

Introduction



A council house, administrative building, post office, swimming baths, shelter, electricity facility, noise barrier, bridge – they have to be built and the financial resources are there, but what do you do about finding an architect who can provide a first-rate and durable design?

With these items in mind, the Flemish Government Architect has developed a "Call for Applications" selection procedure. The Call for Applications is an instrument used to select designers for landscaping, urban development and architect contracts. The Call for Applications is deployed for building contracts originating with the Ministry of the Flemish Community, the Flemish public institutions and local governments.

The Call for Applications represents a new selection strategy, where rather than specifying which architect they want, contract awarders ensure their project definition package describes what their project means for the city, town or municipality, for society and for the users, and what qualities they are seeking.

This strategy guarantees contract awarders have a good perception of the calibre of the designer they work with, they know what the designer's approach is, they will know who will be involved

with the project and how the design team will tackle the projects. The contract awarder can work together with the design team to ensure the best possible design is produced.

**The Call for Applications
aims to achieve a high-
quality designer
selection and
nomination process**



The Architect is keen to consult with all the stakeholders with a view to making a contribution to the promotion of environment quality in spatial planning. Towards this end, the administration's heritage acts as the subject and instrument for achieving this ambition. As public buildings have helped to shape society's memory, they have to be based on praiseworthy principles, reflecting honest cultural values and meanings. In the light of his status within the administration, the Architect aspires to shape this heritage, which covers architecture, on the hand, and public space, art, landscapes and infrastructures, on the other.

Mindful of this aspiration, the government has tasked the Architect with selecting designers to undertake public contracts who are willing to seek the best possible standards for a given project. Unfolding within the context of European competition rules, the selection procedure has resulted in the Call for Applications being developed, on the basis of the legislation available for public contracts, and with a high-quality selection process being of central importance. The Architect opened the first Call for Applications in 2000.

The government projects for which a designer is sought via the Architect are grouped together

and published twice a year. An international invitation is made for architects to register and to apply for one or more projects. These involve landscaping, urban development or architecture projects. The Call for Applications is published in Belgium's Bulletin of Public Tenders and the Supplement to the Official Journal of the European Union. As well as meeting the requirement to publish the Calls in official journals, advertisements referring to the official publication are also placed in a small number of newspapers and a few specialist journals.

Under the project selection process, the awarding authority first of all formulates a definition of the project featuring the latter's expectations and aspirations and forming the basis for the two-stage selection process.

The Architect and the awarding authority first of all select five suitable applicants in the light of their portfolios. The awarding authority then asks the five applicants to review the building contract with a view to presenting a concept and approach. The applicants are paid a fee for this task. During the awarding authority's subsequent onsite briefing, the five offices have an opportunity to put any questions they may have about the project. The applicants submit their concepts. In the wake of an initial anonymous

assessment, the designers are asked to explain their approaches during a face-to-face interview and to answer any questions they may be asked to clarify various issues. The contract is awarded to the design team whose approach most closely reflects the aspirations and expectations of the awarding authority. Further key criteria are process preparedness, attention to the durability and cost management issues.

At end of the procedure one designer is recommended to the awarding authority, The authority obviously plays a key part in this area. The team chosen then gets together with the awarding authority to prepare the final project. The final implementation paper may differ from the initial approach owing to changes made during this process.

What is the aim of the Call for Applications?



Effective commissioning

A public awarding authority has a special cultural responsibility insofar as its construction activities are underpinned by its social role. Its terms of reference and approach are also given expression via the approach to construction projects.

More and more awarding authorities are starting to realise that a building contract involves more than catering for their spatial and housing requirements. They are eager for their building projects to help them to become relevant, recognisable, accessible and approachable. An increasing number of public awarding authorities have adopted a serious approach to guaranteeing quality. Consequently, prior to undertaking a building project, an exemplary awarding authority uses a project definition to formulate its aspirations and expectations. The awarding authority takes the final decision and concludes the contract with the designer.

