

A SPECIFIC LANDSCAPE PROBLEM

A landscape specification is a written document, which sets out an explicit set of requirements to be satisfied within a contract. As such, it forms an integral part of tendering processes and underpins the design and implementation of all landscape projects. It also facilitates oversight processes, allowing for rigorous inspection and sign off. In the often complex arena of large scale landscape construction projects, it can ensure that all parties are singing from the same hymn sheet.

Ireland does not have its own standard specification documents, and the vast majority of Irish landscape professionals use British Standards and forms of contract.

Over the last 15 years I have had many conversations with professionals from various sectors about the robustness of landscape specification in Ireland. More often than not, the story has not been positive. From the designer side I've heard it said that contractors just don't read specifications, they just get on with doing what they want to do, they put in a price based on the specification then simply change what they want to suit. From the contractor's side, I've been told that designers haven't got a clue when it comes to specification, they just cut and paste, have little or no plant knowledge, specify unavailable and unsuitable species, and ignore local factors and conditions, a lot of the time we have to make changes or projects simply wouldn't work. From the grower's perspective I have similar complaints, nobody checks anything when it comes to plants, types, numbers, planting rates, designers don't know plants and there's no one checking to ensure contractors are fulfilling specifications. As for council schemes, the system is worse, there is little or no specialist landscape expertise, especially in rural councils, and often you have engineers deciding what plants will go in.

From the outside it would appear that one of the tools intended to ensure quality and transparency in the delivery of landscape schemes is somewhat flawed. To get a clearer picture of what's really happening on the ground I asked a number of Ireland's top professionals to share their thoughts on the strengths and weaknesses of Irish landscape specifications processes, and how they feel any problems can be addressed.

BARRY LUPTON

THOMAS CRUMMY, ALCI
Chairman and proprietor of the award winning contracting company, Thomas J Crummy Landscaping Ltd



As a general rule there are three main parties involved in any landscape development; the client, designer and contractor. Obviously there are exceptions to that in cases where the contractor is also the designer's. Regardless of this, there are at least three stages of the contract; the client brief, the design and the build. A plan must be produced which strikes a happy medium between the client's requirements and budget. The client will be aware of the quantity, name and sizes of the trees and shrubs, the areas and material type being used for hard landscape areas etc. The specification and Bill of Quantities are the key documents required to fulfil this element. The client signs off on this and the contractor moves in.

The contractor has a list of plants and a document he can refer to for technical details if required. Deliver the project on time and on budget, designer and client sign off the work and check sizes and quantities, and the client pays the contractor and designer. Sounds like a good system.

Where could you deviate? As an upstanding member of the Association of Landscape Contractors of Ireland, I always had respect for a specification and bill of quantities, it's a level playing field and every job is fair game.

Alas, after an ALCI AGM, circa 2005, members from

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across the country started talking and before long we realised none of the ALCI members present were getting any ‘public’ work, which we had been tendering for. We agreed that a cross section of the awarded contracts should be audited. The findings surpassed our worst expectations. For example, out of the five most commonly used plants, the two most expensive plants were missing, usually oak and holly. In some areas, less than 60% of the plant material was planted. Instead of 90-120 1+2 staked, they were 60-90 1+0 un-staked and the trees specified as 8-10cm were 2m transplants. There was grass growing around most plants where the specification stated that a certain circumference be maintained weed free for three years.

We informed the relevant authorities, some of which acted on our findings. In particular the Irish Landscape Institute were very thankful for our report and where possible at the time, some of their members made the contractors bring the jobs up to specification.

For a few short years after that our members were successful in being awarded contracts but I stress “a few”. Yet again there are one or two rogue contractors winning the majority of the larger public contracts. We have consulted the design teams and it turns out that their scope (in most cases) only extends to delivering the design. They are not employed to oversee the delivery and execution of their design. The relevant government department,

whether Transport, Education or Health for example, views the submissions and awards the contracts on different merits. The department signs off on these drawings and a specification for every element of the project including landscaping and that is the basis on which the contract is awarded, and in turn is what must be delivered to the taxpayer.

The non-policing of this area is as unfair on all main contractors as it is on all landscape contractors and the taxpayer. If one contractor is pricing below specification, he has an unfair advantage over others and because they are all fighting so hard to get the work, they ignore the real costs of landscaping, and assume they will get away under specification.

