



**THE ARCHITECTS' PROFESSIONAL
EXAMINATION AUTHORITY IN SCOTLAND Ltd.**

2024/25 PRACTICE PAPER

Day 1: Monday, 18 November 2024

Questions 1 to 4

(Questions are numbered 1 to 8 across both parts of the Practice Paper.)

All 4 questions must be attempted

**Answers must be submitted by 7.30 pm on
Monday, 18 November 2023 as per separately issued
instructions.**

**All characters, locations and incidents contained in this Practice Paper are
fictitious.**

Question 1

Answers to questions 1.1 and 1.2 should not exceed 450 words for each.

- 1.1** The ARB have made significant changes to their requirements around CPD. Please provide a concise and critical explanation of your understanding of the reasoning and basis for these changes.

- 1.2** Sir Michael Latham's *Constructing the Team* was published 30 years ago, championing adjudication as an alternative dispute resolution method before its widespread use was compelled by the Housing Grants, Construction and Regeneration Act 1996. Describe your understanding of the motivation behind this development in alternative dispute resolution.

Question 2

Project: Redevelopment of Market Street Library

Email

To: Candidate

From: John

Date: 17.11.24 19.43pm

Subject: Library on Market Street

Dear Candidate

I think we have a situation here and I'm keen to have your view on this matter.

GFY are members of the local Chamber of Commerce as is Mr B G Wigg who is the current secretary and acting treasurer.

Mr Wigg invited me on a golfing weekend at the end of last summer and through that trip we gained two new clients through Mr Wigg's orchestration, those are the two projects you are currently working on. Mr Wigg has now approached us directly as he is interested in a development in town.

He has purchased the redundant old library building and wishes to demolish this and build a mixed use residential and commercial development on the site. As you may recall this is the same building about which we were approached by the local Heritage Building Trust (who remain a client of ours on other projects) and who wished to preserve it as much as possible for local community use. It could have been a real asset to the town, and a fascinating conservation project for us.

This kind of development is central to GFY's ethos of sustainable development in the heritage sector. In the end their bid to purchase the building was trumped by Mr Wigg. This is such a lovely building to lose, but it is not listed, or at least not yet. If it were, it would probably gain useful grant aid and be protected by that listing.

I am loathe to turn Mr Wigg down, especially as he has been useful for his referrals, and has quite a say in the local business community and the value of his project would generate useful, if not essential, income for the practice.

Before we discuss this at our next projects meeting:

1. Can you prepare a memo on dealing with this dilemma: of our belief in conserving built heritage against realities of commercial development and any options you think we should consider. Please also consider what are the professional issues we need to be mindful of?
2. What are the practical considerations for retention versus demolition of the existing building? If the building were listed, how would this change the considerations?

It would be helpful to me if your memo clearly stated the Pros and Cons of both issues listed above.

I welcome your thoughts and our follow-on discussion.

John

1. Question 3

Dear Candidate,

We are renewing our insurances; I would like you to draft a report to present to the office in order to increase our general awareness of things we need to know. It is important to keep our practice's reputation in safe hands!

I need you to tackle the following:

2. Briefly explain the various types of liability insurance in the practice of architecture.
3. Why is professional insurance required & explain what is meant by exclusions and give some typical examples?
4. What is meant by a 'claim' against professional indemnity in architecture and how does it relate to cover?

Many thanks,

Paul Moore (Partner)

Question 4

Dear Candidate

The rectification period has concluded we have reviewed the schedule of defects and the works listed are complete so a Making Good Defects certificate can be issued. Some major issues have been addressed, for example the feature concrete floor screed failed, it was cracked and bossed and the office had to be decanted for 2 weeks last month while the existing screed was lifted and re-laid on our instruction.

The client wants to hold a retention against the new screed, given the previous failure and wants us to protect his position. There have been so many problems he does not think that concluding the contract without seeing how this new floor performs over a period of time is wise. The floor that was replaced cost £50K so it a significant issue and a higher cost than the total retention figure.

The contractor has also had to replace the motors in the air handling plant on the roof, the contractor has blamed the client's maintenance manager for changing the settings and burning the motors out, thereby invalidating the warranties so they are refusing to accept this matter as a defect. They have submitted a bill of £12k for these additional works to the QS. The maintenance manager is insistent that he followed the demonstrations and maintenance instructions provided to him by the contractor. The contractor is stating that they want the final certificate issued and the retention released.

What are the options for us in relation to the issue of the MGD and Final Certificate?
Can we reach a compromise with the client and contractor over these items as the contractor has taken the full year to fix these items?

How should we deal with the cost submitted for the air handling plant?

Can you also provide me with a draft letter to the client in response to their concerns please?

Regards,

John

END OF PAPER (DAY 1)