Study by design and variety

Under the Call for Applications procedure, architects are required to create a portfolio presenting their projects, designs and the architectural approach. The office presentations are used to select five suitable applicants for a building contract . The awarding authority then asks the five designers to examine the building project and then show what their approach, methodology and strategy would mean in practice for the awarding authority, how the architect and building process can help it to realise its social aspirations. Awarding authorities often imagine there is only one effective solution to their architectural problem. In the context of reviewing a building assignment, designers find their personal approaches often result in very different but equivalent outcomes. The Architect is keen to show the awarding authorities this astonishing variety of architectural approaches and outlooks, as they all help to provide the awarding authority with a better understanding of what is involved.

Effective cooperation between the contract awarder and designer

A model awarding authority realises that intensive and effective cooperation with the designer is of key importance for the outcome of a project. The authority selects a designer on the basis of a strategy and methodology, mindful that the selection procedure cannot hope to produce a final design. Designers have to be willing to undertake the process and demonstrate their process preparedness. The Call for Applications offers an awarding authority the opportunity to get together with a designer to discuss the spatial concepts and designs that have been created and test their process preparedness.

Durability

As building is a costly process it is best undertake the activities on the basis of a durable approach. Buildings last longer than their contract awarders or the accommodation needs for which they were constructed. 40% of total

energy consumption in Europe is accounted for by the construction, use and management of buildings. This is another reason why durable building methods make sense. History has shown us the scope for producing buildings that are cherished and are constantly in use, hence cultural sustainability.

Commissioned art [Decree of 23 December 86] [Decree of 12 May 98]

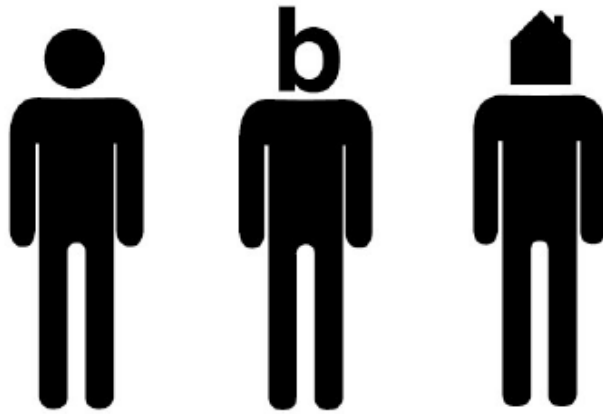
Commissioned art in Flanders is based on a percentage system for art in and around public buildings, where the Authorities of Flanders and the Flemish public institutions are required to consider the added artistic value inherent in the implementation of a building contract. Art may be one of the lines of inquiry the contract awarders, the designer and artist can explore with a view to promoting the quality of the environment. The artistic variety Flanders offers in this respect creates a vibrant framework with huge potential opportunities. The idea is to bring together various experts on the basis of an overall approach and set them the challenge of seeking the right moment and a suitable language to

allow an artistic initiative to unfold according to its own specific characteristics. This enables the contract awarder to adopt an attitude towards the contemporary cultural and social context.

The purpose of the Call for Applications procedure is to maximise the quality of the designer selection and nomination process in the context of design assignments. The Flemish Government Architect's arts unit and the awarding authority are required to cooperate in selecting one or more artists for an artistic assignment, on the basis of a specific procedure, reflecting the designers' approach.

Eight-stage Call for Applications

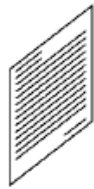




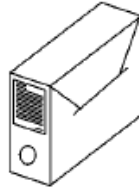
the awarding
authority

the Architect

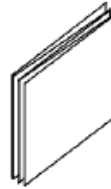
the architect /
designer



The project
definition:
what does the
awarding
authority require
?

