



Deklaracija o podršci kvalitetu inženjerskih i arhitektonskih usluga

Dole potpisana udruženja i institucije usvojila su ovu Deklaraciju u nastojanju da se postigne uređena i efikasna javna potrošnja u oblasti inženjerskih i arhitektonskih usluga, i **konstatuju** sledeće:

- ✓ Kvalitet, u slučaju profesionalnih intelektualnih inženjerskih i arhitektonskih usluga je posledica znanja, iskustva i posvećenosti, kao i sistema i procedura primenjenih od strane inženjerskih i arhitektonskih firmi i individualnih stručnjaka;
- ✓ Kada se radovi naručuju od strane javne uprave, tehnički timovi sastavljeni od zaposlenih u javnoj upravi određuju tehničke uslove i zahteve u pogledu kvaliteta, očekivanih cena i finalnog budžeta;
- ✓ Postizanje kvaliteta naručenih usluga zahteva definisanje minimalnih troškova, ispod kojih nije moguće dostići neophodan nivo kvaliteta;
- ✓ Usluge predložene po ceni ispod minimalnih troškova, mogu se izvršiti samo smanjujući period vremena koje stručnjaci provode na analizi rešenja i rizika, angažujući tehnički kadar nižih kvalifikacija i sa manje iskustva, ili smanjujući obim ili potpuno ukidajući neophodna testiranja i ispitivanja;
- ✓ Zakon o javnim nabavkama republike Srbije predviđa izbor arhitektonskih i inženjerskih usluga samo na osnovu najniže cene. Direktive o evropskim javnim nabavkama određuju da "ekonomski najpovoljnija ponuda" nije nužno najjeftinija. U tom smislu, Direktiva usvojena 2014. godine, navodi da: "Element troškova može biti određen i u vidu fiksnog iznosa, tako da se privredni subjekti nadmeću samo na osnovu kriterijumima kvaliteta". Ovakav kriterijum se primenjuje u državama kao što su SAD (Brooks Act, 1972) i Nemačka (HOAI), sa ciljem obezbeđenja kvaliteta i bezbednosti korisnika i potrošača; Konstatujemo da se praksa odabira ponuđača po osnovu najniže ponuđene cene nužno mora prilagoditi savremenim preporukama koje baziraju izbor ponuđača na osnovu kvaliteta i cene;
- ✓ Za razliku od PRAG ili drugih međunarodno priznatih procedura nabavki, koje se zasnivaju na proceduri FIDIC (WB, EIB ili EBRD), javne nabavke po važećem Zakonu ne pokazuju tendenciju prepoznavanja vrednost tehničkog kvaliteta, iskustva ili ga ne vrednuju dovoljno, tako što se ne primenjuje ponderisanje na račun kvaliteta, čineći cenu jedinim faktorom izbora. Na tržištu to za posledicu ima ugovore dodeljene po cenama koje su niže od neophodnih za obavljanje kvalitetne usluge;
- ✓ Kriterijumi koji se primenjuju od strane javne uprave za dodelu ugovora primoravaju individualne stručnjake i firme da primenjuju cene koje su ispod troškova, na štetu minimalnog poželjnog kvaliteta.

Svedoci smo da **trenutna praksa javnih nabavki** zasnovana na dodeli ugovora o pružanju konsultantskih usluga na bazi najniže ponuđene cene **dovodi do**:

- ✓ Uvećavanja ukupnih troškova izgradnje, upravljanja i održavanja objekata;
- ✓ Dužeg vremena potrebnog za završetak projekta i otpočinjanje eksploatacije,;
- ✓ Smanjivanja ili čak do ukidanja neophodnih istraživanja, razvoja i inovacija, koja nameće razvoj savremenih tehnologija;
- ✓ Korišćenja zastarelih standarda, normativa, tehnologija i materijala u građevinskoj industriji;
- ✓ Demotivacije među kvalifikovanim mladim inženjerima i postepeno opadanje profesionalnih veština;
- ✓ Gubitka konkurentnosti na međunarodnom tržištu i zainteresovanosti investitora za usluge domaće građevinske operative;
- ✓ Neusklađenosti Ugovora dodeljenih na osnovu minimalne cene sa neophodnim uvođenjem strategije "inovativnih javnih nabavki", kao preduslovom jačanja Industrijskog sektora.

