



Australian
Institute of
Architects

GUIDELINES

Expressions of interest and requests for tender for architectural services



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The Sir Zelman Cowen Award for Public Architecture – Joint Winner | Anzac Memorial Centenary Extension
Johnson Pilton Walker with the Government Architect NSW | Photo: Matteo Salval



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1_ INTRODUCTION

1.1 WHY THE GUIDELINES ARE NEEDED

1.1.1 Current practice

Quality-based selection has consistently led to quality outcomes for Australia's important public and institutional buildings. Thorough consideration at the early stages of a project maximises the possibilities for design quality, value for money, cost effectiveness, and a productive working relationship between the client and consultant group. Importantly, it also helps to create effective and efficient buildings and spaces that end-users and communities enjoy being in and around.

Government agencies and many institutions have adopted various forms of quality-based selection processes to undertake the commissioning of architectural services, including Expressions of Interest (EOI), Request for Tender (RFT), Request for Proposal (RFP), and Design Competitions. The Australian Institute of Architects (the Institute) endorses architect selection via these processes. While all these methods are valid, there is no standard or clear agreement about what constitutes best practice. This can lead to great variance between and within organisations in the nature and extent of information sought. In some cases, submission requirements are excessive, onerous, and of questionable value to the client.

Requests for highly detailed practice information, project programming and budgeting significantly burden applicants' time and costs. Implied or explicit requests for unpaid design ideas infringe intellectual property rights. Excessive proven built experience requirements in specific building types can disadvantage smaller and emerging practices, and impede innovation, by excluding architects without the prescribed experience.

These Guidelines offer advice specific to the commonly used processes of EOI and RFT to concisely deliver relevant, comparable information to clients and ensure a cost effective, resource efficient and fair process for all participants.

1.1.2 Background research

Many clients are aware of the challenges consultants face in the procurement process and are taking steps to address them. Policy frameworks of many government and institutional agencies are undergoing review and refinement. In this context of ongoing change, the Institute commissioned a research project to explore the perceptions and experiences of clients and architects. Policies and advisory notes from industry peak bodies and government agencies clearly indicate the problems in procurement processes are widespread and similar across all types of projects. Analysis of these, combined with a survey of Institute members and interviews with representatives from various government agencies and institutions, reveals five recurring challenges in current procurement processes: clarity; equality and opportunity; risk; quality; time and cost. This research informs these Guidelines.

1.2 WHO THE GUIDELINES ARE FOR

The Guidelines set out best practice models for EOIs and RFTs at all levels of complexity and scale. The Guidelines are for procurement teams from Local, State and Federal Government departments, and education institutions to optimise their architect selection processes.

1.3 HOW TO USE THE GUIDELINES

The Guidelines set out general guidance and specific actions in preparing EOI and RFT documents, to ensure quality-based selection focused upon attributes most important to the client and their project. Individual guidelines explain the types of questions and information clients can include in their EOI and RFT documents.

The type of information and number of questions from the list of possible inclusions will depend on the size and nature of the project.

The Guidelines are divided into two sections:

- **Part A – Client's Scope** explains the type of information prepared by the client to enable architects to understand the project adequately and to develop a suitable response.
- **Part B – Architect's Response** explains the responses a client should seek from an architect to be able to make an informed selection.

1.4 DEFINITIONS

1.4.1 Quality-based selection

Quality-based selection is a transparent process for the competitive selection of consultants using a range of criteria other than, or in addition to, price. Common quality criteria include an understanding of the project objectives, design methodology, experience/expertise, skills, reputation, past performance, technical competence and client rapport. While some selection processes are wholly qualitative by excluding fee considerations, others may be mixed; weighted towards qualitative criteria but still including weighting for a fee component.

1.4.2 Expressions of Interest (EOI)

An EOI offers an open process formally advising the market of an opportunity to register interest and ability to deliver a project within a proposed period. It allows the shortlisting of a limited number of practices and can be undertaken in a short time. This approach can support emerging talent and foster innovation by broadening the options and exposure to new architects for the client. Because of the potentially large number of responses, EOI requirements should be limited to minimise both the architects' preparation time, and the client's evaluation time. Fee proposals should not be requested at EOI stage.

An EOI can be:

- open and advertised on an online tender portal, or
- invited, with between five and eight suitable architects asked to submit, or
- replaced by a prequalification process, where that process is regularly maintained and open

1.4.3 Request for Tender (RFT)

An RFT involves the selection of a design team based on demonstrated capability, capacity, experience/expertise and a fee proposal. Capability includes the ability of the team to fully appreciate the opportunities and challenges of the project and demonstrate an appropriate design methodology and skills to develop a positive working relationship with the client and stakeholders.

Fully informed and experienced agencies may skip the EOI stage by selecting a shortlist of architects from a prequalification schedule or from experience/previous engagement and issue an RFT. No fewer than three and no more than five architects should be shortlisted for an RFT to avoid excessive evaluation time and effort by the client while ensuring a good market spread.

An RFT should not request, nor receive, a specific design proposal for the project – see definition of Request for Proposal below.

1.4.4 Request for Proposal (RFP)

An RFP is a separate process to EOI and RFT that seeks design ideas (sketches, drawings, concepts) for a project. Preparation of informed and thoughtful design ideas involves considerable time and therefore requires architects to be commissioned. RFPs also raise important considerations of intellectual property and moral rights. These Guidelines do not address RFPs.

1.4.5 Shortlisting

An EOI allows the formulation of a shortlist of candidates with the capacity and capability to undertake the works. The RFT then seeks further information about the team's project understanding, methodology, and ability to communicate, along with a fee proposal. The Institute recommends the two-staged, quality-based selection process of EOI followed by RFT. Many public sector agencies have pre-qualification systems allowing architects to register their details for consideration on projects facilitating selection for invited EOIs and RFTs.

1.4.6 Probity

In the interest of fairness for all parties, the procurement process should be supported by probity advisors to manage any real or perceived conflicts of interest before and during the evaluation phase of a project.

