

HITES/IDS/IOT-KKZD/COA/2023-24/ 1268

21/09/2023

To
The Registrar
Council of Architecture
India Habitat Centre, Core-6A
1 Floor, Lodhi Road, New Delhi-110003

Dear Sir

Sub: Tender for Engagement of Architect / Architectural firm for providing comprehensive Architectural Services for proposed Construction of Institute of Organ Transplantation, Kozhikode, Kerala -reg

Ref: Your letter Ref. no.CA/80/2023/AOA dated 12/09/2023

This has reference to your letter dated 12.09.2023. It may please be informed that, vide corrigendum-03 we have already given exemption to bidders registered under MSME or Startups as recognized by DIPP from paying EMD and Tender fee. Now we have given exemption to all bidders from paying EMD and tender fee .Copy of Corrigendum attached.

Further as per clause 1.3 (h) of Volume I of tender document, the bidder shall satisfy the following condition: *"The Architect of the Architectural Consultant shall be registered with council of Architecture or shall be a person authorized under Section 37.1(b) of the Architects Act, 1972"*.

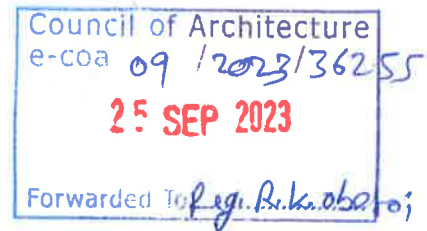
This is for your kind information please.

Thanking you,
Yours faithfully,

For HITES

Associate Vice President (ID)

Enclosure: Corrigendum



20.09.2023

HITES

Corrigendum-07

Name of work: Appointment of Comprehensive Architectural Consultant for the proposed Institute of Organ Transplantation, Kozhikode, Kerala
RFP no. HITES/IDS/IOT-KD/ARCH/23-24/01

Sl. No	RFP reference	As per Tender	As per Corrigendum 03	Amended Provision as per Corrigendum 07
1	Volume 1 - NIT & ITB	Tender fee (Rs 11,800/-) and EMD (Rs 5,00,000/-) shall be paid online.	Earnest Money Deposit and Cost of tender / Bid document is to be submitted by bidders. However, Bidders registered under Micro and Small Enterprises (MSEs) as defined in MSE Procurement Policy issued by Central Purchase Organization or the concerned Ministry of Department or Startups as recognized by Department of Industrial Policy & Promotion (DIPP) are exempted from paying EMD and Tender fee. Relevant proof to be attached alongwith the online bid. Note: Relaxation is applicable only on EMD and Tender fee and not on eligibility criteria	For all bidders, the tender documents will be free of cost and all bidders will be exempted from EMD. In lieu of EMD, all the bidders shall submit bid security (EMD) declaration in the format as attached Note: Relaxation is applicable only on EMD and Tender fee and not on eligibility criteria (All bidders are requested to opt "exemption" in EMD / Tender processing fee tab and upload bid security (EMD) declaration in the prescribed format duly signed & sealed)

Note:

1. The above Corrigendum shall form part of the Tender Document and is to be submitted duly signed & stamped by the applicants along with their Application.
2. All other terms & condition of Tender document remains unchanged.
3. Prospective bidders are advised to regularly scan through <http://www.etenders.kerala.gov.in> and HITES website for corrigendum/amendments etc. and separate advertisement will not be made for this.

Associate Vice President (ID)
HITES, Trivandrum

END OF CORRIGENDUM-07

(Handwritten signature and stamp)
S.M.C. HITES

EMD Form

Proforma for Earnest Money Deposit /Bid Security Declaration

Whereas, I/we(name of agency) have submitted bids for
(Name of work). I/we hereby submit following declaration in lieu of submitting Earnest
Money Deposit.

(1) If after the opening of tender, I/we withdraw or modify my/our bid during the period
of validity of tender (including extended validity of tender) specified in the tender
documents,

Or

(2) If, after the award of work, I/we fail to sign the contract, or to submit performance
guarantee before the deadline defined in the tender documents, I/we shall be suspended
for one year and shall not be eligible to bid for tenders invited by HITES from date of
issue of suspension order.