Posledica ovakvog odnosa prema javnim dobrima su korišćenje nedovoljno analiziranih tehničkih i finansijskih rešenja. Takođe, primećeno je da se zahtevaju neuobičajeno kratki rokovi za pripremu projekata, što efektivno znači da nema dovoljno vremena za moguće optimizacije, modifikacije i analize racionalnih tehničkih ili finansijskih rešenja.

Važno je istaći da se ukupan trošak vezan za inženjerske i arhitektonske usluge, od izrade urbanističkih, arhitektonskih i ostalih inženjerskih projekata, geoloških ispitivanja, geodetskih premera, do usluga stručnog nadzora trenutno u Srbiji kreće između 2 i 5% od ukupne investicije, ne uzimajući u obzir troškove održavanja i upravljanja objektom. Ne retko ovaj finansijski okvir pada i ispod 2%!

Profesionalizam nam nalaže da javnosti stavimo do znanja da pravilan izbor procedura i kriterijuma prilikom raspisivanja tendera, pravilan odabir modela ugovaranja, kvalitetno i stručno planiranje i projektovanje, uz odgovarajući nadzor nad gradjenjem i kvalitetom, i adekvatnu finansijsku kompenzaciju za Inženjere i arhitekta, pored toga što omogućava postizanje zacrtanog cilja projekta, može generisati uštede koje dostižu i više od 20% planiranih troškova izgradnje.

Predlozi o poboljšanju kvaliteta usluga:

Na osnovu svih navedenih argumenata i razloga, **dole potpisane institucije** i udruženja inženjera i arhitekata, **traže od javne uprave:**

1. da prepozna inženjerske i arhitektonske usluge kao intelektualne usluge, priznajući ih kao intelektualnu svojinu kroz usvajanje i implementaciju nove Evropske Direktive o javnim nabavkama u Zakonu o javnim nabavkama;
2. da u planiranje budžeta potrebnog za realizaciju projekta planira sve troškove (Life Cycle Cost): priprema planske dokumentacije, konsultantske usluge (projekt menadžment, projektovanje, stručni nadzor), izgradnja, upravljanje i održavanje objekta;
3. da se Zakonom definiše i uvede obavezna priprema Projekta održivosti (Sustainable planning and design), te da se poveća pažnja na procenu i obračun pogledu troškova za održavanje i upravljanje objektom (Maintenance and Operation Design/Manual), kao i uticaj Projekta na društvene i ekološke aspekte (Social and Environmental Impact Assessment);
4. da za izbor najpovoljnije ponude za inženjerske i arhitektonske usluge uzimaju u obzir iskustvo i podobnost ponuđača, odnosno da dodeli ugovora za inženjerske i arhitektonske i konsultantske usluge prethodi ocenjivanje ponuda na osnovu kombinovanih kriterijuma kvaliteta i cene (QCBS – quality and cost based selection), i to 70% pondera na račun ponuđenog kvaliteta i 30% pondera na bazi ponuđene cene;
5. da odbiju, kao neuobičajeno niske, ponude koje odstupaju od prosečne ili tenderom očekivane cene za više od 30%, kao i one u kojima se nude veći popusti od prosečnog popusta (npr. više 10%). Ovakva politika se već mnogo godina uspešno primenjuje, a trenutno je primenjuju u Evropskoj komisiji, Svetskoj banci i drugim multilateralnim institucijama;
6. da se za radove koji naručuje državna uprava koja se bavi poslovima javne nabavke, a koji direktno zavise od pripreme Projektne i ostale tehničke dokumentacije povere profesionalnim timovima, ukoliko ne u celini ono bar u vidu kontrole;
7. da sistematski uključe i vrednuju poboljšanja koji proističu iz istraživanja i razvoja, kao i primenu savremenih kriterijuma “inovativnih nabavki”;
8. da u okviru poziva za dostavljanje ponuda za usluge zahtevaju ili propišu uključjenje mladih arhitekata i inženjera (Young professionals) u Projekat i na taj način stimulišu njihov ostanak u Srbiji;
9. U cilju blagovremenog i adekvatnog planiranja budžeta za konsultantske usluge predvidi opseg vrednosti konsultantskih usluga u rasponu 5% - 14% od vrednosti predmetnih radova po sledećoj raspodeli:
 - a. Upravljanje projektom: 1.0 – 3.0 %
 - b. Izrada urbanističkih planova: 0.5 – 2.0 %
 - c. Izrada urbanističkih projekata: 0.3 – 1.0 %
 - d. Izrada arhitektonskih i ostalih inženjerskih projekata: 2.0 – 5.0 %
 - e. Izrada geoloških izveštaja uključujući istraživanja: min 0.2 %
 - f. Usluga stručnog nadzora: 1.0 – 3.0 %

