

BAUKULTUR FOR URBAN NEIGHBOURHOODS PROCESS CULTURE THROUGH CONCEPT TENDERING



All aerial photos at scale of about 1:21 000.



Berlin, Wholesale Flower Market
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Hamburg, Pestalozzi Neighbourhood
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Tübingen, Old Weaving Mill
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Landau in der Pfalz, Am Ebenberg
p. 88

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INTRODUCTION

Urban land-use planning alone cannot guarantee that the urban development, architectural, use-related and social qualities of a building project will actually be realized. That goal is just as unlikely to be achieved if local authorities themselves take on the role of project developer. The concept tendering method stands somewhere along the continuum between these two approaches and helps to close quality assurance gaps in urban development processes. That is why concept tendering is increasingly being used across Germany to sell plots of land or grant building leases. More and more often land is no longer being sold to the highest bidder, but to excellent projects which are evaluated in terms of whether they contribute to the quality of the district under development – as well as in what form and using what means that is to occur. Concept tendering can harness project developers' innovativeness and creativity to the benefit of district development and then arrive at a cooperative planning process. It helps to achieve diversity and to bring together and involve innovative actors. It can prevent uses being determined by high land prices. It can be applied to realize high-quality projects, to move the general public to get involved and participate, and can be employed as a catalyst for civic engagement in neighbourhoods. There

are two key reasons why towns and cities use concept tendering: First, high-quality urban development (in terms of diversity, mixed uses, high-quality ground floor uses, architecture, sustainability, quality of open spaces, participation, infrastructure, social mix, promoting neighbourhood relations), an issue which was first raised in the mid-1990s. Second, affordable housing, a matter which came into sharp focus following the 2007/08 financial crisis. Both these aspects can be fostered by applying the concept tendering method, making them important components of the urban development toolbox. There are, however, two pre-conditions: Towns and cities need to have access to appropriate plots of land, that means they generally need to own that land and be in a position to sell it or grant a building lease for it (at least that has been the case up until now – it is likely that, in future, concept tendering will also increasingly be used for plots which are not owned by local authorities). And the local authorities need to have the competences and resources at their disposal (either internally or externally) to be able to prepare and carry out concept tendering processes. Guidance on how to do just that will be presented in the following.

CONCEPT TENDERING

Current state of debate

Increasing numbers of towns and cities are using concept tendering and have either developed their own specific forms or adapted the model applied by others to suit their own needs. The key recommendations and measures put forward by the Alliance for Affordable Housing and Building include concept tendering as a method for selling land at reduced prices. It was on these recommendations that the 10-point programme under the Housing Construction Strategy was based. The first priority area of action of that Strategy is: “Making building land available and awarding plots belonging to public authorities at a discount and based on the merits of the concept”. The call for more concept tendering (“Sell Land Based on Concepts!”) was included in the final document of the “Property for Many – Shaping Public Interests Together” Convention held in Leipzig in 2016. Finally, the recommendations made by the Building Land Commission in 2019 include the suggestion that tender processes based on qualitative criteria (e. g. the quality of the underlying concepts) be used more frequently as a steering tool. The concept tendering processes being applied today were preceded by models like those which were first used in Tübingen in the 1990s, for instance. Property developer competitions introduced in Vienna in 1995 represent a special case, in which four criteria (architecture, economic and environmental aspects, and social sustainability) were all used when making decisions regarding the sale of land and funding approval for housing construction subsidies. No systematic analysis has yet been carried out of these models, although there are initial signs of some degree of systematization. For instance, the Allianz für Wohnen in Hessen commissioned guidelines for concept tendering. Köln has already issued instructions relating to these processes and the Federal State of Rhineland-Palatinate has examined whether concept tendering complies with procurement law. A document entitled “Allocating Land to Communal Forms of Living. Concept Tendering to Promote Social Cohesion,

Affordable Housing and Lively Neighbourhoods” published in 2016 by the Forum Gemeinschaftliches Wohnen e. V. association contains an important description of the method. It compares concept tendering models applied to communal forms of living in Tübingen, Hamburg, München and Berlin are compared taking a local perspective. The Bundesweiter Austausch Konzeptverfahren (National Exchange on Concept Tendering Processes) conference, which has taken place three times and will next be held in Tübingen in 2020, takes a similar approach.

Context

Concept tendering is one of several options available to local authorities for allocating land which is within their direct sphere of influence – and, in turn, just one of a number of property policy tools. Alternatives which have so far prevailed over concept tendering include direct awards, in the course of which agreement is often reached with the buyer on attaching certain conditions to the award, and bidding processes, where decisions are based solely on who offers the highest purchase price. Like concept tendering, selling land by direct award with conditions attached enables specific requirements to be made of a future project, although within limits because otherwise neither the creativity of (innovative) project developers can be tapped into nor is it possible to compare different proposals. There are overlaps between concept tendering and investor competitions, although in the latter model the concept has to be developed within strict limits as it is part of a pre-defined programme. The only criteria applied in investor competitions tend to be architecture and the price bid. Another approach which, like concept tendering, is currently much under discussion is the grant of a building lease, in which case the local authority retains ownership of the land and can impose long-term use-related requirements under the lease agreement. These two approaches can also be combined.

Concept tendering and *Baukultur*

The present research project was not so much concerned with issues around affordable housing, but with high-quality *Baukultur*. Key questions thus included: Can concept tendering processes be applied to achieve high-quality urban development and architecture? What influence do concept tendering processes have on the quality of the designed living spaces in a neighbourhood and its surrounding area? Which actors are interested in taking part in concept tendering processes? What recommendations can cities and communities be given so as to be able to derive the most benefit from concept tendering? Based on the debate conducted over the past two decades, high-quality *Baukultur* is broadly defined, i.e. the question is not only one of the quality of the design in relation to urban development, architecture and open spaces, but also issues around function, sustainability and social qualities (creating opportunities, participation, acceptance and impact on the surroundings). The criterion “affordable housing” is thus, at least indirectly, also a *Baukultur* issue. The concept of *Baukultur* also attaches particular importance to processes: high-quality processes are key to ensuring high-quality *Baukultur*, its material products and uses – from the policy level to planning and use, from phase 0 to phase 10, from urban planning and property policy to project development and programming, from participation to realization. Concept tendering is a process mode which allows key *Baukultur* issues to be incorporated and discussed and high-quality outcomes to be promoted. It is concerned with the built environment and the associated processes, not in the sense of addressing a specialist issue but rather as the essential basis and framework for residents’ quality of life.

Concept tendering and communal forms of living

The concept tendering model was introduced in both Tübingen and Hamburg in connection with the award of land to communal housing projects, either in the form of a cooperative or joint building venture group (*Baugruppe*, literally “building group”, a group of individuals who join forces to plan and realize their own housing construction project). They were regarded as particularly engaged and innovative developers and were therefore to have easier access to land to compensate for their structural disadvantages on the market for land – without resort having to be taken to the direct award model. The logical consequence was that the award then had to be based on concepts. In Tübingen in particular joint building venture groups were regarded as partners with whom it would be possible to achieve the highest level of urban development, use-related and social qualities in new neighbourhoods. Since awarding contracts to cooperatives and joint building venture groups is, at least in part, regarded as a means of achieving a high level of urban development and architectural quality, the criteria applied in these award processes are geared to achieving these specific goals, and they can be applied almost one-to-one when awarding contracts to other building developers.

THE PROJECTS

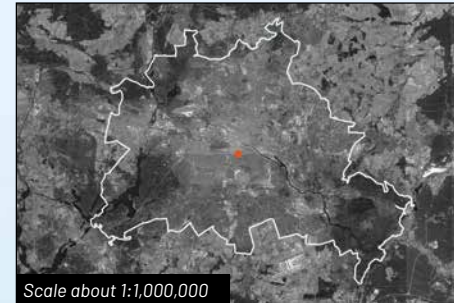
10 CITIES, 11 TENDER PROCESSES

In the following the concept tendering model is analyzed based on examples drawn from 10 cities. One tender process is included for each, with only Tübingen providing examples of two tender processes. This is due to the special case of a project to build refugee housing, which was adapted from the standard process applied in Tübingen and is a particularly interesting example which could be applied, in a similar form, in other cities. The 10 cities – Berlin, Hamburg, München, Frankfurt am Main, Stuttgart, Hanover, Münster, Heilbronn, Tübingen and Landau in der Pfalz – were selected so as to reflect a broad spectrum of high-quality tender processes in terms of content and regions. The projects are presented in descending order of the size of the cities to show that concept tendering can be adapted to the respective requirements of any size of town or city.

The tender processes included in the analysis were not, as a rule, conducted under the Regulations on the Award of Contracts (Vergabeverordnung) and the Regulations on the Award of Contracts for Public Works (Vergabe- und Vertragsordnung für Bauleistungen) – with the exception of one special case, the children’s day-care facility in Hanover. Following a ruling by the European Court of Justice of 25 March 2010 (case no. C-451/08), sales of land by local authorities are to be regarded as public building contracts and must be subject to public procurement law only if, cumulatively, 1. the public authority itself has an immediate economic interest in the construction work, 2. the investor is contractually obliged to construct the building, and 3. the public authority has a decisive influence on the underlying concept on which the building work is based. The cases described in the following do not meet all of these criteria. Naturally, a concept tendering process can, if necessary, also be implemented under the Regulations on the Award of Contracts. Besides public procurement law, local authority law and EU state aid law also play an important role in concept tendering, that is when setting the purchase price.

1. BERLIN, WHOLESALE FLOWER MARKET

Awarding body	Berliner Großmarkt GmbH, Liegenschaftsfonds Berlin GmbH & Co. KG (now: Berliner Immobilienmanagement GmbH (BIM))
Sale or building lease?	Sale
Timeframe	Tender process: 2011–2014; realization: 2014–2018
Target groups	No restrictions
Is price a criterion?	Yes (40 %)
Are criteria weighted?	Yes
Is architecture a criterion?	No, mandatory quality assurance process
Urban planning	BBZL Böhm Benfer Zahiri Landschaften Städtebau Architektur, Berlin
Open space planning for area	Rehwaldt Landschaftsarchitekten, Dresden (forecourt Akademie)



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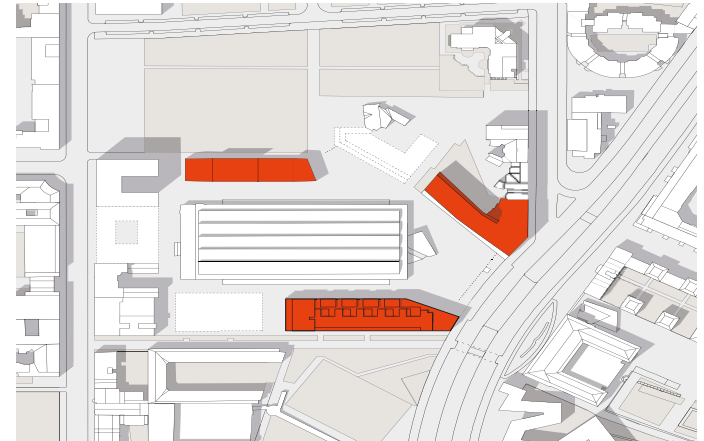


Early concept tendering processes, public debate

Back in 2007 the Berlin Senate decided to promote inner-city housing, cross-generational residential groups and joint building ventures (Baugemeinschaften, literally “building communities”, in which groups of individuals plan and realize their own housing construction project). To that end, the Liegenschaftsfonds Berlin (subsequently: Berliner Immobilienmanagement GmbH (BIM)) was to sell individual plots of land via a tender process in which the purchase price was fixed and criteria for evaluating the underlying concepts were to be applied. The tender process used in 2011 for the former wholesale flower market, by contrast, applied a new concept tendering model. It was not least on account of the use of this tender process and the civil-society Initiative Stadt Neudenken (Rethinking the City Initiative) that Berlin subsequently began re-aligning its policy in 2012. Under its Transparent Property Policy, all land owned by the city-state was then to be clustered into categories. Since then a small proportion has been sold by the BIM by way of concept tendering.

Pilot project in the heart of Berlin

The tender process applied to the former wholesale flower market, the majority of which was owned by Berliner Großmarkt GmbH (owned by the City of Berlin), was carried out before the new policy was adopted. It was, on the one hand, an extraordinary project, because the city did not own the land, because the site location and programme were not run-of-the-mill, and because the process was adapted several times. The outcome, on the other hand, was exemplary. The wholesale flower market was located in the heart of the city between Friedrichstraße and Lindenstraße, but relocated to the Moabit district of Berlin in 2010, leaving the area open to redevelopment. The Federal Government bought the old market hall for the Academy of the Jewish Museum Berlin. Three building plots surrounding the market hall were to be sold by way of a concept tendering process.



Design: ex-Blumengroßmarkt Project Group (PxB). Draft: Arge ifau (Institut für angewandte Urbanistik) and HEIDE & VON BECKERATH

From Market Hall No. 9 to wholesale flower market

The director of Berliner Großmarkt GmbH had already sold the small Market Hall No. 9 in the Kreuzberg district of Berlin based on utilization criteria and not the best price bid. That sale then served as the model for the new tender process. Because the old market hall was already being used by the Jewish Museum it appeared logical to put the area as a whole to mixed use, including cultural. The tender process thus came about independently of the model specifically aimed at joint building ventures which had previously been applied in Berlin.



Integrated building project on the site of the former wholesale flower market (IBeB).
Architects: Arge ifau (Institut für angewandte Urbanistik) and HEIDE & VON BECKERATH; client: IBeB GbR. Photo: Andrew Alberts

Developing the concept at district level

When the market hall was put up for sale in 2009, Friedrichshain-Kreuzberg District Authority had already commissioned a conceptual study for an arts and creative neighbourhood. The concept imposed specific requirements as to further development, some of which were incorporated into the projects which ended up being realized. Berliner Großmarkt GmbH rolled out its concept tendering process whilst the aforementioned concept was still being drawn up, but those involved in the study were in the end incorporated into the tender process. The shortlisted projects were presented for public discussion as part of an exhibition in 2012. Because so many local actors were involved in the debate it was possible to tread new paths, for instance as regards cultural uses and participation.

