

Competition Culture in Europe: Voices

Project Compass CIC

Edited by Walter Menteth

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figure 21.1

*A list of words,
among those found
in competition
discussion that
are considered to
be confusing*

ANONYMITY
ASSESSMENT
AWARD
CLOSED PROCEDURE
COMMUNITY PARTICIPATION
COMPETITION
COMPETITION DOCUMENTATION
COMPETITION ORGANIZER
CONTRACTING AUTHORITY
COMPETITION PUBLICATION
COMPETITION REPORT
CONFIDENTIALITY
CONTEST NOTICE
DESIGN CONTEST
DESIGN COMPETITION
DESIGNATED CONTACT
DEVELOPER
DEVELOPER COMPETITION/DEVELOPMENT COMPETITION
DEVELOPER CONTEST/DEVELOPMENT CONTEST
ELIGIBILITY
EXPRESSIONS OF INTEREST (EOI)
HONORARY MENTION
IDEAS CONTEST
INVITED PROCEDURE
JURY
JURY REPORT
LICENSED ARCHITECT
OPEN PROCEDURE
PARALLEL COMMISSIONING
PREQUALIFICATION
PRIZE
PROJECT BRIEF
PROJECT CONTEST
PROJECT COMPETITION
REGULATED COMPETITION
SIGNING OFF THE BRIEF
TECHNICAL (REVIEW) PANEL
THINNING
STAGE: OF A CONTEST/COMPETITION
YOUNG ARCHITECT



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Competitions and the confusion of words

Walter Menteth

Project Compass

Introduction

At the Competition Culture in Europe (CCIE) conference in Amsterdam in September 2017 delegates agreed to improve the understanding of vocabulary used for discussing architectural competitions, and specifically design contests, and to map and agree a common understanding covering each respective country (Item 1).¹ Many words were noted which commonly give rise to confusion.

A list comparing national understandings is being developed and will be published in 2018. This will provide a practical, professional and academic model for improving future understanding.

Project Compass has initially selected a list of words (figure 21.1), and describes their understanding of the terms, their meaning and their usage in the UK, in Chapter 22, along with a number that they have sought to map previously. The discussions in Venice in May 2018 and interim findings will then be developed and circulated.

Background

Unitary European competition law is acknowledged to be complex, yet the common sharing of best practices, knowledge and the opportunities for future improvement and reform is constrained by interpretation and understanding. It is not simply the diversity of national languages among

member states – but the differences in vocabulary within nations (figure 21.1). The variations that range across individual countries can be found among people by sector, organisation, and according to whether they are those making competitive submissions or inviting them. This extends to simple, frequently-used expressions such as an ‘Architectural Design Competition’. What does this mean?

The Information Environment

It has been surprising to find in over twenty years of engagement in competitions that an ‘Architectural Design Competition’ can, in public and professional discourse, apparently be many different things. It may be interpreted as a competition in which an architect’s services may be sought irrespective of value, whether it’s called privately or by a public notice, how it’s selected, or by what procedure. It may also be a specific form of selection of architectural services which may engage with who can participate and on what conditions, whether design proposals are to be given in responses to a brief, or simply a PQQ submission for a framework appointment, or how the submissions are assessed, and whether this is anonymous and/or by a jury.

Expressions such as ‘An Open Competition’ can also be confused. Is this a competition open to anyone or only, for example, to those who are professionally accredited? When a term

*figure 21.2
Pieter Bruegel the
Elder c.1563. The
Tower of Babel –
which could not be
built because of
confusion created
by languages*

such as 'Open Invited Competition', implicitly restrict competition because it is not open to everyone, the lack of clarity is further compounded. Communication is poor in architectural competitions because this is typical of the current information environment.

In the national context this may be attributable to reasons that can be summarised as follows:

- Over time national architectural cultures have developed distinctive legacies to describe their own traditions for the competitive appointment of architects which can be referred to as the '*linguistic tradition of architecture*'.²
- Sometimes the professional language of architects is sector-specific and doesn't always overlap with other commercial or industrial sectors, or into common usage. This can be described as '*architects' own jargon*'. It may not necessarily relate back to the '*linguistic tradition of architecture*', but it frequently does. An 'Open Invited Competition' might be considered an example, because this competition is typically open to registered architects meeting specific qualification requirements, but to no others.
- Contractors, clients, policy makers and government can have their own distinctly different professional languages which can be called the '*vocabulary of other specialists*'. This

describes matters which can have the same meanings as may be found elsewhere, and these may also have developed through linguistic cultural tradition. UK Government policy makers frequently also use terms in procurement, often from market economics, having wider meaning such as an SME,³ 'supplier' 'bidding' (in architecture this would mean a small- or medium-sized architectural firm and/or team making any form of competitive submission). Value for money (VfM) and value engineering as used in construction might be thought of similarly.

