

[TOOL B

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PROCEDURE  
FOR PRIVATE CLIENT  
WITH BID DESIGN

*Specifications*

Project *(project name)*

PROJECT DESIGN ASSIGNMENT  
RELATING TO *(CONTRACT TITLE)*

For  
*(Client)*

*(DATE)*

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## **PART I. ASSIGNMENT**

### **I.1 CLIENT**

Organisation:

Address:

Website:

Contact person:

Name:

Position:

Tel:

Email:

### **I.2 BOUWMEESTER MAITRE ARCHITECTE**

The design competition is organized in collaboration with the bouwmeester maître architecte of the Brussels-capital region (BMA). The BMA assists the client in the implementation of the procedure of the competition, the definition of the specifications and the programme, and the choice of the project designer. The BMA provides quality control throughout the process.

Contact person:

Name:

Position:

Tel:

Email:

### **I.3 PROJECT DESIGNER**

The term 'project designer' is understood to mean *(delete the inapplicable items)* :

- an architect
- a firm of architects
- a firm of architects with a number of engineering firms
- a group of *(number)* firms of architects
- a group of *(number)* firms of architects with a number of engineering firms

### **I.4 SITE**

Address:

Land registry parcels:

### **I.5 ASSIGNMENT**

These specifications relate to a design assignment

- for architecture and *(supplement or delete as required)*
  - stability
  - building engineering services
  - energy performance
  - acoustics
  - safety and health coordination
  - interior fittings
  - signage
  - ...
- for the creation of *(succinct description of programme, context, etc.)*

- for an estimated cost of works of €x excluding VAT and excluding fees
- for fixed total fees of x % applicable to the estimated works value, approved on the basis of final plans. [This fee percentage is then fixed for the further execution of the assignment.](#)

The design assignment comprises the following phases *(to be adapted according to the assignment and the contract)* :

- sketch design
- preliminary design
- final design
- application for planning permission and/or other administrative authorisations
- construction documentation
- tender documentation for works
- organisation and/or evaluation of bids for works
- monitoring and supervision of execution of works
- assistance during provisional acceptance
- closure of assignment by means of final accounting statement, final acceptance and/or management plan

A more detailed description of the assignment can be found in the appendixes to these specifications.

## **I.6 PROJECT DEADLINES**

Award of assignment:

Start of assignment:

Final plans:

Completion:

## **I.7 NATURE**

This procedure is in no way subject to public procurement legislation, since it concerns a private initiative.

The client reserves the right to modify this procedure, to terminate it at any time and not to award the present assignment or, if necessary, to undertake a new procedure.

If the client terminates the procedure after the information meeting or if the assignment is not awarded, the shortlisted candidates are entitled only to the payment of the bidder's allowance (Article II.3.5).

The client may decide to transfer the rights and duties arising from this procedure to a legal person still to be set up.

## **I.8 LANGUAGE**

Documents relating to the assignment will be drawn up in [Dutch and/or French and/or English](#). *(delete inapplicable items)*

## **PART II. PROCEDURE**

### **II.1 PHASES**

The procedure consists of the following phases:

- APPLICATION
- BID
- AWARD

### **II.2 APPLICATION**

#### **II.2.1 Call for applications**

A call for project designers is made via a BMA newsletter and other channels.

#### **II.2.2 Composition of the application**

The application consists of:

- A note on the team's composition and capacity with reference to the competencies required for this assignment.  
Equivalent to 2 pages A4 recto maximum
- A note explaining the candidate's motivation for applying for this assignment.  
The candidate may illustrate its note in whatever way he or she considers useful (for example, a brief presentation of an external project or inspirations, a mood board, diagrams etc.).  
Equivalent to 2 pages A4 recto maximum
- 3 illustrated reference projects in which the architect from the candidate's team has been involved, including an explanation of their relevance to the present assignment. Reference projects in which the architect has been involved as project manager at another firm are eligible for consideration.  
Equivalent to 4 pages A4 recto maximum per reference project

#### **II.2.3 Shortlisting**

Project designers will submit their application by email

- to [appel-oproep@bma.brussels](mailto:appel-oproep@bma.brussels)
- by *(date)* at *(time)* at the latest.

In consultation with the BMA, the client will shortlist **3 to 5** *(to be determined)* candidates for participation in the next phase.

