Appendix

**Guidelines on Applying Architect Accountability System in Relevant Projects in Beijing**

According to the *Notice of Beijing Municipal People's Government on Issuing the Implementation Plan on Conducting Trails to Improve the Business Environment in Beijing (Jing Zheng Fa [2022] No. 6)* and the *Guidelines on Piloting Architect Accountability System in Beijing (Jing Gui Zi Fa [2021] No. 28)* approved by Beijing Municipal People's Government and other relevant documents, these application guidelines are hereby formulated to apply the trials to improve the business environment, expand the scope of piloting architect accountability system (hereinafter, the "System") and guide the work of piloting the System in relevant projects.

## I. Scope of application

(I). Scope of the projects in which the System should be applied

(i). Small and medium-sized projects such as facilities providing commercial and cultural services, education, and medical care, wellness facilities and low-risk industrial buildings;

(ii). Projects for which promises to implement the System were made in the stage of land transfer;

(iii). Whole-process engineering consulting and general contracting projects in which the design unit takes the leading role or is responsible for coordinating technical matters and management;

(iv). Projects to be built by the design unit on behalf of the construction unit or in the whole process of building which the design unit is in charge of managing the projects;

(v). Public transportation station projects;

(vi). Pilot projects confirmed by demonstration zones implementing the System including Dongcheng, Tongzhou, Shijingshan and Pinggu.

(II). Scope of projects in which implementing the System is encouraged

Projects of the Integrated National Demonstration Zone for Increased Opening in the Service Sector and the China (Beijing) Pilot Free Trade Zone; high-standard housing projects and affordable and policy-backed housing projects; urban renewal and transformation projects (for structural transformation, reinforcement and seismic strengthening projects, the principal structural engineer may serve as the project manager, which means the chief professional designer accountability system can serve as a special form of the System); other low-risk civil construction projects.

## II. Services provided by and duties of the architect

Services provided by the architects of pilot projects adopting the System (including the whole-process engineering consulting led by the designer) covers planning & design, planning & consultation, engineering design, bidding & procurement, contract management, project operation & maintenance and all or part of other additional services. All or part of the services in the three stages, engineering design, bidding & procurement and contract management, shall be included at least according to the actual conditions of the projects. Engineering design shall cover all the design work so that the architect team can fulfill its role in coordinating design and management in the whole process of the project.

For pilot projects, all the design work shall be contracted out, and the architect team shall coordinate design consulting work in all specialties and disciplines and assume the responsibility of overall planning, coordination and management of engineering design work. The architect team can recommend professional consulting institutions to the construction unit according to the characteristics of the project, provide the construction unit with complete design consulting deliverables, and supervise the construction work so as to achieve the design objectives.

In accordance with the contract, the architect team may need to assist in providing consulting services such as investment decision-making, cost consultation, bidding & procurement, project management, and project supervision. As the representative of the construction unit, the architect has the right to propose professional suggestions and veto right (the right to make professional decisions) in preliminary planning, survey & design, cost consultation, bidding & procurement and contract management on behalf of the construction unit. The rights of the architect team include but are not limited to: fully acting as the agent of the construction unit to handle the administrative examination and approval matters of the construction project, compiling relevant technical materials in accordance with the competent administrative authorities' requirements; offering technical suggestions in the stages of bidding, procurement and selection of materials and equipment, participating in bid proposal evaluation and bid winner determination and signing on the paper for confirming the bid winner on behalf of the construction unit when bidding activities are organized for purchasing materials and equipment and subcontracting technological work; supervising the implementation of technical work during construction , jointly issuing instructions, approving projects and signing for payments with the construction unit. The duties of the architect team include but are not limited to confirming technical factors in refined construction design schemes and technical changes in design schemes, confirming technical requirements for bidding activities organized for purchasing key equipment, materials and parts, inspecting and accepting the first piece or first batch of sealed samples of incoming equipment and materials; signing to confirm the budgetary estimate, budget and settlement amount, and signing to accept the work of certain divisions and in certain disciplines, of key processes and the complete construction work; signing to pay the milestone payment to the supervision unit and the general contractor. For the services provided by the architect, please refer to the *Architect Service Content and Process*.

