

# HOW TO IMPROVE THE LANDSCAPE CONTRACTOR/ARCHITECT RELATIONSHIP

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Incorporation of natural materials in site construction is growing on both commercial and residential levels. Both landscape contractors and landscape architects are experiencing increased demand for creative and well-constructed landscapes. Meeting this demand calls for the best possible relationship between the contractor and the architect.

To get to the bottom of the lingering anxiety between the contractor and architect, Weeds Trees & Turf interviewed a number of principles in both fields. We also tried to measure the importance of the design/build firm in the U.S.

The relationship between the landscape contractor and landscape architect has improved in the past five years because of rethinking of old attitudes by landscape architects and the overall improvement in the quality of landscape contractors. However, the position of the contractor in the construction process is seen as the primary cause of dissension, and this does not appear likely to change.

The Associated Landscape Contractors of America (ALCA) and the American Society of Landscape Architects (ASLA) are working together to resolve the things that can be changed.

## Low Bid Process

"The low bid process immediately puts the contractor in an adversarial position," says Jot Carpenter, chairman of the Ohio State University Department of Landscape Architecture and president-elect of ASLA. "The contractor walks on the job site with his back already against the wall. There is no way to come out a winner in the bidding process unless you gamble. There is no way to disqualify poor contractors who submit unrealistically low bids."

Richard Brickman, president of the design/build firm Theodore Brickman & Assoc. in Chicago and past president of ALCA, views bidding in this way: "The person doing the design is trying to get the maximum amount of impact for the budget he has. The contractor doing the implementation is trying to get the maximum amount of profit from the job with a fixed budget based on the lowest bid. You can see the conflict."

Ways to improve the low bid process required in public work and often in private work, are registration of qualified contractors, changing the bidding process, the performance bond, and pre-bid conferences.

Very few states have licensing programs for landscape contractors, although 38 states have some type of registration for landscape architects.

California has required licensing of landscape contractors for nearly 30 years. Mike Leeson, executive director of the California Landscape Contractors Association, says licensing is ineffective because the courts can't keep up with the number of complaints and public agencies ignore requirements that bidders be licensed. "Court cases against unlicensed operators haven't been too successful," Leeson states. "Fines are small. It is cheaper to pay the fine than to take the examination and pay the fee to become licensed. Actually, I think the licensed person is at a disadvantage because the state isn't enforcing the law."

"The association could do a better job than the state of enforcing a certification program, a better job of examining, and a better job of protecting the public," Leeson claims.

Carpenter uses a system in private work where the low and high bids are thrown out, the remainder are averaged, and the bid closest to the average is accepted. "Perhaps successful use of this practice in private work could set a standard for public work."

"We separate the men from the boys with our bonding procedures," says Lane Marshall, president of Lane Marshall & Assoc. in Sarasota, Fla., and current president of ASLA. "Bonding is required in all public work and most significant private work. If the work is limited to installing plant material, I don't have strong feelings about registration. If installing walks and patios is involved, then a building contractor's license is required in Florida."

Too often contractors bid from incomplete or inadequate specifications. Consequently, estimates made by the contractor before bidding may be too low to make a profit. Prebid conferences between the landscape architect and the landscape contractors involved in the bidding allow for clarification of specifications and permit changes or addenda.

## Contractor/Architect Relationship

"By negotiating with the landscape contractor the architect can eliminate details that serve no functional benefit," Brickman says. "Too often we don't hear anything from the contractor until he is actually out there working," states William A. Behnke, president of William A. Behnke Assoc. in Cleveland, Ohio, and vice president of ASLA. At that time it is extremely difficult if not impossible to get an addendum.

### Performance Delay

Two time factors work against the landscape contractor. The first is the delay of a year or more between bid acceptance and actual performance. Not only does this make estimating costs difficult, it ties up performance bonds for the period of the delay, which is longest for the contractor since he is the last to finish.

"By the time the contractor walks on the job, costs have escalated beyond the contract price and the profit is almost gone," Carpenter points out.

A task force organized by ALCA and ASLA studied performance delays and other problem areas between contractors and architects. In the report the task force recommended these methods of counteracting delays:

- contact the growers of plant materials immediately after contract award, and periodically during any delay period. Issue purchase orders immediately after contract award.
- negotiate with growers for contract growing where possible. A performance bond or insurance should be provided by the grower.
- document the cause of any delays in a letter to the owner with price increases.
- discuss partial prepayment for plant materials and storage locations with the architect and owner.
- if a retainer is held, there should be time limitations and provisions to accrue interest.

The second time factor working against the landscape contractor is the rush for completion. The contractor is on the tail end of a project and everyone is waiting to get their retainers back.

Furthermore, completion is hampered by clean-up and poor site preparation by excavators responsible for grading. These are tasks often put on the contractor but not mentioned during the bidding process. Not only do they slow the contractor down but they increase his costs and reduce his profit.

Often the contractor is pressured to install plants out of season. This complicates guarantees.

"To avoid unexpected jobs the contractor should convince the client and the architect that the landscaping should be a separate contract," Carpenter says.

"This forces the general contractor to finish his work and clean-up so he can get paid."

"The contractor often has to take care of other people's problems," Behnke states. "For instance, if there's a trench that sunk and the landscaping is already in, it's not his fault the trench sunk. It was the general contractor that trenched that. The site contractor is not going to go back to the plumbing contractor because he'll have to bring him back on

the job. He is going to try to get the landscaper to handle it."