1.4.7 Architectural Competition

An Architectural competition is defined as the process by which an architect or architectural design team is selected for a project, based on the competitive submission of conceptual designs.

2_KEY POINTS

2.1 BEST PRACTICE: PREPARE, INVITE, EVALUATE

2.1.1 Prepare

Prior to undertaking an EOI/RFT process, the client should be:

- Prepared with an adequately developed brief to elicit informed responses from prospective architects
- Fully informed of current procurement practices, and localised considerations that may affect project delivery
- Adequately equipped to undertake the process, and supported by a qualified procurement advisor and a registered architect, where possible

2.1.2 Invite

To maximise the quality of submissions, a client should:

- Plan to commission one architect from inception to building completion*
- Avoid open tenders in favour of open or invited EOIs leading to shortlisting of three to five practices to tender
- Describe probity practice in the EOI and RFT
- Provide a clear, concise project brief and current budget information
- Provide in RFTs all material on project feasibility, scope, and pre-design work
- Clearly state the scope of architectural services required
- Request insurance applicable to architectural services, commensurate with the value of proposed works
- Limit pages to create concise documents of ten to twenty pages
- Include page limits for responses and do not allow appendices. If using an e-portal, set comparable word limits

* Some project can have long lead times and different phases. One architect from pre-business case to delivery may not be possible. In these instances, inception means post funding.

**Where supported by applicable procurement frameworks.

- Not include requests for design proposals in EOIs or RFTs
- Provide broad Relevant Experience/Expertise timeframes and project definitions that encourage small practices to participate, regardless of whether they have previously completed a building of the type proposed
- Encourage joint ventures between small/regional and established practices for large or complex projects
- Request an appropriate level of detail of resource costing tables relative to the complexity of the project

2.1.3 Evaluate

To maximise the quality of evaluation, a client should:

- Provide in EOIs weighting for the Response Criteria, expressed in percentages**
- Provide in RFTs weighting for the both Response Criteria and the Fee Proposal, expressed in percentages**
- Where possible, indicate who will be on the evaluation panel
- Where possible, undertake interviews of RFT proponents
- Provide well-structured, honest feedback relating to the evaluation criteria, preferably face-to-face



The Sir Zelman Cowen Award for Public Architecture – Joint Winner
Marrickville Library | BVN | Photo: Tom Roe

2.2 RECOMMENDED INCLUSIONS

	Two-stage process		One-stage process
Part A – Client's Scope	EOI	RFT	RFT
3.1 Project definition	✓	✓ Detailed	✓
3.2 Scope of services	✓	✓ Detailed	✓
3.3 Project budget	✓	✓	✓
3.4 Project programme	✓	✓	✓
3.5 Client – Architect contract	✗	✓	✓
3.6 Special requirements	✗	Optional	Optional
3.7 Design response	✗	✗	✗
3.8 Submission lodgement and timeframes	✓	✓	✓
3.9 EOI evaluation criteria	✓	✗	✗
3.10 RFT evaluation criteria	✗	✓	✓
3.11 Offer of feedback	✓	✓	✓
Part B – Architect's Response	EOI	RFT	RFT
4.1 Practice information	✓	✗	✓
4.2 Executive summary	Optional	✓	✓
4.3 Capability and resourcing	✓ Practice	✓ Project team	✓
4.4 Relevant experience/expertise	✓	✗	✓
4.5 Project understanding	Optional	✓	✓
4.6 Methodology and project delivery	✗	✓	✓
4.7 Stakeholder engagement	✗	Optional	Optional
4.8 Professional recognition, innovation and value adding	✗	✓	✓
4.9 Fee tender (RFT only)	✗	✓	✓
4.10 Interview	✗	✓	✓

3_ PART A – CLIENT’S SCOPE

The reward for a client of investing effort in a well-developed brief is a project that can achieve outstanding results for both the client and the end-users. A procurement process may be premature if key information is unavailable, or funding unsecured.

This section relates to the preparation of the EOI and RFT documents to be sent to the participating architects. The key inclusions differ between an EOI, which addresses an architect’s capability and availability for the project, and an RFT, which includes sufficient detail for the client to make a meaningful evaluation and selection.

Part A sets out fundamental inclusions in defining the project scope:

- Project definition
- Scope of services
- Project budget
- Project programme
- Client – Architect contract
- Special requirements
- Design response
- Submission lodgement and timeframes
- EOI evaluation
- RFT evaluation
- Feedback

