

# **A Guide to Competitive Quality Based Selection of Architects**



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# 1 INTRODUCTION

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## 1.1 Why use Quality Based Selection?

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Rarely does a consumer select an item on price only, however this is often the method used to select an architectural design team.

Considerations for purchase of a consumable item, be it electronic equipment, clothing, machinery or food include a large number of considerations, of which colour, or price, or brand name are only a few. For example, a decision to purchase an item of clothing may involve the following.

- Colour;
- Material;
- Design;
- Price;
- Designer;
- Durability;
- Ease of washing;
- Country of origin;
- Sustainability practices in manufacture;
- Retailer.

Frequently, architectural design teams are selected on limited criteria, with the primary one often being price. Whilst price is an important consideration in any purchase, the list of criteria to the left show that price is only one of many criteria in the purchase of clothing, thus similarly price should be only one of many criteria in the selection of an architectural design team.

Quality Based Selection sets out a process which enables the selection of an architectural design team on the basis of the whole range of criteria without undue loading being given to any one criterion such as the current fashionable profile of a particular design firm, personal association of a member of the selection panel with a particular design firm, or price.

QBS also allows for a transparent selection process, which is required by many government entities and corporate bodies to ensure that no undue influences have been allowed to occur in the selection process.

### **Acknowledgements**

We are deeply indebted to the American Consulting Engineers Council (ACEC) for their permission to use parts of their Guidelines to Practice as a base for this document.

We are also indebted to the Ontario Association of Architects (OAA) for their permission to use their guidelines for Quality Based Selection, in particular the OAA QBS templates, a selection of which forms the Evaluation Templates section of this document.

## 1.2 What other forms of selection other than Quality Based are in use?

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- Cost-based selection;
- Design competitions;
- Referrals;
- Return business.

## 1.3 How does QBS work?

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This Quality Based Selection guide organises the process into four major steps, as follows:

### 1.3.1 Step 1: Determine Project and Invitations to Tender

- a) The Client identifies their objectives, critical issues and program;
- b) The selection time frame and project brief are established;
- c) Proposals setting out qualifications, mandatory criteria in experience, capability and terms of engagement are invited.

### 1.3.2 Step 2: Selection of the Architectural Design Team

- a) Proposals are evaluated and a short-list is determined;
- b) Tour of the site and/or facility is arranged for short-listed teams;
- c) Interviews are conducted and the short-listed firms ranked in order of preference.

### 1.3.3 Step 3: Definition of Services and Agreement

- a) The top-ranked team is invited to participate in further discussion to develop a fuller understanding of the project requirements;
- b) The scope of service required for the project is agreed and fees negotiated;
- c) If agreement cannot be reached with the top-ranked team, negotiations are terminated and commenced with the second ranked firm and so on until agreement is reached.

### 1.3.4 Step 4: Appointment

- a) The Client/Architect Agreement is executed;
  - All firms/teams involved are advised of the outcome of the selection process;
  - A report is prepared setting out the reasons for the final selection.

## 2 THE PROCESS

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### 2.1 Determine Project and Invitations to provide Expressions of Interest

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#### 2.1.1 Identify Objectives, Critical Issues and Program

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Prior to inviting expressions of interest, the client should understand the architectural

design team's obligations and entitlements and also their own obligations and entitlements. The

client should also clearly identify the requirements of the proposed project.

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**The Appendix to this Document provides a guide to the**

**responsibilities of clients and**

**architects commonly defined in Client/Architect Agreements.**

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**a) Identifying the Scope of Work:**

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A properly defined and communicated scope of work saves time, money and effort for both the client and the architectural design team. The team has information upon which to base a decision to pursue the project and is able to tailor their statement of qualifications directly to the project requirements, providing the client with a more uniform basis for evaluating the responses.