### **II.3 BID**

#### **II.3.1 Briefing and site visit**

The client will invite the shortlisted candidates for a briefing with a site visit on *(day, month, year)*, at *xx:xx (time)* at the following address:

During the briefing, candidates may ask questions about the assignment. The client then provides all candidates with a report listing the questions and answers.

Further questions may be sent by email to the address *(e-mail address)*

The answer will be sent to all candidates. Only written questions and answers sent to all candidates may be regarded as supplementing these specifications.

The deadline for the receipt of questions is **8** *(adapt if necessary)* working days before the bid submission date.

#### **II.3.2 Composition of bid**

Candidates submit their proposal by *(select the version that reflects requirements in terms of the bid's content)* :

**VERSION A**

- A vision note concerning urban context, image quality, architecture, functionality, interior quality, durability, techniques, materials, etc. This note should not contain the design plans, but indicate points for attention or concepts.  
*(Where applicable)* A vision and position in relation to an existing overall plan and the context. An interpretation, exploration and definition of key elements, problems and degrees of freedom.  
*(Where applicable)* A sketch of a typical upper floor, of the ground floor, of the roof and of the façades. Floor plans and sections of a (part-)building of choice (scale to be chosen by the project designer) that is regarded as relevant and that can be used as a reference in connection with the project. This sketch will show how the urban, spatial and architectural concepts set out in the vision note will be put into practice.  
Equivalent to x pages A4 recto maximum
  
- A specific methodological note for this assignment concerning the internal organisation of the project designer, collaboration with the client, with other stakeholders and with other engineering firms or teams active on the site, quality and budget control, the candidate's expectations of the client, etc.  
*(Where applicable)* Supplemented with a proposal regarding the allocation of roles within the team.  
Equivalent to x pages A4 recto maximum

**OR**

**VERSION B**

- A project note concerning urban context, image quality, architecture, functionality, interior quality, durability, techniques, materials, etc. with *(adapt or add as required for the assignment)* :
  - at 1/500 scale: a plan showing the positioning of the project on the site and in the context
  - at 1/200 scale: a general view of the project in plans, sections and views. Views must correspond to the reality of the spatial and demographic context
  - an overview of floor areas, distinguishing between gross, net and useful areas
  - the concept for the use of the project
  - the concept for the project's sustainability, taking account of its various aspects
  - the concept regarding techniques, materials, etc.
  - an estimate regarding the implementation of the project in terms of different items, mentioning the method of calculation per item (flat rate, unit price, etc.)
  - ...Equivalent to x pages A4 recto maximum
  
- A specific methodological note for this assignment concerning the internal organisation of the project designer, collaboration with the client, with other stakeholders and with other engineering firms or teams active on the site, quality and budget control, the candidate's expectations of the client, etc.  
*(Where applicable)* Supplemented with a proposal regarding the allocation of roles within the team.  
Equivalent to x pages A4 recto maximum
  
- A model *(where applicable, if the bidder's allowance covers this > Article II.3.5)*

**II.3.3 Submission of bid**

The deadline for the submission of bids is *(day, month, year)*, at *xx:xx (time)*.  
Bids arriving late will not be considered.

Hard-copy bids should be sent to:

Name (contact person):

Position:

Tel:

Email:

Address:

Hardcopy bids should be submitted in *(number)* copies.

A digital version in .pdf format will be sent by email.

The digital version will be identical to the hardcopy version, which will in all cases be regarded as the original document.

### **II.3.4 Oral presentation to advisory committee**

Each candidate that has submitted a bid is invited to present it to an advisory committee, followed by a question and answer session. The client, assisted by the advisory committee, will thus gain a better understanding of the proposals.

Candidates have the opportunity to clarify the intentions outlined in their proposal on *(day, month, year)* starting at *(time)*. A more specific agenda for the presentations will be communicated at a later date.

The advisory committee will be composed of representatives of:

- the client
- the bouwmeester maître architecte
- the Urban Planning Directorate of the Brussels-Capital Region,
- *(optional)* the municipality's urban planning service
- *(optional)* an external expert
- *(optional)* any other person who can add value in assessing the quality of the bids

### **II.3.5 Allowance**

*(choose the version corresponding to the content of the chosen bid, Article II.3.2) :*

#### **VERSION A**

Invited candidates who submit a complete and admissible bid will each receive an allowance of €2,500 to 10,000 excluding VAT *(to be determined in light of the complexity of the assignment and the content of the bid)*. The winner will receive this allowance in the form of a fee advance which will therefore be deducted from the successful candidate's fees for this contract.