3.1 PROJECT DEFINITION

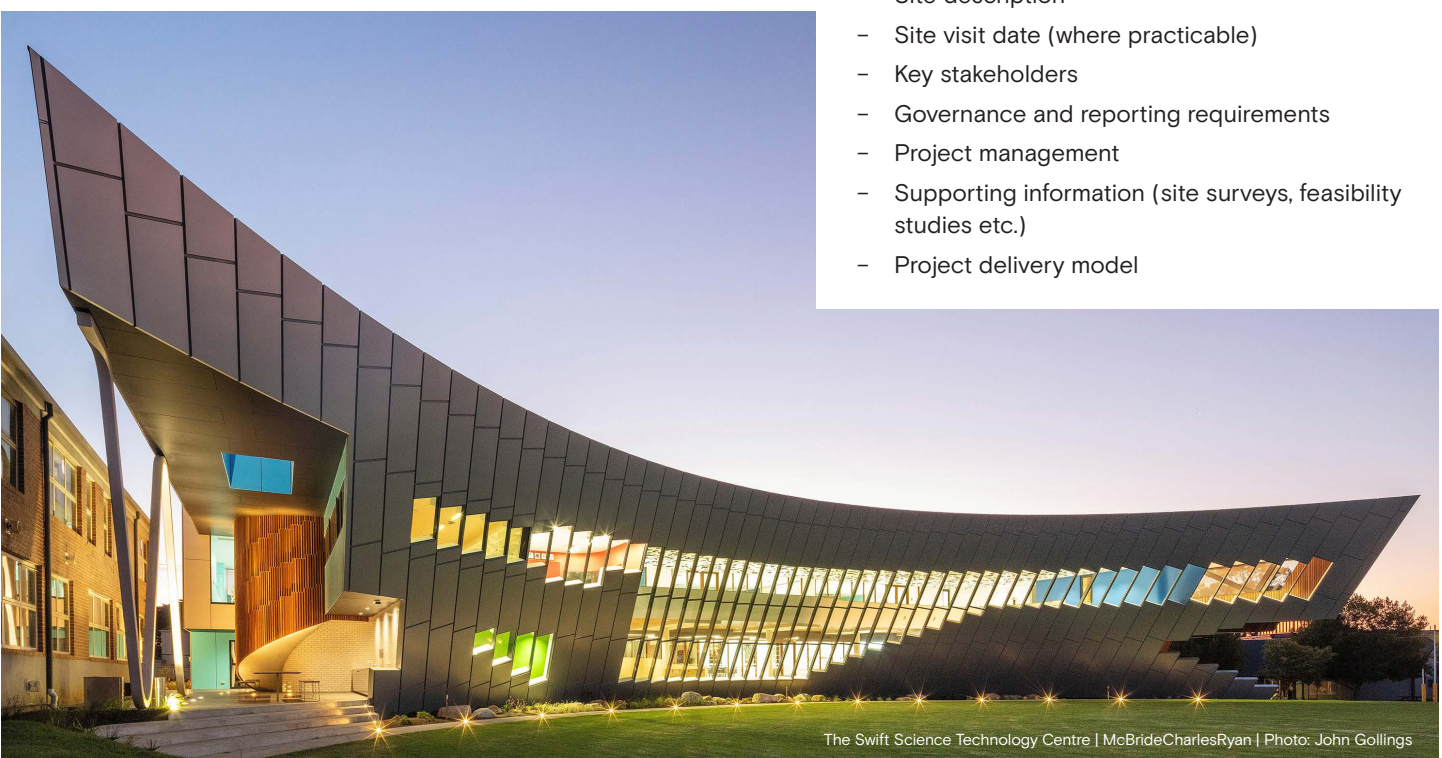
3.1.1 Background

A clear and concise description that sets out the critical outcomes, opportunities and constraints of the project provides an invaluable touchstone for architects to return to when formulating their response. A fully formed project definition saves all parties time, money and effort by allowing the architect to tailor their proposal directly to the project requirements. This also gives the client the best opportunity to provide a uniform basis upon which to evaluate proposals.

3.1.2 Guideline

Ensure the project definition:

- Explains the broader context
- Includes measures of success
- Aligns with all relevant government or institutional policies and strategic frameworks
- Contains the following information
 - Project vision, strategies and objectives
 - Project description
 - Proposed floor area and summary schedule of uses and areas
 - Functional requirements and operational considerations
 - Site description
 - Site visit date (where practicable)
 - Key stakeholders
 - Governance and reporting requirements
 - Project management
 - Supporting information (site surveys, feasibility studies etc.)
 - Project delivery model



The Swift Science Technology Centre | McBrideCharlesRyan | Photo: John Gollings

3.2 SCOPE OF SERVICES

3.2.1 Background

The scope of services is important in defining expectations of the architectural service. These requirements should be detailed in direct relation to the project size and complexity. It should set out project deliverables, consultant and sub-consultant roles and responsibilities.

It is critical to identify if the client is seeking architectural services or a more complex role of Principal Design Consultant or Head Design Consultant, entailing the architect manage a wider consultant team retained by the client. There may be other requirements that should be identified, which may include community consultation, 3D visualisation, and geotechnical, remediation, environmental or other site investigation studies.

3.2.2 Guideline

Ensure the scope of services:

- Identifies the type of commission being considered (full or partial architectural services)
- States the basis upon which fee will be paid, the method of engagement of other consultants and any other responsibilities
- Includes a clearly defined approvals process
- Clearly sets out responsibilities for the coordination of inputs from other consultants
- Provides a full list of sub-consultants, and allows extra time for coordination of these

3.3 PROJECT BUDGET

3.3.1 Background

The project budget is a primary indicator of project quality and complexity. It is therefore crucial information in determining the required experience/expertise and size of the architectural team, and essential for architects to prepare a fee proposal in an RFT.

3.3.2 Guideline

Ensure the budget:

- Is current
- Is provided on suitable advice from a quantity surveyor
- Has been subjected to feasibility testing and benchmarking to reflect the desired building quality
- Is clearly stated as a total building cost
- Includes all associated costs of project delivery, and land acquisition if necessary
- Makes allowance for costed risk and contingency for the type and location of the building
- Takes account of the lifespan, maintenance and operational costs of the building

3.4 PROJECT PROGRAMME

3.4.1 Background

Fast tracked and shortened design processes inevitably compromise the quality of a building, so it is important to allow adequate time for all stages of the process, including early visioning, strategic briefing and preparation of schematic, design development, tender and construction documents that deliver full design resolution, and to enable builders to offer competitive tenders.

3.4.2 Guideline

Ensure the project programme:

- Gives indicative milestone dates for design commencement, construction commencement, completion, commissioning and opening
- Includes the consultant selection and appointment timeframes
- Makes realistic and adequate provision for client and authority approvals
- Includes allowances for potential delays
- Includes programme risk factors based on similar project delivery experience/expertise

3.5 CLIENT – ARCHITECT CONTRACT

3.5.1 Background

Negotiating the Client – Architect agreement can be time-consuming and costly for both parties. The Institute recommends the architect and client have a signed, written agreement that clearly defines the services to be provided and fees to be paid. This should be executed before the architect commences work on a project.

A clearly written and appropriate agreement is the most effective way to avoid misunderstandings and disputes and the associated costs and risks. Standard contracts are available from the Australian Institute of Architects and the Association of Consulting Architects.

Standard contracts allow the client and architect to work confidently through the parties' rights and obligations before the project starts. Many large commercial and institutional clients have developed their own standard contracts, and where these reflect the accumulated knowledge of the client and consultant parties, including commercially viable risk allocation, they have much to recommend them.