Table: Services Provided by the Architect

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| --- | --- | --- | --- | --- |
| No. | Stage | Services  (■ Mandatory. □ Optional) | Work content | Requirements to specific deliverables  (Fill out as per the actual requirements of the project) |
| A01 | 1.  Planning & design | □ | \* Constructive-detailed planning and design |  |
| A02 | □ | \* Urban design |  |
| B01 | 2.  Preliminary consulting | □ | \* Project proposal |  |
| B02 | □ | \* Feasibility study report |  |
| B03 | □ | \* Construction planning |  |
| B04 | □ | \* Special evaluation and administrative examination & approval |  |
| C01 | 3.  Engineering design | □ | \* Engineering investigation and survey |  |
| C02 | ■ | Design specification preparation |  |
| C03 | ■ | Scheme design (including estimate) |  |
| C04 | ■ | Preliminary design (including budgetary estimate) |  |
| C05 | ■ | Construction drawing design (including budget) |  |
| C06 | ■ | Integrating and coordinating special design and design general contracting |  |
| C07 | ■  ■ | Assisting in application for approval and construction  Applying for administrative examination and approval on behalf of the construction unit |  |
| D01 | 4.  Bidding & procurement | ■ | Compiling bidding and procurement documents | This may be completed by cooperating with the construction unit or bidding agency |
| D02 | ■ | Organizing bidding & procurement initiation and Q&A | This may be completed by cooperating with the construction unit or bidding agency |
| D14 | ■ | Organizing bid proposal evaluation, clarifying and confirming the base bid price | This may be completed by cooperating with the construction unit or bidding agency |
| D15 | ■ | Assisting the construction unit in contract negotiation and signing the contract | Or completing this task by cooperating with the construction unit or bidding agency |
| E01 | 5.  Contract management | □ | \* Applying for the construction permit | This may be completed by assisting the project management unit or construction unit |
| E02 | □ | Supervising construction preparation and preparing supervision plans | This may be completed by assisting the project management unit or construction unit |
| E03 | □ | Coordinating overall construction plans | This may be completed by assisting the project management unit or construction unit |
| E04 | ■ | Design control and design change management |  |
| E05 | ■ | Reviewing detailed construction drawings, refined construction design, processing drawings, samples and sample walls |  |
| E06 | □ | Coordinating construction quality, schedule and cost | This may be completed by assisting the project management unit or construction unit |
| E07 | ■ | Assisting in project acceptance and delivery | This may be completed by assisting the project management unit or construction unit |
| E08 | ■ | Examining, approving and assisting in filing as-built documents |  |
| E09 | □ | \* Preparing as-built drawings and manuals |  |
| E10 | □ | Handling final accounts for the completed project |  |
| F01 | 6.  Operation and maintenance | ■ | Defect evaluation and check in warranty period |  |
| F02 | ■ | Supervising project repair and rectification |  |
| F03 | ■ | Project summary and quality guarantee deposit audit |  |
| F04 | □ | \* Evaluation after the completed project is being used |  |
| F05 | □ | \* Maintenance plan |  |
| F06 | □ | \* Inspection and evaluation of existing building structures |  |
| F07 | □ | \* Value assessment and renewal planning of existing buildings |  |
| F08 | □ | \* Renovation and extension design of existing buildings |  |
|  | 7.  Other additional services | ■ | Refined interior design |  |
|  | ■ | Nightview lighting design |  |
|  | ■ | Landscape design |  |
|  | ■ | \* Logo and signage design |  |
|  | □ | \* Heritage building conservation design |  |
|  | □ | \* Consultation with public utilities and supporting departments (preliminary design and construction drawing design) |  |
|  | □ | Curtain wall design |  |
|  | □ | Intelligent building design |  |
|  | □ | \* Engineering design of fire fighting facilities |  |
|  | ■ | BIM design and consulting |  |
|  | ■ | \* Green building design, commissioning and certification |  |
|  | ■ | \* Passive energy-efficient building design |  |
|  | ■ | \* Prefabricated building design (industrialization) |  |
|  | ■ | \* Accessible and elderly-oriented design |  |
|  | □ | Project cost consulting (preparation of estimate, budget, budgetary estimate and bill of quantity, change management and final accounts) |  |
|  | □ | Project management: Overall project planning and management, whole-process technology management, requirement and decision-making management, on-site management, design management, progress management, investment management, quality & safety management, project organization and coordination management, bidding & procurement management, cost management, contract management, BIM coordination management, special design & consulting management, expert invitation and organizing expert review meetings for all stages, archive management, acceptance of completed projects & transfer management, project settlement management, quality defect period management and other management and coordination work related to project construction |  |

## III. Charge guidance

For pilot projects, according to the principles that one's interest shall be determined based on its responsibilities and that a higher fee will be charged for a better project in terms of quality, the architect service fees shall be determined in light of the project scale, service content and complexity as well as the *Guidelines on Architect Service Fees for Construction Projects Adopting Architect Accountability System*.

