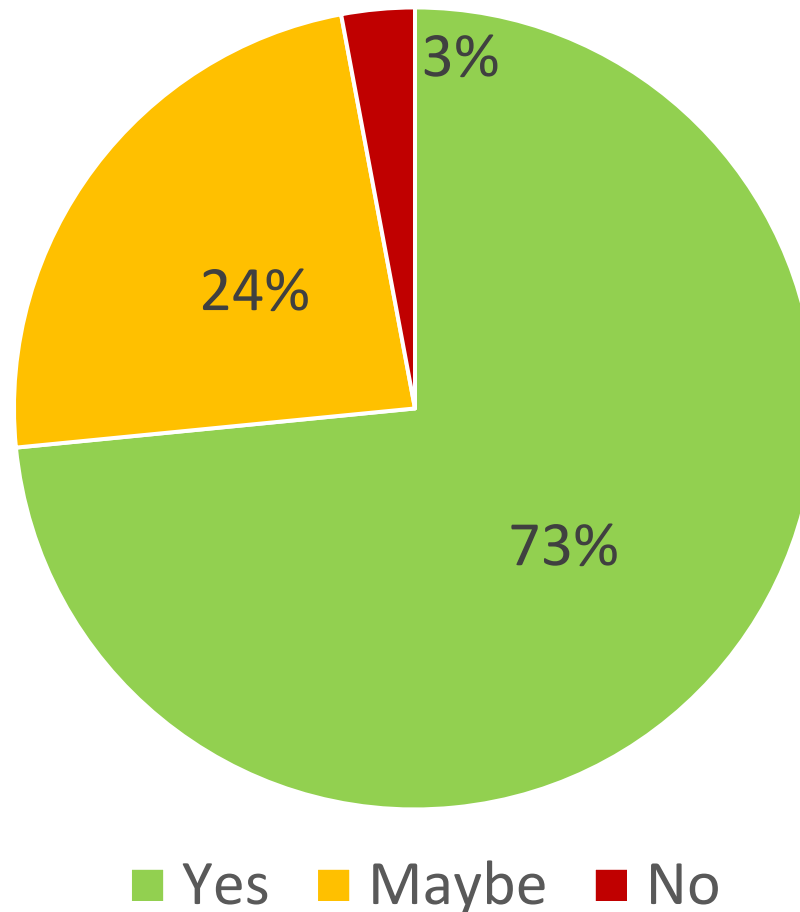
I am opposed to expansion of government to regulate private business related to "best practices". Who gets to define "best practice" and why should tax dollars be spent on something business, private industry and licensed professionals should already be doing?



# PROJECT DELIVERY

## Integrated Project Delivery

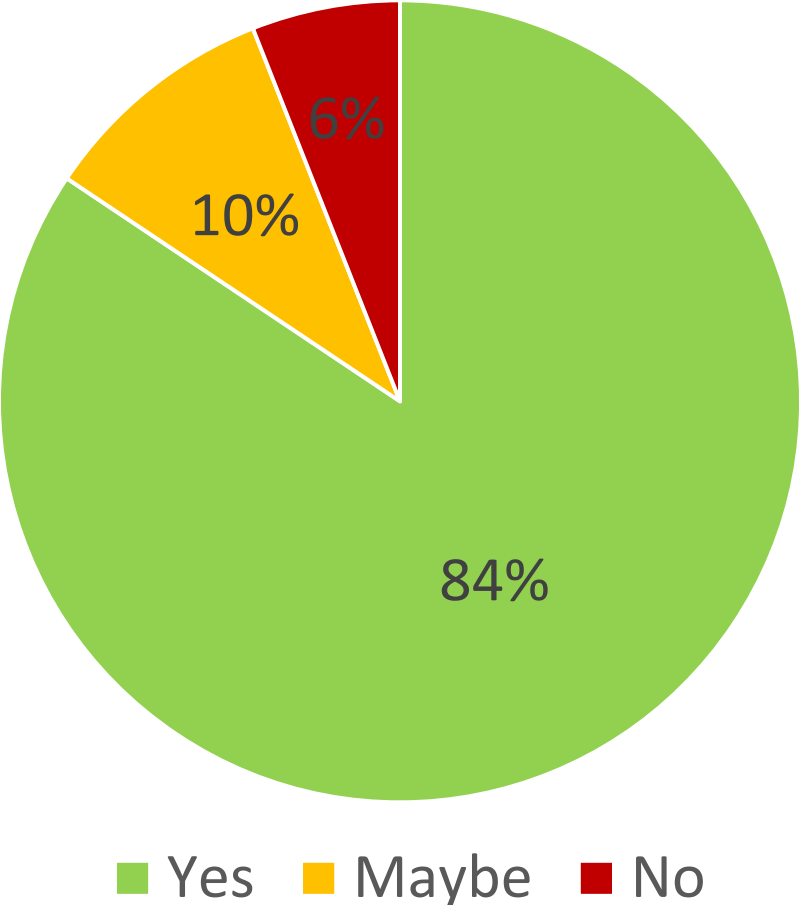
AIAO supports Integrated Project Delivery provided it is structured to be delivered in a truly collaborative manner, allocating risks appropriately and supporting the role of the architect as the design lead.