Bespoke contracts should be avoided where possible. They can be particularly onerous to review and settle and can also result in protracted legal proceedings in the event of dispute, due to a lack of precedents.

Clients employing well-drafted standard contracts are justified in wishing to minimise amendment, but tenderers' reasonable proposals to amend should not be discouraged or disadvantage the tenderer as they may contribute a worthwhile enhancement to the agreement.

Contracts typically incorporate briefing and scope information. Brief and scope should avoid subjective and ambiguous language as this gives rise to uncertainty and unnecessary risk. For the same reason, industry standard terminology should be used. Clear communication between the parties of their rights and obligations promotes confident risk assessment, which has a positive bearing on fees and service proposals.

3.5.2 Guideline

The following may be used to engage architects in defined circumstances:

- Australian Institute of Architects Client and Architect Agreement 2009
- AS4122: 2010 incorporating Amendment 1 (not suitable for services that are to be novated)

In any case, ensure the proposed contract:

- Uses industry standard terminology and provisions
- Clearly states (if using a Standard) where and how it has been varied or amended

3.6 SPECIAL REQUIREMENTS

3.6.1 Background

Many selection processes now request information relating to sustainability in design, Building Information Modelling (BIM), and other specialised requirements that may be project specific or in line with local procurement or delivery policies. Small projects can provide significant opportunities for small and regional practices, as can provisions for partnerships with larger practices on more complex projects.

Special requirements may also stipulate other policies such as requirements for innovation, research and value adding.

3.6.2 Guideline

Ensure special requirements:

- Are specific and well defined
- Are relevant to the project deliverables
- Align with all relevant client policies, business objectives and strategies

3.7 DESIGN RESPONSE

3.7.1 Background

It is important the architect be selected based on the capacity to deliver the project, an ability to work constructively with the client and stakeholders, and an understanding of opportunities and challenges presented by the project. It is appropriate to ask for a written response to the brief and site with the inclusion of benchmark images of the architect's, or others', work. However, diagrammatic or drawn design responses to the project vision and brief should not be requested as they effectively create a design competition.

Inclusion of sketches, drawings or an image-based design proposal at the early stage of an EOI or RFT compromises the ability to test assumptions in the project brief and offer alternative approaches that the client has not considered. It also undervalues the key creative input of design services and can infringe intellectual property rights. While the upfront financial cost to the architect providing design responses is significant, it is potentially greater to the client if adequate time and resources have not been allocated to fully exploring all the possibilities for the project.

If the client requires design responses from competing architects, either an RFP process or an architectural design competition should be conducted. Both of these require detailed preliminary work from the client. The Institute's Architectural Competitions Policy is a comprehensive guide to organising an architectural competition.

3.7.2 Guideline

- EOIs and RFTs do not include a design response

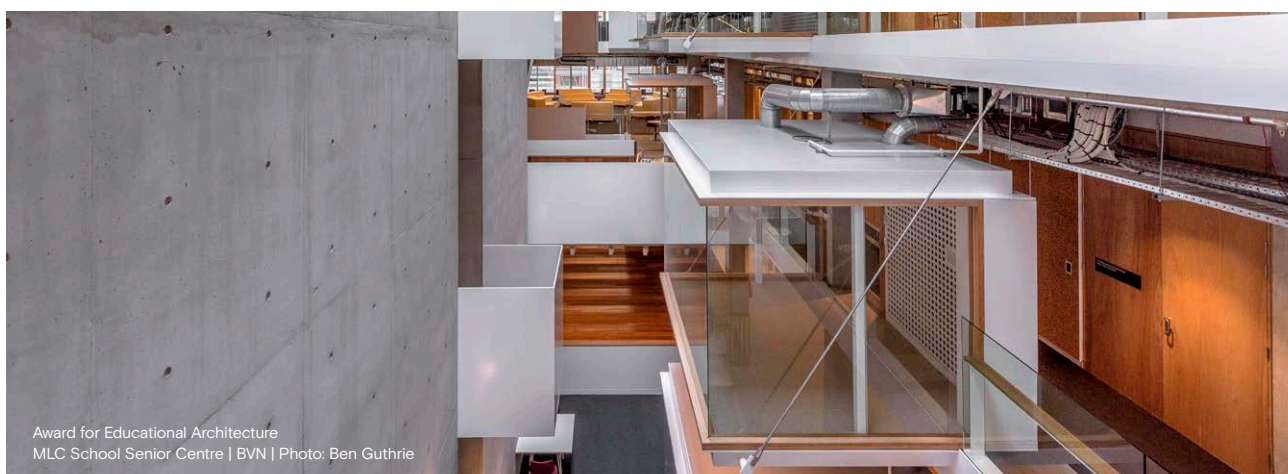
3.8 SUBMISSION LODGEMENT AND TIMEFRAMES

3.8.1 Background

Clear submission lodgement procedures, including timing, delivery method and response format are essential, whether in digital, hardcopy or via an online E-portal. For the purposes of probity, it is critical that clients maintain transparency and fairness in the tender process. Competing architects must be treated fairly and evaluated objectively. Failure to do so will result in fewer responses in the future as practices decide not to pursue opportunities with clients that have demonstrated poor probity in the past.

Submission requirements should be minimised to enable succinct, readily comparable responses, and to mitigate costs to all parties in preparation and evaluation. Submissions without page or word limits produce excessively large documents, as respondents attempt to enhance their submission and cover all possible angles by including superfluous material. Clients may or may not choose to invest the considerable time involved in assessing submissions that exceed page or word limits.

Assessment of architect's submissions is significantly improved and expedited by requesting carefully targeted, specific responses, rather than long generic statements covering issues typical in all architectural design commissions. To ensure submissions are concise and include only necessary information, clients should include a clause stating extensive marketing documents or generic practice information should not be included and will not be reviewed. Deliverables should be clearly specified, and no additional materials submitted should be considered in the assessing submissions. Appendices cause confusion and lengthen submissions and should not be requested or allowed.