The contract and bidding documents shall specify the total architect service fees, as well as the fees of sub-disciplines such as design, supervision, cost consulting, bidding agency and project management entrusted according to the contract. The total amount and the maximum amount of each sub-discipline agreed in the bidding documents shall not be lower than the standard amount specified in the above-mentioned *Guidelines on Architect Service Fees*, and the final fee base shall be adjusted according to the construction and installation cost determined in the final account for the completed project.

## IV. Project filing and process management

(I). Beijing Engineering Design Industry Advisory Committee (established by Beijing Registered Architect Management Committee and hereinafter, "Industry Advisory Committee") provides policy consultation for the pilot projects, promotes institutional and mechanism innovation of pilot projects, and coordinates relevant design units so as to make them offer better technical services and better conduct project filing work for pilot projects.

Pilot projects shall be declared to the Industry Advisory Committee, and contracts of pilot projects undertaken by design unit adopting the System shall be filed.

(II). Process management

The pilot projects shall be subject to whole-process guidance and supervision by the Industry Advisory Committee. Specifically, the Industry Advisory Committee is responsible for tracking the implementation process including design, bidding & procurement and contract management, guiding and reviewing the bidding process of pilot projects in fulfilling the System, and implementing the pilot policies and measures such as bidding documents, contracts, fees, insurance and Building Information Modeling (BIM); providing technical guidance for the work of the construction unit and the architect team, and putting forward review and rectification suggestions in time; offering professional opinions on the requirements for administrative approval of pilot projects, the provisions and application of technical regulations, technical liability disputes between the parties involved in construction, and liability determination of insurance guarantee; organizing training on policies, regulations and technical issues as per the requirements of the design unit and the construction unit, improving the whole-process services of the architect team, and meeting the needs of the construction unit.

## V. Application guide

(I) Qualifications

**(i). Qualification requirements for the unit**

The design unit where the architect team serves shall possess the necessary engineering design qualifications. Units providing survey and supervision services shall also possess engineering survey and supervision qualifications. The consortium shall possess the qualifications required by relevant laws and regulations. If the design unit has been subjected to administrative penalty for any violation of laws and regulations within the past year, it shall not undertake a project adopting the System.

**(ii). Qualification requirements for the architects**

In principle, the architect shall be a first-class registered architect. In case that it is difficult to assign a first-class registered architect and the relevant provisions are met, a second-class registered architect can be appointed. Team members who are responsible for such services as structural design, cost consultation and project supervision should also possess the professional certifications of registered structural engineer, registered cost engineer and registered supervision engineer. An architect who has been subjected to administrative penalty for violating laws and regulations within the past year shall be disqualified from being appointed as an accountable architect.

(II) Bidding method and platform

The construction unit may select an architect team through public bidding or direct entrustment in accordance with relevant regulations. Major considerations for purchasing design and consulting services mainly include the architect's engineering capability, professional experience, and the potential of the architect's proposal to increase the value of the project.

**(i). Bidding conditions**

In principle, the bidding for selecting an architect team adopting the System shall be conducted according to the requirements of the survey and design bidding after the project proposal is approved or winning the bid of relevant land bidding and obtaining the land transfer agreement.

To improve the organizational pattern, optimize the business environment and promote the implementation of the System each stage of the whole process, including investment planning, research and design, the construction unit may in advance arrange a bidding for selecting an architect team (survey and design) adopting the System according to its own needs and decisions after obtaining the approval of the project establishment department, clarifying the planning conditions and getting necessary funds.

The construction unit may also select investment consulting units (responsible for preparing project proposal, feasibility study, and conducting special research evaluation, etc.), planning & design units, project management units and other consulting service units by virtue of bidding in advance. However, the service contents at all stages, remuneration and compensation measures in case that the project is being suspended must be clearly specified in the bidding documents. The quotations for the planning & research stage, design stage and other stages shall be made separately in the bidding documents. Each construction unit shall be notified of the initiation and suspension of the tasks of each stage as agreed in the contract, and the settlement and payment shall be handled according to the completion of the tasks of each stage.

In the premise of complying with the existing laws and regulations, a construction entity may arrange only one bidding for several micro and small projects under the urban renewal and old community reconstruction program; and arrange several biddings for large projects by dividing them into several sections.

**(ii). Bidding documents**

In principle, the bidding shall be organized according to the bidding sample documents for projects adopting the System. In special circumstances, such documents can be prepared by adding the System-related content to the survey and design bidding sample documents.

The architect team (survey and design unit) must possess the engineering survey and design qualifications. As for other qualifications required in the process of implementing the project, it may acquire such qualifications through subcontracting or establishing a consortium.