# BUILDING CODE ADVOCACY

## Code Adoption in Oregon

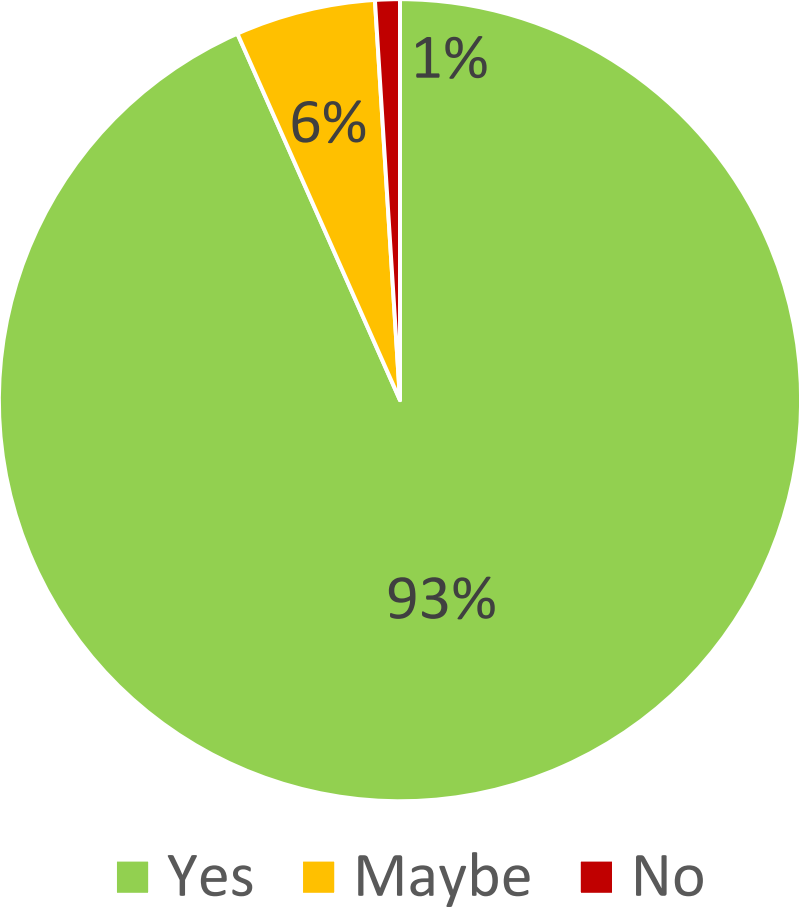
The code adoption process in Oregon is based on the three year review cycle implemented by the model code that is the basis for the Oregon code, and includes a process of integrating current Oregon administrative requirements and laws into the model code through amendments to the code. AIAO supports the continuation of the current process, which is consistent, coordinated, and predictable.



# BUILDING CODE ADVOCACY

## Code Enforcement

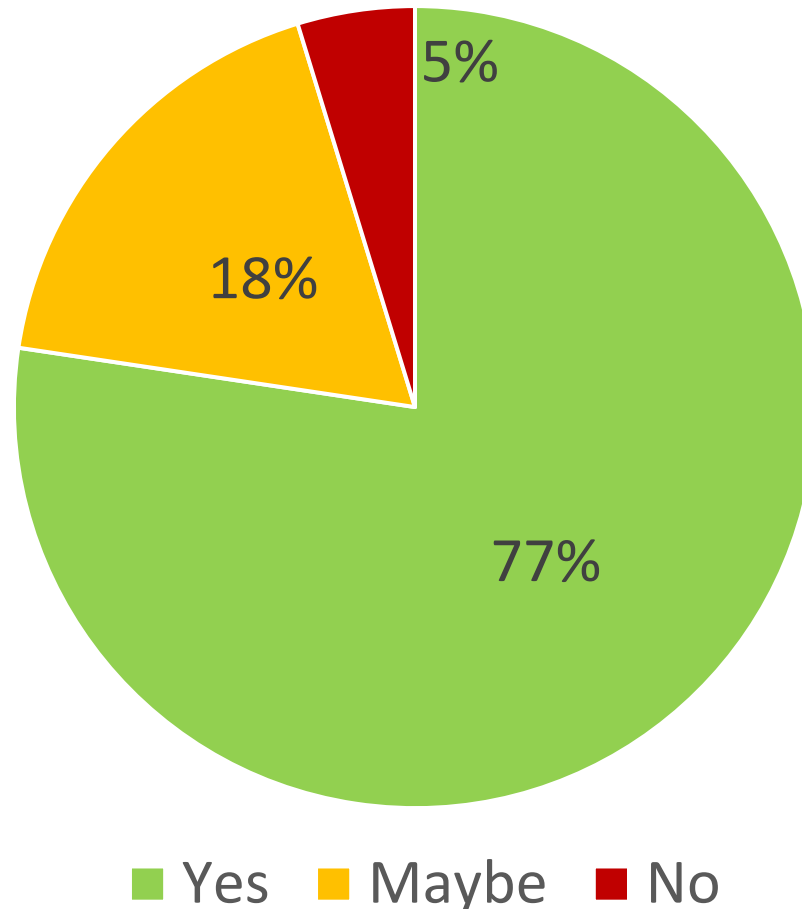
The family of codes (Building, Plumbing, Fire, etc) are adopted state-wide in Oregon on a consistent, predictable schedule. Architects in Oregon practice state-wide, and beyond, and expect consistent enforcement of the state-wide codes. AIAO supports efforts to standardize code enforcement across the state, and to implement a uniform appeal process.