Using the tender process as a testing ground

Berliner Großmarkt GmbH, in cooperation with Liegenschaftsfonds Berlin, issued the invitation to tender in 2011 as part of a bidding process called "Checkpoint Art". It covered five plots of land located around the old market hall. Initially, the only determinations made included a minimum purchase price and the requirement that utilization concepts focus on cultural activities. Key aspects were the fact that the price criterion was not the most important element; the combination of cultural uses and affordable housing; that the decision was to be taken by a panel comprising politicians and people from the creative industry; that local residents were to be involved; and that the concept tendering process was to be used as a testing ground. By late 2011 a total of

19 bids had been submitted, after which a working group was set up and tasked with making a recommendation for the sale to the Berliner Großmarkt GmbH supervisory board. The working group included representatives of the Senate departments responsible for economic affairs, technology and research, for urban development and the environment, representatives of the district authority and the creative sector. In early 2012 the working group drew up evaluation criteria based on which participants then revised their concepts. The determination was made that proof of financing was to be provided during the tender process and that the buyers would have to carry out an architectural competition.

Long tender process

After two out of the five plots had been sold by direct award to the taz, die tageszeitung daily newspaper and to the Berlin Chamber of Physicians, the decision regarding the remaining three plots included in the tender process was delayed until 2014 on account of elections being held. The intervening time was put to good use by holding discussions with the involved tenderers to clarify various issues as well as to conduct contractual negotiations. At the end of the process, the three best projects for each construction site were publicly discussed. Based on a handful of objectives set at the start, the tender process thus became iterative and changed in the course of discussions with the projects themselves and local residents. However, it also required a lot of time, effort and commitment on the part of all those involved.



The Metropolenhaus Am Jüdischen Museum. Architecture: bfstudio-architekten; client: Metropolenhaus Am Jüdischen Museum GmbH & Co. KG. Photo: Rainer Gollmer

Quality assurance and participation

The idea of holding an architectural competition for all the projects was dropped in favour of a qualificatory, cooperative planning process together with the district authorities. As a result, the project architects were able to cooperate on drawing up their drafts so as to achieve a harmonious whole. Full-day workshops were held four times over the course of two years with representatives from the district authorities and the Berlin Senate, local residents, the redevelopment panel (the site is located in a redevelopment area) and three external architects. This process as well as determinations made as to uses for a 10-year period were set out in detail in the purchase agreements. Prior to and during the tender process there was intensive public participation in regard to the cultural concept and the ensuing dialogue. The winning projects paid for the "Builders' Hut" in the adjoining Bessel Park, which served as a place to meet with local residents.

Three exceptional projects for the neighbourhood

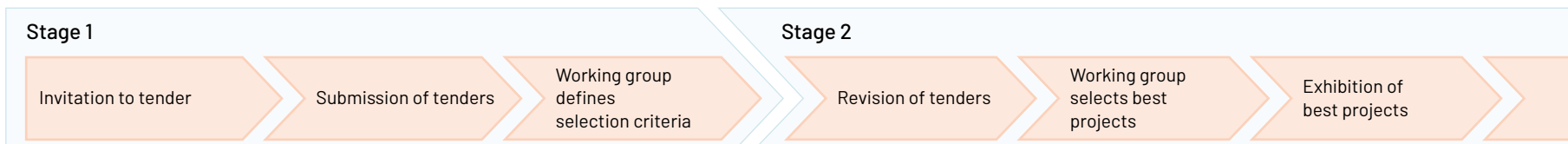
The three buildings which were erected as a result of the tender process focussed on different aspects of culture/the creative sector and affordable housing: Frizz23 is a joint building venture group for the cultural industries and includes an education provider; the IBeB combines a cooperative, owner-occupied housing and a social agency with space for the creative industries and commercial uses; and the Metropolenhaus Am Jüdischen Museum combines housing with commercial uses, where the commercial leases help fund the intercultural ground floor uses.

Current situation

Following the 2016 national elections the Federal Government's Coalition Agreement defined property policy as a tool in relation to services of general economic interest. Land is only to be allocated via the grant of building leases, housing construction sites in particular to federal state-owned companies. Some smaller plots are primarily to be sold through concept tendering process to cooperatives and public service organizations.

Evaluation criteria

max. 40 pts	Purchase price	<ul style="list-style-type: none"> Exceeding or adhering to minimum purchase price
max. 40 pts	Utilization concept (creative sector)	<ul style="list-style-type: none"> Use by the arts and creative sector Uses relate to surroundings (artists' quarter, park, Jewish Museum, educational and cultural offerings for residents) Distinct uses as precondition for different building designs Fine-grained land parcelling Attractiveness of ground floor uses in relation to public spaces (square, road, park) Differentiated range of costs and users in case of residential accommodation
max. 20 pts	USP/originality/self-use	<ul style="list-style-type: none"> USP and originality (environmental concepts, energy consumption, water management, innovative technological approaches) Use by the arts and creative sector
max. 100 pts	Total	



Advantages

- * The three buildings which resulted from the concept tendering process are exceptional examples of residential and commercial uses, ground floor uses and architecture.
- * Local residents were involved in the tender process and were able to influence how the concepts were realized.
- * The "Builders' Hut" in Bessel Park acted as a meeting place throughout the entire project.
- * Experts rated the tender process as very successful, and it thus served as a model in discussions on Berlin's new property policy.
- * Despite the complex decision-making and cooperation structure, the tender process achieved a very good outcome.
- * Joint planning as part of the cooperative planning process guaranteed a high level of architectural and urban development quality without the need to run an architectural competition. As some of the projects were developed by the planning architects, it would not have made sense to run a competition anyway.

Disadvantages

- * Key aspects of the tender process were not defined at the outset, but evolved over the course of the tender process (e. g. the evaluation criteria). That increased the complexity and length of the process overall.
- * The tendering process was delayed due to elections, changes in the composition of the involved bodies and panels, and for various other reasons, which is why it was very long.
- * Purchase price was included as a criterion and weighted very highly (40 %).
- * There are only very few plots in Berlin to which concept tendering could be applied and the processes tend to be laborious, time-consuming and expensive for those taking part.
- * Despite its success, this tendering process remained a one-off.

Contract negotiations

Exhibition of winning projects

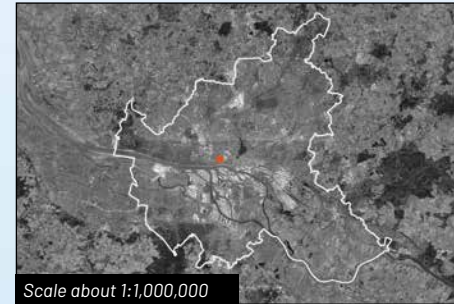
Supervisory board makes award decision

Conclusion of purchase agreements

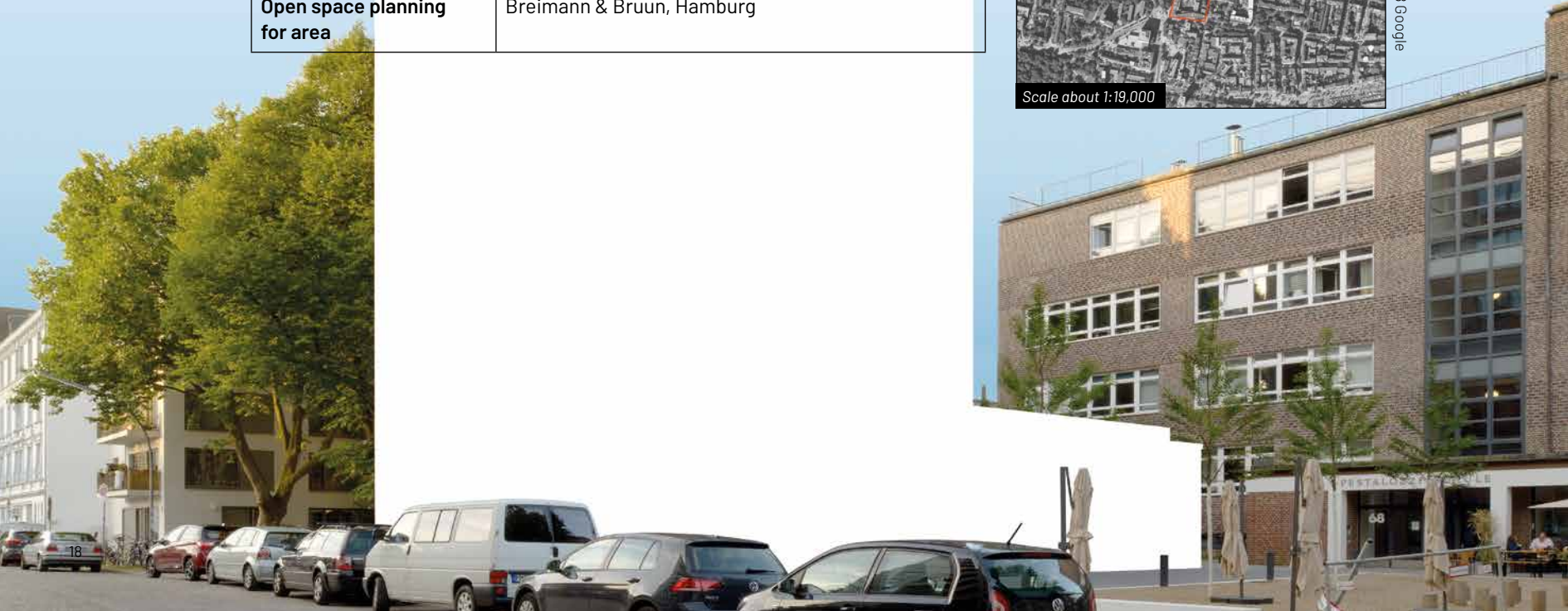
Cooperative planning process

2. HAMBURG, PESTALOZZI NEIGHBOURHOOD

Awarding body	Free and Hanseatic City of Hamburg
Sale or building lease?	Sale
Timeframe	Tender process: 2011; realization: 2011–2017
Target groups	Joint building ventures School building: investors (incl. joint building ventures)
Is price a criterion?	Joint building ventures: no School building: yes (30 %)
Are criteria weighted?	Yes
Is architecture a criterion?	No
Urban planning	Renner Hainke Wirth Zirn Architekten, Hamburg
Open space planning for area	Breimann & Bruun, Hamburg



Background photo: Hagen Stier, editing: Webartists
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Joint building ventures promoted for many years

In 2003 the Hamburg Senate decided to set up an Agency for Joint Building Ventures in the Senate Administration as well as to establish a funding programme for cooperative joint building venture projects. At that point there was already an established tradition of involving joint building ventures in tender processes. During the sale of land owned by the city-state for the construction of multi-storey residential buildings, a share of 20 % was reserved for joint building ventures. Based on good experience which had been gained applying the joint building venture model, since 2010 all city-owned land for multi-storey residential buildings has been sold through concept tendering processes, in which price is used as a sub-criterion (30 %). A fixed price is used in the joint building venture model. Incorporating the Agency for Joint Building Ventures into the Senate Administration's organizational structure means joint building venture projects can be taken into account in the early stages of both sales of plots of land and urban development.



Design and draft: Renner Hainke Wirth Zirn Architekten



On the left, one of the three buildings by the "Kleine Freiheit Wohnkollektiv" joint building venture, in the centre the Pestalozzi School built by the "Wohnschule" joint building venture. Architecture for both: Heyden und Hidde Architekten. Photo: Verena Wein-Wilke

Standard case with specific conditions

Hamburg applied its standard tender process aimed specifically at joint building ventures to the Pestalozzi Neighbourhood project. The Agency for Joint Building Ventures has had responsibility for these tender processes for many years now. Determinations regarding urban planning and housing policy for specific plots of land are made in housing construction planning meetings; criteria are adapted to the specific conditions of each tender process. These planning meetings are attended by representatives of the tax authority, the urban development and housing authority, the district authorities, the authority for social affairs, family and integration, as well as, where required, other authorities.

Densification in redevelopment area

A new neighbourhood with different types of housing was developed, based on the principle of densification, on the site of the former Pestalozzi School, between Kleine Freiheit and Große Freiheit near the Reeperbahn in the St. Pauli district of Hamburg. A total of around 100 apartments were built. The area was part of the Second Housing Construction Strategy, based on which plots of land were generally sold at a fixed price in order to enable affordable housing to be built in inner-city areas. Some of the plots were then put to tender in a concept tendering process. The bid which won the 2007 urban planning/landscaping competition planned to realize family-friendly housing and resident-friendly commercial uses in an area in which the windows of the 1970s tower block meet an historical neighbourhood.

Different sales processes

The Pestalozzi School, a listed building, was sold as part of an open concept tendering process for residential and commercial uses in which the purchase price was weighted at 30 %. A total of 12 tenders were received, and the award was made to a joint building venture. A similar concept tendering process was later applied to a house providing subsidized accommodation for seniors. The winners of the urban planning competition also built a "House of Entertainment" (incl. a start-up centre) on the site which acts as noise protection for the area, and town houses for families. Small pocket parks are distributed across the area, which is freely accessible via a footpath. The diversity of the processes and types of housing promotes a social mix.