The taxpayer is being cheated here. For example, take a project that costs €100k done to specification being delivered for €65k. That’s a loss of €35k, not a saving to the taxpayer, as the contract is being executed for a fixed sum. In reality it’s probably not a saving to the main contractor either as they would not have allowed €100k for landscaping in the first place in order to win the contract. This area must be policed.

This can be solved, fairly, efficiently and cost effectively if contractors are advised that new policing controls are being implemented on all public works awarded after date of notice to the said parties.

How do you police this?

1. Employ suitably qualified individuals within the relevant departments who can assess, snag and sign off on landscape works.
2. Engage and extend the services of the landscape architects who designed the project to oversee and sign off.
3. Public Authority work only awarded to contractors such as ALCI or APL members.
4. Across the board, fair, strict, no nonsense approach to contractors by these individuals.

Can someone argue that this is not cost effective?

Not when you see a loss to the taxpayer of €35k on one small job alone.

From the ALCI’s point of view we need rapid intervention in this area because our members are conscious about not only maintaining, but also improving the standards within our industry. Should the above directives not be acted upon, are the public denied the pleasure of enjoying what could have otherwise been so aesthetically pleasing to them?

Thomas Crummy is Chairman of the Association of Landscape Contractors of Ireland and owner of Thomas J Crummy Landscaping, one of Ireland’s leading landscape contracting companies and winner of the Bord Bia Landscape Business of the Year 2012/2013.

www.thomasjcrummy.com ►



TERRY O'REGAN,
Landscape Architect and Fellow of the Landscape Institute

Despite Mr Tom McFeely's recent protestations, introducing the name 'Priory Hall' into any conversation in Ireland today and for some time to come will call up painful and shameful images of construction work not being carried out in accordance with accepted best practice and recognised professional industry specifications. It is to be hoped that this and many other legacy construction disasters from the Tiger Year's of shoddy workmanship and inadequate construction regulation will ensure consistently higher construction standards into the future in Ireland - beginning with the Building Control (Amendment) Regulations 2013 in force since 1 March 2014.

But what of the landscaping industry - are there green space 'Priory Halls' lurking out there in the midst of the shoddy apartments, ghost estates and built-over flood plains of Ireland? More pertinently, are we in need of a recognised and well-publicised example of the worst that our industry can deliver?

During my 40 year's plus in the industry I have witnessed the best and the worst of landscaping design, specification, materials and implementation. The concerns I heard voiced back in the 1970's about the lack of consistently enforced standards in the industry are the same concerns I hear today! So much bad about Ireland seems to be 'in a loop' going around and coming around again - my heart sank (again) recently as I heard Phil Hogan launching the 'Gateways' initiative to get the long-term unemployed back to work with our local authorities for a €20 top-up on the dole - working where else but landscaping in the Park. Shure, any gob-s***e can landscape!

I guess we are all a bit guilty of such urban myths as I am convinced that any gob-s***e can end up a Minister in this godforsaken country.

But to rise above the dung heap - will

the rising tide of these new building regulations lift (and repair) the leaky landscape industry boat, or we will continue to bail out (the 'boat' and the cowboys), hanging our heads in shame as we shed more tears of frustration into our sailor's rum?

The good ship 'Quality Landscape' should be a proud vessel with an honourable crew and clean sheets to the wind. But are we finally ready to man this fine vessel?

But the captain decides the course and the helmsman or woman steers that course so maybe it will take a mutiny if we are finally to sail a fair and prosperous voyage. For the captain is hiding in the cabinet and the helmsman or woman is hiding in Custom House and the good ship 'Quality Landscape' is tied up to the quay outside.

I feel a shanty from Sea-sick Steve coming on or is that just bile rising? To finish on a positive note, the landscape sector has to send a consistent message to all and sundry and an annual well-organised joint conference held at the same time each year can still deliver - but it must become an anticipated event. The aforementioned Minister might even launch both the conference and the good ship 'Quality Landscape' with the one bottle of 'Chateau Austerity' champagne.

Terry O'Regan, B Agr Sc Hort (Hons), FILI, MIOH, founder of Landscape Alliance Ireland (LAI), has served the landscape industry in Ireland for some 45 years and advanced the intent and aims of the European Landscape Convention for some 20 years; he now divides his time between providing landscape consultancy services in Munster and working as a Council of Europe international landscape and heritage expert in Kosovo. He continues to promote and refine his 'jargon-free' landscape circle methodology and is currently leading a pilot study on its use at local and regional administrative levels in Kosovo. The LAI website will shortly be re-launched as www.lai-ireland.com Contact Terry at terryjoregan@gmail.com or 021 4871460.