# ENERGY AND THE BUILT ENVIRONMENT

## Energy Conservation / Alternative Energy Production Incentive Requirements

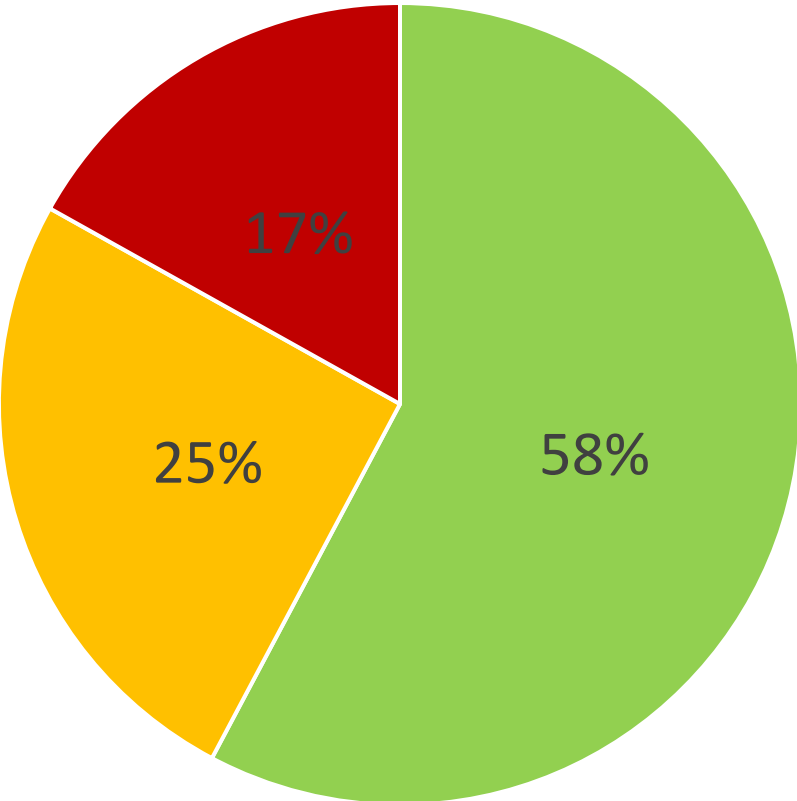
Buildings in the United States represent about 40% of the total energy consumed. AIAO supports State and Federal efforts to provide incentives to increase investments in technology and improvements to save energy and create alternative forms of energy. Incentives should also encourage strong design elements and high performance building practices.



# ENERGY AND THE BUILT ENVIRONMENT

## Energy Consumption Disclosure

In the interest of ensuring that the effort and investment in High Performance Buildings demonstrates improved environmental quality and reduced energy consumption, AIAO supports the principal of publicly disclosing energy consumption for commercial and institutional properties in Oregon, whether publicly or privately held.