Concept tendering as part of overall development

One plot of land on the site for three new buildings was offered to joint building ventures. The buildings were to be under cooperative ownership and one of them was to have a café in it. The Agency for Joint Building Ventures held an information session at the start of the tender process. The first stage involved the submission of expressions of interest, following which applicants had around one month to draft an application, which needed to include a list of members, a financing plan (including an equity statement), a three- to four-page concept, an architectural draft sketch, and a signed agreement with the construction supervisor and architects. A further requirement was that they had to cooperate with experienced players; a construction supervisor was another mandatory requirement. As tenders were received from five groups, the jury held an interview with each in which the concepts were rated based on a formula, including group- and property-related criteria.



Multi-dwelling house at the end of the row of town houses in the Pestalozzi Neighbourhood. Architecture: Renner Hainke Wirth Zirn Architekten. Photo: Jochen Stüber

Evaluation criteria for tender processes aimed at joint building ventures

60 %	1. Group-related criteria	
max. 5 pts	Cooperation/stability	Joint building venture and cooperation partners
max. 2 pts	Social concept	Integration of social facilities, e. g.
max. 5 pts	Stability of group	
max. 3 pts	Small cooperative association	
max. 5 pts	Originality of concept	Innovative, creative ideas
max. 20 pts	Total	

40 %	2. Property-related criteria	
max. 5 pts	Economically viable financing plan	
max. 5 pts	Originality of concept	Innovative, creative ideas
max. 5 pts	Energy/environmental concept	
max. 15 pts	Total	

Not weighted	3. Additional criteria to aid decision-making if projects achieve similar point scores
	Mixture of types/size of housing
	Number of housing units
	Agreement concluded with construction supervisor
	Integrated into/committed to district?
	How many children?
	Severely disabled in households?
	Already taken part without winning award?

Evaluation criteria for general concept tendering process: Pestalozzi School

	Quality of concept
max. 35 pts	Ratio between housing and commercial uses
max. 5 pts	Construction of communal underground car park
max. 10 pts	Treatment of historical monuments/design aspects
max. 15 pts	Utilization concept for sports hall
max. 5 pts	Energy standard
max. 70 pts	Total

	Purchase price offer
max. 30 pts	Purchase price offer
max. 30 pts	Total

Utilization concept

Architecture/design

Environmental aspects

Feasibility/financing

Social criteria

Purchase price

Exclusive option period allows time for project development

The jury comprises representatives of the Agency for Joint Building Ventures, the tax authority (now: the Landesbetrieb Immobilienmanagement und Grundvermögen), district authorities, the Hamburgische Investitions- und Förderbank (IFB Hamburg) and, on occasion, other authorities. Applicants are ranked in order of point score achieved, and the ranking is then submitted to the Land Use Commission. This Commission is responsible for awarding the exclusive option to the first group in the list, which is then given time to get planning permission and finalize its financing plan. IFB Hamburg has its own housing promotion programme for cooperative joint building ventures. The Commission then has to approve the purchase a second time, after which the purchase agreement is concluded. The exclusive option period for joint building ventures varies in length: one year in normal cases, 18 months if a competition needs to be held and two years if a right to build first needs to be created. Extensions are possible. A fee of 1% of the purchase price is payable for the exclusive option.

Quality assurance for the project

The joint building venture which won the award founded the Kleine Freiheit Wohnkollektiv e.V. association and realized the project under an umbrella cooperative called Schanze e.G. The specifications and suggestions made in the tender process were included in the purchase agreement. The Hamburg authorities concluded an urban planning contract with the “Wohnschule” joint building venture after it won the tender for the school building, which influenced the design and accessibility of Pestalozzi Square. The joint building venture also agreed to allow the sports hall to be used by sports clubs. The “Kleine Freiheit” joint building venture was given project funding to incorporate climate protection into everyday life in the neighbourhood. The group runs a membership-based organic shop, including a café, on the square.

Current changes and developments

The tender process involved a certain amount of conceptual and planning effort on the part of the tenderers. That is why the Agency for Joint Building Ventures is currently trying to reduce the requirements for these tender processes somewhat. The city authorities have also been attempting for some time now to incorporate joint building venture projects more in large-scale city expansion zones (such as Mitte Altona and Oberbillwerder) and to adapt the process accordingly. In future, land is to be awarded under building leases more often than via sale.

Application phase

Housing construction planning meeting, setting of general framework

Interested groups register with Agency

Invitation to tender, information event

Expressions of interest

Applications

Interviews, ranking by jury

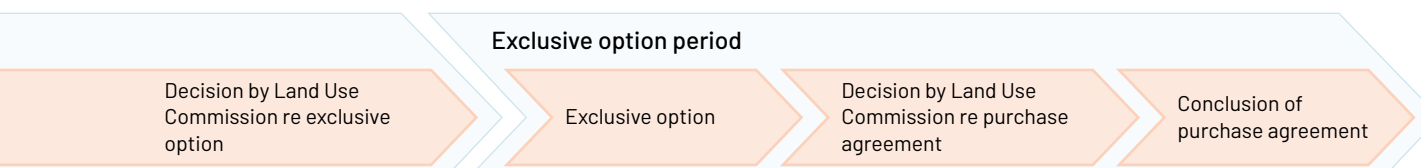
Advantages

- * Hamburg has been conducting successful tender processes for a long time now. They are very successful on account of the wealth of experience already gained and are now applied to all land for housing in the city-state. They are part of wide-ranging housing and planning policy programmes.
- * The Agency for Joint Building Ventures is a staunch advocate of communal living, a key player as regards information and co-operation for communal living, and a centre of excellence as regards concept tendering.
- * The conditions applicable to tender processes are determined on a case-by-case basis, with processes being adapted accordingly to different types of housing.
- * This is a lean, standardized tender process which can be rapidly implemented.
- * In Hamburg, concept tendering is designed to be simple and low-threshold and is targeted specifically at joint building ventures, as well as other target groups.
- * Joint building ventures have to cooperate with experienced construction supervisors.

- * Various approaches, including different concept tendering processes, were combined to achieve a mix of uses, actors and types of housing.
- * A personal presentation of the concept before the decision-making panel is the key decision-making basis.
- * An exclusive option period follows the decision on the award in which the projects can be refined without the plot having to be sold straightaway.

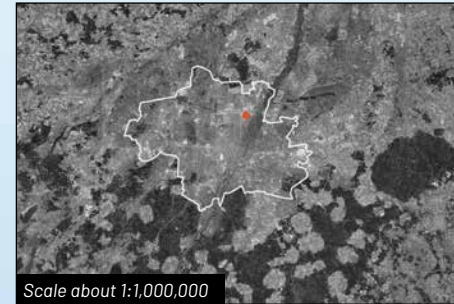
Disadvantages

- * Purchase price is included as a criterion and weighted at 30 % in the tender process relating to developers.
- * An adapted, significantly more ambitious tender process is being applied in the dockside area of Hamburg (HafenCity Hamburg) in which the eligibility criteria are significantly stricter and some interesting actors may thus be excluded from taking part.



3. MÜNCHEN, DOMAGKPARK

Awarding body	Bavarian State Capital of Munich
Sale or building lease?	Sale
Timeframe	Tender process: 2012-2014; realization: 2014-2018
Target groups	Separate tender processes for joint building ventures, cooperatives and property developers
Is price a criterion?	No
Are criteria weighted?	Yes
Is architecture a criterion	No
Urban planning	Ortner & Ortner Baukunst, Berlin/Wien
Open space planning for area	Topotek 1, Berlin



Background photo: Michael Heinrich, editing: Webartists
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Housing construction policy challenges

Concept tendering processes in München are part of a package set out in the Living in München VI Programme of Action on Housing Policy. Measures taken to combat high housing costs include socially responsible land use (in the case of privately owned land) and subsidies for plots owned by the state capital for publicly funded housing construction. The City Council defines the target groups and sales criteria for each large-scale urban development area, and such plots are only sold at a fixed price via concept tendering. Prices are staggered by type of housing.

Concepts for better social mix

The Programme of Action on Housing Policy sets out the required shares of different types of housing to be constructed. When this particular concept tendering process was carried out, half of all the plots were set aside for subsidized and privately financed housing construction. In this DomagkPark project, privately financed housing was still to a large extent unregulated owner-occupied housing, although in the meantime most of it is rental housing based on underlying concepts, including a fixed price. To that end München determines prices by establishing how much a plot of land may cost so that the typical local rent is not exceeded. In addition, a smaller proportion of the land is available to privately financed joint building ventures. Between 20 % and 40 % of large urban settlement areas have to be allocated to co-operatives and joint building ventures.



Design and draft: Ortner & Ortner Baukunst, Topotek 1

History of concept tendering in München

A resolution entitled "Improving the Opportunities of Private Joint Building Ventures When it Comes To the Allocation of Land" was adopted in München in 2001. Following various rulings by Düsseldorf Higher Regional Court in 2007/08 – according to which specific processes for allocating building land owned by a local authority are subject to tender processes – München stopped its previous practice in order to clarify the situation internally. One of the first of the new tender processes to be conducted thereafter was that relating to the DomagkPark site. Since then joint building ventures and cooperatives are regularly included when city-owned plots are to be sold. Based on the model applied in Hamburg, München has also been financing Mitbauzentrale München since 2014 as a free advisory, information and networking centre on communal forms of living. Unlike in Hamburg, though, Mitbauzentrale München is not part of the city administration.



Cooperative housing project. Architecture: Zwingel Dilg Färbinger Rossmly; open space: Verde. Landschaftsarchitektur; client: WOGENO München e. G. Photo: Michael Heinrich

DomagkPark (2012-14)		Now
Land prices per m ² floor area	Type of housing construction	Type of housing construction
€280	20 % Income-related subsidies	30 % Income-related subsidies
€375 to €675	20 % Munich model	20 % Munich model
€540	10 % Owner-occupied	
€1 400 to €1 900 (market value)	50 % Privately financed	10 % Privately financed joint building ventures
		40 % Rental housing construction based on underlying concepts

DomagkPark (2012-14)	In general	
Target groups	Target groups	
29 % Municipal companies and municipal housing companies		
19 % Cooperatives	20-40 %	Cooperatives
17 % Joint building ventures		Joint building ventures
35 % Property developers		

Planning for the old “Funkkaserne”

An urban development project was launched back in 1992 for a site located in the northern part of the Schwabing district of München; the ideas competition was completed in 2002. The land-use plan became final and binding in 2011. The process was so long that the site could not be put to intermediate uses, including an artists’ colony, part of which was retained in one of the existing buildings. The concept provides for two neighbourhoods to the north and south of a park located in the middle of the site. They comprise dense, closed buildings around the perimeter which are managed by Gewofag, the housing association owned by the City of München, cooperatives, less dense punctual building development by property developers and joint building ventures fronting the park. The land-use plan provided a great deal of leeway as regards the design of the land in the south-east which was made available to the “WagnisART” project. It also allocates additional land to community buildings and passive houses free of land costs.

München model applied to DomagkPark

The München concept tendering model includes standardized conditions. The tender processes carried out between 2012 and 2014 relating to DomagkPark thus deviated only minimally from others. After a proportion of the land was transferred to the municipal housing association, concept tendering processes were run in parallel for cooperatives, joint building ventures (owner-occupied housing) and property developers. No architectural drafts were required. The first stage of this two-stage process imposes only minimum criteria, that is all those tenders submitted which meet the criteria move on to the second stage, where the selection process begins.



Joint building venture projects in the DomagkPark. Architecture: H2R Architekten. Photo: Sebastian Kolm

Evaluation criteria only applied during second stage

Only one tenderer bid for each plot of land available in the tender process open to cooperatives. As a result, the second stage was dropped and no proper competitive concept tendering process was thus conducted. The features over and above the required minimum criteria represent voluntary services on the part of the cooperatives. During the second stage the tenders are evaluated based on a point system. No concept need be drawn up for this. Instead, the criteria included in the list are ticked if they apply. Whichever criteria are ticked then have to be met once the project is realized. The criteria are not linked to a particular site; that does not apply to the types of housing construction, which are defined for each plot of land. The tenders are not evaluated during a jury meeting but sequentially. If several projects achieve the highest point score, the decision is taken by a drawing of lots. The aim of having a two-stage process for cooperatives and joint building ventures is to reduce the time and effort involved for those taking part. Generally speaking, relatively large plots are put to tender in development areas in München, which often means that cooperation projects are needed.

Quality assurance for the design

Urban planners drew up guidelines to ensure a standardized design; an advisory panel monitored compliance with these guidelines. This quality assurance measure replaces architectural competitions, which were only carried out for few plots of land in the north, but which led to a certain degree of uniformity. The project characteristics reviewed on the basis of the criteria during the tender process were included in the purchase agreement and a contractual penalty included in the event of non-compliance. Although the München model does not include a formal exclusive option period, the buyers generally have around one year before the agreement is concluded, during which time the financing and planning is finalized.

Baukultur in the neighbourhood

Before the tender process was launched, a consortium had already been set up which was interested in the plots in the southern part of the site. It proposed that a direct award be made, arguing that a network had already been established. This option was not legally available to the city authorities. Nevertheless, some of the members of the consortium were awarded the contract and immediately set about establishing a cooperative for the district which included their old and some new partners. The aim is that this cooperative was to create a network; operate a neighbourhood café; manage communal areas, services, co-working and sharing offerings; and act as a mobility centre. The site includes commercial, hospitality and social-cultural uses which focus on the cooperative projects in the south-east. Issues such as the mobility concept and agreements regarding the communal areas were raised by the consortium and not predefined by the urban planning office.

Special features and developing the concept further

Allocating specific shares of land to cooperatives and joint building ventures on city-owned areas and the allocation of land and funding based on different conditions are key elements of München's concept tendering model. It is not least these aspects which make the process so complex and ambitious. Excellent urban development actors include new cooperatives which are involved in innovative housing construction. The model applied and the pressure to innovate which the cooperatives generate together create a climate which produces high-quality development projects. Mitbauzentrale München, which acts as an intermediary, also fosters high-quality projects. Furthermore, the city authorities are beginning to award more and more city-owned plots under building leases by way of this tender process instead of selling the land.