**(iii). Bidding platform**

In principle, the construction unit shall organize public biddings on the Beijing National Public Resource Trading Platform. In the following cases, biddings may also be organized on other platforms in strict compliance with the requirements of the *Tendering and Bidding Law of the People's Republic of China* and *Regulations of the Beijing Municipality on Tendering and Bidding* and under the supervision of the relevant industry regulatory authorities.

(1) If the service content involves engineering design and project supervision, the bidding for selecting an architect team adopting the System can be conducted on the public resource trading platform of each district;

(2) If the Beijing National Public Resource Trading Platform fails to meet the requirements of the large models and display boards of the planning & design unit, the construction unit may choose a site that meets the bidding conditions to organize the bidding;

(3) For confidential projects, the construction unit may independently choose the site that meets the bidding conditions.

**(iv). Procurement requirements**

In principle, the architect shall organize or participate in the construction of pilot projects, procurement of materials and equipment, investigation of relevant contractors and suppliers, preparation of bidding documents and contracts, establishment of bid evaluation panel or committee, as well as determination of the bid winner. According to the entrustment of the construction unit, the architect may participate in or preside over the call-for-proposals and determination of the bid winner as the representative of the tenderer. The architect has the right to refuse to use materials and equipment that do not meet the technical standards, provided that he/she provides sufficient and professional reasons. The architect team can recommend qualified contractors and material and equipment suppliers to participate in the public bidding and procurement in strict accordance with the principle of fair competition. Explanatory materials shall be provided for proprietary technologies, innovative products, etc. To ensure the fair selection of the construction unit, the architect shall not designate or designate in disguise the contractors and suppliers.

If it is not necessary to organize a bidding according to applicable laws and regulations, the construction unit may directly designate the contractors and suppliers or designate after considering their proposals.

(III) Project insurance system

For pilot projects, it is encouraged to purchase relevant construction quality insurance and professional liability insurance (project system). All participants in the pilot project shall purchase relevant insurance products in accordance with applicable regulations and the liabilities they need to take for risks in the construction project. In principle, the construction unit shall sign the letter of intent to purchase the quality defect insurance for the project with the insurance company after land transfer procedures are completed, and sign the quality defect insurance contract for the project one month after obtaining the construction project planning permit. The construction unit shall set aside the premium budget in advance in the budgetary estimate and budget of the construction project. In principle, the design unit shall sign the architect professional liability insurance (project system) insurance contract with the insurance company in writing one month after obtaining the approval for the comprehensive implementation plan of the construction project adopting the System.

(IV) Procedure optimization

**(i). Planning permit**

The examination and approval process for projects adopting the System shall be simplified and streamlined. The notification and commitment system for technical examination of design drawings shall be adopted in the planning approval stage (see the Appendix for details). The examination & approval department shall only examine the legality of the procedure and conduct interim and post supervision. It mainly consists of the following two parts:

(1) Examining whether the general plan drawings correspond to the flat and vertical section drawings and whether they meet the requirements of the *Guidelines on Preparing Construction Project Planning and Design-Related Technical Documents*.

(2) Examining whether the requirements about green buildings, prefabricated buildings and rainwater recycling facilities by the research & decision-making department are met in the design documents.

**(ii). Review of construction drawings**

(1) Review of pilot projects' construction drawings is adjusted from the pre-event examination to the interim and post random inspection. With the pre-event examination of construction drawings being removed, the review of construction drawings is no longer a prerequisite and necessary procedure for applying for administrative permit and accessing government services.

(2) The commitment system is adopted for pilot projects. Prior to the commencement of the construction, the design unit (construction units) shall file the drawing files with the Beijing Digital Drawing Review for future reference, jointly confirm the integrity, authenticity and effectiveness of the construction drawings uploaded, and promise in accordance with applicable regulations that such files conform to the project planning permit, engineering construction standards, land transfer contract and other requirements. The construction drawings that are archived for future reference shall be attached with a QR code and immediately sent to the departments of the municipal and district housing and urban-rural development as the basis for supervision, inspection and project acceptance.

(3) The design unit and the architect team shall take the primary responsibilities. The design unit takes the primary responsibilities for design quality. The architect team takes the primary responsibilities for the quality of construction drawings for life.

(4) Change of Record During the implementation of pilot projects, any design changes that need to be re-examined and refiled according to applicable regulations shall be jointly signed and sealed for confirmation by the construction unit and the design unit, and the changed design files shall be uploaded to the Beijing Digital Drawing Review in time.

(5) Fire control review of pilot projects shall be enforced in accordance with applicable laws and regulations, and the notification and commitment system will not be adopted for this matter.