- Nations have their own bodies of competition law and regulation prescribing arrangements under contracts, the employment of parties and the execution of works and services, which define what can be called the '*national legal language*'.
- Furthermore, it is not uncommon to find that the public have a different understanding. For instance, for any public or private commissions, the public can easily assume that designs for a project that they are consulted upon have been invited through an equitable process, such as an architectural competition – whether the architect is a sub-contracted consultant to a developer or has been engaged independently through a public architectural competition process. This may be an interpretation of an appointment

process by the public, but is manifest and can be called the '*public language*'. This may be, by the public, a commonly received interpretation and expectation of a public sector appointment, whereas the language of procurement clouds understandings.

Whilst these different national languages and their vocabularies frequently overlap, or have relationships, they are also frequently inconsistent. From submissions made, previous publications, and wider samplings, these characteristic differences can also be found amongst many EU nations.

After Directive 2004/18/EC, the repealed Directive 2014/24/EU⁴ made significant moves towards simplifying and clarifying the legal definitions of many words commonly used in public competition practice.

- Directive 2014/24/EU provides a pan-European vocabulary that is the '*legal language*' with words defined, prescribed and codified within it. This codification applies equally to all national and cross-border European competitions, and as a principle of subsidiarity does not extend into other areas.

As a result of the multiple understandings, interpretations and applications of vocabulary in use across Europe and among members states, there remains considerable confusion, and there is a clear need to

address and improve understanding.

There exists a single legal framework which can be better used. This can enhance communication in the subject of competitions, help share and expand opportunities and potential, support the promotion of innovative and experimental competition practices, and sustain cohesion by allowing better international engagement by all.

Mapping better understanding

Such an initiative has significant value for transparency by making the information environment more professional. It can deliver better understanding of competitions, their practices and procedures it can simplify accessibility for professionals, the construction industry and civil society, while supporting more effective future lobbying and campaigning for beneficial reforms.

The question being addressed is how different usages and their application may best be mapped and described, and how this can be done while respecting subsidiarity.

This might take a number of directions, including:

- Describing vocabulary directly by citation of the definitions provided within the '*legal language*' – wherever terms can be mapped and are usable for adoption.

-
- Professionals could work on improving their own national use of language in competitions by defining, across industry and government, existing alignments and divergences, and to do so with regards to the *'legal language'*.
 - Nations might also seek to adopt words from other languages where it better describes a specific process or approach (see below).

Language is important for providing a conceptual foundation that can both shut down opportunities and, as these essays illustrate, open them up.

In the essay by Typaine Moorgin on 'The Tournai Fine Arts Museum' (Chapter 11), the 'portfolio submission' that is described clearly articulates a submission by a designer that specifically includes drawings, designs, completed buildings and/or projects, and with similar artefacts that are the constantly used stock-in-trade of an architect. 'Portfolio' is a word locked into the tradition of architects' education across Europe. But portfolio is not a common phrase used in UK competition procedures, and possibly because this terminology is uncommon, then so too is this type of submission – with preference being given alternatively to a pre-qualification questionnaire or an expression of interest. Adopting the term 'portfolio submission' in UK

architectural selection processes might then contribute to improving qualitative selection, based on design capability.

As an architect, the use of the expression 'professional list' in the essay by Alessandro Melis (Chapter 5) offers an entirely different and more appropriate term to apply to an architect or other design professional than any comparative UK phrase. The nearest historic UK equivalent would be the 'approved list', although this term is no longer used, having been replaced by the unidentified description of a 'framework consultant'. From a practical perspective 'a professional list' may better sustain professional values and ethics, and their benefits.

Conclusion

In the UK a mapping of design contest terms has been endeavoured with some initial progress.⁵ Yet much more remains to be done nationally and it is intended that Chapter 22's list will contribute towards progressing this.

Clearly by improving the use of language within contests and competitions, better value, transparency, and innovation in public procurement can be achieved.

The depth and tradition of mis-interpretation and customs and practices

that go with it, require addressing if general architectural competition culture is to be improved. This can start with the formulation of a “Unified Language Model” (ULM), led by the professions with the support of public sector procurors, promoted and lobbied for by professional and academic agencies, and delivered and adopted by public sector regulators.

We aim to improve transparent use of language within design contests and competitions, along with our interpretative understandings, and to do so jointly with colleagues from other nations. We welcome engagement, so that architectural culture can grow and thrive more successfully across Europe.

A well-developed, defined and mapped vocabulary and terminology is essential to basic communication, offering pan-European benefits. We hope you will join us in discussions that will bring forward and elaborate upon this change.

References:

1 Competition Culture in Europe Conference Amsterdam 2017, Resolutions. <http://projectcompass.co.uk/index.php/2017/10/04/ten-steps-to-improve-architectural-competition-culture-in-europe/#more-563> (accessed: 09-05-2018)

2 The Royal Institute of British Architects (RIBA) established their first UK set of model rule and regulations for competitions in 1871

3 Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32003H0361> (accessed: 09-05-2018)

4 Directive 2014/24/EU. Art.2 provides specific 'definitions with further matters defined elsewhere throughout the document. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014L0024> (accessed: 09-05-2018)

5 Menteth, W. O'Carroll, O. Curtis, R. Sawyers, B. Design contest guidance: for selecting architects and design teams: Project Compass 2015 http://projectcompass.co.uk/publications/Project_Compass_Design_Contest_Guidance.pdf (accessed: 09-05-2018)