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K A M R A T A L - P E R I T I

To support members of the profession in achieving excellence in their practice of architecture and engineering in the interest of the community

Our Ref: 8/9

21st March 2016

Mr. John Borg
Permanent Secretary
Ministry for Gozo

Dear Sir,

Reference is made to the letter of the 9th March 2016, wherein the Kamra tal-Periti was invited to nominate a representative from our organisation to sit on the jury of the Design Contest for the Gozo Museum, launched on the 4th March 2016.

Whilst strongly endorsing the intention of the Ministry of Gozo, and of Heritage Malta, to promote architectural design competitions to obtain design services for public projects, and whilst acknowledging the desire to involve the Kamra tal-Periti, as the national association representing architects and civil engineers, in the adjudication of the Design Contest, the Kamra must express its dismay that the Kamra tal-Periti was invited to nominate its representative on the Jury five days *after* the contest was launched, with a document that announced the participation of the Kamra tal-Periti, without the Kamra having even been advised.

If the Kamra tal-Periti had been approached during the preparation of the Contest document, it would also have been able to contribute, by promoting the best practice for the holding of architectural design competitions, as recommended by the Architects' Council of Europe. It would also have been possible for the Kamra tal-Periti to have time to identify within its membership those qualified professionals who did not intend to take part in the design competition, to propose their availability as part of an eventual Jury.

At this stage, the Kamra tal-Periti is obliged to point out that it has serious reservations on the terms of the Gozo Museum Design Contest, on issues that prior consultation would have ironed out.

The Kamra tal-Periti is affiliated to the International Union of Architects (UIA), the Architects' Council of Europe (ACE), the Commonwealth Architects' Association (CAA), the Union of Mediterranean Architects (UMAR), the European Council of Civil Engineers (ECCE) and European Forum for Architectural Policies (EFAP).

1. In the first instance, the proposed time-frames are not feasible. The latest date, by which written answers to clarification requests on the Brief are to be sent by the organisers, is the 18th April, whilst the deadline for the receipt of Contest entries is the 26th April, barely one working week later. This is absolutely unacceptable, since the answers to questions seeking clarity may completely throw the direction of the design process, which, one week before submission, would have reached presentation stage and not conceptual design stage.
2. In the second instance, the composition of the jury is not appropriate. Apart from the fact that the reference to “natural persons” implies that such persons ought to be identified in their own right, and not in representation of official entities, it is being proposed that what is essentially an Architectural Design Contest is being judged by a jury that does not seek to have more than two members, out of the nine, who are knowledgeable in architectural design. The Architects’ Council of Europe recommends that more than half of the jury ought to be independent of the Client, and have the same qualifications as the contestants; and Directive 2004/18 EC, On the Coordination of Procedures for the Award of Public Works Contracts, Public Supply Contracts and Public Service Contracts, requires that, in Design Contests, at least a third of the jury have the same professional qualification as the participants.
3. Even if the main purported aim of this Contest is to select the best design team, it is noted that, in the composition of the Integrated Design Team, the Team Leader, (who must be a warranted “Perit”), is required to demonstrate five years of post-warrant experience in project management, (even if there is then another requirement for a separate Project Manager). The composition of the Integrated Design Team is specified in great (and, in our view, unnecessary) detail, down to the Security Consultant, and the Health and Safety Coordinator and Environmental Site Manager, but there is no reference to any Architectural design and detailing competence, or to Museum Design experience (as contrasted to expertise in exhibitions and museum displays). The composition of the Integrated Design Team has everything but design excellence incapsulated within it.

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4. It is perhaps symptomatic of the same thinking that the Evaluation Criteria do not award more than 20% of the score to the design component of the Contest.

5. It is finally noted that, in para. 7.16.2, the participation in the Design Contest is made conditional to the contestants giving up absolute copyright of their intellectual property to the Contracting Authority. This requirement is contrary to the Recommendations for Design Contests (Architectural Competitions) published by the Architects' Council of Europe, as well as contrary to the Laws of Malta.

It is for the above reasons that the Kamra tal-Periti cannot nominate any representative on the Jury, since this may be construed as its endorsement of the Contest regulations.

Regards

Prof. A.Torpiano
Vice-President, Council Kamra tal-Periti