3.8.2 Guideline

Ensure submission requirements:

- Are proportional to the project's size and complexity
- Detail specific physical or digital lodgement details with time, date and preferred format
- Detail procedures for fair and timely clarifications
- Detail procedures for non-conforming submissions
- Avoid addenda within five business days of submission closing
- Clearly state any conflict of interest or probity measures
- Adhere to stated evaluation timeframes
- Allow adequate time for architects to develop considered proposals
 - Minimum recommended EOI timeframes
Simple projects: 1-2 weeks
Complex, high cost or major infrastructure project 3-4 weeks
Where multiple sub-consultants are included, the later timeframe applies
 - Minimum recommended RFT timeframes
Simple projects: 2-3 weeks
Complex, high cost or major infrastructure project 3-6 weeks
Where multiple sub-consultants are included, the later timeframe applies
- Require page or word limited responses

The Institute recommends written responses be limited to one or two A4 pages per question. If word limits are preferred, 700 words at minimum ten point is equivalent to one a4 page.

- EOI for small projects:
Architect only: 8 – 10 pages
Add half a page for each additional consultant
- EOI for large projects:
Architect only: 10 – 12 pages
Add half a page for each additional consultant
- RFT for small projects, including fee proposal:
Architect only: 10 – 12 pages
Add half a page for each additional consultant
- RFT for large projects, including fee proposal:
Architect only: 12 – 14 pages
Add one page for each additional consultant

3.9 EOI EVALUATION

3.9.1 Background

The evaluation criteria at the EOI stage serve to prequalify for the RFT stage a shortlist of practices that meet the desired level of expertise and capability.

3.9.2 Guideline

Ensure the EOI evaluation:

- Is overseen by a Probity Advisor
- Includes and identifies a balanced evaluation panel composed of three or five members, including a suitably experienced registered architect
- Includes evaluation criteria relating to experience/ expertise, capability and capacity
- Includes justifiable weighting and corresponding page limits for each criteria. These may vary, but no weighting should constitute more than 40% of the total.

For example, an EOI may contain:

- Practice capability 30% (3 pages)
- Practice experience/expertise 40% (4 pages)
- Project understanding 15% (2 pages)
- Professional recognition and innovation 15% (2 pages)

- Includes evaluation scoring, for example, scoring criteria may be:

Evaluation scoring of Criteria

Scoring Criteria	SCORE
Not acceptable. Has not met the minimum requirement.	0
Has only met some minimum requirements and may not be acceptable.	1-4
Acceptable.	5
Acceptable. Has met all requirements and exceeded some.	6-9
Acceptable, has far exceeded all requirements.	10

3.10 RFT EVALUATION

3.10.1 Background

An RFT typically follows an EOI process, inviting a small number of architects to respond more thoroughly to the brief, without repeating questions or information provided in the EOI. RFTs are not judged purely on qualitative criteria but also include a fee proposal. Evaluation can be a single or two-stage process.

If undertaken as a single process, weighting is necessary to ensure all criteria are taken into account. The two-process, or two-envelope, system allows a wholly qualitative assessment to be undertaken, with the fee proposal opened only following the determination of a preferred architect. The project can be awarded to the preferred architect following confirmation that the fee proposed sits within a predetermined fee band. The client can reserve the right to negotiate with the preferred architect if the fee is marginally out of the fee band (say 5 – 10%), or to proceed with the second preferred candidate, if outside the fee band.

Predetermined fee bands support fair and equitable outcomes and carry multiple other benefits; they enable quality based selection without cost prejudice, they ensure value-for-money outcomes for clients, they encourage sustainable competition and prevent underquoting.

Predetermined fee bands require additional planning, organisation and resources over traditional selection methodologies, however these are not onerous. A quantity surveyor will need to be appointed from the outset to prepare the predetermined fee bands and comparison once submissions have been received. Timing of that work should be confirmed against the proposed EOI/RFT timeframes.

More information about predetermined fee bands is provided in Appendix B.

3.10.2 Guideline

Ensure the RFT evaluation process:

- Is overseen by a Probity Advisor
- Includes an interview of a minimum 45 minutes duration to allow the architect to explain the submission in detail, and enable the client to evaluate team dynamics, ability to communicate, listen and relate to the client
- Identifies a balanced evaluation panel composed

of three or five members, including an experienced registered architect

- Uses a two-envelope system (preferred), with fee proposals in a separate document to allow team capability and design quality to be considered first, or undertakes a singular process where the fee is weighted along with qualitative criteria
- Detailed evaluation criteria and weightings. These may vary, but any single criteria should constitute no more than 40% of the total.

For example, an RFT for a large project may contain:

- Executive summary 0% (1 page)
- Key personnel and resourcing 20% (3 pages)
- Project experience/expertise 20% (3 pages)
- Project understanding 20% (1 page)
- Methodology and stakeholder engagement 20% (2 pages)
- Professional recognition and innovation 10% (1 page)
- Fee and overall hours 10% (1 page)

3.11 FEEDBACK

3.11.1 Background

The feedback component demonstrates the client's commitment to a fair and transparent process and acknowledges the respondent's commitment in preparing submissions. Many clients and architects prefer face to-face or teleconference for the interaction this facilitates. Two-way feedback helps both parties improve future EOI and RFT processes, and assists architects to understand their strengths and weaknesses, improve future offers, and maintain relationships with clients for future work.