Items which should be included in a general statement of the scope of work are:

- Project outline including intended size, function, capacity and other general anticipated requirements (i.e. renovation, demolition, additions, new construction, energy, land use and site selection considerations);
- Descriptions of completed studies, surveys and/or preliminary feasibility work relevant to the project and available to the teams which will be responding;
- Anticipated project target dates, including completion of design work, beginning of construction and planned project completion date;
- Requirements for further feasibility studies or program planning prior to design, if appropriate;
- Description of any other projects in process or planned for the same site or time frame, which may effect the scope of work;
- A realistic project budget based on the scope of work setting the budget and not the budget setting the scope of work;
- Identification of the type of commission being considered, such as a full-service design, document and administration commission, a partial commission which may include design only, a design-construct commission, a commission which will see the architectural design team novated to the contractor at the conclusion of the design stage and so on.
- Identification of the general basis upon which fees will be paid, such as on a percentage basis, a lump sum basis, a lump sum plus percentage basis, at an hourly rate for part or all of the works and whether there is a band of fees which the architectural design team must fit within to be successful tenderers;
- The method of engagement of other consultants, that is are they being engaged by the architectural design team, engaged by the client or engaged by another entity?

**b) Identifying Critical Issues:**

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What will be those critical factors which will determine the success or otherwise of the project? These need to be known before architectural design team submissions can be evaluated. Here are just a few.

- Value for money;
- User needs;
- Space;
- Daylight;
- Security;
- Sustainability;
- Life-cycle costs;
- Accessibility;
- Cultural influences;
- Design;
- Function;
- Land use.

**c) Proposed Project Program:**

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The applicants will need to know what the projected program for the project is. This will need to be determined in the first instance by the client, however it should be understood that the final analysis of the program will form a part of the tender negotiations with the successful architectural design team.

The team will need to know when they will be expected to begin and conclude each stage of a project. For that information to be made available, the client must determine when the completed project is required, what activities – such as subdivision or amalgamation of land titles, legislative action, funding from private sources, governments or grants, demolition or relocation of existing facilities – have to occur before one or more of the stages can commence.

Program information should be included in the submissions invitations in the form of a bar chart or similar.

**2.1.2 Selection Time-Frame and Project Brief are established**

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Having identified the program for the works and the critical issues governing the design, the client must now set out a process for identifying how long the selection process will last – which may have an effect on the delivery date of the completed building or development if the selection process intrudes into necessary

design and construction time – and develop the project brief to the stage where applicants can clearly understand the requirements of the project.

**a) Selection Time Frame:**

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The time frame for each project will differ, depending upon the nature of the project and its complexity, the concerns of the client and other factors. The suggested time frame for a detailed QBS process, which includes advertising for submissions, the analysis of submissions, short-listing, interviews, selection of the top-ranked team and further negotiations with that team may require a total of six to ten weeks.

For smaller projects or projects where a short-list of known teams is determined prior to commencing the process, this period may be condensed to around four weeks.

The time frame should be made known to all applicants.

**b) Establishment of Project Brief**

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This will only be a preliminary briefing document, and will be an expansion on the Scope of Work already determined.

It is expected that the successful architectural design team will later take this briefing document and expand on it to develop the final detailed brief.

**2.1.3 Proposals setting out qualifications, mandatory criteria and terms of engagements are invited**

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Whether the invitation to submit statements of qualifications takes the form of a public advertisement or a letter or memorandum sent to a limited number of firms, it should include the following:

- The Scope of Work outlined in 2.1.1 (e);
- Client's name and contact person, mailing address, telephone number, fax number and email address;
- Project name and location;
- Description of architectural design team selection process;
- Number of copies of submission required;
- Relative weight to be given to evaluation factors;

- A statement that submissions received after a set deadline will not be considered;
- Identification of mandatory criteria which the architectural design team or one or more of its members must satisfy for the team's selection to be considered, such as specific prior experience in projects of the type being considered and/or in the state or country of the work, specific formal post-graduate qualifications in a specialist field, membership or accreditation in specific organisations if an international commission;
- Identification of the type of commission being considered, such as a full-service design, document and administration commission, a partial commission which may include design only, a design-construct commission, a

commission which will see the architectural design team novated to the contractor at the conclusion of the design stage and so on.

- Identification of the general basis upon which fees will be paid, such as on a percentage basis, a lump sum basis, a lump sum plus percentage basis, at an hourly rate for part or all of the works and whether there is a band of fees which the architectural design team must fit within to be successful tenderers;
- The method of engagement of other consultants, that is are they being engaged by the architectural design team, engaged by the client or engaged by another entity?

## 2.2 Selection of the Architectural Design Team

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### 2.2.1 Proposals are evaluated and a short-list is determined

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The ultimate goal of this evaluation is to narrow the field of qualified architectural design teams, or firms, to a 'short-list' of three to five. Each team or firm should be evaluated on the basis of its experience on similar projects if appropriate, expertise of its key professional staff, its physical equipment and facilities, references and other factors of importance to the client.

