

MAKI AND ASSOCIATES
ARCHITECTURE AND PLANNING

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To:
Ar. Vijay Garg
Vice-President, Council of Architecture
Government of India, India Habitat Centre
New Delhi, India

Sir,

We are writing to inform you, as a representative of the governing professional body for architects in India, of our recent experience as a participant in the Amaravati Capital Complex Competition. The Competition itself was organized and conducted fairly in all respects, but in our opinion (and indeed the opinion of others - see attachments from Indian media) Government actions subsequent to the Competition bear further inquiry. It should be stressed that we have accepted – despite winning the competition – that Maki and Associates will not be designing the Capital Complex; we are not trying to reverse this course. However, the manner in which the Government treated us following the competition and subsequently appointed a different architect team should be re-examined. This inquiry is, in our opinion, in the best interests of the Indian Architecture as a profession, both for Indian architects and for the International community. The reputation of the Indian Architectural profession is at stake.

SUMMARY OF EVENTS

On December 12, 2015, Maki and Associates was invited to participate in the Competition for Concept Design of Government Complex in Amaravati Capital City, Andhra Pradesh, India. The project was described in the invitation letter as a “milestone moment in the context of Indian urbanism and architecture”. The international competition jury (Prof. Christopher Benninger, Prof. KT Ravindran, Prof. Ervin Viray, Prof. Suha Ozkan, Padma Bhushan Rajeev Sethi, and Mr. Keshav Varma) was dedicated to provide an objective result based on the client’s design criteria, and avoid fee-based or otherwise suspect selection processes. Vastu Shilpa Consultants of India and Rogers, Stirk, Harbour + Partners of England had already been invited and begun their competition work prior to December 12.

Maki and Associates agreed to enter and were subsequently selected as the winner by the International Jury on March 25, 2016. Full announcements of Maki and Associate’s selection were made in the local and international press. We can only assume the selection was based on given evaluation criteria (which included functionality, overall impact and vibrancy, people friendliness of the design, design’s responsiveness to people’s / cultural aspirations of the state, durability and maintenance, and a fee proposal commensurate with Japanese standards – all per the Competition Contract). Per newspaper reports, the Jury was unanimous, but the Jury Report has not been released to the public. 7 months later, on October 24 2016, Maki and Associates was officially terminated for reasons which are demonstrably false. A new RFQ was launched the following day, and it was announced in early December that Foster and Partners of London with Hafeez Contractor from Mumbai were selected. The announcement of this team has been decidedly muted and no new designs have been presented to the public for comment or review.

DETAILED TIMELINE OF EVENTS

Following a very public announcement of Maki and Associates as the winner of the competition on March 25, our selection was confirmed in writing on April 7 by the Commissioner of the Andhra Pradesh Capital Region Development Authority (APCRDA). We responded positively and immediately to the APCRDA's official notification via e-mail on April 7, and began work on the project. We also requested the Letter of Award and Contract Draft. Despite the APCRDA's contractual obligation to release these two documents by May 15, they never did so. We travelled to Vijayawada in early May, where we met Honorable Chief Minister Chandrababu Naidu (CM) and other Government officials. The CM conveyed to us improvements to be made, based partly on adverse public comments to the Competition scheme - including desire to increase local Indian influence, reconsidering locations of key buildings, reconsidering the form of the Assembly Hall, and increasing the presence of waterways. Our team began work on those inputs immediately and produced numerous alternative schemes. We later received program revisions from the Capital City Management and Development Corporation (CCDMC - a subdivision of the APCRDA), and our team also incorporated these changes. Despite this, repeated requests to present our revisions to the CM and the Government were ignored. Eventually, we sent printed versions of our work to the Government, but have received no response. It is uncertain if the CM has seen our extensive revisions of the Competition scheme.

In mid-May, the Government asked a group of seven Indian architects (empaneled architects to build out the Master Plan) to submit proposals for the same Government Complex project. This was done without informing Maki and Associates. On June 3, we received a letter from the CCDMC noting that "After review of submissions made by these architects, GoAP may select up to 3 architects depending on scale of designs and work in coordination with Master Architect to contextualize the design of iconic buildings and also help the GoAP for preparation of detailed designs for the Government Complex (apart from iconic buildings) as said above. This may help us in contextualization of iconic buildings (i.e. Assembly and High Court) by Maki and Associates."

Maki and Associates responded positively and immediately to this surprising development from the CCDMC via e-mail on June 3. Further to this, Maki and Associates travelled to India and met with Professor Ravi Anand on June 21, who was commissioned by the CCDMC to assess the empaneled architects. Professor Anand did not give us the full results of his review, but did tell us that his recommendations were at odds with "political" choices of the APCRDA. Other sources have confirmed that Hafeez Contractor was ranked last in Professor Anand's Report. Professor Anand's comments, we assume, are part of a larger Jury Report on the work of the seven empaneled architects. Like the Competition Jury Report, this Empaneled Architects Jury Report has not been released to the public.

On July 8, 2016, three Government officials made a six-hour stopover to our Tokyo office (including lunch outside the office). Of this group, only one had formal training in architecture or urban design. They did not meet our entire project staff, did not see the entire office, did not visit any completed buildings in Tokyo, did not carefully review progress of the Amaravati project and declined our recommendation to stay longer. They did, however, make clear their desire for us to work with Hafeez Contractor as our Architect of Record (despite the fact that our competition proposal had clearly included another Indian firm for this role - which had presumably been vetted and approved as part of our winning competition proposal). In response, we requested a chance to perform our own due diligence on all seven empaneled architects (including, but not limited to, Hafeez Contractor). The visiting Government officials verbally agreed to this approach at that time.