3.11.2 Guideline

Ensure feedback:

- Is prompt
- Includes either written and/or verbal debriefing for respondents
- Identifies how the reviewers undertook the assessment
- Explains the scores achieved for the different evaluation criteria
- Gives the number of respondents and the number shortlisted (EOI)
- Indicates for RFTs where the offered fee sits within the received fee range
- Allows around 30 – 40 minutes for feedback sessions

4_ PART B – ARCHITECT’S RESPONSE

This section sets out standard sections or schedules requested in EOIs and RFTs to which the architects will respond. The following sections are essential:

- Executive Summary
- Practice Information
- Capability and Resourcing
- Relevant Experience/Expertise

In addition, two to three sections may be included from the following list, depending on the client’s vision, aspiration and strategy, and the project type, size, complexity, context, stakeholders, innovation and sustainability goals, or delivery methods:

- Project understanding
- Methodology and project delivery
- Stakeholder engagement
- Professional recognition, innovation and value adding
- Design approach
- Fee tender (RFT only)



4.1 PRACTICE INFORMATION

4.1.1 Background

Processes that require prohibitively excessive insurances or practice information can reduce the pool of submissions. Consultants, including architects, present a significantly lower level of risk to a client than a contractor, and insurance levels should reflect this. Requirements for Professional Indemnity and Public Liability should be proportionate to the scale of works and the nature of the consultancy.

While practice information is fundamental to confirming the legal and business status of the organisation, questions at EOI stage should be the necessary minimum, and if required again, reproduced identically in the RFT documents, with any additional questions added. An EOI or RFT may request the organisational structure of the practice to understand better the depth of the team.

The architect can provide a simple statement of solvency at the EOI stage, which may be supplemented with more detailed financial and compliance information at the RFT or contact negotiation stage. Information relating to financial performance and bank accounts is not necessary. If detailed financial information is required, it should be provided directly to an appropriate arm’s length assessor to be reviewed in confidence, to ensure that the tenderer’s confidential information is not revealed to the immediate project management team with whom the tenderer may shortly be working.

4.1.2 Guideline

At EOI, ensure the architect provides:

- Trading name, legal status and ACN/ABN
- Nature of entity (head office, local office, parent or subsidiary, etc.)
- Contact details
- Primary Contact Person
- Insurance Certificates of Currency
- Quality System Certificate or brief comment on quality assurance.
- Statement regarding Conflict of Interest
- Statement regarding National Code Compliance or other Government requirement where necessary
- Statement of solvency

At RFT, ensure the architect provides:

- Trading name, legal status and ACN/ABN
- Nature of entity (head office, local office, parent or subsidiary, etc.)
- Contact details
- Primary Contact Person
- Insurance Certificates of Currency
- Quality System Certificate or brief comment
- Statement regarding Conflict of Interest
- Statement regarding National Code Compliance or other Government requirement where necessary
- Financial viability statement
- Response to the proposed contract
- Organisational structure

4.2 EXECUTIVE SUMMARY

4.2.1 Background

A short summation of the submission's primary elements allows ease of comparison and convenient reference during the evaluation process. It also enables high-level managers who may not form part of the evaluation panel to understand the general approach of each participating architect.

4.2.2 Guideline

Ensure the architect:

- Succinctly explains the primary elements of the submission
- Includes only information that already appears in the body of the submission

4.3 CAPABILITY AND RESOURCING

4.3.1 Background

A description of the lead personnel's capability and capacity and a suitably balanced team are essential for clients to select an architect that will be a good fit for the project. These matters should be outlined at EOI stage and explained in depth at RFT stage.

Relationships with wider consultant team members will indicate the architect's proposed overall design and project delivery management, either under direct control of the architect or through separate consultancies. The project leader and the principal point of contact should be identified.

While the architect must make every effort to identify a stable team, some change can eventuate in the normal course of business. Requests for detailed practice resourcing data, such as hours per individual per stage, place excessive demands on architects to prepare, tend to produce unrealistic or skewed information, and rarely offer anything useful in choosing one architect over another.

4.3.2 Guideline

At EOI, ensure the architect includes:

- Capability of the practice to deliver the project
- Lead personnel (including any sub-consultants) for the project, including principal point of contact

At RFT, ensure the architect includes:

- Capability of the team to deliver the project
- Relevant Curricula Vitae data of each team member (including sub-consultants) of two to three team members per page
- Indicative percentage of time commitment for team members
- Method of advising on sub-consultants selection, and relevant prior experience working as a team

4.4 RELEVANT EXPERIENCE/EXPERTISE

4.4.1 Background

Relevant experience/expertise demonstrates to clients how the team may bring knowledge and experience to the project from previous projects. Similarities may relate to building use, degree of complexity, design quality, building procurement method, stakeholder engagement, sustainability initiatives, and innovation.

Previous experience in a specific project type is not essential for a quality project outcome. If the relevant experience criteria are too restrictive or excessively specific, they may exclude architects with experience/expertise solving similar problems in a different context who may bring original or creative responses. Architects should be permitted to supplement a lack of specific project type experience with collaborative partnerships and consultant engagements.

The architect should provide outline information at EOI stage, while targeted case studies may be included in RFT stage.

4.4.2 Guideline

Ensure the architect:

- Is informed of features or approaches considered by the client to be relevant to the proposed project
- Is informed whether broader or creative responses are acceptable
- Provides specific information demonstrating relevant experience/expertise in projects previously completed or underway, presenting similar challenges to this project, either complete, or currently underway, including:
 - Name
 - Client, confidentiality permitting
 - Completion date or expected completion date
 - Value
 - Description
 - Innovative characteristics
 - Professional recognition
 - Referee
- Limits projects to between two and five examples

4.5 PROJECT UNDERSTANDING

4.5.1 Background

A clear statement of the history, risks, opportunities and strategic intent of the project enables a fully considered response from the architect that helps clients to determine which team is best suited to the project. If included at EOI stage, it should be stated that only an outline is required, to be developed in greater detail at RFT stage.

4.5.2 Guideline

Ensure the architect:

- Demonstrates appreciation of the task and understanding of the scope of services
- Outlines major opportunities and risks inherent in the project
- Responds to specific user, site, environmental, social or cultural issues that may have a bearing on the project outcomes
- Understands the client's business goals and performance standards

4.6 METHODOLOGY AND PROJECT DELIVERY

4.6.1 Background

A project methodology assists the client to understand how the architect will achieve project goals and progress through the stages of design. Shortlisted architects should be given the opportunity to describe the factors they believe will be critical to the success of the project, as well as their design methods and approaches to the management of challenges and risks, including dispute resolution.