Evaluation criteria

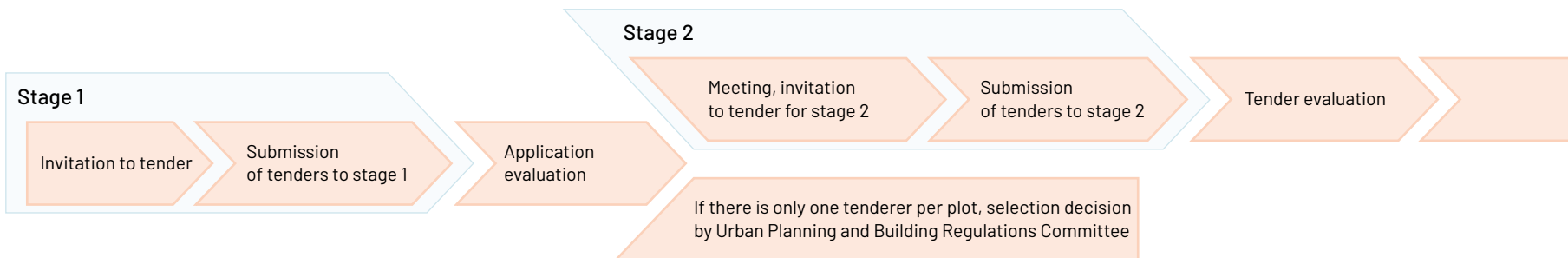
Joint building ventures

Cooperatives (excl. group-related criteria)

max. 30 pts (coops 40)	Housing policy criteria	<ul style="list-style-type: none"> Economical use of residential floor space Large proportion of subsidized housing based on München model (income-oriented financing for cooperatives)
max. 50 pts	Energy and environmental criteria	<ul style="list-style-type: none"> KfW Efficiency House 55 or 40 Non-negative primary energy balance Large share of recyclable construction materials Animals which live and nest on buildings (coops)
max. 10 pts	Neighbourhood development	<ul style="list-style-type: none"> Social/cultural neighbourhood development: facilities, other offerings
max. 10 pts	Group-related criteria (only j.b.v.)	<ul style="list-style-type: none"> Stability: (20% members), references, financing plan
max. 100 pts	Total	

Property developers

max. 50 pts	Energy criteria	<ul style="list-style-type: none"> KfW Efficiency House 70, 55 or 40 Non-negative primary energy balance
max. 30 pts	Environmental criteria	<ul style="list-style-type: none"> Large share of recyclable construction materials Use of grey water and/or rainwater
max. 20 pts	Planning criteria	<ul style="list-style-type: none"> Communal design/use of open space Non-residential use
max. 100 pts	Total	



Advantages

- * Fixed share of land available to innovative actors, i.e. joint building ventures and cooperatives.
- * Systematic allocation based on types of housing and target groups, graduated land prices and funding programmes, wide-ranging housing and planning policy programmes.
- * Subsidies for land, specifications regarding types of housing and long lock-in periods are preconditions for being able to realize such housing projects on the extreme market for land in München.
- * The innovative players in München (primarily new cooperatives) and services of general public interest they deliver compensate for several of the disadvantages of this tender process.
- * The advisory centre and support provided by Stattdbau München in regard to networking in the neighbourhood.
- * Recent addition of the requirement that participants cooperate on the development of new neighbourhoods.
- * Despite the exacting quality requirements, attempts are made to keep the time and effort involved for tenderers and the city authorities to a minimum through a simplified evaluation process.

Disadvantages

- * The projects submitted are not evaluated on the basis of the concepts themselves but solely based on formalized environmental and housing policy criteria.
- * Due to the heavy competition, many tenderers meet almost all of the requirements, which is why the point system is of little help in decision-making and the projects end up becoming more standardized and more expensive. There is little potential for projects to address the various aspects in any more detail.
- * If only one tender is submitted for a plot, the two-stage process results in no concept having to be submitted (only a requirement in stage 2, as a result of which there is no concept which can then be evaluated and for which specific requirements as regards realization can be made).
- * The tender processes, which are adapted to each specific plot of land, do not permit a mix of legal forms.
- * Sequential rather than holistic, discursive evaluation does not permit an overall assessment of the projects.
- * Urban development planning is designed for large plots of land.
- * The land prices for that half of the areas which are privately financed are dictated by extreme developments on the market for land in München even though price fixing is a requirement (rental housing construction based on concepts).

Evaluation based on point system

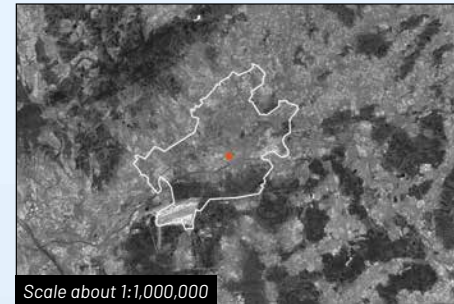
Selection decision taken by Urban Planning and Building Regulations Committee

Information about decision sent to tenderers

Purchase option

4. FRANKFURT AM MAIN, NIDDASTRASSE

Awarding body	BSMF Beratungsgesellschaft für Stadterneuerung und Modernisierung mbH
Sale or building lease?	Building lease
Timeframe	Tender process: 2016; realization: 2016–2020
Target groups	Joint building venture groups
Is price a criterion?	No
Are criteria weighted?	No
Is architecture a criterion?	No, only functional sketches
Urban planning	-
Open space planning for area	-



Background photo: Ulrich Herding, editing: Webartists
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Promoting communal forms of living

In 2006 Frankfurt am Main City Council determined that 15% of city-owned land in new housing developments was to be allocated to communal and cooperative housing construction projects. It was, however, some time before this decision was actually put into practice. A property fund tasked with promoting innovative and communal housing projects was finally established in 2014 and received an endowment of €7m after the City sold a plot of land near the airport. The fund is primarily to be used to purchase unused real estate which is not particularly marketable. In addition, in 2015 the Frankfurt city authorities adopted guidelines regarding the awarding of land to communal and cooperative housing initiatives.

Long lead time prior to first tender processes

The invitations to tender for the first two concept tendering processes aimed specifically at joint building ventures were issued in 2016. They were used for the grant of building leases for two adjacent plots (2.5%) for a 99-year period. The property fund was not involved in either of the two tender processes relating to Niddastraße because the houses were already owned by the City. In addition to the grant of the building lease, the groups which won the bid contract were required to buy the houses, which were in need of refurbishment, at the value of the shell construction. The Municipal Housing Office organized the tender process in conjunction with Netzwerk Frankfurt für gemeinschaftliches Wohnen e. V., a network which has been active for many years, and Konversions-Grundstücksentwicklungsgesellschaft (KEG). In 2009 the City of Frankfurt commissioned the network with running a coordination and advisory centre for communal forms of living and with organizing regular events; it was also involved in designing the tender process.



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Existing buildings near railway station

The two plots on the corner of Niddastraße 57 and Karlstraße and at Niddastraße 59 are located in the centre of Frankfurt near the main railway station in a neighbourhood known as the “Bahnhofsviertel”. The row of high-rise buildings along Mainzer Landstraße, including the 200m-high Westend Tower, is only around 50m away. There are a number of 1970s office buildings on both plots, which were to be retained. The buyers were expected to transform the existing buildings into residential accommodation. The area around the main railway station has a great many Gründerzeit-style buildings and is home to large banks, trading companies, administrative buildings, as well as what is still the red-light and drug district. The City has managed to increase the population in the area over the past decade by making it a more attractive place to live.



The "NiKa" building during remodelling work. Architecture: Meides & Schoop Architekten. Photo: Ulrich Herding for the "NiKa" project

Preliminary planning application

To make it easier for tenderers to draw up their concepts, KEG drew up a preliminary design and a preliminary planning application for the redevelopment. The land-use plan stipulated that the ground floor in both buildings was to be put to high-profile uses; the other floors were to serve housing purposes only. The groups were also permitted to deviate from these specifications, although this would have required a certain amount of coordination with the City of Frankfurt and would have extended the construction phase. The groups made only minor changes to these specifications, for example by incorporating communal areas on the top floor and having shared accommodation rather than individual apartments.

Cooperation between the City and the Netzwerk

Groups interested in putting in a bid were initially required to register for the tender process through the Netzwerk Frankfurt für gemeinschaftliches Wohnen e. V. As a result, registered groups can be notified about new tender processes and allowed to participate in these and other tenders. A kick-off event was organized at the start of this particular tender process during which information was provided about the location and general framework conditions. Homeowners' associations were excluded from both tender processes. Based on a policy decision, no private profit was to be generated from this fixed-price tender process. Six groups then had three months to draw up and submit their concepts.

Holistic evaluation using a traffic light system

The 10-page tender documents included an application form, detailed composition of the group, a basic concept (incl. impact on the neighbourhood), legal form, financing plan and space allocation plan. The groups were then invited to present their concept to the panel as part of a 30-minute presentation. The panel comprised representatives of the three largest political parties represented on the City Council, the involved departments, the planning department, local mayor, KEG and three experts on communal forms of living. The panel did not award points to the various criteria, but evaluated the tenders holistically and weighed them up against each other using a traffic-light system: green = "very good concept", yellow = "good, possibly suitable concept" and red = "concept which fulfils few criteria".



The building at Niddastraße 59 prior to remodelling.
Photo: Ulrich Becker



The old Niddastern building, with its new steel-framed windows. Photo: RT



The Niddastern building at Niddastraße 59. Remodelling planned by bb22 architekten + stadtplaner.
Photo: RT

Exclusive option period and realization

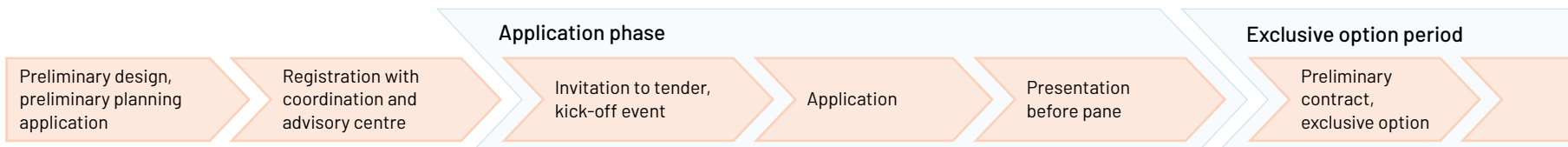
Decisions were documented in detail and made known to all the tenderers. A preliminary contract for a one-year exclusive option period was then concluded with the top two ranked tenderers. The city authorities and the groups agreed on milestones to be achieved during this period, such as finalizing a financing plan and getting planning permission. The project selected for Niddastraße 57 (called "NiKa") focused on providing space for the creative industries and children as part of a tenement syndicate. The house only has three-, four- and seven-roomed shared accommodation. The apartments were allocated by the drawing of lots. There is a shared roof-top terrace, including communal rooms. The project at Niddastraße 59 (called "Niddastern") is based on the concept of an "elective family" and was realized in the legal form of a "GmbH & Co. KG" (a limited partnership with a limited liability company as general partner). The focus is on sharing, which is why the apartments only have very small kitchens but there is a large communal kitchen on the ground floor. Both projects were completed in 2019/20, when residents were able to move in.

Refining the model

The fact that relatively uncomplicated stipulations are made as regards the tender documents and that the applicable conditions are clarified in the course of drawing up the preliminary planning application makes this a very low-threshold tender process. It was based on the Tübingen model and adapted to the situation in the City of Frankfurt. The model has since been applied several times to individual plots of land, both when the building stock was to be retained and for new constructions. In addition, tender processes are regularly being prepared for plots in new housing developments; the first of these projects has already been carried out. In future, similar processes are also to be carried out in cooperation with public-sector companies and with private or commercial land owners.

Evaluation criteria

	Social aspects	<ul style="list-style-type: none"> • Communal areas, e. g. • Innovativeness and additional benefit compared to conventional rental or owned types of housing
	Influence of housing project on neighbourhood	<ul style="list-style-type: none"> • Urbanity, diversity and mix in the neighbourhood to be promoted by means of communal housing projects, e. g.
	Housing costs	<ul style="list-style-type: none"> • Providing affordable housing through cooperative models, e. g. • Share of subsidized housing
	Innovativeness of the (urban) development	<ul style="list-style-type: none"> • Urban land parcelling, e. g. • Mobility concept • User-oriented architectural design • Layouts • Future-proof energy concepts
	Plausible feasibility and financial feasibility	
	Cooperation partners	
Not weighted		



Advantages

- ★ Concept tendering for grant of building lease rather than sale of land.
- ★ Low-threshold tender process with evaluation of the quality of the concepts by an interdisciplinary jury, for which the Tübingen model was adapted to the situation in the City of Frankfurt.
- ★ Making the area a more attractive place to live by repurposing vacant buildings for innovative types of accommodation.
- ★ Conducted in cooperation with a civil-society organization, the Netzwerk Frankfurt für gemeinschaftliches Wohnen e. V.
- ★ Invitation to tender based on preliminary design and preliminary planning application.
- ★ Limited to non-profit-making legal entities.
- ★ Decision based on face-to-face presentations of the projects.
- ★ Exclusive option period with jointly agreed milestones.
- ★ Founding of a property fund for innovative and communal housing projects.
- ★ Coordination and advisory centre for communal living operated on behalf of the City of Frankfurt.
- ★ The model was extended to new areas and other types of ownership; the tender process served as a pilot project so that concept tendering can in future be put to extensive use.