Although prior experience on similar projects may be considered a valuable asset, the client should not disregard any team or firm who has no such experience however have shown in other ways their capacity to be successful with the particular project type.

Submissions should be evaluated on the basis of how successfully they satisfy the criteria set out in the invitation. The best method of recording the evaluations is through the use of an evaluation template, such as the **Evaluation of Interest and Quality** template included in the appendix to this guide.

Evaluations may be conducted by one individual or a committee as appropriate for the client organisation. The evaluation individual or panel must document the decisions in the event questions arise about any decisions made.

To avoid delaying decisions, references and referees must be checked prior to the panel meeting. The client should also ask the listed referees for other sources of information about the architectural team's capabilities. Some of the matters that might be checked with referees are listed in **Possible Questions for Referees**, included in the appendix to this guide.

### 2.2.2 Tour of the Site

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A tour of the site or facility should be organised prior to the final selection of the architectural design team. It may be appropriate for the tour to be arranged prior to the shortlisting process, or it may be considered more appropriate to delay the tour until after a short-list is determined. This is ultimately a decision for the client to make, however input from interested architectural teams could be sought.

A site tour gives the architectural teams the opportunity to obtain first-hand information about the proposed project and the client's specific needs. In some cases a tour may not be necessary; such determinations should be made on a case-by-case basis.

### 2.2.3 Interviews are conducted and the short-listed teams are ranked in order of preference

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It is not always necessary to proceed to an interview stage if it is anticipated that the results of the initial submissions will be sufficient to comfortably rank and engage a successful team, however all submitting parties will need to be informed that interviews are not a part of the process prior to their initial submissions.

To produce a short-list, the evaluations panel has ranked the architectural design teams in order of their success in satisfactorily responding to the submissions criteria.

When the formal interview stage is used, it is very important that the rankings the teams received during the short-listing process are re-set to equal status. That is, all short-listed teams should be considered to be equal at the commencement of this stage.

Information obtained about the individual teams during short-listing should form a part of the final selection stage, however this is now included in the new weightings matrix.

There are some basic interviewing principles which should be followed to obtain the best and fairest result:

- 45 minutes for each presentation is usually adequate, allowing five minutes for introductions and preliminary remarks by the interview chair, 20 minutes for the presentation, 15 minutes for questions and answers and five minutes for a closing summary by the interviewees. Schedule adequate time between interviews for the panel to discuss the presentation privately before beginning the next interview. Also allow 10 minutes for setting up time and 5 minutes for the removal of equipment by each interviewee if only one interview room is used.
- Schedule all interviews on the same day, if possible. This permits the panel to compare all the interviewed teams whilst the information is still fresh in their minds, and ensures consistent interview scoring. Using 45 minute interviews, a client can easily schedule the three to five short-listed firms in one day, including panel rating, discussion and decision time. Overnight delays tend to influence judgements.
- Fees should not be a matter of discussion during an interview; being preferable to include fee structures in the original short-list submissions or during negotiations with the successful team.
- While it is appropriate to question architectural design teams about their approach to the design of a project, clients should not ask for an actual design solution during the interviews. Appropriate and responsive designs require considerably more interaction between client and architect than is possible during the selection phase.
- Team building should begin in the interview process. The ability of the interviewed team's personnel to interact with the client is an important factor in determining future success of the proposed project.
- Let all interviewed teams know when a decision will be made and when they will receive communication regarding their status.
- The evaluation form, which includes a weight and a score for each criteria/question, is a useful instrument for evaluating, ranking and ultimately selecting a compatible and qualified architectural design team. A sample form, the **Interview and Quality Selection** template, is included in the appendix to this guide.
- All firms should be evaluated separately by each member of the selection panel. The score sheets are then compiled using a form similar to the sample **Compilation of Score Sheets** included in the appendix to this guide.
- The highest-ranked team is then selected and all interviewed teams are then advised of the selection panel's decision.

## 2.3 Definition of Services and Agreement

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### 2.3.1 Provide Preliminary Brief to Top Ranking Team

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Negotiations with the top ranking team cannot proceed successfully without that team more fully understanding the project requirements.

The client will already have a broad description of the proposed project, however will now need to present to the top ranking team a more detailed description, with more detailed area and/or occupancy requirements, more detailed costings analysis, more definite timelines and a more detailed analysis of the site and/or existing structures on the site.

