

Seeking a Development or a Technological Professional to do the Job

A. Who is Considered a Development Professional or a Technological Professional?

In the Philippines, the generic term Professional and the specific terms **Development** Professional and **Technological** Professional literally refer to entities compensated for the satisfactory performance of technical consulting services contracted by a Client. In the local context, this strictly refers to individuals duly registered and licensed under the various professional regulatory laws in existence since the early 20th century. Of the forty four (44) regulated professions currently administered by the Professional Regulation Commission (PRC), roughly more than a third concern regulated **development-oriented** and **technological** professions directly dealing with various classes of plan preparation and design activities for sites/buildings/structures and their environs and the management (or administration) of development/construction-related activities. **Development** Professionals responsible for the **natural and built environments** include the **registered and licensed 1) Architects, 2) landscape architects, 3) interior designers, 4) environmental planners, 5) master plumbers, 6) naval architects, 7) geologists, 8) foresters, 9) agriculturists and 10) chemists** while **Technological** Professionals include the various classes of registered and licensed engineers (civil, electrical, mechanical, geodetic, electronics and communications, sanitary, chemical, industrial, metallurgical, agricultural, aeronautical, etc.). Generally speaking, the **Development** Professionals are first called in/ commissioned to conceptualize and initially plan/ design a project. The **Technological** Professionals are **later** called in to flesh out the Project through detailed engineering plans/ designs.

Over the past several years, the term Professional has been somewhat modified to embrace firms as well, but this is only true in the case of 1 or 2 of the technological professions i.e. mainly under the regulated profession of environmental planning where such entities are still registered by the Professional regulation Commission (PRC) as consulting firms. Specifically excluded however is the activity of constructing (previously referred to as “contracting”), which is actually a business or trade and properly administered by the various agencies under the Department of Trade and Industry (DTI). Professionals registered/ licensed by the PRC may actually go into constructing provided they secure and use a separate constructing license issued by the DTI through the Construction Industry Authority of the Philippines (CIAP).

B. Why Look for a Regulated Development or Technological Professional?

To best understand the need to deal with a **Development** or **Technological** Professional, the key words **registry, license, responsibility, integrity, liability, ethics, standing and academic/ post-academic preparation** initially come to mind. **Registry** means that the name of the Professional concerned appears in the official list of individual practitioners who have been duly issued certificates of registration by the PRC upon taking their professional oath (which only takes place after the recipient hurdles the pertinent licensure examination/s). **License** refers to the authority to practice the profession for a limited period (usually 3 years) after which renewal of the issued PRC identification (ID) card must take place. During the last decade, many Professionals could not automatically renew their

licenses unless they took monitored Continuing Education Program (CEP) or Continuing Professional Development (CPD) courses.

Professional **responsibility** may be summed up as the Professional's obligation to always undertake the best professional practices possible given the job conditions and resource constraints and this includes adaptation to new and emerging technologies that can increase the quality of the professional services being delivered. **Integrity** has to do with the Professional's mandated protection of his/ her Client's legal/ moral interests that will not conflict with broader public interests nor with public safety considerations. Of particular importance is the Professional's cognizance of the fact that he/she is the key Owner's Representative and therefore obligated to protect and possibly indemnify the Client from all parties concerned in an undertaking. As such, it is the Professional's duty to provide checks and balances to ensure that the Client is not exposed to situations that could result in exploitation, abuse or fraud.

Civil **liability** under the New Civil Code (of 1954) ties the Professional to the project long after it is finished. In the case of registered and licensed Philippine Architects, this means a period of fifteen (15.0) years during which he/she may be held liable for major **architectural** design failures in the building/ structure not resulting from misuse or faulty maintenance. If such a defect or failure materializes during the 15th year, there is another ten (10.0) years within which the Client could file a civil case against the Architect. This particular provision of the Civil Code likewise applies to Engineers who design buildings/ structures and **not** to any other design professional at the moment.

Once a Professional takes his/ her oath, he/she automatically becomes bound to the observance of certain norms of conduct usually embodied under a Code of **Ethical Conduct**, intended mainly to morally and to some extent technically enhance the standards of professional practice. Violations of the Code of Ethical Conduct make the Professional concerned answerable to his/ her peers. Professional **standing** is concerned with a Professional's assessment by the Community of Professionals in particular and by society at large in general and should preferably be gained through years of honest professional work and not through self-styled media products proclaiming a Professional's alleged works, competence or renown.