MARYANN HARRIS BSLA
MSc Dip Law MILI ASLA,
Senior Executive Parks
Superintendent in Dublin
City Council

Public sector practitioners find variation between contractors in compliance with specifications. For example, this may arise when general contractors, as opposed to landscape contractors, are carrying out landscape works under mechanisms such as framework agreements. The potential for poor standards is exacerbated when the contractor is supervised by personnel who have no training whatsoever in landscape architecture or horticulture. This is why local authorities need to ensure that landscape design contracts are prepared and supervised by qualified personnel/consultants and to refer to the register of members of the Irish Landscape Institute when designating project roles. While specifications are often copied and pasted for supply of plant material, the specifications for handling, installation and maintenance are often lacking in these scenarios where the specifier is not adequately trained. Are the specifiers ensuring that the specifications are specific to their site requirements, or just recycling old contract documents they obtained from other projects?

It is also the case that contractors sometimes do not always fully read the specifications, and it is helpful to review these at the initial meeting and to encourage questions at this stage and also earlier during the tendering process. The use of e-tenders affords both the contracting authority and the prospective contractors to engage with queries and ensure

that the specifications are clearly understood and, if necessary, they can be revised for clarification. It should be remembered that the pricing document takes precedence over specifications and ensure that all items required in the specifications are included in the pricing document. It is also vital that contractors price for all items in the pricing document to have a valid tender, even if they show a nil value for some items.

The monitoring of compliance with specifications is reliant on the expertise of public sector staff, and this has been affected by the higher levels of retirement in recent years. There are instances when specifications are adequate but enforcement of compliance is not. There needs to be increasing use of the requirement of samples of work for approval, similar to civil engineering specifications, to ensure uniformity of workmanship on a job and that the procedures are being fully adhered to from the outset. There is also a need to tighten the specifications by local authorities, as we have received comment (and even protest) from landscape contractors of being more stringent than others. Even within a local authority, various forms of specifications may be used for the same type of works, depending on the personnel involved on the project or inputs from consultant landscape architects. This can provide an opportunity for learning and achieving best outcomes, but only if this knowledge is gathered and used to formulate specifications for best practice - as it could be. We should also be ensuring that public bodies move toward green public procurement by specifications which have sustainability objectives at all levels in the contract. National policy on green public procurement would be welcome in this regard.

Maryann Harris is Past-President of the Irish Landscape Institute, a previous Chair of the Urban Forum and a member of the American Society of Landscape Architects. She is the Senior Executive Parks Superintendent in Dublin City Council and is experienced in environmental assessment, landscape planning and design and project management.

RONAN NANGLE, joint owner with Matthew Niesen of one of Ireland's leading tree nurseries, Nangle & Niesen

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There does seem to be more communication between the landscape architects and growers. We have already had numerous visits from landscape architects, public authority buyers and garden designers this year, and this has been growing over the last number of years.

But the real problems start after the specifications. If what was specified was what was done there would be no problems, or certainly fewer problems. But that is not often the case. Sometimes we get five tenders from landscapers for one job. However one tender might request a size down from the specified size and ask for bareroot instead of rootball. More often than not this is the contractor that wins the tender. The other four contractors, who were sticking to the spec lose out. Herein lies the problem - who is policing the specification? Does somebody check the size and variety against specification? Does someone check to see that fertiliser and compost has been used?



Also when the contract is for something like a school building project, both the building contractor and the landscape contractor are working together to ensure that everything is done as cheaply as possible. The landscape architect who drew up the plan is no longer contracted to ensure that the plan was followed through. Corners are cut, the building contractor saves money and the school and community both lose out. The spec was fine but the enforcement was non-existent.

Ronan Nangle is joint owner with Matthew Niesen of one of Ireland's leading tree nurseries, Nangle & Niesen. The nursery was established in 1973 and now covers 100 acres, and has over 60,000 trees in production. As one of Ireland most respected nurseries, it has supplied trees to some of the most prestigious projects across Ireland including the Grand Parade in Cork, the K-Club, Semple Stadium, and Áras an Uachtaráin. Ronan can be contacted at show as 087 227 2276. ✱

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