The top ranking team may then more accurately determine what resources, including staffing, which will be allocated to this project. They will also be able to more accurately determine the fees they will ask for in the negotiation stage.

### 2.3.2 Scope of Service and Fee Negotiated

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From this point on, the client and the highest ranking team begin to work together.

They begin by sitting down together to discuss the project in detail and to gain a better understanding of one another. The client expresses the goals for the project and the architectural; design team obtains as much specific information as possible about those goals.

This exchange, which can take several days on a major project, leads to the development of the detailed scope of services, which is the foundation of an agreement between the two parties. When the detailed scope of services is agreed upon, the architect is able to develop and submit a detailed fee proposal to the client.

If the proposed fee is more than the client has budgeted, the two work together to modify the scope of the service, so the client is aware of the limitations or problems that may arise.

During this negotiation the client is in a position to put great pressure on the architectural design team to reduce the fee because the next preferred firm is awaiting the opportunity to negotiate. It is always in the best interests of a project for the architectural and

other consultants' fees to be fair and to take into account the complexity of the project and the skills required to successfully provide the service required. A working relationship based on a fair agreement greatly enhances the odds for a quality project.

- **How Much Does an Architect Charge?**

The cost of an architect's services depends on a number of factors, some of which relate to the architect's experience, reputation or method of operation. Time charges, for example, will vary considerably. Clearly the rate for a recent graduate will be considerably less than that of a very experienced practitioner. Likewise, a well known architect will most probably be able to command higher fees than an unknown architect. An architect who operates a small practice from home will obviously have lower overheads than a large city practice and may therefore be able to charge less. Hourly rates normally include all normal office overheads such as office rental, secretarial staff, printing, telephone calls, etc. As indicated above, each architectural practice sets its own fees and charges so, depending on the nature of the project and the service, hourly charges could vary.

- **Percentage Fees**

This is a very common method of charging fees. The architect charges a percentage of the cost of the building (usually the cost on completion). The advantage of a percentage fee basis is that a fee agreement can be reached at the earliest possible time, even before the value or extent of the building work is known. It is normal for the fee to change with the cost of the work so if, for example, the client increases the size of the job, the architect's fee will increase proportionately. Similarly, if the final cost of the building is less than the estimate, the architect's fee would be reduced. It should be noted, however, that if the architect has completed design work to the client's instructions and they then reduce the size of the project, the client may be charged additional fees for redesign work.

- **Lump Sum Fees**

This is also a common method of setting fees. The architect agrees on a fixed sum of money for an agreed scope of work. Normally the fee will not change if the cost of the building changes. This has the advantage that the client always knows exactly how much the architect's fee will be. However, it is not always easy to calculate a fixed lump sum fee at the outset of a project, especially if the client is unsure of his or her requirements and so sometimes architects will quote a percentage fee which will later be converted to fixed lump sum when the scope of work is actually known.

- **Time Charge Fees**

This is not a common method of charging for architect's services, particularly for design work on a specific building. Nevertheless, should this method be used, the architect will charge for his/her work on an agreed hourly / daily / weekly rate. It is useful when a client wishes to seek advice on a project. In these instances, lump sum fees are also common. The disadvantage of time based fees is that there is no certainty at the outset of how much the fees will amount to, although this disadvantage can partially be overcome by setting an upper limit which cannot be exceeded without approval.

- **Are There Any Other Costs Involved?**

Usually the architect will seek reimbursement for items outside normal architectural services, such as:

- specialist sub-consultants (e.g. structural engineers, cost consultants, landscape architects);
- travelling expenses where the site is more than 30 km from the architect's office;
- models or perspectives; and
- fees for authorities application, etc.

### **2.3.3 Procedure if scope of service and/or fee negotiations break down\**

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If an agreement on the scope of services and fees cannot be reached, discussions with the first-ranked firm should be terminated, and the client should initiate talks with the second-ranked firm.

This approach ensures that the client has the peace of mind of knowing that the most suitable architect has been selected at the right price.

However, it is not normally difficult to reach an agreement, since by its very nature, the QBS process fosters excellent communication and understanding between the client and the architectural design team, another key ingredient to quality.