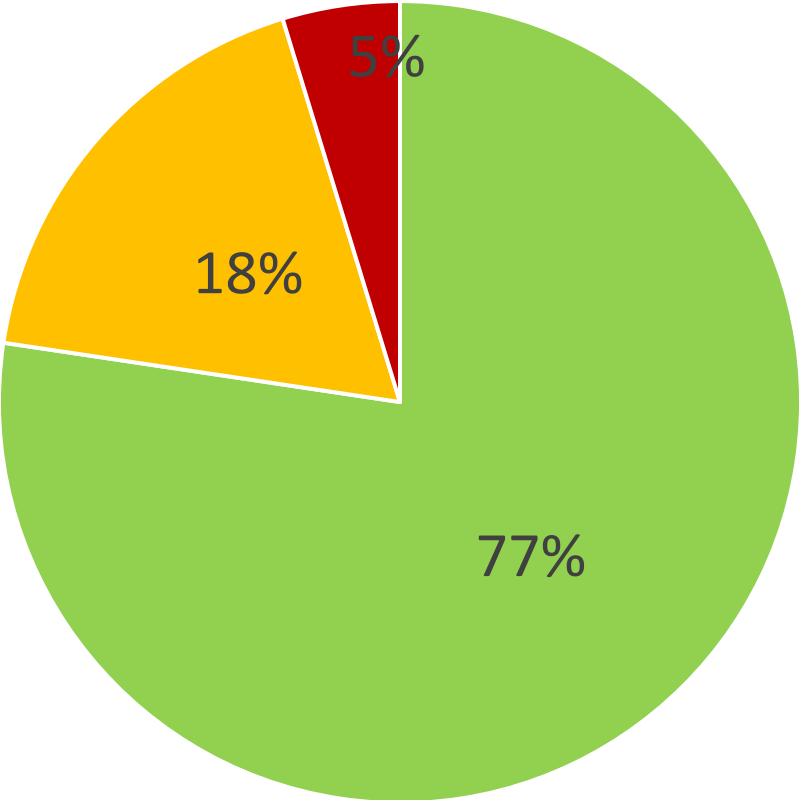
■ Yes ■ Maybe ■ No

The only item that I have a negative reaction to is "**Energy Consumption Disclosure**" for private project which is not a design issue but rather a **use issue**. Removing the references to privately held commercial properties. **Requiring private disclosure is over-reaching**, bureaucracy creating, and potentially divisive.

# ENERGY AND THE BUILT ENVIRONMENT

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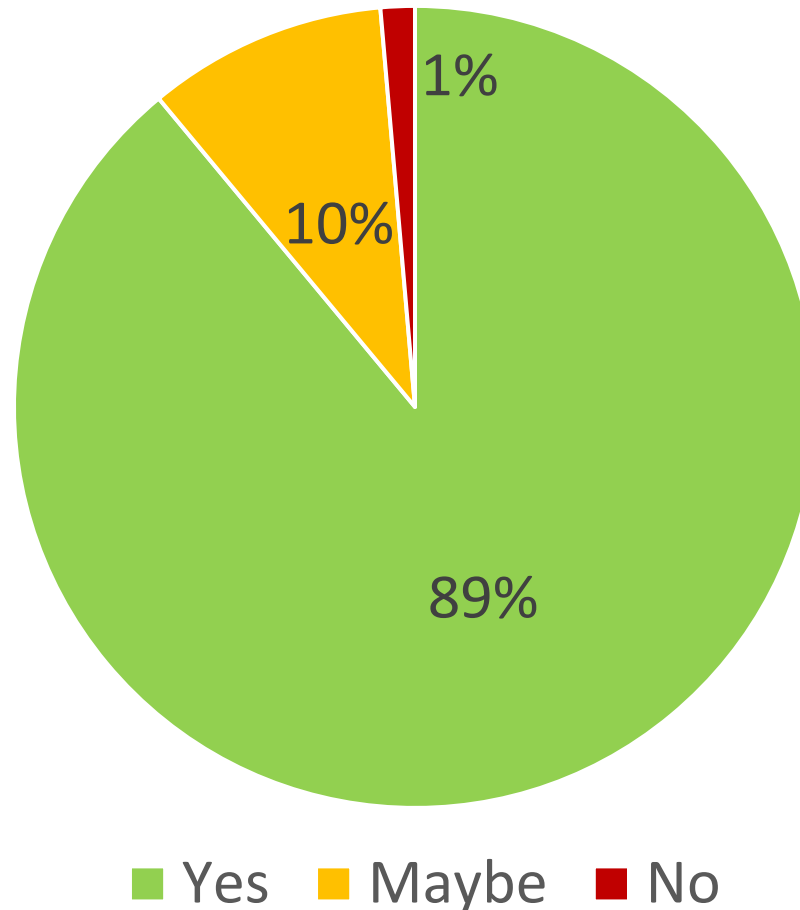
■ Yes ■ Maybe ■ No

My objection to the language in [this] relates to the text "**encourage strong design elements.**" After 54 years in the profession I still don't know what a "strong" design element is: Brutalism? Primary colors? Lots of vertical lines? Triple glazed windows? R40 roof insulation? This item is about energy conservation not all of the possibilities covered by the word "design." **Sometimes ugly and efficient may be the best answer.**