While **academic preparation** is a norm for all professions, not all academic preparations are alike. In the case of Architects, they are academically trained to very well understand the work of various classes of engineers and that is why they are required to undertake as much as two (2.0) years worth of engineering or engineering-related subjects, thus making the course B.S. Architecture a minimum five (5.0)-year undertaking. This academic training prepares Architects well for their future role as project design coordinators if not as project managers (for planning and design engagements). **Post-academic preparation** refers to post-baccalaureate (college) degree-training outside the school preparatory to taking the concerned professional licensure examination/s. In the case of Architects, this means completing two (2.0) full years of on-the-job training (previously referred to as "apprenticeship") before a candidate is allowed to take the architecture licensure examinations ("ALE"). Architects therefore generally become licensed professionals at the age of 23, making them the most mature and possibly the most technically proficient of the crop of young building Professionals granted certificates of registration by the PRC.

C. Distinguishing the True Development Professional

A true **Development** Professional will always observe the proper decorum and demeanor befitting his/her status and will **not** openly advertise his/her technical capabilities through media. Marketing the Professional at an ethically acceptable level is an entirely different matter however and many professionals have varying methods of making themselves and their availability/ capacity to undertake projects known to potential clientele e.g. electronic media (websites), published feature articles, interviews, testimonials, commemorative events, publications, work exhibits and documentation, marketing collateral and the like.

A true **Development** Professional balances the interests of the Client with those of the general public, which he/she has also sworn to protect. A true **Development** Professional planning/ designing a project will **not** readily attempt to make a joint or separate offer to be the Constructor for a project because the temptation to sacrifice the interests of the Client is always there. A true **Development** Professional knows that under a Design-Build package to undertake the same project, the term Build refers to a very specific professional service such as construction by administration or construction management (which are both service-oriented) and **not/ never** to constructing work (which is profit-motivated). If the situation gravitates towards a situation wherein the Professional and the Constructor eventually become the same entity, the true **Development** Professional will institute the proper safeguards to always protect the Client's interests, sometimes even against his/her own.

D. Locating the Right Development Professional for the Job

Before looking for a **Development** Professional, the potential Client must have a basic understanding of the nature of the job. Does the work call for a new building/ structure (and fit-out work) or for renovation (and retrofit work) or for site development work? In case of renovation, is it work inside or outside the building? In case of interior renovation, will the work include space planning or re-planning and changes on the utility systems (electrical, sanitary, plumbing, artificial ventilation, telecommunications, etc.) too? The answers to all of the foregoing questions may also mean looking for different kinds of regulated **Development** Professionals. Similarly, if one is looking for an Architect, there are Architects whose competencies may lie in one or more of the following areas of practice: architectural design (new or renovation), allied design such as interior architecture, space planning, site master planning, subdivision/ estate planning and/or site development planning (new or rehabilitation), construction supervision or administration or project/ construction management (new or renovation), etc.

In instances wherein marketing material on a particular **Development** Professional can be directly accessed, a potential Client basically needs to look at the track record to find ongoing projects or past works that are similar or related to the one under consideration. Is the **Development** Professional sufficiently or suitably experienced in residential/ housing design (new or renovation), commercial/ institutional/ industrial/ recreational building design (new or renovation), interior architecture, space planning, site master planning and/or site development planning, construction administration, etc?

In instances where no detailed information on a particular **Development** Professional could be readily obtained, it would be best to contact the PRC to inquire about the concerned **Accredited Professional Organization** ("APO"). In the case of individual Architects, the integrated APO for Architects (IAPOA) is the United Architects of the Philippines (UAP) and in the case of individual Environmental Planners, the APO is the Philippine Institute of Environmental Planners (PIEP). Additional information on **Development** Professionals may also be requested from the **Architecture Advocacy International Foundation** (AAIF) c/o architecture_advocacy@yahoo.com or c/o architecture.advocacy@gmail.com. *Nothing follows.*