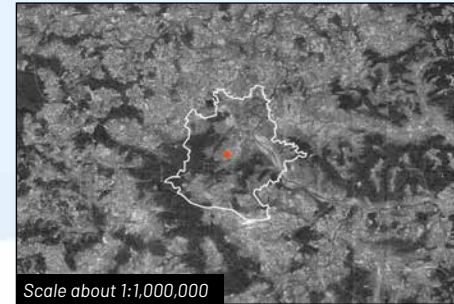
Disadvantages

- ★ The targets set more than 10 years ago – that 15% of the land owned by the City was to be allocated to communal and cooperative housing projects – has not yet been achieved.

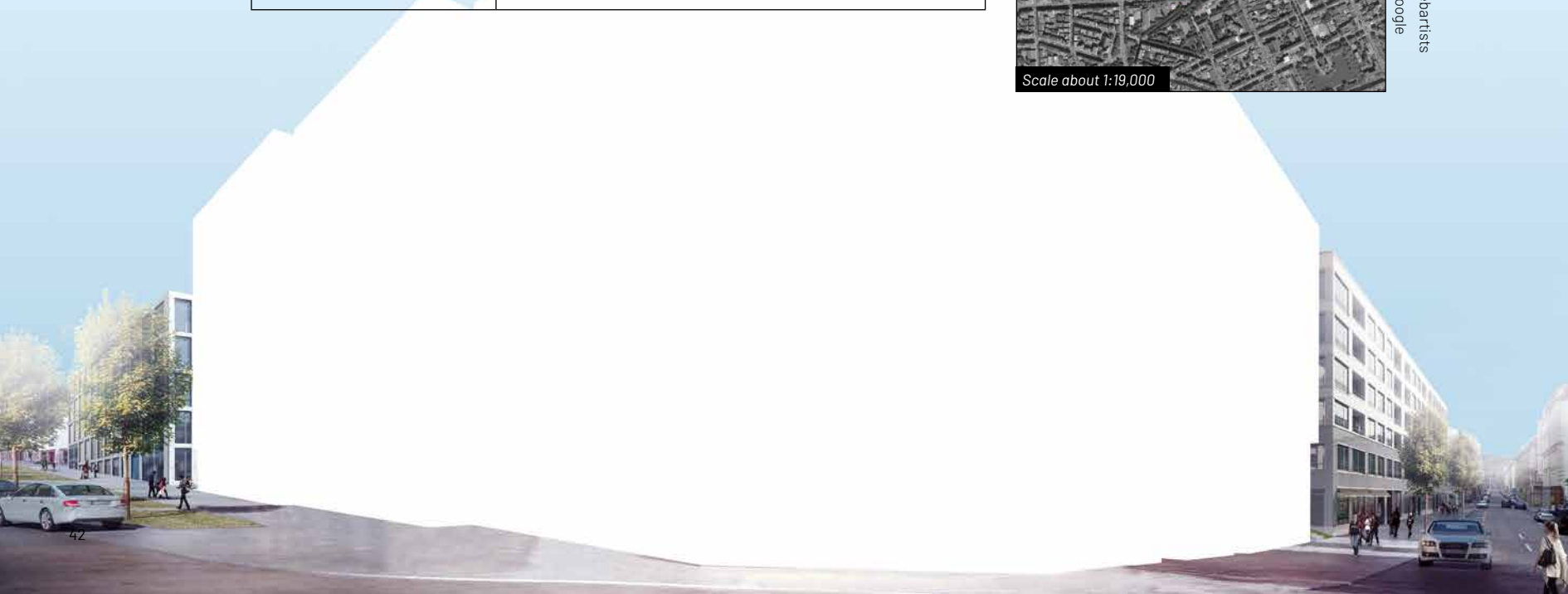
Conclusion of lease
and purchase agreement

5. STUTTGART, OLGA PLOT

Awarding body	Baden-Württemberg State Capital of Stuttgart
Sale or building lease?	Sale
Timeframe	Tender process: 2014–2015; realization: 2015–2019
Target groups	Joint building venture groups, property developers (separate processes)
Is price a criterion?	Joint building venture groups: no Property developers: yes (50%)
Are criteria weighted?	Yes
Is architecture a criterion?	Joint building venture groups: architectural concept Property developers: conceptual design
Urban planning	Thomas Schüler Architekten, Düsseldorf
Open space planning for area	faktorgrün, Freiburg



Background photo: Neugebauer + Rösch Architekten, editing: Webartists
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Aerial photo of the finished Olga Plot. Photo: Landeshauptstadt Stuttgart

Three concept tendering processes for different target groups

Three concept tendering processes were run in parallel in relation to the Olga Plot in 2014: a one-stage tender process for property developers for the best price, a one-stage tender process for anchor users, and a two-stage tender process for joint building ventures. The latter two had a fixed price. There were plots reserved for an anchor user and six joint building ventures. The anchor user was to build the shared underground car parks and courtyards for the building sites allocated to the joint building ventures and was also to act as project controller. However, this did not initially work out. One-and-a-half building sites were reserved for property developers, which were to include subsidized and privately financed housing as well as commercial spaces, including a local supplier. One site was awarded to the municipal housing construction company, which built accommodation on it, as well as a children's day-care facility and a community centre. Joint building ventures were able to apply to erect three types of housing (corner house, apartments, town house). The selection panel was responsible for making the allocations.

Tender process specifically for joint building ventures

The first stage of the tender process specifically for joint building ventures, in which nine different groups submitted tenders, included an expression of interest and proof of eligibility. However, the groups were also required to set out their objective and provide rough details on the communal forms of living and the building itself. During the second stage, more detailed property- and group-related information was to be provided, for instance on urban integration, architectural and housing features, and on specific features of the communal planning and housing.

Decision and option period

A maximum of three applicants were to be chosen for each plot of land during the second stage. They needed to have already provided very detailed information. The tenders were subjected to a pre-check and then passed on to a selection panel, which suggested a rank order to the political committee (First Mayor, mayor responsible for building, representatives of the political parties on the City Council, district representative). The selection panel comprised external experts, the district representative and a civic representative. The selection was followed by an at least nine-month option period during which the groups completed and elaborated their draft, submitted their planning application, applied for housing subsidies and finalized their financing plan. The purchase agreements, which were concluded at the end of the option period, included the building and self-use obligation, as well as a contractual penalty in the event of deviations.



Courtyard with play area on site no. 4 (residential building with local supplier) fronting the joint building ventures on site no. 2. Photo: Stefan Dreher

Tender process for property developers

The tender process for property developers which was run in parallel required the submission of a utilization concept, an architectural plan (scale of 1:100) and a purchase price bid. Since, at that time, no resolution regarding the tender process for property developers had yet been adopted which included a relevant determination, the price and conceptual criteria were weighted at 50% each. The tender process for the anchor user(s) was broadly similar to that conducted for the joint building ventures, although it was only a one-stage process.

Quality assurance and specific features

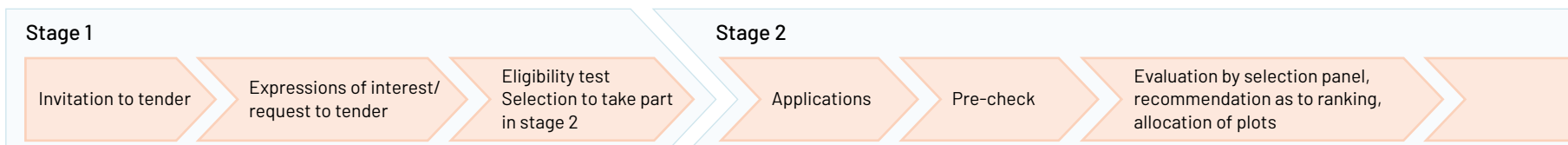
At the time of this particular tender process, the projects relating to the Olga Plot were evaluated by the city's urban development panel (which no longer exists). The City of Stuttgart has since set up a design review panel for other city-owned plots, which includes some of the members of the selection panels used in these tender processes. The minimum standards in the form of a list of specifications – for instance as regards land parcelling and façades, mixed uses, ground floors and the diversity of concepts – were included in the purchase agreements. The urban development panel and the responsible department determined which standards were included. The tender process was broadly similar to an architectural competition; prize money was even awarded in the tender process specifically for property developers. The time and effort involved in taking part is thus relatively high, although the city authorities are currently trying to reduce this aspect.

Evaluation criteria

Tender processes specifically for joint building ventures

	Property-related concept
	Baukultur aspects and innovativeness
	Diversity of concepts/variability of floor plan (adaptability)
	Quality of life and use of new builds and outdoor areas
	Energy standard and environmental qualities
60 %	Total

	Group-related concept
	Community-oriented housing models and inclusion, social/cross-generational mix
	Eligibility of housing for funding, affordability, cost management
	Competence/experience, stability, composition and identity of joint building venture group
40 %	Total

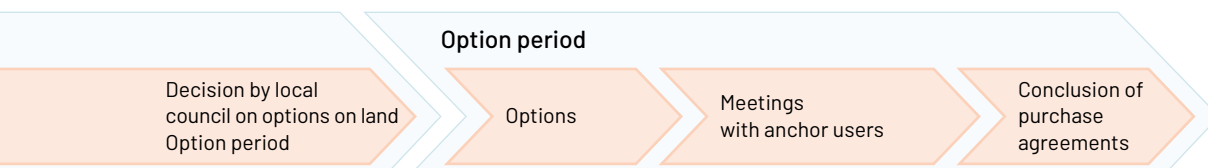


Advantages

- * The tender process is part of several housing and planning policy programmes run by the City of Stuttgart.
- * Concept tendering has become the standard for all city-owned land above a certain size earmarked for housing construction.
- * Supported by citizen participation from the outset; an association, the key civil-society actor, was involved from a very early stage and made policy demands which influenced the quality of the development.
- * Support during quality assurance phase by a panel (urban development panel or design review panel) is welcomed.
- * The City of Stuttgart has a point of contact for joint building ventures which represents numerous of its departments.
- * "Information Sheets for Experts" provide in-depth information for joint building ventures about specialist consultants.

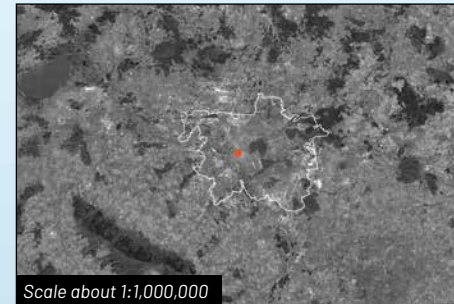
Disadvantages

- * Even though the time and effort involved in taking part gradually increased across the various stages of the process and was therefore not high for all those expressing an interest, taking part in both stages is very resource-intensive and therefore not low-threshold.
- * Requirements in terms of architectural planning during the tender process were very high and comparable to an architectural competition.
- * The criterion "price" was weighted at 50% in the tender process for property developers, which was too high.
- * Despite the great time and effort put into the programme, only few concept tendering processes are carried out.



6. HANNOVER, KLAGESMARKT SQUARE

Awarding body	Lower Saxony State Capital of Hanover
Sale or building lease?	Sale
Timeframe	Tender process: 2012-2013; realization: 2013-2017
Target groups	Investors and property developers
Is price a criterion?	Only for children's day-care facility (rental bid, building obligation)
Are criteria weighted?	Yes
Is architecture a criterion?	No, subsequent mandatory architectural competitions
Urban planning	ASTOC Architects and Planners, Köln
Open space planning for area	Büro Urbane Gestalt, Köln



Background photo: Thomas Langreder, editing: Webartists
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Concept tendering used for many years

Hanover, the capital of the federal state of Lower Saxony, has been applying a simplified form of the concept tendering model for more than 25 years to both inner-city and peripheral locations. Throughout this time, numerous tender processes have been conducted, although no formal policy decision has yet been taken. More than five concept tendering processes with very different conditions and criteria are carried out each year. Processes are carried out specifically for joint building ventures, for general housing construction and for mixed-use areas, for refurbishment well as for new-build projects.

Housing concept provides policy framework

At the same time as this particular tender process was carried out, two policy concepts were developed with broad public participation. This had a knock-on effect on the specific requirements and objectives in regard to Klagesmarkt Square. The first was the "Housing Strategy 2025. New Perspectives for Living in Hanover", which includes stepping up new housing construction, a residential building initiative, cooperation with local housing companies and promoting joint building ventures, for example by means of a revolving land fund. A planning office was also commissioned with providing advice to joint building ventures. A broad package of measures, including, not least, a separate housing promotion programme run by the City of Hanover, aims to promote the building of affordable housing.



Design and draft: ASTOC Architects and Planners, urbane gestalt
johannes böttger landschaftsarchitekten

Ongoing inner-city development

At the same time as the tender process was ongoing, the "HanoverCity 2020+" inner-city strategy was being developed which aimed to continue drawing on the impetus generated by the World Expo. This process was launched back in 2010. Objectives included restructuring urban spaces, upgrading public spaces and erecting new public buildings. Key focuses included making the area a more attractive place to live, having a diverse range of uses and promoting environmentally friendly mobility. Klagesmarkt Square is one of four areas included in the concept. A competition for ideas for urban/open space planning was carried out as part of the "HanoverCity 2020+" strategy, with four designs being awarded prizes for the four areas.



New buildings viewed from Sankt Nikolai Cemetery. Architecture: BKSP Grabau Leiber Obermann und Partner, Kiefer Architekten, Kellner Schleich Wunderling, pfp architekten prof. friedrich planung, pk nord.
Photo: Thomas Langreder

Urban planning for Klagesmarkt Square

Klagesmarkt Square is located on the edge of the city centre towards the Nordstadt district of Hanover. For a long time it fulfilled various transport functions. The project which won the ideas competition planned to redevelop the site by reducing the oversized transport spaces, capturing open spaces, and creating connections and new, high-quality uses. It included affordable inner-city housing and other uses in a fine-grained mix. The development aimed to divide the monotonous sequence of different urban areas into spaces with their own specific atmosphere. A second phase is to be used to develop another construction area to the north-west of the site. The redevelopment includes fine-grained land parcelling to ensure mixed uses and a varied architecture. The design was refined as part of a model project under the “Experimental Housing and Urban Construction” research project funded by the Federal Institute for Research on Building, Urban Affairs and Spatial Development (BBSR).