## **2.4 Appointment**

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### **2.4.1 Client Architect Agreement is Executed**

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Once the fee negotiations are complete, it will be necessary for a Client/Architect Agreement to be formulated and signed. parties should consider using the standard forms of agreement that have been developed by their local or national professional associations of architects.

### 3 EVALUATION TEMPLATES

<b>3.1 Project Proposals</b>		<b>QBS Template # 1</b>			
Scoring Sheet		Page 1 of 1			
Name of Project:		Date:			
Name of Practice:		Time:			
Name of Reviewer:					
Evaluation Criteria	Rating (1-5)	X	Weight (1, 1.5 or 2)	=	Total
<b>1. Understanding of the Project (item 5.3.1)</b>					
Architectural Design Team understands the scope of the project and the needs of the client.		x		=	
<b>2 Proposed Methodology (item 5.3.2)</b>					
1. Approach to the design and construction of the project.		x		=	
2. The proposed team members and consultants.		x		=	
3. Opportunities or constraints.		x		=	
<b>3 Proposed Project Management (Item 5.3.3)</b>					
Approach to management of client meetings, communications, approvals, schedules, cost and quality assurance controls.		x		=	
<b>4 Related Project Experience (item 5.3.4)</b>					
1. Number of projects of a similar type; and/or		x		=	
2. Number of projects with similar professional services		x		=	
<b>5 Proposed Form of Contract (item 5.3.5)</b>					
1. OAA Document 600, 2005 or RAIC Document 6 ,2008 submitted		x		=	
2. Other form of Contract submitted		x		=	
<b>6 Grand Total</b>					

### 3.2 Interview - Scoring Sheet

**QBS Template # 2**

Page 1 of 2

The purpose of the interview is to determine whether the client and the Architectural Design Team have compatible objectives, perspectives and attitudes. Questions should explore those concerns and the overall “chemistry” of the client/Architectural Design Team relationship.

<b>Name of Project:</b>		<b>Date:</b>	
<b>Name of Practice:</b>		<b>Time:</b>	
<b>Name of Reviewer:</b>			

#### 1 Interview Procedures

Architectural Design Teams invited to attend an interview should be prepared to address the following issues. Questions from the Architectural Design Team will be accepted after the panel has completed their questions and if time is available.

<b>Evaluation Criteria</b>	<b>Rating (1-5)</b>	<b>X</b>	<b>Weight (1, 1.5 or 2)</b>	<b>=</b>	<b>Total</b>
----------------------------	---------------------	----------	-----------------------------	----------	--------------

#### 1 Understanding of the Project

1. Architectural Design Team understands the scope of the project brief and the needs of the client.		X		=	
2. Architectural Design Team understands the project constraints /opportunities.		X		=	
3. Architectural Design Team understands other client related issues		X		=	

#### 2 Proposed Project Team and Consultants

1. Related project experience, ability and capacity of proposed key personnel assigned to this project.		X		=	
2. Related project experience, ability and capacity of the “Lead Liaison” to the client.		X		=	
3. Related project experience, ability and capacity of proposed consultants.		X		=	

#### 3 Proposed Project Management – The practice’s approach to the following:

1. Management of the project.		X		=	
2. Client interface, reviews and approval process		X		=	
3. Quality assurance systems		X		=	
4. Cost control systems		X		=	
5. Schedule and updating process		X		=	
6. Troubleshooting procedures		X		=	

**Subtotal of Page 1**

<b>Interview - Scoring Sheet</b>		<b>QBS Template # 2</b>			
<b>Page 2 of 2</b>					
<b>4 Related Project Experience</b>					
1. Quality and experience of projects of a similar type		X		=	
2. Projects with similar professional services		X		=	
<b>5 Other</b>					
1. Ability to express ideas		X		=	
2. Ability to manage the project team		X		=	
3. Ability/ past experience working with the client.		X		=	
4. Communication/listening skills		X		=	
5. Ability to be flexible/adaptable		X		=	
6. Architectural Design Team's response to the question - "Why should we select your practice for this project?"		X		=	
<b>Subtotal of Page 2</b>					
<b>Subtotal of Page 1</b>					
<b>8.6 Grand Total</b>					

<b>Reviewer's Comments:</b>

### 3.3 Summary Evaluation Sheet

**QBS Template # 3**

Page 1 of 1

#### 1 Application

**Name of Compiler :** *Name of Compiler*

This form is intended to be used to compile scores of all practices that submitted "Statement of Interest and Qualifications", "Project Proposal" and attended the "Interview".