4.6.2 Guideline

Ensure the architect:

- Describes through text and/or diagrams the process and design methods that may be employed through the project
- Details how they will interact with the client during the delivery of the architectural services

4.7 STAKEHOLDER ENGAGEMENT

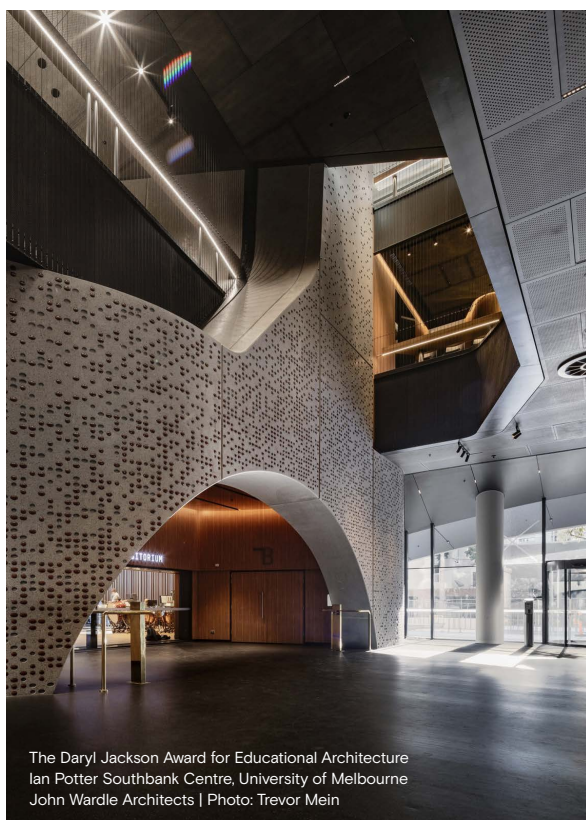
4.7.1 Background

The delivery of complex projects can include the management of large and diverse stakeholder groups. This section allows architects to demonstrate how they will interact with the client during the delivery of the project and how they propose to obtain and address the needs of the various stakeholders (regulatory, financial, end-users, community, and others) through the consultation phase.

4.7.2 Guideline

Ensure the architect:

- Explains how the needs of the various stakeholders will be elicited and addressed throughout the project
- Outlines a schedule of stakeholder meetings and presentations if required
- Has a clear point of contact on the client side who is responsible for clarifying stakeholder aspirations
- Is aware of any sensitivities relating to stakeholders or the timing of their consultation
- Is aware of the organisational and project governance



4.8 PROFESSIONAL RECOGNITION, INNOVATION AND VALUE ADDING

4.8.1 Background

This section allows practices to demonstrate their capacity to provide high quality design outcomes or specific additional expertise to enhance the project. Peer recognition, through awards or publications, is one indication of an architect's ability to deliver quality design and demonstrate capacity to deliver projects beyond their previous experience. Client testimonials and references can also endorse the architect's ability to provide high quality professional services and design outcomes.

This section also creates an opportunity to demonstrate innovative design processes and solutions. These may include opportunities for research before, during and after the project, or emphasise specific built environment aspects such as new methods or tools for sustainability, operational performance, or expertise in particular fields and or typologies.

4.8.2 Guideline

Professional recognition may include:

- Design industry peak body awards relevant to the project type
- Industry awards relevant to the project type
- Professional journal publications
- Client testimonials

Innovation or value adding may include:

- New initiatives in sustainability, delivery, construction and management
- Research of specific elements relevant to the project
- Project strategy, brief development, post occupancy evaluation

4.9 FEE (RFT ONLY)

4.9.1 Background

Fees are determined on a project-by-project basis, with consideration of project budget, scale, quality and complexity, as well as client service expectations, the involvement of specialist personnel, and the project delivery method.

A brief that includes milestone dates, indicative areas or a schedule of accommodation, performance and functional criteria, and an architectural scope of services and deliverables allows architects to determine resources reliably. Inclusion of the Total Construction Cost and a firm programme assists architects in cross checking fees against resourcing estimates and benchmarking against previous comparable projects.

Fees are difficult to determine from Total End Costs because they include costs that are not construction based, and vary for each project (fees, government agency costs, land acquisition, land remediation, etc.). Lack of detail forces architects to guess, placing them at risk of getting fees wrong if the project costs have been misjudged, and clients at risk if the architect has misjudged the quantum of work.

Fee evaluation can be complex. The weighting of a fee response should be clearly articulated to the tenderers and adhered to in evaluation deliberations to engender trust in future relations between architects and clients beyond any submission process. Any marginal differences in tender fees will be outweighed by the long-term business benefits a well-resourced or more thoroughly considered design will deliver.

4.9.2 Guideline

Ensure the fee tender:

- Includes a fee table based on the indicative Total Construction Cost
- Allows fixed fee for master planning and feasibility or precedent study phases and defects liability period, and a percentage-based fee for the schematic design, detailed design, documentation and contract administration phases to enable the fee to change if the project budget, scope, or duration changes
- Allows for details regarding exclusions, disbursements, and hourly rates for variations
- Is considered after the qualitative aspects of the tender have been evaluated.



Marie Reay Teaching Centre, ANU | BVN | Photo: John Gollings

5_ CREDITS AND CONTACT

The Australian Institute of Architects has prepared this document with detailed input from the Procurement of Architectural Services Task Force. In depth research, analysis and document compilation has been undertaken by Michaela Sheahan, Senior Researcher at HASSELL.

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APPENDIX A

SUMMARY OF RESEARCH FINDINGS

A1. Looking back

In 1864, the Melbourne Town Hall Committee decided that Melbourne needed a new Town Hall, and that it would be built for the princely sum of £25,000. The winning design was awarded £200, and second place £50.