Concept tendering for six plots

In 2012 the City of Hanover applied a two-stage concept tendering process to six plots of land on which residential accommodation and business premises were to be built. The tender documents included detailed design specifications to ensure that the urban planning goals would be achieved. They ranged from the type of construction to very high ceilings on the ground floors, thoroughfares and construction materials (brick). The plot on which the tower block was to be built, on the south-eastern end of the area, was sold directly to the municipal housing company Hanova. An invitation to tender was issued for the other plots. One of these came with the obligation to build a children’s day-

care facility, and the final decision was based on the price offered as well as energy criteria. The other contracts were awarded solely on the basis of the underlying concept. The decision based on criteria was taken by a jury comprising eight members of the city authorities and the town planning counsellor. The first stage (the negotiations) was used to select the best tenderer; the second stage (the exclusive option period), in which the purchase agreements were negotiated, involved reaching agreement on all the policy and administrative issues relating to the sale, and the winner of the tender process carried out the required architectural competition.

Eligibility and evaluation criteria

One eligibility criterion was that all the buildings had to comply with passive house standards for which different, precisely defined conditions were laid down for each plot. The master planners provided funding to each tenderer for five person days of project consulting. As the other tenderers were unable to meet the specifications, the award was made to Hanova for all six of the plots of land included in the invitation to tender. Hanover is an amalgamation of several city-owned subsidiaries which was building its new headquarters in the area. It was not that easy even for Hanova to fulfil all the requirements, but the outcome confirmed that it was right to set the requirements included in the tender process.



The redevelopment of Klagesmarkt Square on the edge of the city centre towards the Nordstadt district of Hanover. Architecture, office building: BKSP Grabau Leiber Obermann und Partner. Photo: Thomas Langreder

Quality assurance for the architecture

An architectural competition was a mandatory requirement, and at least three firms had to apply for each of the tendered plots of land. The architectural firms were not permitted to submit plans for two adjoining sites, the aim being to ensure the widest architectural diversity as possible across the area as a whole. A competition with five participants was another requirement for the site to be sold by direct award. The award in the concept tendering process was made after the architectural competitions had been completed. The City of Hanover initially cooperated via a central coordination office. The competitions were carried out in 2013 immediately after the concept tendering process. The features and conditions set down in the invitation to tender were determined in the same way as additional key characteristics, and the outcomes of the architectural competitions were included in the purchase agreements and guaranteed by means of penalties, additional payment obligations and buy-back clauses, all of which were also entered in the land register.

Baukultur in the neighbourhood

The tender process as well as the dismantling of a roundabout and redesigning of the adjacent park and open space close by formed part of a process of renewal of this inner-city area. The intended use was included alongside the urban planning specifications: a tall office building, seven residential buildings with around 100 apartments, including 25 apartments developed by joint building ventures, a children's day-care facility and ground floor space for small shops, cafés and bars. That was also the reason why such great value was attached to sophisticated architecture and diversity.

Specific features and refining the process

Concept tendering has been in regular use in Hanover for a long time now. The purchase price is generally fixed and not a criterion; exceptions are made in the case of building concessions. The city administration does not regard concept tendering primarily as a tool for marketing real estate, but as an urban development instrument. Nevertheless, the opportunities for putting forward innovative concepts are relatively narrow, as scope is fairly limited.

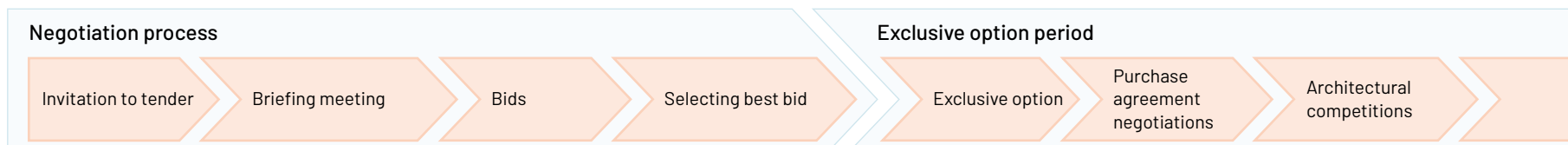
Evaluation criteria

General building sites

	Retain at least 80 % of constructed housing as own stock
	of which at least 10 % with net rent at entry-level rent for publicly funded housing
	of which a further 60 % for medium income levels, i.e. with rental costs below €8 to €9 per m2
	at least one site reserved for development by and, possibly, in cooperation with private joint building venture groups
	falling below energy requirements as far as technically possible
Weighted by rank order of criteria	

Building site for children's day-care facility (obligation to build)

	Remaining below energy requirements as far as technically possible
	Most cost-effective offer for renting the day-care facility
Weighted by rank order of criteria	




Advantages

- * Tender process is adapted to specific requirements and urban development policy goals can be achieved without a great deal of time and effort.
- * Tender process as part of a comprehensive urban development project for this site is effective and conducive to increasing quality.
- * Offer of five person days of consulting funded by the master planners for all participants.
- * By including design specifications, a mandatory competition and having the office which drafted the urban planning design support the competition it was possible to achieve high-quality outcomes without the need for architectural drafts to be submitted during the tender process.
- * Using the exclusive option period to develop the concept further and conduct quality assurance was a successful element. A central coordination office provided support to that end.

Disadvantages

- * Not many tenderers were interested in taking part in the tender process; the requirements were prohibitive.
- * The specifications are very strict, which is why it is difficult to draw up a concept in the broader sense of the term.

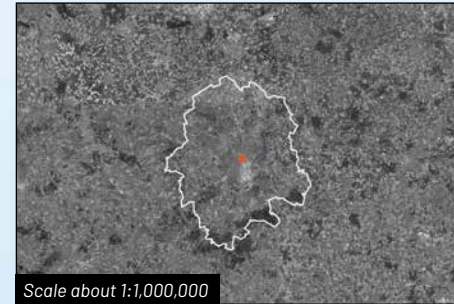


Contract award

Conclusion of
purchase agreements

7. MÜNSTER, HERWARTHSTRASSE

Awarding body	City of Münster
Sale or building lease?	Sale
Timeframe	Tender process: 2014-2015; realization: 2019-2021
Target groups	Investors
Is price a criterion?	Yes
Are criteria weighted?	Yes
Is architecture a criterion?	Yes
Urban planning	-
Open space planning for area	-



Background photo: PSP Weithner Louvieux Architekten, editing: Webartists
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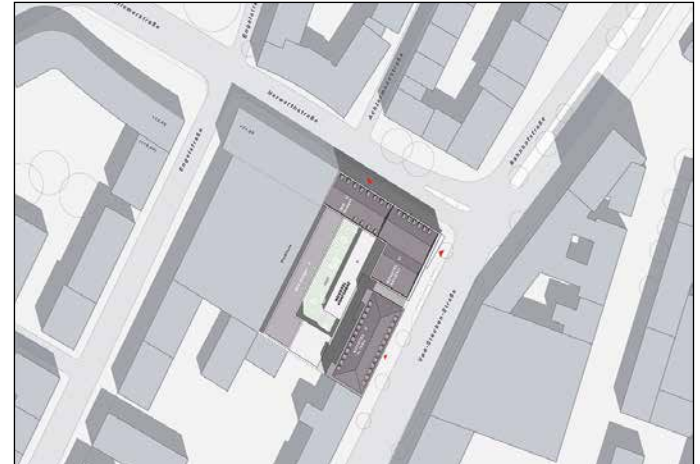


Concept tendering for key plots

Münster City Council has no general policy on concept tendering processes. Instead, the decision to apply concept tendering is taken on a case-by-case basis. Given the success of concept tendering, which has been used for several years, it is the only model now applied to plots in the city which are relevant from an urban planning perspective and to communal housing.

Area around railway station unused for many years

The area around the railway station in Münster, where the plot on the corner of Von-Steuben-Straße 4-6 and Herwarthstraße 8 is located, had fallen somewhat in disrepute. It is, nevertheless, one of the city's most urban districts, with post-WWII architecture, is close to the historic old city centre and combines residential, office and commercial spaces. In combination with other investments, the plot included in the tender process is thus an important means of making the area a more attractive place to live and of developing the area around the railway station. The new project was intended to provide the impetus for change in the neighbourhood. The new railway station, which was being planned at the time, has since been built. However, at the time of the tender process there was as yet no development plan for the site. A property and community association made up of around 80 owners and traders was set up several years ago for the area around the railway station. It promotes development in the neighbourhood. There is no land-use plan for the plot, which is why it was possible to redevelop it under section 34 of the German Building Code.



Design and draft: PSP Weltner Louvieux Architekten

Sold on second attempt

A first, conventional attempt to sell the old office buildings, which were already vacant, failed back in 2009. At that time, just after the financial crisis, no one had wanted to pay the asking price. The suggestion was then made that the City of Münster itself use the buildings for an adult education centre, music school and educational psychology advisory centre. The plan came to nothing, though, as the plot was too small. As a result, a second attempt was made to sell the land in 2014, this time based on the new concept tendering model. The hope was that the increased demand for real estate would lead to a better outcome.



View along Von-Steuben-Straße, with the retained building on the right. Photo: PSP Weltner Louvieux Architekten

Second attempt based on concept tendering

The second attempt to sell the land was not only to focus on the purchase price but also on an appropriate use and high quality: due to its specific location, an above-average level of urban planning and architectural quality was to be achieved. Tenderers were free to either retain or demolish the existing buildings. The invitation to tender stated that one third of the area was to be reserved for housing, though due to its proximity to the railway station not for families. Like most of the other tenderers, the project which won the contract proposed building only hotels on the land.

Concept tendering process

The two-stage tender process began with a call for competition, which drew submissions from a large number of tenderers. Ten were then selected to move on to the second stage (the negotiation and bidding process) and to submit their bids together with urban planning and architectural designs and utilization concepts. The designs needed to be very detailed and presented together with a model. The concepts were first discussed in what were called "briefing meetings" after an evaluation in the form of a pre-check had been done. The tenderers submitted a utilization concept and economic feasibility plan, a rough planning draft and then a detailed draft at architectural scale.

Decision on award

Following negotiations on the submitted bids, the tenderers – as is customary in a negotiation process – had the opportunity to submit a final bid. A jury then discussed the projects based on face-to-face presentations and, following the pre-check conducted by the city administration, on the basis of weighted criteria. The jury was made up of the chair of the urban planning and property committee, the district mayor, the chair of the design review panel, the head of the planning department, head of the urban planning department, head of the finance department and head of the real estate management office. It made a recommendation to Münster City Council. The 10 best projects which had submitted bids during the second stage of the tender process were presented to the general public in an exhibition after the final decision was taken.



The two new buildings on the corner. Architecture and draft: PSP Weltner Louvieux Architekten

Quality assurance

The architecture project was refined following the final decision and before the planning application was made. The purchase agreement was not concluded until planning application planning had been completed. The plan and key elements of the concept were included in the purchase agreement as quality assurance measures. The agreement also included the possibility of rescission in the case of serious deviations.

Winning project

The eventual buyer, a French investor who has already invested in several German cities, is erecting two new hotels on the plot which are partially incorporated into the retained building. The other of the two buildings on the plot was demolished. The project comprises a four-star and a two-star hotel with 120 rooms each. Three more hotels are currently being built in the area around the railway station. There is great demand for hotel rooms in Münster from tourism, the university and on account of the city's economic strength. The building which has been retained was built in 1933 and then restored in the original built form in 1949 after the end of WWII. The decision to retain this building as well as the buyer's intention to operate the hotel itself were key when taking the decision on the award.

Refining tender processes

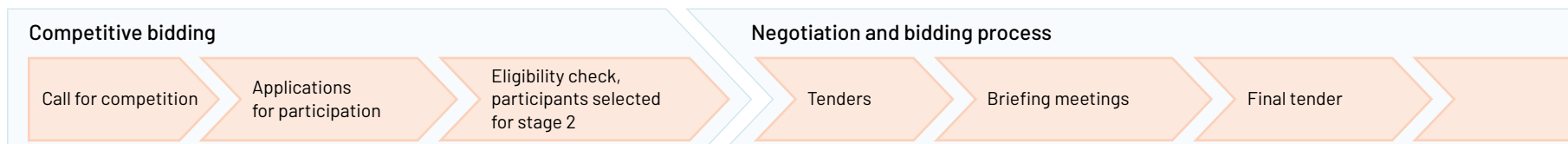
Concept tendering processes have been used in Münster for around five years. Some 10 tender processes have since been conducted based on a standardized model which is constantly being refined. Generally speaking, the plots to which concept tendering is applied are important from an urban planning perspective as well as in public opinion. Some of the plots are relatively small, but relevant. A first concept tendering process specifically for the construction of communal housing was conducted in 2016/17. It proved more difficult, however, to evaluate innovative and social aspects than the urban planning aspects. Owner-occupied projects and cooperative projects are welcome in tender processes aimed specifically at joint building ventures, and they can choose between buying the land or signing a building lease (4 %). So far, concept tendering has been very positively received.