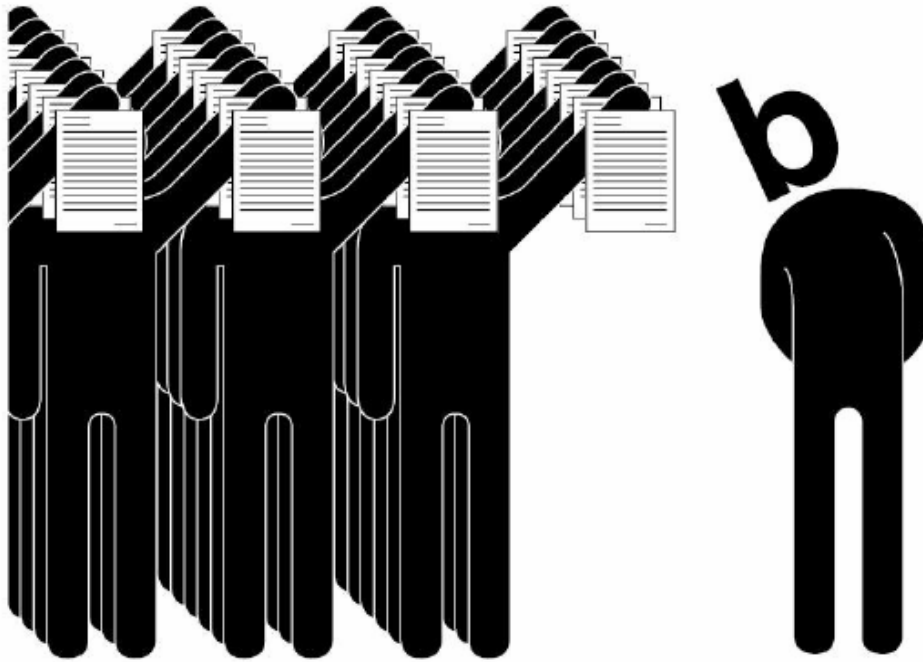


the portfolio:
who is the
designer?



the conceptual
approach:
what does the
designer
propose?