**OR**

#### **VERSION B**

Invited candidates who submit a complete and admissible bid will each receive an allowance of approximately 0.1-0.2% of the works value or €7,500 excluding VAT, whichever is the greater *(to be determined in light of the complexity of the assignment and the content of the bid)*. The winner will receive this allowance in the form of a fee advance which will therefore be deducted from the successful candidate's fees for this contract.

### **II.3.6 Period of validity of bids**

Candidates are bound by their bids for a period of 90 calendar days, starting from the day following the deadline for the submission of bids.

## **II.4 AWARD**

### **II.4.1 Award criteria**

- Urbanity  
The various ways in which the project adds to its environment: its architectural and spatial quality, its integration in its context, as well as socio-economic, structural (planning programme-related, volumetric, etc.) or infrastructural (mobility, etc.) aspects.
- Inhabitability  
The human relational qualities generated by the architecture. The way in which a place can be 'inhabited' in terms of space, but also in terms of social and human relations, comfort and well-being. This criterion concerns the functionality both of the buildings and of the external spaces.

- Technical characteristics  
The innovative and sustainable resolution of constraints and expectations in terms of stability, construction method, engineering techniques, materials, energy performance, etc.
- Feasibility  
The realism of the budget estimate and the methodology proposed to ensure adherence to it during the project.  
The proposed methodology for ensuring adherence to planning deadlines.

#### **II.4.2 Negotiation**

The client reserves the right to negotiate in several stages and with a limited number of candidates chosen on the basis of the quality of their bid.

#### **II.4.3 Award**

At the end of any negotiations, the client will award the assignment to the candidate whose bid he or she considers the most advantageous in light of the award criteria. The final decision concerning the award of the assignment will lie with the client.

### **II.5 INTELLECTUAL PROPERTY**

The project designer declares and warrants that its plans do not infringe the rights of third parties in any respect, including the rights of any collaborators who have contributed to its preliminary research.

All fees in respect of patents, licences, information or elements subject to protection under Title XI "Intellectual Property" of the Code of Economic Law will be borne by the project designer. It may not claim any special remuneration or compensation as a result of their use for the performance of the contract, and will bear sole responsibility for any third-party claim in this respect.

Within the context of his or her bid and during the execution of its assignment, the project designer cedes material property rights to all its work to the client. The latter therefore has free access to all ideas, principles, methods and systems that are developed, as well as all information, studies, reports, calculations, sketches, plans, drawings, models, specifications or other items relating to the project. The client authorises the BMA to use these documents.

The project designer grants a worldwide licence, with the possibility of sublicensing, without any temporal limitation other than the legal duration of the rights concerned, even if the collaboration between the parties comes to an end. This licence includes, among other things, the right to reproduce, duplicate, distribute, photograph, publish or display the plans, in whole or in part, by any means of reproduction, in any form or medium, and for all possible modes of exploitation, for both informational and advertising purposes; the designer's name shall be mentioned. It also confers the right to adapt the plans and to make any useful and/or necessary modifications to them, unless the project designer demonstrates that such adaptations could be harmful to its reputation or standing.

If the project designer is unable or unwilling to complete its assignment, it may not object to the use of documents it has produced for the completion of the project.

The project designer retains ownership of all intellectual rights to the content of his or her bid and the implemented plans, including, but not limited to, copyrights. However, it undertakes not to execute the plans for third parties without the client's express authorisation.

### **PART III. APPENDIXES**

- project designer's contract
- definition of the project containing among other things a description of the programme, the context, the client's ambition, the challenges, the technical and functional data, etc.



*(if applicable or available)*

- preliminary (feasibility) studies, overall plan, etc.
- current regulations
- regional instruments, projects, plans, etc.
- site plans including land registry plan, general plan, etc.
- ground and building measurements etc.
- soil tests
- soil analysis (in light of pollution risks)
- notes on historical background, architectural heritage, etc.