Potpisnici ove Deklaracije smatraju da bi predložene izmene doprinele razvoju građevinske struke i unapređenju politike kvaliteta.

Ovaj dokument potpisan je 20. novembra 2015. godine u Beogradu.

Potpisnici:

УДРУЖЕЊЕ ИНЖЕЊЕРА КОНСУЛТАНАТА СРБИЈЕ
ASSOCIATION OF CONSULTING ENGINEERS OF SERBIA



БРОЈ: 169/15

БЕОГРАД, ДАТУМ: 25.11.2015.


Удружење инжењера консултаната Србије – ACES

Branislav Simović, Predsednik




Удружење архитеката Србије – UAS

Igor Marić, Predsednik




Друштво архитеката Београда – DAB

Vesna Čagić Milošević, Predsednica





STATEMENT IN SUPPORT OF QUALITY IN ENGINEERING AND ARCHITECTURAL SERVICES

The undersigned Associations and Institutions have issued this Statement in pursuit of predictable and efficient public spending on Engineering and Architectural Services, and hereby declare that:

- ✓ Quality, in the case of professional intellectual Engineering and Architectural services, is a consequence of the knowledge, experience and dedication of the members of the profession, and of the procedures and systems applied by Engineering / Architecture firms and freelance professionals;
- ✓ When work is commissioned by public authorities, technical teams composed of the authority's staff set the technical and quality requirements, the applicable prices and the contract budget;
- ✓ The quality of service demanded is implied by a defined minimum cost, below which it is not possible to achieve the level of quality required;
- ✓ Services proposed at a price below this minimum cost can only be carried out by reducing the time professionals spend on analyzing solutions and risks, by using lower qualified and less experienced technical personnel, or by reducing or completely skipping necessary testing and research work;
- ✓ According to The Law on Public Procurement of the Republic of Serbia, the selection of Architectural and Engineering services is only based on the lowest price criteria. European Public Procurement Directives specify that "the most economically advantageous tender" is not necessarily the cheapest. In fact, the Directive adopted in 2014 states that: "The cost element may also take the form of a fixed price, on the basis of which economic operators will compete on quality criteria only". This criterion is applied in countries such as the United States (Brooks Act, 1972) and Germany (HOAI), to ensure quality and safety for users and consumers; We hereby declare that the practice of selecting suppliers on the basis of the lowest price must necessarily be adapted to modern recommendations which are based on selection of bidders based on quality and price;
- ✓ Unlike the PRAG or other internationally recognized procurement procedures, which are based on FIDIC procedure (WB, EIB, EBRD), public procurement in Republic of Serbia under the applicable Law tends not to recognize the value of technical quality, experience or do not value it enough, and not applying weighting on account of quality, making the price the only actual selection factor. In the current market, this leads to contracts awarded at prices that are lower than those required to perform a quality service;
- ✓ The criteria applied by the Authorities to award contracts is making freelance professionals and firms offer prices below the cost, therefore decreasing the minimum quality required.