An unconfirmed site coupled with a long list of space requirements that would not fit into even the largest of the potential sites and a shifting brief during the tender period had many architectural firms disgruntled, but pursuing the opportunity none-the-less. In this all-too-familiar situation, the participating architects were in unison on one particular element of the brief: objection to Clause 7, which stipulated that drawings for the Town Hall be accompanied by detailed specifications. The objection was two-fold: because the prize of £200 did not warrant such work, but also because they expected the Committee would make changes to the winning design before the building was built.

Over 150 years later, architectural practices are still responding to vague, onerous and sometimes unreasonable project briefs, and clients are still unwittingly making evaluation of the subsequent submissions more difficult for themselves than necessary and compromising the quality of their projects.

A2. OVERVIEW OF RESEARCH

A2.1 Policy document review

The Institute is not alone in seeking to clarify and improve the methods by which clients engage consultant teams. Analysis of guidelines from industry peak bodies and government departments clearly indicates the challenges of procurement processes are widespread and similar in nature across all types of projects and sectors. Policies, frameworks and advisory notes seek to address these common concerns at various levels of detail, and with a range of priorities, including risk, time and cost management, depending on the sector.

This literature review, combined with the Institute member survey and interviews of staff across various government and institutional procurement teams, reveals five recurring themes:

1. Clarity
2. Equality and opportunity
3. Risk
4. Quality
5. Time and cost

The fifth concern, the time and cost of production and evaluation of an EOI or RFT, is a direct product of the first four issues. Without clear and concise tender processes that provide equal opportunity, a fair distribution of project risk and a focus on quality design, clients can squander precious time and public resources in the procurement of architectural services and undermine the potential quality of their built project.

A2.2 Client interviews

The client conversations indicated:

- Awareness of the concerns of architects about procurement processes, while asserting the needs of the client to obtain the necessary information and contractual arrangements to deliver the best possible value for money
- Confidence in their standard documents, but cognisance of the need for ongoing improvement to ensure probity, quality assurance and a robust consultant environment

A2.3 Member survey

The survey responses reflect many of the issues identified in the desktop review of policy document and discussions with clients and confirm a widespread disenchantment with the procurement process. Areas of concern included:

- Increasingly onerous requests for detailed information, particularly in company information and resourcing of projects. Two thirds of respondents indicated that the extent of submission requirements (ie too many or too detailed) would prevent them from responding to an EOI or RFT
- Limited feedback from clients. Almost half (42 per cent) of all respondents indicated their most recent EOI or RFT had no formal feedback mechanism, and a number indicated that any feedback they received was of limited value
- A 'closed shop' approach that excludes smaller and emerging practices based on inexperience and discourages new ideas and fresh approaches. Almost half of all respondents (45 per cent) indicated that none of their submissions completed in the previous twelve months allowed them an opportunity to deliver a project type they had not delivered previously
- Increasing frequency of requests for design proposals or ideas for no payment, betraying a lack of respect for intellectual property and architectural expertise. Sixty-eight per cent of surveyed architects indicated that they would not respond to an EOI or RFT that contained a request for a design response
- Distrust by architects of selection criteria that emphasise design quality and team suitability and a corresponding belief that fee is the basis of most architect selections. This is leading some practices to discontinue submitting for public sector work altogether.
- A lack of clarity in criteria weightings. While clients usually include assessment criteria, weightings of those criteria are far less common, but critical to understanding the priorities of the client
- Changing contractual arrangements (in particular novation) that shift risk from client to consultants, creating legal and insurance barriers to participation
- Re-tendering at each phase of design, undermining continuity in design services and quality of built outcomes

APPENDIX B

PREDETERMINED FEE BANDS

The following provides more detail on the predetermined fee bands mentioned in section 3.10.1.

- Predetermined fee bands should be prepared by a quantity surveyor and established prior to the receipt of submissions.
- Predetermined fee bands are not transferrable from one project to another, as they determine the acceptable fee range for a specific project having consideration for the scale, complexity, scope and timing of proposed works.
- Predetermined fee bands are only made known to a selection panel or jury once a preferred candidate and next preferred candidate have been selected.
- If the preferred candidate's proposed fee falls within the predetermined fee bands, this qualifies them to be appointed to the job, provided there are no major contractual issues. The latter are normally resolved between the legal parties for client and lead consultant as per traditional non-predetermined fee bands processes.
- If the preferred candidate's proposed fee falls outside the predetermined fee bands, the client will normally proceed to appointment if the variance is +/- 5 percent or less. Where the proposed fee exceeds the predetermined fee bands by more than 5 percent, the client can either choose to negotiate with the preferred candidate or proceed to the next preferred candidate.
- Similarly, low fees – also referred to as underquoting or 'buying work' – are discouraged and penalised by predetermined fee bands. Proposed fees that sit more than 5 percent below the predetermined fee bands should be immediately ruled out of contention.
- The appointed quantity surveyor should undertake an analysis of proposed fees against the predetermined fee bands ahead of the first selection panel or jury meeting. Practice names should be omitted and replaced with a reference, i.e. A, B, C.
- The quantity surveyor is omitted from all discussions regarding the preferred candidate and is only brought in to confirm whether or not the preferred candidate sits within the predetermined fee bands, once a preferred candidate and next preferred candidate have been selected.
- The quantity surveyor should only present the full range of proposed fees received when the process of selection has concluded. This enables the panel to view not only where the preferred candidate sits in relation to the predetermined fee bands, but the range that has actually been covered in submissions. The latter provides a valuable feedback loop for the client, who may wish to adjust future briefs as a result, and selection panel or jury members, who can provide generalised feedback to the profession (being mindful not to contravene any signed conflict of interest and confidentiality agreements).
- Predetermined fee bands support fair and equitable outcomes and carry multiple other benefits; they enable quality based selection without cost prejudice, they ensure value-for-money outcomes for clients, they encourage sustainable competition and prevent underquoting.
- Predetermined fee bands require additional planning, organisation and resources over traditional selection methodologies, however these are not onerous. A quantity surveyor will need to be appointed from the outset to prepare the predetermined fee bands and comparison once submissions have been received. Timing of that work should be confirmed against the proposed EOI/RFT timeframes.