# SUSTAINABLE BUILT ENVIRONMENT

## Building Systems Materials

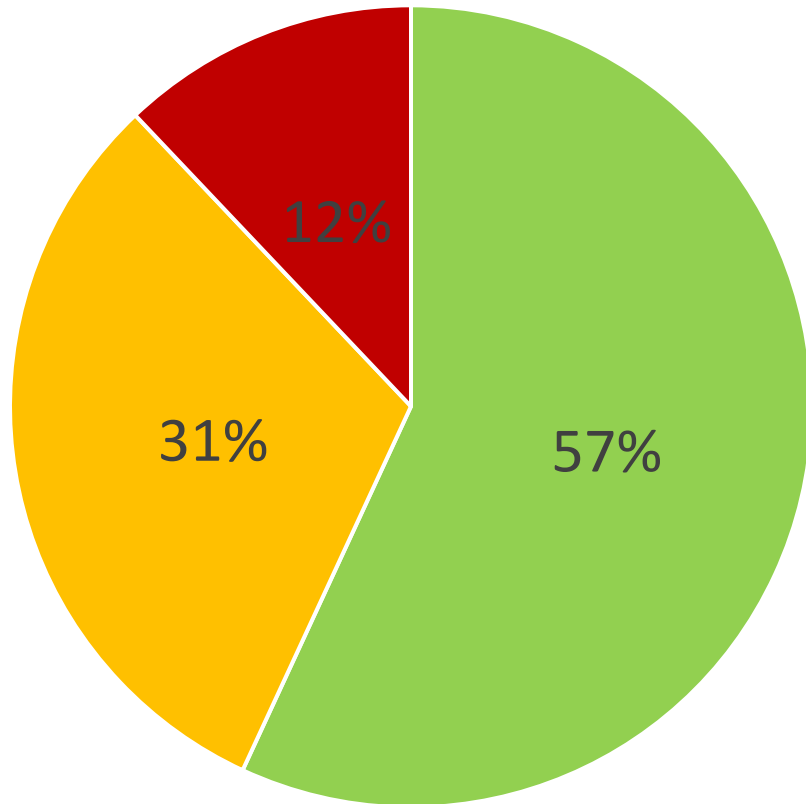
Building systems and materials incorporated for individual projects should be selected solely on the parameters of the project, such as construction types per the building code, structural systems that are size and project type appropriate, and aesthetic consideration. AIAO opposes efforts to mandate use of certain building materials without considering these project-specific criteria.



# SUSTAINABLE BUILT ENVIRONMENT

## Sustainable Rating Systems

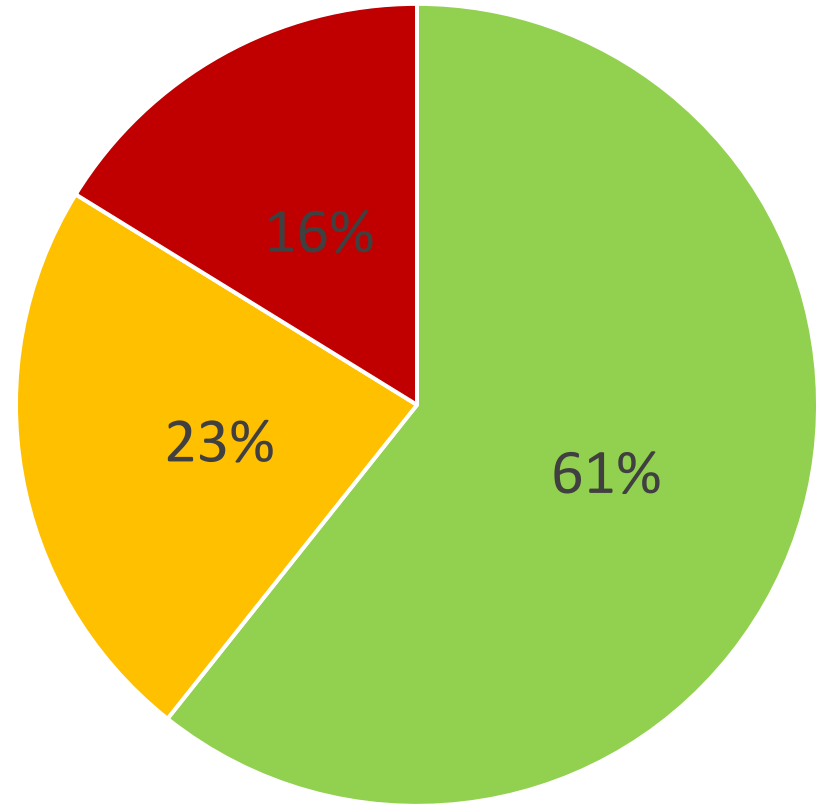
AIAO supports public agencies in Oregon incorporating sustainable rating systems when building new or significantly altering buildings. Rating systems should be used as designed without mandated alteration.



■ Yes ■ Maybe ■ No

## Green Construction Code

AIAO supports incorporating proven sustainable design principles into the building codes in Oregon.



