



a publication of

PAM

**PERTUBUHAN AKITEK MALAYSIA
MALAYSIAN INSTITUTE OF ARCHITECTS**

**ARCHITECTS' PARTICIPATION IN
ARCHITECTURE DESIGN COMPETITION, BID,
TENDER OR REQUEST FOR PROPOSAL**

PAM Practice Notes

Aug 2021

Serial No.: 3-2021

©Pertubuhan Akitek Malaysia

ARCHITECTS' PARTICIPATION IN ARCHITECTURE DESIGN COMPETITION, BID, TENDER OR REQUEST FOR PROPOSAL

INTRODUCTION

There is a growing trend where Architects are invited to be registered as service providers or panel consultants with private developers, public companies, government agencies and Government Link Companies to participate in their project competition, bid, tender or request for proposal.

There are also instances where architects need to pay to the companies to register. In addition, some project owners also require Architects to pay tender deposits or registration fees to participate in the competition, bid, tender or request for proposal.

It has been reported that some consultants were swindled to pay to participate in some high-profile projects, where the projects were neither awarded nor implemented. In some instances, the 'purported projects' are fake and non-existent.

Architects are well-trained professionals and deserve to be paid and respected for their creative skills and experience. This practice note serves as a reminder to PAM members not to compromise their skills and principles over vain promises, that in the end will consume their precious time on non-paying speculative job at the expense of other real jobs that require their attention.

As Architects, PAM members should abide by the Code of Professional Conduct and be guided by these principles: -

- i. Architectural service is a professional service which involves the creation of Intellectual Property. Parties who request for design or concept proposals must pay the participating Architects or firms for their intellectual ideas.
- ii. Unless if any competition is approved by the Board of Architects Malaysia (LAM), all participants in design competition, bid, tender or request for proposal that requires design input and/or architectural works in the submission must be paid by the organiser or the project owner.

- iii. Architects should not be required to pay any bid/tender deposit (refundable or non-refundable) for submitting a bid/tender or a request for proposal.
- iv. Architects should not be required to pay bidding/tender fee or unreasonable documentation cost or fee for competition, bid, tender or request for proposal. The price for bidding/tender document should be reasonably based on the actual printing and binding cost of documents and/or the actual cost of CD rom / pen-drive for digital document format.
- v. Design ideas request for proposals should be limited to conceptual ideas and should not extend to the level of detail drawings and information required for plan submission to authorities.

When participating in any competition, bid, tender or request for proposal; PAM Members are reminded to comply with all rules, regulations and general circular issued by the Board of Architects Malaysia (LAM). PAM members are reminded to also observe the following:

- i. LAM General Circular No. 2/2005 (Revised 2008) Guidelines on Architectural Competition; and
- ii. Architects Rules 1996 Subrule 28 (1) Clause 2 (7) Code of Professional Conduct for Architects that stipulates the following:

“An Architect shall only participate in architectural competitions conducted or approved by the Board and in accordance with the guidelines or circulars issued by the Board”.

It is advisable for PAM Members to check with the organiser or project owner if any competition, bid, tender or request for proposal that the former have been invited to participate in is approved by LAM before participating in it. Members can also check with LAM if such competition, bid, tender or request for proposal is approved by LAM or not.

Members are strongly reminded not to participate in any unapproved competition, bid, tender or request for proposal that requires design input and/or architectural works in the submission, unless if they will be paid or reimbursed by the organiser or the project owner for the works they have to prepare.

PAM Professional Practice Committee

Date: 7 Aug 2021