**(iii). Multiple tests in one**

After the pilot project is completed, the construction unit may entrust a qualified surveying and mapping unit to carry out the project-close survey and real estate surveying and mapping according to the mode of "multiple tests in one". Acceptance of individual projects can be conducted according to surveying report immediately after an acceptance application is submitted.

**(iv). Planning verification**

The architect team is encouraged to assist the verification department in supervising throughout the life-cycle of the project. The notification and commitment system is adopted. The accountable architect and the construction unit shall jointly issue the letter of commitment, promising that all the work conform to the applicable national laws, regulations and technical standards, and that no approved planning indexes are altered, otherwise, they will assume corresponding responsibility. Specifically, there are two circumstances:

(1) If the construction unit needs to change the design due to functional requirements, and the change does not involve the approved content on the planning permit, it shall contact the planning & examination department in time, and submit the changed design documents (including drawings and specifications) to the original planning examination & approval department for filing.

(2) If the change involve the approved content on the planning permit, the construction work shall be stopped immediately, and the accountable architect shall apply for the change to the verification department. The verification department shall report it to the planning & implementation department and the examination & approval department for further study, re-examination and approval. After the approval is obtained, the construction will proceed according to the re-approved contents.

(V) Supervision and evaluation

**(I). Project supervision**

(1) The planning department shall strengthen the interim and post supervision over the matters for which the architect made commitments at the stages including planning approval, planning verification and construction drawing filing. For projects not conforming to the commitment, accountable architect and the construction unit will be punished according to applicable provisions of the notification and commitment system.

(2) The quality of the construction drawing archived for reference shall be subject to post-event random inspection. The inspection shall be conducted in principles of "randomly selecting objects to be inspected and inspectors and timely disclosing the inspection result to the public". The focus of the inspection shall be centered on the approved content on the project planning permit and mandatory standards of project construction. For problems identified in the inspection, a rectification order shall be issued. If on-site rectification is required, the municipal or district departments of housing and urban-rural development shall urge the construction unit to conduct on-site rectification, and the inspection results shall be disclosed on the website regularly. Should anybody objects to the inspection results, he/she can report to the Industry Advisory Committee or the drawing review authority in time, the two of which shall make relevant decisions after jointly organizing an expert meeting to study the objection(s).

(3) The Industry Advisory Committee shall fully play its role in tracking, evaluating and supervising the whole process of the pilot project, conducting random inspection and guiding the implementation of the System, and evaluating the final results.

The construction administrative department may jointly supervise and inspect the implementation of construction projects with other relevant administrative departments. The joint supervision and inspection contents include: inspecting the legality of construction projects' procedures and the compliance of project survey and design technical documents in terms of quality. Problems found shall be rectified within a time limit according to the inspection results, and illegal design behaviors shall be investigated and punished in accordance with the law.

**(ii). Credit management**

For pilot projects adopting the System, any improper behaviors (breach of laws and regulations, breach of commitment, breach of professional ethics, etc.) throughout the process of project construction shall be recorded, identified and notified to the architects or relevant units, and a channel for appeals and credit repair applications shall be set up according to applicable credit management regulations of China and Beijing. The credit supervision department shall deal with the architects and the relevant units depending on the nature and severity of their dishonest behaviors.

The credit information of the architects and the design unit (information related to good behaviors and improper behaviors) shall be recorded and managed by the Industry Advisory Committee after being disclosed to the public on relevant credit information platforms. Architects with low credit ratings and dishonest behaviors and their design units will be listed as key regulatory targets of the industry.

**(iii). Disciplinary measures**

The Industry Advisory Committee shall supervise the pilot project throughout its life cycle. For those failing to meet the requirements and the relevant architects and units refusing to make corrections, the Industry Advisory Committee shall report to the Beijing Municipal Commission of Planning and Natural Resources for approval, and disqualify them as pilot projects and announce it to the public.

For high-standard residential projects, the lands of which are under the centralized land supply program and for which promises are made to adopt the System, if they fail to meet the requirements for pilot projects and relevant architects and units refuse to make corrections during the implementation of such projects, they shall be disqualified, announced to the public, and the relevant unit shall be put onto the non-performing development enterprise list.

If the services provided by the architect team can't meet the requirements of the construction project, the loss incurred as a result shall be compensated for; the Industry Advisory Committee shall urge the design unit to improve the capability of or replace the architect team, and warn the architect team and the design units and/or issue a circular thereon and/or take other disciplinary measures in accordance with applicable regulations, and disqualify the architect team from undertaking pilot projects.