■ Yes ■ Maybe ■ No



# SUSTAINABLE BUILT ENVIRONMENT

## Sustainable Rating Systems & Green Construction Code

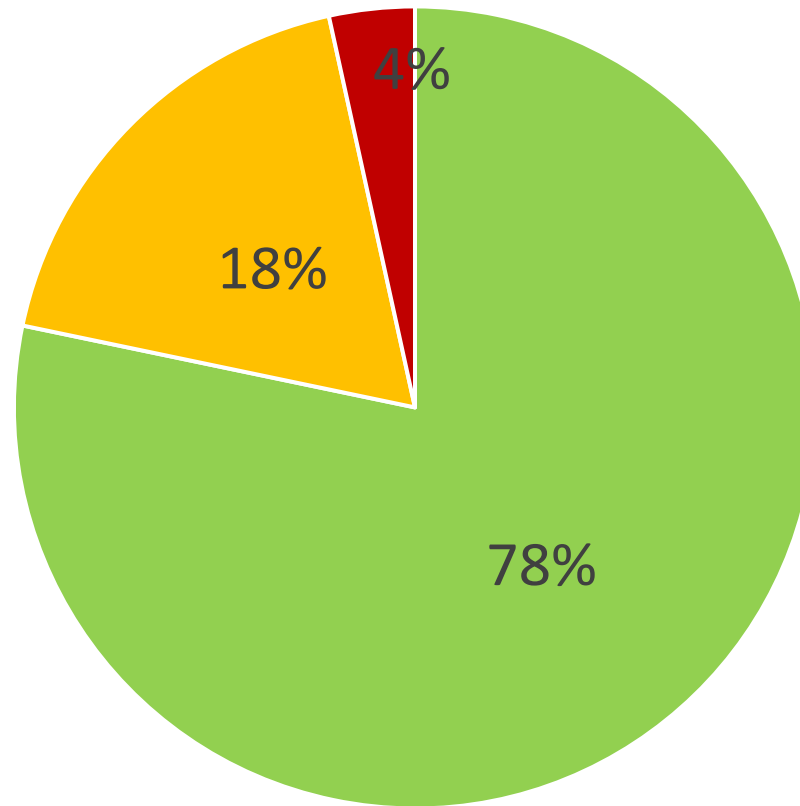
Oregon should make energy conservation a priority in its code requirements, however LEED needs to be scrapped due to mis-weighted priorities. The people of Oregon should not have to encumber high cost, high minded projects when their resources can be better used in retrofitting and upgrading existing poorly maintained buildings.

Higher quality design usually incorporates meaningful sustainable measures. So advocating for the varies ways of keeping design quality high would make the greatest impact.

# SUSTAINABLE BUILT ENVIRONMENT

## Water

AIAO supports governmental policies, programs, and incentives that encourage responsible and sustainable water, wastewater & stormwater strategies as they relate to the built environment. These strategies may include, but are not limited to: water reclamation, stormwater harvesting, natural stormwater treatment, and innovative strategies to locally recover, treat and reuse greywater & blackwater prior to reaching the centralized municipal treatment facilities.



■ Yes ■ Maybe ■ No

Various municipalities in the state of Oregon have allowed or now require on site treatment of storm-water. Many also now allow re-use or on site treatment of grey-water. As the years continue, water usage and water source shortages will become a huge issue. The state needs to act to adopt the best practices as developed by the cities and counties in Oregon as state wide code requirements. Alternative drought and flooding will become more prevalent.