- |   |                                       |                      |
|---|---------------------------------------|----------------------|
| <input type="checkbox"/> Statement of Interest and Qualifications Summary | Date of Review <i>Month Day, 2008</i> | Sheet _____ of _____ |
| <input type="checkbox"/> Project Proposal Summary                         | Date of Review                        |                      |
| <input type="checkbox"/> Interview Summary                                | Date of Review                        |                      |

#### 2 Total Combined Score

	<i>Design Team A</i>	<i>Design Team B</i>	<i>Design Team C</i>	<i>Design Team D</i>	<i>Design Team E</i>
<i>Name of Reviewer #1</i>					
<i>Name of Reviewer #2</i>					
<i>Name of Reviewer #3</i>					
<i>Name of Reviewer #4</i>					
<i>Name of Reviewer #5</i>					
<b>Total Score</b>					
<b>Ranking</b>	_____	_____	_____	_____	_____

## APPENDIX

### a) Responsibilities of the Client:

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#### The Client:

- shall appoint the architect as its agent for the project as required under the selected building contract. Shall accept that in acting as assessor, valuer or certifier the architect shall act independently, fairly and impartially having regard to the interests of both the client and the Contractor.
- shall provide the architect with a realistic project budget and all relevant information required by the architect to complete the services described in this agreement.
- shall recognise that their requirements may alter as the design develops through the design process.
- shall pay the architect: **the fees** including GST for the services and reimbursable expenses provided in accordance with this agreement. **for additional services** in the event they are required after the execution of this agreement on the basis of time charge rates set out in this agreement, including where changes are made which require redesign or redrawing of existing documents.
- shall engage consultants required by the project after consultation with the architect and shall pay all fees and expenses associated with their engagement.
- Shall **work co-operatively** with the architect to ensure satisfactory progress through all stages of the development of the design and other services provided by the architect. **pay additional fees** at the hourly rates set out in this agreement to cover protracted architectural services where there are delays in the progress of the project beyond the control of the architect.

### b) Entitlements of the Client

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#### The Client:

- shall use the design only on the site for which it was intended and shall not use the design for any other purpose without the prior written consent of the architect.
- is entitled to submit any dispute or difference in any matter arising from this agreement to mediation after serving the architect with written notice of dispute or difference and the matter not being resolved by the parties within 5 working days of the date of the notice.
- is entitled to terminate this agreement after giving the architect 20 working days notice in writing.
- shall pay the architect all amounts due at the date of termination in accordance with this agreement in the event of termination.

### c) Responsibilities of the architectural design team

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#### The architectural design team:

- shall exercise the skill and professionalism of a reasonable, qualified, registered architect.
- shall act as the client's agent for the project and as required under the selected building contract. In acting as assessor, valuer or certifier shall act independently, fairly and impartially having regard to the interests of both the client and the Contractor.
- shall provide, where appropriate, indications of the cost of the project which are not a guarantee of the actual cost, a quotation or tender.
- Shall coordinate and integrate the work of all consultants engaged by the client but shall not be responsible for the services provided by them and/or, engage consultants as the architect's sub-consultants in which case the architect shall coordinate and integrate their work and will be responsible for the services provided by them.
- shall maintain professional indemnity insurance.
- shall maintain registration with the relevant Architects Registration Board.
- shall inform the client promptly when an instruction from the client changes the original brief and requires additional services.
- shall provide the client with an estimate of fees for the additional services which may be required.
- shall maintain accurate records and keep the client informed of progress by way of meetings, reports and other means at all stages.

### d) Entitlements of the architectural design team

---

#### The architectural design team:

- is entitled to:
  - charge fees** for the architectural services and submit regular invoices for progressive payment of fees.
  - suspend provision** of the services where the payment is outstanding for more than 10 working days until payment is made.
- retains copyright and shall allow the client to use the design provided that this licence applies only to the site for which the design was prepared.
- is entitled to revoke the licence if any payment due under this agreement has not been made.
- is entitled to submit any dispute or difference in any matter arising from this agreement to mediation after serving the client with written notice of dispute or difference and the matter not being resolved by the parties within 5 working days of the date of the notice.
- is entitled to:
  - terminate** this agreement after giving the client 20 working days notice in writing.
  - payment** by the client of all amounts due at the date of termination in accordance with the terms of this agreement.