Evaluation criteria

Urban integration and implementation of urban planning and open space design		
1-6 pts, 30 %	Quality of urban planning concept	Configuration, structure and distribution of building mass, town planning
1-6 pts, 20 %	Quality of architecture	Building design, choice of materials and colours
1-6 pts, 15 %	Compatibility with cityscape	Building mass, building heights, design, architecture
1-6 pts, 15 %	Compatibility with surroundings	Distribution of uses, building mass, construction height
1-6 pts, 15 %	Functionality and compatibility with surroundings	
1-6 pts, 5 %	Quality of open space design	
40 %	Total	

Utilization concept		
1-6 pts, 40 %	Quality of utilization concept	Plausibility and sustainability of mix of uses, compatibility between mix of work/residential uses
1-6 pts, 60 %	Binding nature of utilization concept	Commitments by (main) users
30 %	Total	

Amount of purchase price bid for plot		
1-6 pts	Amount of the purchase price bid for plot	
30 %	Summe	



Advantages

- * The tender process is applied flexibly to sites which are important from an urban planning perspective and to communal forms of living.
- * Participants have wide scope as regards their concepts, whilst at the same time the focus is kept on aspects which are important to the city.
- * Concepts refined in a two-stage step-wise process and negotiations during the second stage ("briefing meetings").
- * Combined evaluation based on a pre-check by the city administration and an interdisciplinary jury.
- * Exhibition of the 10 best projects submitted, which is open to the general public.
- * Guarantee that the promised qualities will be delivered due to their inclusion in the purchase agreement and by making the sale after planning application has been made.

Disadvantages

- * Purchase price was included as a criterion and weighted at 30 %.
- * Overall, the criteria "architecture" and "purchase price" are weighted highly, whilst aspects such as "use" and other important issues are subsidiary or not included.
- * Ambitious requirements, which means the tender process is not suitable for all types of innovative actors.

Jury makes recommendation

City Council takes decision

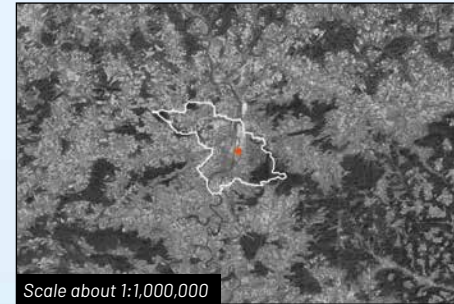
Exhibition

Planning application planning

Conclusion of purchase agreement

8. HEILBRONN, NECKARBOGEN

Awarding body	City of Heilbronn
Sale or building lease?	Sale
Timeframe	Tender process: 2014–2015; realization: 2015–2018
Target groups	Investors, property developers, housing construction companies, private individuals and joint building venture groups
Is price a criterion?	No
Are criteria weighted?	No
Is architecture a criterion?	Yes
Urban planning	Steidle Architekten, München; Machleidt GmbH, Städtebau Stadtplanung, Berlin, in cooperation with Lager Architekten, Berlin; performative architektur, Stuttgart; R+T Ingenieure für Verkehrsplanung, Darmstadt
Open space planning for area	t17 Landschaftsarchitekten, München; sinai Gesellschaft von Landschaftsarchitekten, Berlin



Background photo: Mathias Grobe, editing: Webartists
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New centre of urban development concept

The conversion of the former “Fruchtschuppenareal” industrial estate – later renamed “Neckarbogen” – was launched as part of an inner-city development project under Heilbronn’s Urban Development Concept 2020. In 2004 the local council adopted a resolution to submit an application to host the 2019 National Garden Show (BUGA 2019), which was to be combined with a city exhibition. Bundesgartenschau Heilbronn 2019 GmbH was founded and tasked with project development. The planning processes were supported by intensive civic participation over a period of more than 10 years.

Framework plan defines urban mix

Based on the project which won the urban planning competition in 2009 a more detailed framework plan was drawn up and finally adopted by the local council in 2014. The plan included two bodies of water and a striking block structure surrounded by urban greenspaces. In 2011 a competition was held to plan the open space for the National Garden Show. By 2019 a total of 22 buildings were to have been completed on three of the 20 building sites, plus a youth hostel in the middle of the designed open space. The new district would not be completed until after the Show had ended. The guiding principle on which the development was based was one of mixed uses, various types of housing and a mix of numerous different actors. The aim was that diverse types of housing, forms of ownership, developers and fine-grained urban planning was to be used to achieve a strong social mix and mix of uses. The exhibition includes 51% rented accommodation, 6% joint building ventures and 43% owner-occupied apartments, including 40% subsidized housing. Other objectives included excellent architecture and innovative building techniques, from new materials to intelligent housing, modern mobility and energy concepts, and innovative utilization concepts.



Draft and design: Machleidt GmbH, Städtebau + Stadtplanung with sinai Gesellschaft von Landschaftsarchitekten mbH, Kaden + Lager Architekten, performative Architektur/Steffen Wurzbacher, R+T Ingenieure für Verkehrsplanung



Aerial photo of the BUGA site, with the northern buildings of the three blocks belonging to the city exhibition. Photo: Bundesgartenschau- Heilbronn 2019 GmbH



View from the "Green Bridge" towards the banks of the River Neckar and exhibition. Photo: Bundesgartenschau Heilbronn 2019 GmbH - Gaby Höss

Reincorporating the river into the city

The Neckarbogen district is located on an island situated between the River Neckar and the Neckar Canal on land formerly occupied by the goods depot and river port, near the main railway station and close to the city centre. It covers an area of 40 hectares and is one day to have space for 3 500 residents and 1 000 jobs. The aim is to reincorporate the river back into the heart of the city and, if possible, to make the area a car-free zone. To do that, a very busy main road along the Neckar Canal had to be closed off. Footpaths and cycle paths link the new, green district with the city centre. The aim was to have residential and office space, ground floor commercial uses and recreational areas in close proximity in the new district. The three phase 1 building sites covered an area of around 1.5 hectares.

From market survey to concept tendering

Before selecting the investors, the City of Heilbronn called for expressions of interest in order to conduct a reality check. Following publication of a framework paper and several events, information regarding key framework conditions was made available. A total of 95 interested parties registered and were all invited to one-to-one meetings to discuss specific requirements and any unanswered questions. Despite the demanding general framework (e. g. regarding the granularity of the development), the project met with a great deal of interest. Certain changes were made, though. Instead of the planned above-ground, off-site car parks along the access road aimed at creating a "car-free" district, underground car parks were in the end constructed on the site itself, for instance. In addition, "utilization" was added as a third criterion alongside "architecture" and "urban planning". In early 2015 the local council defined the criteria on the basis of which the investors were to be selected, which included fixed prices for the plots as well as architectural quality, technical innovation and use as criteria on which the decision would be based. The purchase prices were staggered by location.

High demands made of submissions

Those taking part had to submit very detailed architectural plans, including a model and key indicators, as well as a concept idea plus confirmation of financing. The concepts needed to address the following issues: housing models and special forms of housing (communal living, inclusion), additional uses, community spaces, energy and environmental aspects, and mobility. Participants listed their two prioritized plots on the site. This allowed the panel to move the projects around quite freely on the 22 plots, an option of which they made extensive use. Property developers were able to submit tenders for several plots, though architects only for a maximum of two – which could not be adjacent to each other, the aim being to increase the diversity of the architecture. A pre-check was carried out, after which the projects were evaluated by the evaluation panel, though not only the concept but also the "composition" of the entire development and the social mix were included as key decision-making criteria. Accordingly, the criteria were not weighted. Instead, the projects were evaluated holistically and in comparison to one another. The evaluation panel was made up of members of the interdisciplinary Building Commission (six urban planning and building law, urban planning, architecture and landscape architecture experts), which supported the development in the long term, as well as representatives of the local council and the Mayor of the City of Heilbronn.



The highest point on the southern site, called "Skaio", and is Germany's tallest wooden structure. Architecture: Kaden + Lager. Photo: Bundesgartenschau Heilbronn 2019 GmbH

Comprehensive documentation of tender process and outcomes

After the panel made its recommendation, the local council confirmed that the selected participants would be offered an exclusive option at no extra charge. The purchase agreements were not concluded until the planning application had been made and the Building Commission had made a positive recommendation. Following the evaluation, the 85 tenders were presented in a three-day public exhibition and then in printed documentation. Due to the very short space of time available – three years, including the tender process, up until project completion – a great deal of coordination work was needed. That is why a series of weekly to fortnightly meetings was immediately launched. Minor to medium-sized changes to the projects needed to be coordinated with the National Garden Show and the Building Commission, large-scale changes with the Building Commission and the local council. The local council added those projects which could not initially be realized to a reserve list and then selected projects on the reserve list based on an agreed procedure. Projects had to be chosen from the reserve list on several occasions, but this always led to good outcomes because the same requirements and criteria were applied as in the tender process.

Quality assurance and coordination

The development was managed by the National Garden Show with intensive support from the Building Commission, municipal offices and the local council. At the same time, all the property developers, with the National Garden Show acting as moderator, had to coordinate their activities. Examples include the joint construction of underground car parks and planning the open space and energy supply. A detailed design manual, adopted by the local council, set the framework for the architecture and also included specifications regarding building structures, roofs, building envelopes, ancillary facilities and open spaces. Determinations regarding individual tenders, their characteristics and timeframe were included in the purchase agreements. They all included the obligation to complete building by the summer of 2018.

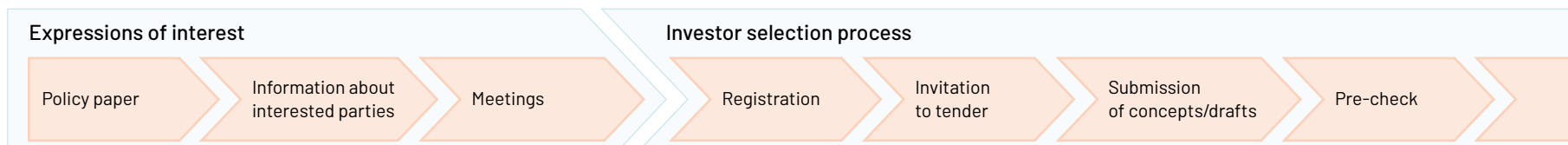
Top quality at top speed

The exhibition held in the Neckarbogen district made high demands as regards architecture and utilization concepts, which also had to be realized within the space of only three years. This was only possible due to the extensive amount of communication, from the expressions of interest to support provided by the Building Commission to the regular meetings, in which decisions were taken by majority vote. The tender process was a huge success, which is why it is expected to be used again once the National Garden Show is over.

Evaluation criteria

Urban planning and architectural evaluation	
	Architectural design and materials
	Design of courtyards (private areas)
	Housing quality and relation to outdoor spaces
	Spatial allocation and functional programme (all storeys)
	Economic feasibility
	Flexibility/construction phases
	Environmental and energy concept
	Mobility concept
Equal to overall conceptual idea	

Overall conceptual idea	
	Special uses/utilization concepts
	Ideas for promoting a sense of community
	Models of communal life
	Focus on social aspects and inclusion
	Special energy and environmental aspects
	Innovative mobility
	Innovations regarding sustainability and water treatment
Equal to urban planning and architectural evaluation	



Advantages

- * Long-term, intensive civic participation throughout the entire tender process, exemplary communication measures (exhibition and publications).
- * Tender process applied for the first time as part of the high-profile National Garden Show project by quality-oriented development company established specifically to that end.
- * Exemplary tender process and the link to the National Garden Show made the tender process attractive to non-local actors.
- * Sound preparation of concept tendering process on account of the inclusion of an expression of interest process.
- * Strong focus on diversity and a mix of clients/property developers, types of ownership, types of housing, uses, etc.
- * Excellent architecture, innovative building techniques, mobility and energy concepts were key objectives.
- * Successful implementation within a very tight timeframe due to intelligent process design (coordination meetings, majority voting, reserve list). The rapidly implementable and quality-oriented reserve list needed to be properly prepared.
- * The fact that the jury took the decision on where to place the projects promoted synergies and prevented redundancies, but did require proper preparatory and follow-up work.

- * Different prices per plot depending on location.
- * Holistic, qualitative evaluation by an interdisciplinary jury.
- * Long-term support from the Building Commission.

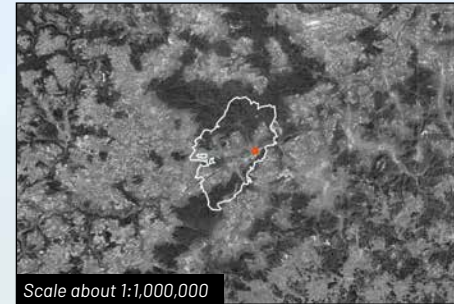
Disadvantages

- * Very ambitious, high-threshold tender process due to wide-ranging requirements, which is why only few joint building ventures and mainly professional property developers took part.



9.A TÜBINGEN, OLD WEAVING MILL

Awarding body	WIT Wirtschaftsförderungsgesellschaft Tübingen mbH
Sale or building lease?	Sale
Timeframe	Tender process: 2011–2012; realization: 2012–2016
Target groups	Joint building ventures, property developers, individual clients
Is price a criterion?	No
Are criteria weighted?	No
Is architecture a criterion?	No
Urban planning	Hähmig Gemmeke Freie Architekten, Tübingen
Open space planning for area	Stefan Fromm Landschaftsarchitekten, Dettenhausen



Background photo: Peter Jammermeyg, editing: Webarbeits
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Privileged treatment given to joint building ventures

Tübingen has regularly carried out concept tendering processes since the mid-1990s. They are open to all, although the main objective is to promote joint building ventures. Property developers are generally only allowed to compete with joint building ventures if they are anchor users or plan to include a high proportion of social housing. Tender processes are carried out in relation to large development areas, initially as part of an urban development zone (Stuttgarter Straße/French Quarter). Later, they were conducted by the municipal development company Wirtschaftsförderungsgesellschaft Tübingen mbH (WIT), which was also involved in the Old Weaving Mill project. Tübingen tends to avoid greenfield developments and instead permits the use of conversion areas. The model has since also been applied to plots of land which are not owned by the city but are under private ownership. Tübingen has from the outset given privileged treatment to joint building ventures because the authorities were of the opinion that it was easier to deliver on urban planning objectives (mixed uses, density and urbanity, high-quality public spaces, innovative mobility and civic participation) in cooperation with them. The old standard processes, where the award was made to the highest bidder, were dropped and the concept tendering model adopted after urban regeneration projects with civic participation showed the benefits of such participation and of basing decisions on quality. In addition, the conditions applied to the urban development zone, that is in terms of concept tendering being a “zero sum game” financially, allowed the city to set moderate prices.