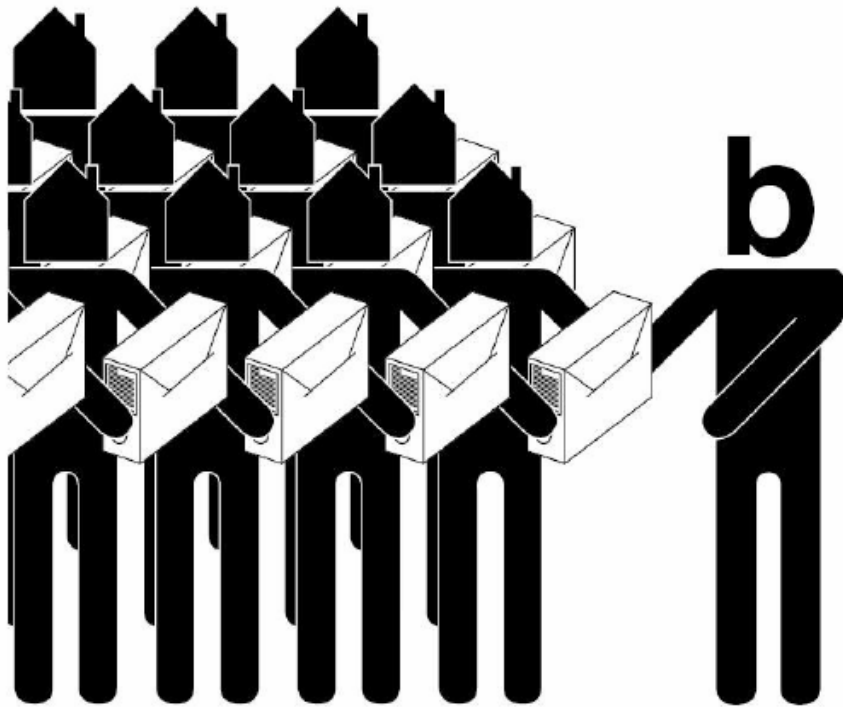
Caption



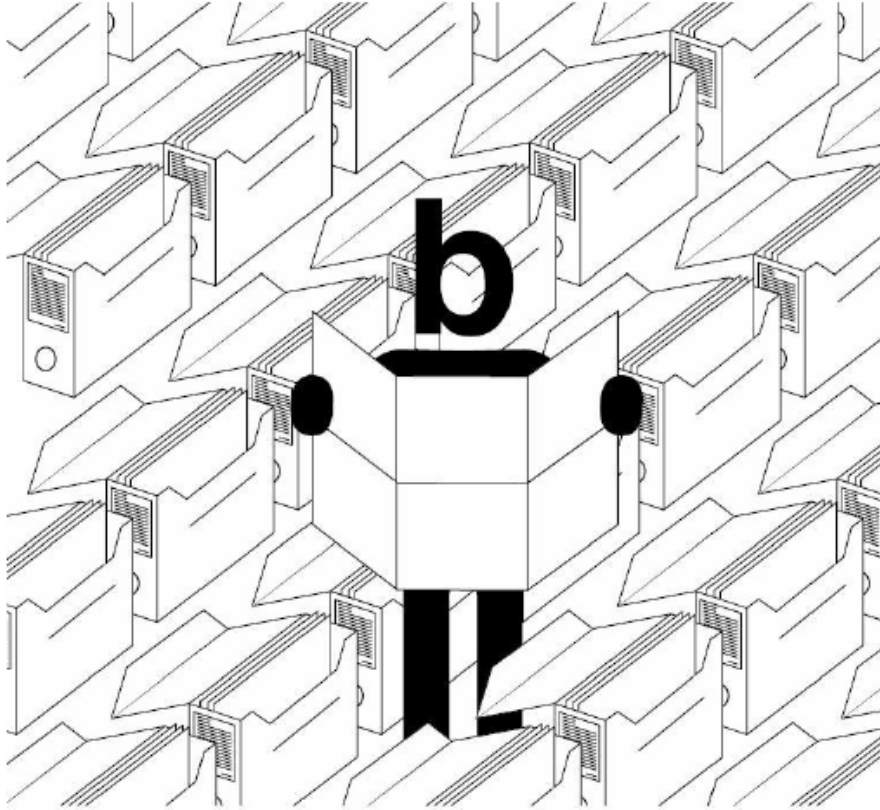
[1]Flemish Government Architect meets the awarding authorities with their projects and listens to their aspirations and expectations



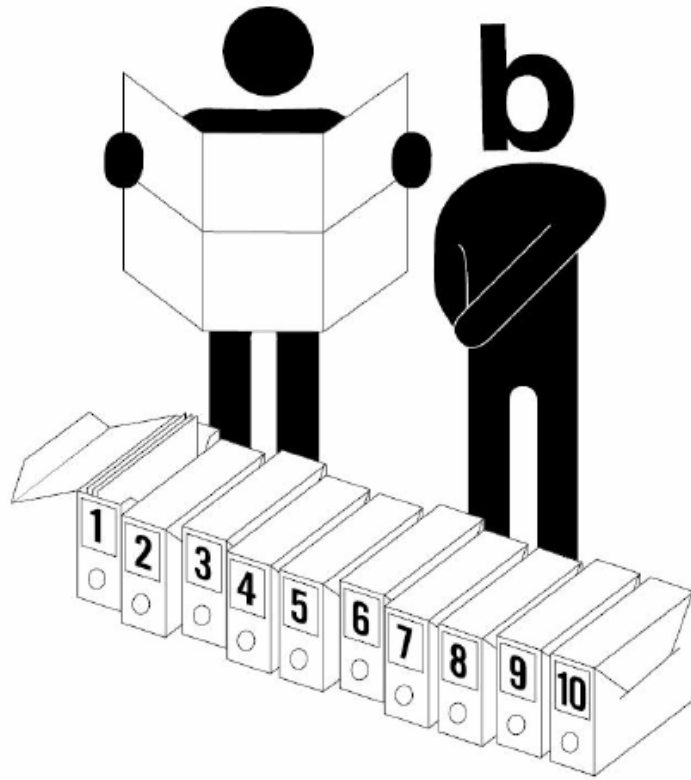
[2] Designers make their choice from published projects



