

# Who Benefits From Bidding For Professional Services?

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**A**ROUND THIS time of the year, the words "Competitive Bidding" are commonly heard in discussions among land surveyors. Most land surveyors argue against the practice and refuse to participate. Others, though not necessarily agreeing with the practice, participate due to pressure from various sources. Not only the land sur-

veyor, but all professionals are faced with this pressure in the current economic situation of the country. In yielding to this pressure, however, the professional must realize that his reputation, quality of work, and professional ethics are in jeopardy.

In this Province it appears that most of the pressure to submit competitive bids comes from the public sector. This is ironic since the Provincial Legislature recently adopted a bill, though not yet proclaimed, which exempts professional services, including land surveying, from the Public Tender Act. Land surveyors, when requested to submit bids to government funded bodies, should be aware of this fact and consequently refuse to bid. Refusing to bid does not mean that the land surveyor should have an open cheque for his services. The client, whether public or private, has the right to have his work performed in the most cost effective manner possible while maintaining the required professional standards.

How then does the land surveyor, when preparing a fixed bid, establish the cost associated with such unknowns as the disagreement of physical boundaries with title or deed documents, the number of destroyed monuments to be replaced, adverse weather, difficulties associated with title searches, etc. It is not the professional skills of the land surveyor that are reflected in the profit margin, or lack thereof, for the services provided but rather the "Luck of the Draw". The next fact to be determined is: Who was lucky, the land surveyor or the client? This sounds like we are talking about a sweepstake instead of a profession. Land surveying is a profession and should be practiced in a professional manner.

As an alternative to providing a fixed bid, the land surveyor should pro-

vide his client with a well formulated and well presented proposal. The proposal can be verbal or written depending on the level of effort required. The land surveyor's proposal should convince his prospective client that he is the proper person to carry out the survey. The proposal should demonstrate a good appreciation of the problem, outline technical merit, present well qualified personnel, provide for surveyor/client interaction, demonstrate capability through past performance, and provide a good estimate of cost. The estimate of cost should include an explanation of how the charges were calculated and how unforeseen difficulties can affect the final cost.

Our "minimum tariff schedule" which has become a "maximum tariff schedule" in most cases, as it currently exists, seems to encourage competitive bidding. This is especially true for building location certificates, subdivision surveys and individual lot surveys. Many of our land surveyors look in the by-laws under the minimum tariff schedule, select the section best fitting his client's request, and quote the appropriate rate. Unfortunately, the provision of a fixed price over the telephone for a "building lot" is not viewed by some of our members as bidding. The only difference between this and a large development survey is the quantity of work.

The responsibility of the land surveyor in both cases remains the same. He is still practicing the same profession. In the fixed bid situation, the cost, not the professional ability of the land surveyor, determines the quality of the product. It is unfortunate that the client, in most cases a layman, cannot recognize a good quality product from a poor product. The client is often solely at the mercy of the professional ethics and morals of the land surveyor.

The land surveyor has a professional responsibility to his clients. This responsibility is to ensure the client understands the role of the surveyor in society. The amount of respect a land surveyor receives will be directly proportional to the image he creates in his day to day practice. ●

## HORROR STORIES

BY LONG CHAINEY, O.L.S.

The following story, or more aptly a description, was discovered while performing a Registry Office search in connection with a survey on Dawes Road in the City of Toronto. This description was part of a deed registered in 1892 which might have prompted the formation of our Association in the same year if the authorship were by a lawyer, and perhaps even more so if it were proven to have been written by a surveyor!

"... more particularly described as that piece of said Lot two (2) which is bounded on the southeast or east by the westerly limit of the existing travelled road and on all other sides or directions by the old or now disused travelled road which formerly made a bend somewhat in the shape of a semi-circle in a westerly direction from the existing travelled road, the latter being a straight short cut at this part of the road and the land hereby conveyed being the piece enclosed between the two roads and lying on the opposite side of the road from and only by said road separated from another part of said lot which is also owned by the said party of the first part the parcel hereby conveyed being the parcel of land secondly described in a certain conveyance dated the fifteenth day of May 1882 from Dorothy Chapman to the said party of the first part."

Following on the above description the Solicitor had the audacity to add within the "in witness" part of the deed the following:

"the same having been first read over and explained to said James Alexander Chapman who appeared presently to understand the same and affixed his mark thereto in my presence." ●

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