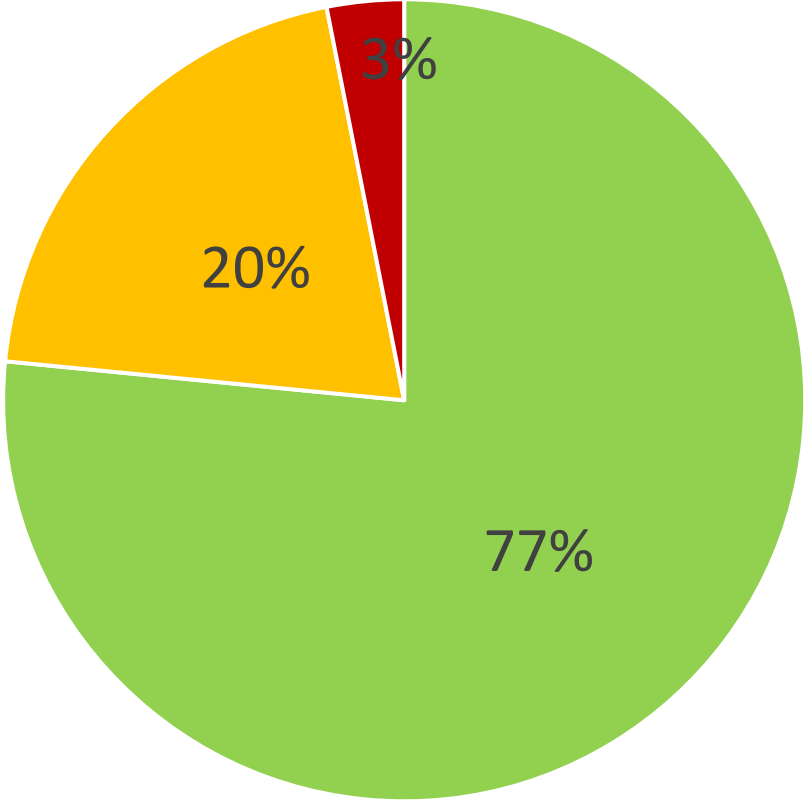
# RESILIENCY

## Oregon Resiliency Plan

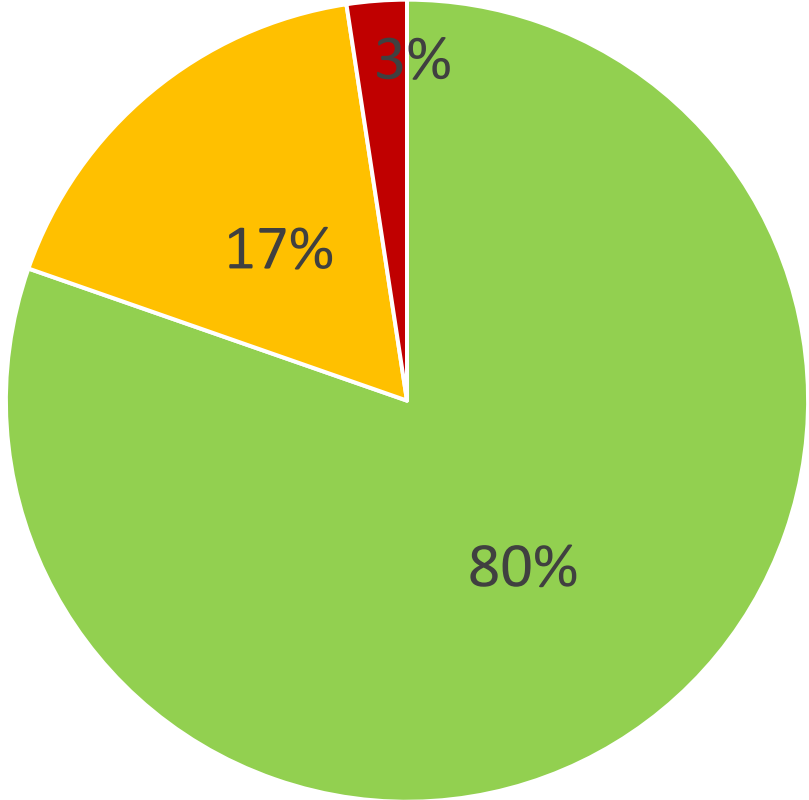
AIAO supports the development of a strategic plan to make Oregon resilient from a Cascadia Earthquake and tsunami within the next 50 years.

## Seismic Improvements

AIAO supports increased state and local funding to seismically upgrade important public buildings, including schools, police and fire stations, and hospitals. In addition, Oregon communities need to increase efforts to prepare for earthworks, and allow the citizens of Oregon to quickly return to a safe, healthy, and prosperous lifestyle.



■ Yes ■ Maybe ■ No



■ Yes ■ Maybe ■ No

# RESILIENCY

## Oregon Resiliency Plan & Seismic Improvements

Resiliency: We must do something about **making our schools safe** in the event of a major seismic event. It is simply un-ethical not to make our schools for our children in this regard. **Public safety is the first responsibility of our profession.** We need to live up to this.

**New Public Buildings** should be required to be **Tsunami and Earthquake shelters** post event. There should be **no limit on size or cost.**

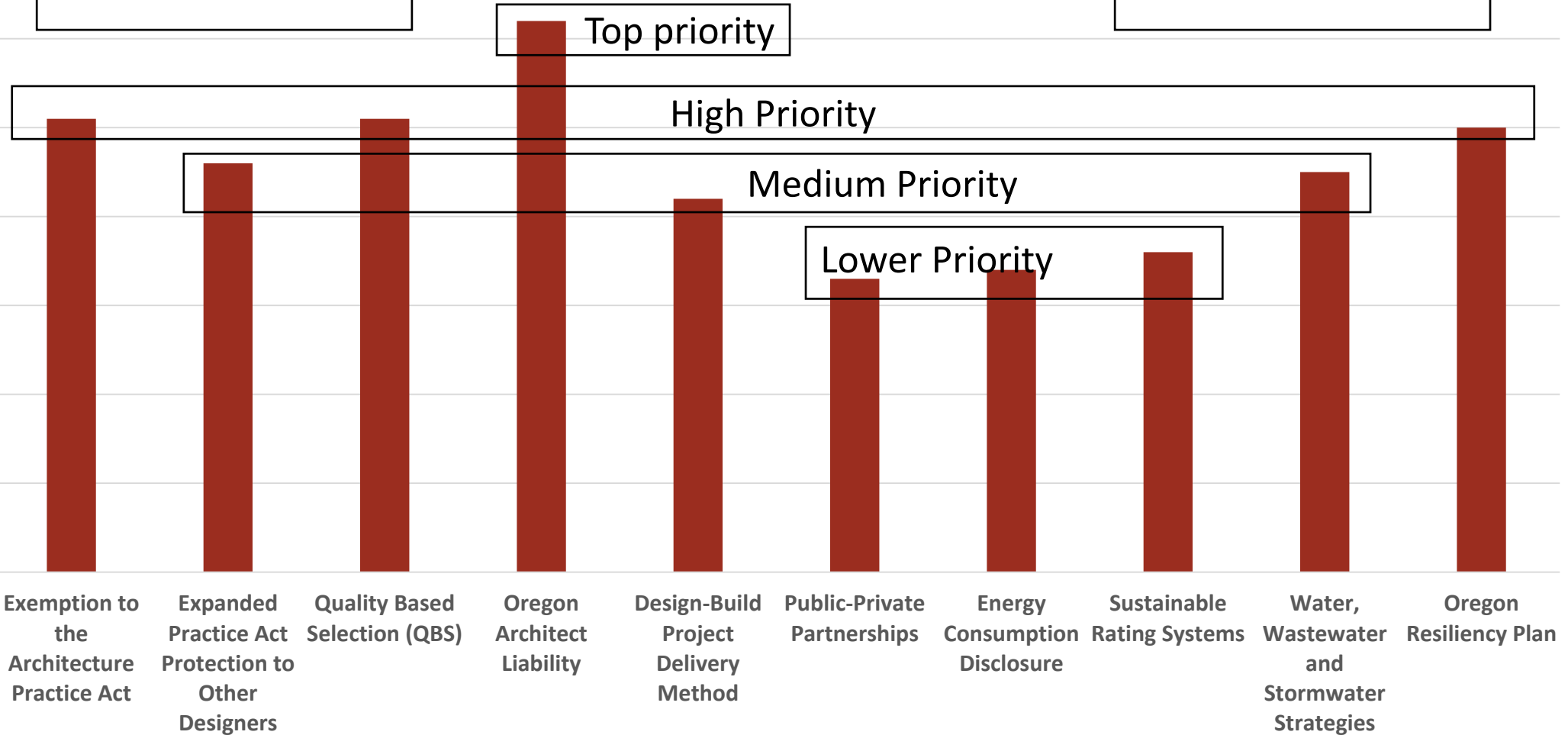
The Oregon Resiliency plan is the **only new idea I saw** in the whole survey, and one of the few that is **proactive** and leading rather than reactive and defensive. I think we as a profession could benefit greatly by being in the **lead with engineers in spearheading such a plan**, and accelerating its timeline. It's not just a subduction quake we should be planning for either, guys. **Climate adaptation**, and let's please **drop** the window dressing of **rating systems.**