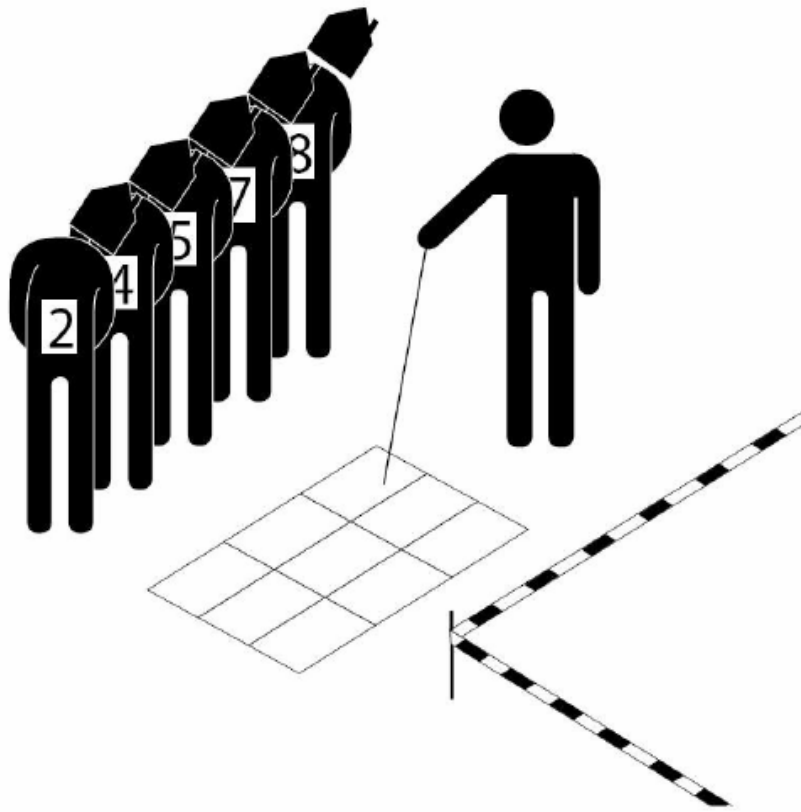
[3] Designers submit their application portfolios



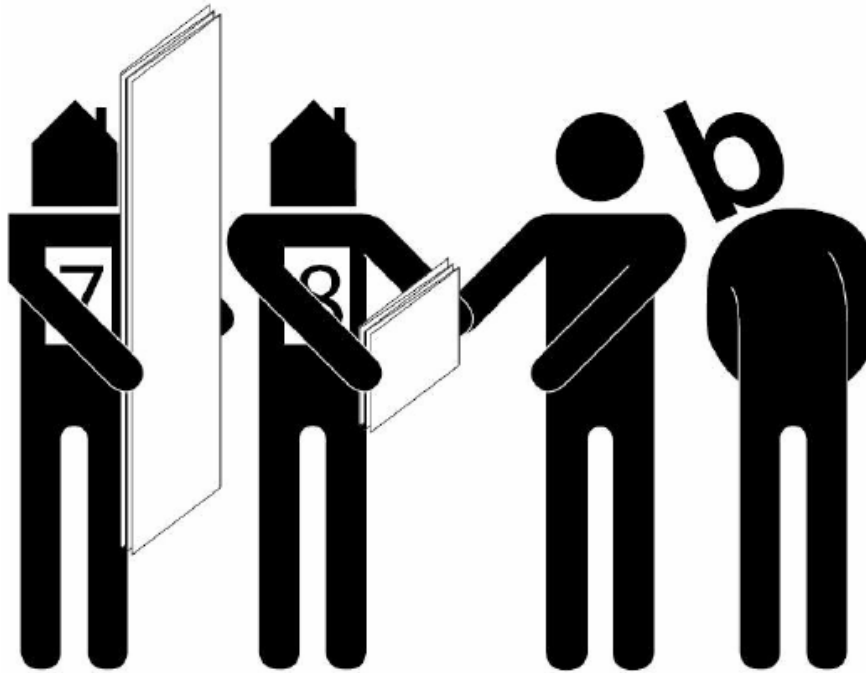
[4]Flemish Government Architect studies the portfolios



[5]Flemish Government Architect discusses the portfolios with the awarding authority with a view to selecting 5



[6] The awarding authority gives the 5 designers an onsite briefing about their task



[7] 5 designers submit their concepts and present their approach to the project



[8] The awarding authority awards the contract to the designer whose approach corresponds the most to the project definition

The regulatory Framework for the Call for Applications



1. Legal basis

The revised Call for Applications procedure is legally underpinned by the design competition pursuant to articles 20 and 21 of the Law of 24 December 1993, articles 75 to 77 of the Royal Decree of 8 January 1996 and articles 66 to 74 of the Directive 2004/18/EC of 31 March 2004.