We are witnessing the fact that **the current practice on public procurement**, based on the award of the contract on the provision of consultancy services, based on the lowest price offered, **leads to:**

- ✓ Increase of the total cost of the construction, operation and maintenance of facilities;
- ✓ Longer times needed for completion and start of use;
- ✓ Reducing or even suspension of the necessary research, development and innovation, that impose development of modern technology;
- ✓ Use of outdated standards, norms, technologies and materials in construction industry;
- ✓ Demotivation among the most highly skilled young professionals and a gradual decline in professional excellence;
- ✓ Loss of competitiveness in the international market and investors interest in domestic construction services;
- ✓ Incompatibility of contracts awarded on minimum price with the much-needed instruction of “innovative public procurement” as a precondition for strengthening the Industrial Sector.

The consequences of such attitude towards public resources lead towards using insufficiently analyzed technical and financial solutions. Also, it is observed that deadlines required for the preparations of projects are unusually short, which effectively means that there is not enough time for possible optimization, modifications and analysis of rational technical or financial solutions.

It is important to emphasize that the total cost related to Engineering and Architectural services, from development of urban, architectural and other engineering projects, geological and geodetic surveys, up to supervision services, currently in Serbia ranges between 2% and 5% of the total investment, not taking into account the costs of maintenance and facility management. Often, the financial framework falls below 2%!

Our professionalism imposes the obligation to let the public know that the achievement of project objectives and savings which reach more than 20% of planned construction costs can be generated through:

- Proper selection of tendering procedures and criteria when tendering,
- The right choice of model contracts,
- Professional and high-quality planning and design,
- Appropriate construction supervision and quality assurance, and
- Adequate financial compensation to the Engineers and Architects.

Proposals for the improvement of quality in services:

Based on all arguments and reasons abovementioned, **the undersigned Associations** and Institutions of Engineers and Architects, **request all public authorities:**

1. To recognize Engineering and Architectural services as intellectual services, recognizing the authorship of engineers and architects, through adoption and implementation of new European Public Procurement Directives in the Law on Public Procurement;
2. When planning the budget necessary for the realization of projects, to account for **all** costs (i.e. Life Cycle Cost): preparation of planning documents, consulting services (project management, design, supervision), construction, operation management and maintenance of facilities;
3. To legally define and carry out required preparation of Sustainable planning and design, to increase the focus on evaluation and calculation in terms of costs for Maintenance and Operation Design/Manual, as well as Social and Environmental Impact Assessment;
4. To select bids for engineering and architectural services based on experience and suitability; To award contracts for the engineering, architectural and consulting services following the evaluation of bids based on a combined criteria of quality and price (QCBS – quality and cost based selection), and that 70% weighting should account for the offered quality and 30% weighting should be based on the price offered;
5. To reject abnormally low bids that deviate from the average or the expected tender prices for more than 30%, as well as those which provide greater discounts than the average discount (e.g. more than 10%). This policy has been successfully applied for many years in the past and is currently applied at the European Commission, World Bank and other multilateral institutions;
6. Works ordered the public administration (in charge of public procurement) which directly depend on preparation of project and other technical documentation should be delegated to professional teams, if not in its entirety, at least in the form of control;
7. Systematically incorporate and value improvements resulting from research and development, as well as application of “innovative procurement” criteria;
8. Within the invitation to tender for services - To require or prescribe participation of young Architects and Engineers (Young professionals) in the project and thus stimulate them to remain in Serbia;

9. For the purpose of timely and adequate budgeting of consultancy services, provide a value range of consulting services from 5% to 14% of the value for the works according to the following distribution:

a. Project Management	1.0 – 3.0%
b. Master Plan Design	0.5 – 2.0%
c. Urban Project Design	0.3 – 1.0%
d. Development of Architectural and other Engineering Projects	2.0 – 5.0%
e. Development of Geological reports, including research	min 0.2%
f. Supervision Services	1.0 – 3.0%

The signatories of this Declaration believe that the proposed changes will contribute to the development of Civil Engineering and improvement of a Quality Policy.

The following parties signed this document in Belgrade (Serbia) on November 20, 2015:

Association of Consulting Engineers of Serbia – ACES
Branislav Simović, President

Association of Architects of Serbia – UAS
Igor Marić, President

Association of Belgrade Architects – DAB
Vesna Cagić Milošević, President

Note:

This Statement has been translated into English language from the original title:
"Deklaracija o podršci kvalitetu inženjerskih i arhitektonskih usluga", attached hereto.