

CHALLENGES FACED BY ARCHITECTS
IN THE CONSTRUCTION INDUSTRY
OF MALDIVES

*A compilation of concerns raised and recommendations made by
the members of Architects Association Maldives to be presented
to the Committee on National Development & Heritage of
Parliament of Maldives.*

19th August 2020

Prepared by
Architects Association Maldives



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1. Regulator, laws and regulations and enforcing
 - 1.1. There are some issues in the current Construction Act 4/2017, raised and notified to the Regulator by AAM, which need to be reviewed.
 - 1.1.1. This include the complete exemption of the construction of tourism related facilities on uninhabited islands, from this Act.
 - 1.1.2. Maldives Building and Construction Board (MBCB) board has an advisory role to the minister, creating conflict of interest without a mandate to vote on decisions (Clause 5, haa).
 - 1.1.3. We see similar issues in the Planning Act draft.
 - 1.2. 2 names have been sent Ministry of Planning, Housing and Infrastructure to represent AAM in the Appeals Committee and MBCB. To date, AAM is not aware that any works have been carried out by these 2 Boards.
 - 1.3. Relevant laws and regulations are drafted by the Regulator without systematic consultation and/or sharing of information/process from the onset of draft. Advise and suggestions by AAM get poor response and/or acknowledgement.
 - 1.4. Regulations and implementation and monitoring during construction need to be strengthened. Site safety during construction are poorly regulated and monitored resulting in several accidents sometimes resulting in death. Construction in local islands (apart from resorts) are poorly monitored.
 - 1.5. Issues of accountability
 - 1.5.1. The regulations require a Checker Architect and Checker Engineer to stamp design drawings made by another Architect and Engineer.
 - 1.5.2. Proper construction supervision and logging are not mandatory.
2. Registration process of Architects & Architectural firms
 - 2.1. Current criteria and the need to renew a design license.
 - 2.2. Current "Checker" license for local architects and engineers negates the legal aspect of design spec of projects. Checkers cannot be allowed to act as authority for design spec of a project.
 - 2.3. Some firms providing architectural services without a qualified Architect.
 - 2.4. How are foreign Architects practising in Maldives regulated?
3. Design approval process
 - 3.1. Propose a two-stage design approval for Planning Permit and Building Permit.
 - 3.2. Delays in design approval sometimes result in the cancellation of loan facilities.

- 3.3. In the COVID impact survey 80% of the members highlighted delay and drawing approval process. This affects their works and are facing difficulties claiming the payment from clients.
4. Project cost and financing
 - 4.1. When considering challenges faced by locals in the Construction Industry, our works are means to an end. There are challenges to deliver the designs. Material prices and quality have a direct impact on the quality and/or affordability of the end product.
 - 4.2. Project financiers (banks) require a detailed design and BOQ for residential buildings. Current system omits design fees in the process.
5. Current tendering process for government projects
 - 5.1. Projects should allocate a minimum percentage of the total project cost to design and consultancy fees and consultancy fees during construction. The percentage may vary depending on the project scale. This is practiced in most countries.
 - 5.2. Usually the evaluation criteria specify 60-80% for price, 20-30% for duration and 5-10% for capacity and experience. This undervalues the design works and often comprise the quality of end product.
 - 5.3. Bid evaluation criteria should give more weight to prior experience in cases of specialty projects such as hospitals.
6. Foreign consultancy
 - 6.1. Engaging local parties in projects undertaken by foreign design consultancy firms.
 - 6.2. So many projects have been undertaken without any endorsement of a local Architect/firm.
 - 6.3. As one of the large scale design and infrastructure projects in the country, why is it not mandatory to engage to engage a licensed local architect from project onset (despite the building heights)?
 - 6.4. Some resort projects are completed entirely from concept to detail design by a foreign consultancy firm. And a local Architect is engaged at the last stage as a "Checker" to stamp the drawings. It is important to involve the local party from design onset.
 - 6.5. Design & Consultancy fees of local parties are not valued. Some large scale infrastructure projects have been awarded to a single foreign party, while the same value or less from a qualified local party is not accepted for the same services.
 - 6.6. Foreign architects and consultant able to compete unfairly with no transfer of knowledge or share of scope of work. Locally registered architects signature should be compulsory for submissions for approvals from government authorities, not just as a checker to stamp the drawing.
7. Housing
 - 7.1. Housing Projects planning should be consulted with experts in a planning committee mandated by law.
 - 7.2. AAM has prepared an Observation Report on Hiya 7000 Project in Hulhumale'.

- 7.3. Large scale housing projects to be made more public from planning stage.

8. Design copyrights
 - 8.1. How can a designer get to protect their rights and ownership of the concept they produce? Some designs are submitted and registered in the authorities in another designer's name. Need strategies to protect the rights of Designers and give credit to the rightful owner.
 - 8.2. A contractor must engage a design consultant during the construction period. Often designs are altered without the knowledge of the design Architect.

9. Architectural education
 - 9.1. AAM could engage with MQA to review the existing qualification framework for Architectural studies provided in the Maldives.
 - 9.2. Regulator depends on the architectural qualifications accredited from MQA, which in turn affects the level of architectural license issued.
 - 9.3. Many authorities or institutions in Maldives lack understanding of architectural studies, especially about part 1 and part 2 in architecture.

In the near future an Architects Act will be required for the growth of the profession and to build the industry. An Act will protect the profession and rights of Architects in the Maldives.