Signature of the Bidder

(Note: the declaration shall be submitted by all the bidders in their company letter head
duly signed & sealed by the authorized signatory bidder)

Signature
SM, (CC), HITES



वास्तुकला परिषद्
Council of Architecture

वास्तुकार अधिनियम 1972 के अंतर्गत भारत सरकार को एक स्वायत्त प्राधिकृत निकाय
(An Autonomous Statutory Body of Govt. of India, under the Architects Act, 1972)

Ref. no. CA/80/2023/AOA | 34838
September, 12 2023

✓ 1) The Chairman
M/s. HLL Infra Tech Services Ltd.
B-14 A, Sector 62,
Noida-201 307

2) The Associate Vice President (ID)
M/s. Hill Infra Tech Services (HITES)
Golden Jubilee Block, HLL Bhavan,
Poojappura, P.O,
Thiruvananthapuram --695 012

Subject: Tender for Engagement of Architect/Architectural firm for providing Comprehensive Architectural Services for proposed Construction of Institute of Organ transplantation, Kozhikode, Kerala-reg.

Sir,

The Council of Architecture is a statutory body established by the Architects Act, 1972 (A Special Central Act), in the Ministry of Education, Government of India for regulating architectural education and profession throughout the territory of India.

It has come to the notice of the Council that the office of the Hill Infra Tech Services Limited has invited Tender under two cover system-prequalification document and Price Bid document from Architects for providing their professional services for Construction of **Institute of Organ transplantation, Kozhikode, Kerala.**

The Hill Infra Tech Services Limited has also asked architects to deposit cost of non-Refundable cost of E-Tender fee/Processing fee as Rs. 11800/- and EMD of Rs. 500000/- to provide their professional services.

Pertinent to the matter, I have to inform you that the profession of architects is regulated, controlled and maintained under the procession of the Architects Act, 1972 and Regulations framed thereunder. The Council is empowered under Section 22 of the Act to lay down, by Regulations, standards of professional conduct and code of ethic of Architects. These Regulations have overriding effect over any other law for the time being in force in India.

Accordingly, the Council has framed the Architects (Professional Conduct) Regulations, 1989. The Regulation 2(1) (xiv) of the said Regulations provides that an architect shall not prepare designs in competition with other Architects for a Client without payment or for a reduce fee (except in a competition conducted in accordance with the Architectural Competition Guidelines approved by the Council). Further, Regulation 2(1) (xii) provides that an architect shall observe and uphold the Council's Conditions of Engagement and Scale of Charges.

The Regulation 2(1) (xvi) provides that an Architect shall comply with Council's guidelines for Architectural Competitions and inform the Council of his appointment as assessor for an Architectural Competition.

The Council has prescribed a complete code on Architectural Practice title as Manual of Architectural Practice. Volume 2 of the same provides the procedure for selection/appointment of Architects. A complimentary copy of Manual is enclosed herewith for your kind perusal.

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Architects are professional like Doctors, Advocates and Chartered Accountants, whose conduct and ethics are regulated and governed under the Act and hence should not be insisted to pay processing fee, earnest money, Performance/ Bank Guarantee, bid security or quote lowest fee, etc. on the lines of contractors.

Further, a copy of the office memorandum dated 12.11.2020 of Ministry of Finance, Government of India regarding EMD, etc. is enclosed herewith.

Further, as part of ease of doing business these conditions are not insisted.

Under the provisions of the Architects Act, 1972, namely Sections 2 (a), 25,35, 36 and 37 of the Act only an architect registered with the Council of Architecture or a partnership firm can only use the title and style of architect of any word/ derivate of word architect and none else. LLPs and companies cannot use the title and style or Architecture. Violation of this prohibition is a punishable offence under Section 36 and 37.

Any term and conditions prescribed in the bids/tender/ contract/agreement/ offer or any Manual/Guidelines of any Publication Body/ Authority for appointment of Architects shall have to be consistent with the above provisions of the Architects Act, 1972 and Regulations & other professional documents prescribed pursuant thereto.

In the view of the above, the Hill Infra Tech Services Limited is requested to appoint Architect as per Architectural Competition Guidelines prescribed by Council.

Thanking you,

Yours faithfully,

R. K. Oberoi
Registrar

Encl: As above