The design contract is then awarded to the recommended designer according to the negotiating procedure without prior notice as referred to in art. 17, §2, 4° of the Law of 24 December 1993.

2. Notice

The notice is published in the Belgium's Bulletin of Public Tenders and the Supplement to the Official Journal of the European Union, according to the model announcement for design competitions. The notice is published periodically and grouped together for a list of projects so as to minimise the administrative burden for the applicants and the administration. The Flemish Government Architect's website also features an

applicants' information brochure offering a statement, photographs of the location, a timetable, the maximum project budget and the permissible fee levels.

3. Applications

Architects, urban development experts and design teams from this country and outside are entitled to undertake the quite straightforward process of submitting an application for one more projects from the published list. The medium of communication for all contacts (oral and written) is Dutch. Should certain documents be submitted in another language (of an EU Member State), a translation in Dutch may be requested.

Apart from a participation form with a signed statement about the grounds for exclusion, the applicants must provide all relevant information about their offices, while presenting a portfolio of designs and projects. The documents should offer a faithful image of the approach and strategy adopted by an architectural office and the quality of its accomplishments.

The application has to be confined to the projects chosen from the list of contracts. The list of preferential projects is mandatory for the applicants and binding for the Flemish Government Architect's selection.

The information brochure enables designers to make a reasoned choice from the preferential projects

4. Basic requirements and selection criteria

Each portfolio must comprise at least 3 projects, similar or otherwise, specific to the designer and allowing for an assessment to be made of the conceptual capacity. This may involve achievements or non-accomplished projects.

The applicants may not fall into one of the exclusion categories.

Registration in the architect association list (or a similar professional association in the European Union) is required for architectural contracts.

As a guarantee of the financial and economic capacity of the applicants, evidence of insurance against professional negligence is required, with the relevant minimum level of cover for the chosen project.

Technical competence is also assessed in the light of:

1. general design-based expertise to do with the project assignment;
2. general analytical and conceptual capabilities in terms of landscaping, urban development and architecture and in terms of durability;
3. specific project-linked team expertise focused on a comprehensive approach;
4. teambuilding, professional competence and relevant experience.

5. List of valid applicants

Once the application period has expired, the Flemish Government Architect publishes a project-specific list of valid applications that meet the basic requirements.

Inclusion in the list is no guarantee of being awarded a contract but it is an opportunity to be asked to present a project proposal.

The Flemish Government Architect may also draw upon this list of applicants for projects for which no notice is required owing to their limited scale.

The list of valid applicants expires two years after the publication of the notice.

6. Task of the contract awarder

Contract awarders decide when their projects will be launched.

As part of the project selection process contract awarders first of all produce a project definition,

reflecting their expectations and aspirations for the project. The project definition does not really describe the type of architecture that the architecture contract awarders have in mind, but defines the scale and the significance of the project for the city or town, society and users.

The project definition sets forth the social and cultural requirements, the factors the contract awarders are eager to be exemplary when their public building contracts are given tangible shape. Hence the project definition specifies the quality requirements and acts as a benchmark for the quality control from the time the project is awarded to a designer until it is actually implemented.

A programme of requirements describes the concrete facts, the spatial needs and the functional requirements a project has to meet. The contract awarders also specify the maximum project budget, including the studies costs and a payment for the viewpoint presentation, which the designers must comply with, and the fee level that is allowed.

The project definition is a key factor for the jury's review of the assessment criteria for each specific project in the Call for Applications.

Proceeding on a project-specific basis and in the light of the project definition, the awarding

authorities indicate the interrelationship between the assessment criteria, in the context of a comprehensive and consistent assessment of the various criteria, but without necessarily providing them with a numerical weighting.

7. Selecting the applicants

For each project, the contract awarders select five applicants from the list of valid applicants, and in the next phase these are asked to submit a project proposal. They are selected in the light of the selection criteria and the applicants' portfolios. The Flemish Government Architect prepares the selection by drawing up a project short list and offering the contract awarders advice about the selection process.

Drawn up by the contract awarders, the selection report serves to justify the five designers on the basis of a comparison of the applicants.