Simultaneously, other officials at the APCRDA continued to question Maki and Associates Competition Technical Proposal- specifically, the team composition / Indian Architect of Record, staffing of the project in Vijayawada, and fees. The Government eventually requested us to do a full resubmission of this information. Our responses to the Government concerns were as follow:

1. Regarding fees - our Competition calculations were per Japanese standards (as insisted upon in the Competition Contract). They were part of the Competition Jury and APCRDA Technical assessment, which Maki and Associates won. Despite this, we eventually agreed on September 15 to lower fees by a full percentage point (following a careful reassessment of scope and team structure).

2. Regarding team composition / Indian Architect of Record - Maki and Associates agreed on July 8 (see above) to interview, select, and work with one of the empaneled architects per the Government demands (though not necessarily with Hafeez Contractor). Subsequently, on September 8 in Hyderabad, we were told by Government officials that we must work with Hafeez Contractor (i.e. that none of the other empaneled architects would be acceptable) and we again agreed to this new condition. Immediately afterwards, the same Government officials mysteriously instructed us to submit a revised Technical Proposal maintaining our original Architect of Record (Opolis Architects from Mumbai) in place. This Proposal was subsequently rejected.
3. Regarding staffing of the project in Vijayawada - Maki and Associates was contacted in mid-September by CP Kukreja and Associates (CPKA), another of the seven empaneled architectural firms, and reached an agreement to partner with them. Our intention was to utilize CPKA's local strengths to reinforce our own local staffing of the project (though we had already committed in writing to meet all local staffing demands as required) in deference to APCRDA's concerns. The Government was informed of this new team proposal on September 28, but never responded.
4. Regarding general technical capability - Maki and Associates established track record of completed projects (larger than the work required at Amaravati) was compiled and sent to the Government. We also invited the Government to discuss our suitability for delivering this kind of large, International project with any past or current clients. To our knowledge they have not done so, nor have they visited any completed projects by Maki and Associates. They did, however, visit completed projects by both Hafeez Contractor and Foster and Partners prior to our September 8 meeting in Hyderabad, and discussed these visits openly with us during this meeting.

Finally, on October 24, APCRDA released a Termination Notice to Maki and Associates citing adverse public reaction following the Competition, "disproportionate" professional fee, "unchanged" manpower proposal, and concerns toward executing the project "in the given time frame" -- all of which (other than the adverse public reaction) are demonstrably false. We were never given a proper opportunity to present revisions of our design to the Government in response to the adverse public reaction. The following day, October 25, the APCRDA launched an entirely new RFP for the same project which depended largely on fee and staffing calculations, and did not request in-depth design explorations. As an RFP for Architectural Services, this document is highly unusual in many respects and, in our opinion, bears a separate in-depth examination.

Foster and Partners with Hafeez Contractor was very quietly announced as the winner of this "open" selection process in early December. No images of proposed designs have been released for public comment, and no details regarding their fees in relation to scope or staffing have been made available.

CONCLUSION

Maki and Associates accepts that the APCRDA Government does not want to engage our firm as the Master Architect for the Capital Complex, and we wish the people of Andhra Pradesh the best as the Capital City develops without our services. But we categorically reject the Government's cited reasons for termination, and, in fact, maintain that Maki and Associates' removal was conducted willfully and without regard for processes established by the International Jury and codified in the Competition Contract to which the Government is a signatory.

All three firms invited to this Competition were selected via Government Resolution no 2/2015 (August 28, 2015), and subsequently the 5th Executive Committee Meeting (September 25, 2015) for their deserved reputations as "top architects in the world". It is insulting and fraudulent for the Government to create the illusion that the winning firm is somehow unfit for execution of the given task, especially given the difficult but objective criteria for initial inclusion and our subsequent selection as the winner of the Competition. Furthermore, it bears examination as to how and why a Publicly-funded Competition - judged by an independent jury of experts - can have its results unilaterally overturned by the Government, despite the best efforts of the winning firm to meet the Government's shifting and somewhat arbitrary demands. This sets a very disturbing precedent for future architectural competitions in India, and for the Capital City.

In our opinion, the "open" RFQ following Maki and Associates' termination might well have been a choreographed appointment of Foster and Partners with Hafeez Contractor. Per local reports and even their own admission, Government officials met with Hafeez Contractor throughout the year, visited his projects, and ignored objective professional assessments of his firm's work. Per other local reports - even while Maki and Associates was still considered the Master Architect - Government officials made visits to Foster and Partners in London and made obvious efforts to force us to work with Hafeez Contractor as the Architect of Record. Now, Maki and Associates has been terminated and Foster and Partners with Hafeez Contractor has been selected to execute the same project. This sequence of events also sets a very disturbing precedent.

The people of Andhra Pradesh deserve the best designs for their Capital - independent of political or personal favor. As colleagues of the Architectural Profession, we trust that the Council shares our belief that only through fair and transparent selection of Professional Consultants will Amaravati become the promised "milestone moment in the context of Indian urbanism and architecture" - instead of "business as usual" in India. We hope that the Council of Architecture is willing to look into this matter in more detail, and take appropriate action if it is, in fact, warranted. A good first step might be to request the Jury Reports (both for the Competition and the empaneled Architects exercise) via India's Right to Information Act to see what these documents contain. As this channel is open only to Indian citizens, we unfortunately cannot initiate an RTI on our own.

Thanking you in advance for your time and consideration of this important matter.



Fumihiko Maki, Hon. FAIA
Principal
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