The **International Building Code is good enough** for the other states. We should keep our hands off of it and quit trying to reinvent with the OSSC and yellow pages. There is **nothing more dangerous about Oregon** than any other state. The amount of lives lost or property damage due to earthquakes is so insignificant it doesn't even rate to a weekend's traffic fatalities in Portland.

## RELATIVE PRIORITY OF ISSUES

Each of the topics was ranked as **HIGHEST** priority by some people.

Each of the policies was ranked as **LOWEST** priority by some people.



# GENERAL COMMENTS

If the AIAO **worked for the rights of architects** and the building/contractors industry instead of being **advocates of the government**, energy conservation/sustainability and storm water **extremists**, and instead sponsored legislation to **stop regulation and control of building design** by government planners and code writers, I would join AIA. This survey is just another example of AIAO issues that have **no relevance** to the Architectural and Construction industry. The **every day practice** is a **continuous battle with regulations**, rising **government costs** and **non-architect government employees dictating** our built environment.

Good survey. Glad to see AIAOR is doing this and **seeking responses from all Oregon-resident licensed architects.**

The AIAO Position Statements are **well articulated** and their implementation would give the Oregon architect a **solid basis to practice** in the interest of the Public and our environment.

I feel like the LAC's first priority should be to **focus on the protection of the practice of Architecture.** Our roll as architects are been eaten away by others, ie. medical planners, designers, space planners, interior architects, etc. If we are not careful, all we will be needed for is our stamp and to take on the professional liability.

# GENERAL COMMENTS

Thank you for including me in this survey. **Good work** on your part and good luck with it.

I also believe that there should be some discussion regarding the manner in which architects might be allowed to "**collective bargain**", specifically with regard to a trend associated with increasingly **onerous contract language** (including public entity contracts). What is called in some professional circles "collective bargaining" is considered "antitrust" in ours.

**Reduce absurd liability costs for small practice.** Require architects on more projects. **Architects are becoming extinct** due to better lobbying efforts by contractors, etc.

**Washington State does a better job** of legislating the practice of architecture than Oregon does. A big part of that is not overreaching. When it comes to legislation, particularly where architecture is concerned, **less is truly more.**

**Thank you** for what you do! We appreciate you.

# GENERAL COMMENTS

While I strongly consider myself an environmentalist, I do not understand why AIAO and the national AIA focuses so much effort on green buildings. The AIA should **focus on the business of architecture** and work harder to **protect the business, liability, and financial interests of architects**. These are areas where the profession has sorely lacked for many years. AIA should prioritize these foundational issues before pushing for green buildings, which environmental orgs may be more suited for.

**Environmental issues** should have a **high priority** on today's architectural agenda

This survey does not touch on the most important problem. It is **government intervention** in to the architecture profession by regulating how buildings must look through zoning and community design standards. The **agencies are out of control**. Implementing design requirements to direct building appearance to look a certain way, or social engineering to control the built environment to align with a government employed planner's personal design aesthetic or social engineering goals.

Work to dramatically **reduce the monetary and non-monetary toll exacted by government on society**. Promote personal and business interests ahead of government interests. The invisible hand of the market will move us in the direction we want to go much more quickly and efficiently than will the artificial aberrations imposed by government.