8. Composition of the jury and payment

Pursuant to art. 75 of the Royal Decree of 8 January 1996, a five-person jury is set up for each project launched in the context of the Call for Applications. The jury is invariably chaired by the Flemish Government Architect in the light of the assignment the Architect receives from the Government of Flanders.

In the case of projects of the Authorities of Flanders, the jury comprises:

The Flemish Government Architect, two representatives of the contract awarders, a representative of the Administration for Public Contracts, Buildings and Subsidised Infrastructure and an outside expert.

In the case of local governments the jury comprises: the Flemish Government Architect, three representatives of the contract awarder and an outside expert.

The fee for the outside expert is currently set at EURO 375 per half day, chargeable to the contract awarder.

9. Submitting project proposals

The contract awarder asks the five applicants to present a project proposal. The letter of invitation or the project documentation mentions the date of the joint briefings, the final submission date, the assessment criteria, the composition of the jury, the fees provided (any difference in the fee level is decided by the jury beforehand), the number and form of the documents to be submitted and the data and presentation procedure.

Project proposals are submitted anonymously to the services of the Flemish Government Architect .

The contract awarder briefs the five design teams during two joint meetings, where the opportunity is taken to explain the contract and provide the project documentation. In addition to the series of requirements, the project documentation features the project definition so as to offer an explanation of the contract awarders' aspirations and expectations, as well as the model agreement for the ultimate study contract. The briefing also provides an opportunity to pay a visit to the location and

construction site. The briefings take the form of consultation sessions between the contract awarder and designers, where a frank dialogue forms the background to a further investigation of the contract and answers to various questions.

The type or scale of the contract determines whether a design-based investigation of the contract (study by design) and a viewpoint guide or simply a viewpoint guide is sought.

The study by design may give rise to a payment where it is generally proposed that 1% of the investment cost is provided as a payment for the successful applicants. The payment may not exceed EURO 25,000 per designer. The minimum is EURO 2,500 EURO per designer. Solely successful applicants receive a payment. No study by design is required below a specific minimum project cost, but written answers to a questionnaire about the contract viewpoint and approach will be needed.

10. The jury selects the successful applicants:

The services of the Flemish Government Architect forward the proposals to the jury on an anonymous basis.

The jury assesses the proposals according to the assessment criteria referred to in the tender documents.

The jury applies the assessment criteria in descending order of importance:

1. the quality of the definition of the concept and strategy and the study by design in terms of landscaping, urban development, architecture, interior design and art related to the aspirations and expectations of the contract awarder, as specified in the tender documents;
2. the focus on an overall durability approach;
3. costs management in terms of fees and project costs.

In view of the special characteristics of these kinds of contract the criteria may not be weighted.

The jury makes an assessment of the proposals and decides on any clarifications or questions that may be required. The jury completes a final assessment and chooses one or more successful applicants to recommend to the contract awarder.

The jury report features the key components of the discussions and the reasons for the choice.

11. The contract awarder selects the designer :

The contract is awarded via the negotiating procedure, without any prior notice, as referred to in art. 17, §2, 4° of the Law of 24 December 1993.

All successful applicants take part in the negotiating procedure. The contract awarder is assisted by the Flemish Government Architect (appointed by the administration as the adviser to the Government of Flanders) and by one or more jury members if so required.

The award criteria are:

1. the quality of the definition of the concept and strategy and the study by design in terms of landscaping, urban development, architecture, interior design and art related to the aspirations and expectations of the contract awarder, as specified in the tender documents;
2. the focus on an overall sustainability approach;
3. costs management in terms of fees and project costs;
4. implementation time.

The contract awarder decides on the relative importance of these criteria.

12. The final award of the design contract

The awarding authority may conclude the design contract with the successful applicant who is announced as the best choice in the light of the award criteria. The contract applies the fee level to the designer's estimated project, which should not exceed the maximum project budget

specified by the contract awarder.

The negotiations may not result in a fee being awarded that is higher than the one the designer personally sought in the proposal.

The same percentage is applied to any unexpected additional activities subsequent to the contract being awarded, provided the unexpected additional activities are the outcome of the awarding authority making further requests or unforeseen circumstances.

The Flemish Government Architect is not involved in the final award phase.



Ministry of the
Flemish Community

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