Robert Thomas, partner in Behnke Assoc., mentions problems with turf, "If the topsoil isn't re-spread to specifications by the site contractor and the grass planted by the landscape contractor fails, usually the landscape contractor is expected to do the work over under his guarantee."

### Inspection by Architects

Smooth implementation of landscape specifications can be helped by periodic inspection by the architect. The prebid conference may clarify some points, but inspection by the architect during planting phases reduces the chance of rejection of the job by the site contractor.

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The ALCA/ASLA task force describes the role of the architect during implementation as inspecting the quantity, quality, storage, handling, planting and maintenance of plants.

The task force said the contractor should request prompt inspection on completion of each phase of the work. The landscape architect should be prompt in his inspection and notify all parties concerned so corrective action can be taken.

"Inspection procedures generally are not clearly enough defined so as to protect the architect, contractor and owner from improper bidding or execution by unscrupulous operators."

The task force made these recommendations to help solve the problem:

- inspection procedures should be spelled out at prebid and preconstruction conferences.
- an inspection cost should be figured into bids by the architect.
- inspections must be made by competent people who are familiar with the project and the specifications of the work being performed.

According to Brickman, "The landscape architect doesn't really have the position to go and tell the client about terms. He doesn't assert himself in the bidding process. When it comes down to supervising the job when his talents are most needed, he doesn't have enough money in the fee to go to the site."

### Guarantees and Maintenance

Guarantees are often required for at least a growing season. But survival of plant material depends upon the quality of the plant, location of a plant, drainage, and maintenance. The contractor

## Contractor/Architect Relationship

may have only limited control over any of these factors.

These factors should be discussed at prebid conferences and worked out prior to contract.

If maintenance is to be performed by the contractor it should be under a separate contract.

In the case of lawns, the architect should inspect grading of topsoil, drainage, and test the soil prior to the contractor's installation. Results should be documented to the client and adjustments recommended before the contractor starts working.

Guarantees should not be given without some control over maintenance. If the client is going to do his own maintenance, his program should be checked and documented. Proof of maintenance should be required if any claim to the guarantee is made.

Installation of grass or other plant material should not be done out of season when chance of survival is low. Proper timing of installation should be discussed at prebid conferences and included in specifications.

### The Landscape Architect

The basic point to remember about the landscape architect is that he sees the project as more than individual plants. He sees it as a total impact of plants, walls, sidewalks, fences, and contouring. He must take into consideration drainage, utilities, irrigation, traffic, textures, and parking. Often he will consult an arborist, horticulturist or contractor about plant selection and use.

The landscape architect takes all these points and puts them into a graphic plan and a list of specifications. His responsibility is the total package. His package must fit in with the package of the building architect too. The landscape architect must work around what the building architect has already decided.

"Too often the landscape contractor doesn't distinguish between a building architect who has very little knowledge of plants, and a landscape architect who has a respectable degree of knowledge about plants," Carpenter says. "It varies with the school, but landscape architects generally have a year of plant identification and selection. This may be taught by other architects or by the horticulture department as is the case at Ohio State University."

"Generally, the landscape architect has enough knowledge to make overall basic decisions and to know when he needs a specialist," Behnke states. "We use the extension services or an arborist when we have questions."

Nationwide, 1,100 landscape architects graduate each year. Mississippi State has developed a landscape contractor program. It includes construction and business courses as well as plant information courses.

The landscape architect sees his plans as a creation, a thing of beauty. When a contractor doesn't respect this fact, the architect gets perturbed and sees his work being defiled. The landscape architect is very possessive and proud in his design. The contractor should understand this.

"The implementation of the design affects the overall impression regardless of how good the design is," Ed Able, executive director of ASLA, points out. "If it is not implemented properly, the whole impression fails. A less than pleasing product reflects more on the architect than on the contractor who implemented the design improperly."

At the same time, architects must realize that the contractor has daily exposure to certain types of plants in their area. They may be more familiar with failures and other problems characteristic to an area. If they see the problem plant in the specifications, they will bring it up and should be listened to.

### Communication

The best solution to nearly all the conflicts between landscape architects and contractors is good communication. Respecting each other's knowledge, the two professionals should discuss specifications, payment, guarantees, improper acts by other contractors in the building contract, and anything that cuts into the profit of the job.

One method of improving communication is for the contractor and architect to join together into one firm. Known as design/build companies, they work often from a single contract for both design and construction. There aren't many large design/build firms in the U.S., but they are growing in number, especially in areas where the architect is not strongly based.

Another scale of design/build is the nursery or contractor that performs simpler designs for small commercial and residential construction. As these firms grow, however, it would be wise for them to hire a trained landscape architect for bigger design projects. The young landscape architect should be paid approximately \$12,000 per year.

John Shaw, executive director of ALCA, states, "The more you integrate design, construction and planting materials, the better job you'll get because of communication. You'll also get more for the money and the least variance from specifications."

"It is sort of a construction management process which is becoming very common in the construction industry," Brickman remarks. "Design/build is growing because the client can be assured that the job will be done for the established budget and that good firms will produce a creative product."

Brickman continues, "The design/build concept goes against the old professional code that the landscape architect should not derive a financial benefit from the supplying or installation of a product he designed." The value of this idea is questionable as shown by the success of design/build.

ALCA and ASLA are working closely together to improve the architect/contractor relationship. Task force discussions are being held periodically across the country. Contractors might want to consider joining ASLA as affiliates. They can meet primary architects in their area through ASLA. They should also join ALCA to benefit from the progress it has provided its industry. Bruce Shank