Design and draft: Hähnig + Gemmeke Freie Architekten BDA,
Stefan Fromm Freier Landschaftsarchitekt BDLA

Low-threshold access

Tübingen's many years of experience of using concept tendering pays off, amongst other things, because formalities are kept to a minimum wherever possible. The tender documents are only a few pages long and are readily comprehensible even for non-experts. They comprise five information sheets with general information, FAQs, a description of the tender process, the most important building regulations and rules relating to the energy concept, a few plans relating to the urban planning concept, suggested land parcelling and land prices, as well as an option form. The evaluation criteria are not weighted. Instead, decisions are taken by means of a direct comparison of tenders submitted. In addition to the option form, tenders need to include a brief written description of the project.



View of courtyard no. 1 with the "Cambium", "Licht und Luft", "Neckarblick" and "Open" projects. Architecture: bsarchitektur, Wamsler Architekten, Baisch+Fritz Freie Architekten, Krisch Partner.
Photo: Peter Jammerneegg

River-side conversion site

The new Old Weaving Mill neighbourhood has 800 residents living on around 10 hectares of land which was previously occupied by the textiles manufacturer Egeria. The two construction phases were completed in 2016. The neighbourhood is located in the Lustnau district of Tübingen to the east of the city centre, where the River Ammer meets the River Neckar. After WIT purchased the land in 2008, the city authorities launched a two-stage urban planning competition. The winning project was then used to draw up a land-use plan, with civic participation, over the course of several information sessions. The land-use plan was adopted in 2011. Issues around soil decontamination and flood protection also needed to be resolved.

Combining old and new buildings

The design has apartment buildings and town houses placed around seven courtyards. In the southern part of the area the courtyards open up towards the River Neckar and each has an urban villa as its highest point. Some of the courtyards in the north are surrounded by terraced houses. Semi-detached houses are situated at the transition to the existing, less dense building development. The building which used to house the old company headquarters was retained in the middle of the site and now has an Italian restaurant in it. It was stipulated that key areas around the square and along Nürtinger Straße were to be reserved for commercial ground floor uses. A youth club located towards the River Neckar which moved in when the site was vacant was allowed to stay and a municipal youth centre added. A listed building with a striking tower which was part of the old textiles factory was also retained to the east of the area and is once more being put to commercial use. The land-use plan also makes design specifications, for instance regarding types of roof.

Anchor users and others

Two separate tender processes were conducted during the first stage relating to the sale of the land. First, a three-month tender process was conducted to select an anchor user for each of six of the courtyards, which was to be commissioned with building the communal underground car park for the courtyard, with planning the communal courtyard and taking on other communal tasks. The other plots were allocated in the course of the subsequent five-month tender process. In Tübingen, tender processes are always carried out by the Project Development Department, after the conscious decision was made that WIT was to have no personnel resources of its own. Several public events were held before and during the marketing phase during which the area and the tender process were introduced. The events included a kind of "speed-dating for developers" during which joint building ventures were able to present themselves and seek new members. The individual property developers, joint building ventures and property developers then applied to take part and stated their preferred locations. There was no land parcelling at this point. Individual meetings were held with each of the applicants. Profiles were drawn up after these meetings for each project. The awards committee comprised some 15 members, including representatives of all the political parties represented on the local council and of the municipal administration and district. It took its decision in a non-public meeting based on the profiles of all the applicants, it allocated the plots of land to the applicants and issued six-month exclusive options. The projects were thus not only evaluated individually but also in relation to the other projects. The location of each of the projects and the interplay between them was tested on a large site map during the evaluation phase using magnetic cards. This allocation at the same time served as the basis for the land parcelling.



The Cambium House and "Blickfang" joint building venture on the banks of the River Neckar in the Old Weaving Mill neighbourhood. Architecture: bsarchitektur and Danner Yildiz Architekten.
Photo: Peter Jammerneegg

Huge demand

A total of 80 groups, 40 property developers and 50 individual clients submitted tenders relating to the construction of terraced or semi-detached houses in the Old Weaving Mill neighbourhood; options were eventually awarded for a total of 48 plots. The purchase prices were fixed by an interdisciplinary committee and varied greatly per location depending on situation, usability, category of site and type of housing. During the subsequent option period (up to four months free of charge, thereafter 1%), the joint building ventures had to finalize membership of their groups, develop an architectural draft, get planning permission, and finalize contracts and their financing plan. The option period was frequently extended by between three to six months. The public spaces were planned together with future residents whilst the projects were being realized.

Round table

At the same time as the development, planning and sales processes were being conducted, the Lustnau Round Table met over the course of three years. The Round Table, which provided an opportunity for public consultation, had already served as an advisory body in the urban planning competition and when refining the competition process, regarding the land-use planning and award of the land, and it enabled residents to bring their ideas to the table. The Round Table comprised members of the local advisory council, the church, local educational institutions, associations and businesses, the district forum and local residents. It met approximately every two months.

Well-developed tender process

Concept tendering has been tried and tested in Tübingen for decades now and is continuously being refined. It is a very low-threshold and open process. One factor in the decision-making is how the projects interact with each other. Over the years certain of the requirements have been adapted and lowered, for example the share of commercial operations and the original idea of having communal car parks. In future, more focus is once again to be placed on incorporating commercial operations and on affordable housing. On one occasion, WIT even delivered this form of project development as a service for a private owner to enable joint building ventures to build on the land.

Evaluation criteria

Residential plots

	Social aspects
	Diversity of housing concepts, good mix in neighbourhood
	Construction of subsidized or privately financed rental accommodation
	Structural aspects: energy concept, architecture, parcelling
	Feasibility
	Including interested individuals and joint building ventures
	Including interested parties from Lustnau
	Including people commuting in to Tübingen
Not weighted	

Plots with additional commercial obligation

	Quality of commercial concept
	Probability of being realized
	Number of jobs
Not weighted	



Selection process



Advantages

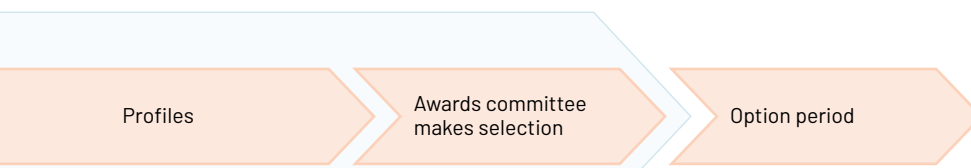
- ★ Tübingen has continuously carried out very successful, low-threshold and exemplary concept tendering processes for more than 20 years. Minor adjustments are constantly being made to the approach. Civic participation as part of the Round Table is a key element.
- ★ Information directed specifically at joint building ventures and non-experts in the tender documents, events and “speed-dating for developers”, meetings as basis for decision-making, support during exclusive option period.
- ★ Concept tendering as applied in Tübingen has served as a model for many other cities which have adopted individual elements to suit their own needs.
- ★ Involving anchor users is an important basic element of cooperative development which has been copied by many other cities.
- ★ The tender process aims to be as open as possible, requirements made of participants are to be kept to a minimum, although the highest quality is still to be achieved in many respects.
- ★ Concept tendering has been so successful, amongst other things because of the intensive level of support provided by the city authorities, the aim always being to create a high-quality new district.
- ★ Prices for the land put out to tender are highly differentiated and determined as part of an elaborate process by an interdisciplinary evaluation committee based on various criteria (lo-

cation, usability, obligations, e. g. for commercial uses or social housing construction, etc.).

- ★ Selection is based on qualitative criteria and a direct comparison between the tenders, by a body comprising actors from politics and administration and citizens, based on documents, a detailed meeting and the profile drawn up as a result of the meeting.
- ★ Allocation of winning the projects to plots on the site and the required land parcelling is part of the evaluation process and ensures that synergies are tapped into.
- ★ Intensive support is provided during the option period for quality assurance purposes.
- ★ On one occasion concept tendering was used in Tübingen by a private landowner working in cooperation with the city authorities.

Disadvantages

- ★ The reasons for decisions taken are only ever communicated to the winning group or property developer and are not publicly announced.
- ★ Concept tendering has high skills requirements and necessitates time-consuming support processes.
- ★ So far concept tendering has not addressed issues around the long-term provision of affordable housing.



9.B TÜBINGEN, REFUGEE HOUSING

Awarding body	City of Tübingen
Sale or building lease?	Sale
Timeframe	Tender process: 2016; realization: 2016–2019
Target groups	Property developers, cooperatives, joint building venture groups, other developers (teams including architectural firms)
Is price a criterion?	No (discounts for sustainably low rents)
Are criteria weighted?	No
Is architecture a criterion?	Sketches (sometimes additional requirements)
Urban planning	City of Tübingen
Open space planning for area	-

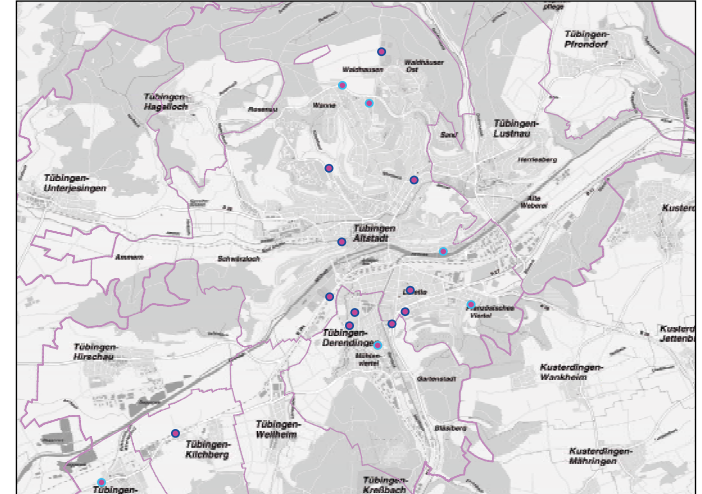
Background photo: Studio Schwitalla, editing: Webartists

Concept tendering repurposed

As was the case in other parts of Germany, the number of refugees arriving in the University City of Tübingen rose sharply in the course of 2015. The authorities thus urgently needed to make additional housing available at short notice, and it used the concept tendering process to address this situation. The objective was to quickly build high-quality housing for refugees for when they left their initial reception centres. The authorities felt that decent housing for refugees which fostered their integration posed a challenge which could be resolved through urban planning and social measures. Around 15 sites were to be included in the project. They had to be in and distributed across the city and available on a long-term basis.

Combined refugee housing

The bidders were required to submit proposals for simple, rapidly deliverable designs, although the requirements as regards social and organizational aspects were high. That was why the city authorities were very much interested in both citizens and social actors getting involved. The new urban housing was, for instance, to contribute to integration and help nip any possible social problems in the bud. At the time, the City of Tübingen estimated that it would have to house up to 2 000 refugees once they left accommodation owned by the federal state or county after 24 months. When the new housing is no longer needed to house the refugees (after around 10 years), it will be available for other user groups. In some cases these may be the same groups of people, that is where refugees end up themselves signing rental agreements. In addition, it should be possible to combine housing for refugees with housing for other target groups from the outset so that the refugees become the project hosts, as it were. The maximum rental price for the refugee housing was fixed, and it was to be left up to applicants to decide what use the housing was to be put to afterwards. As is the case with processes specifically aimed at joint building ventures, the land price was fixed and additional price reductions were possible if rents were kept sustainably low.



Light blue: sites in option process; dark blue: other sites. Draft: City of Tübingen



The "Passerelle" joint building venture project at the Hechinger Eck Süd site. Architecture: ackermann + raff Architekten. Project development and management: jungarchitektur. Photo: Claudia Jung

Accelerated quality

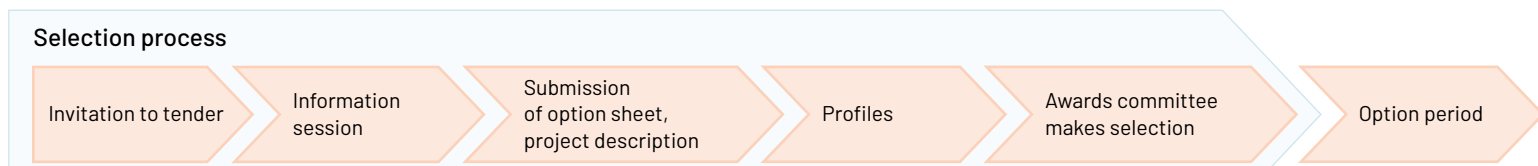
The concept tendering process was applied to 11 parcels on five of the 15 sites which were important to the neighbourhood as a whole and therefore had to meet stricter requirements. The target group included property developers, cooperatives, joint building venture groups and other developers. Due to the required urgency, the standard process was accelerated and a kick-off information event was held. Decisions were taken in mid-2016 after a seven-week tendering period; the exclusive option period, which was free of charge, was reduced to three months. Applicants were to develop their projects quickly with support from the municipal administration so that the first residents could move in in the course of 2018.

Buildings and social concepts

As is standard practice, an option sheet as well as a detailed description of the concept was to be submitted, along with meaningful descriptions and sketched plans. Detailed documentation was required for those sites which were most prominent from an urban planning perspective. Test designs were provided together with the tender documents for all the sites to assist in rapid project conception. The objectives of the concept tendering were included in the purchase agreements and entered in the land register. The projects proposed and ultimately provided, for example, civil society support for refugees and self-construction in cooperation with the refugees. The winning concepts also included a few joint building ventures. The "Wolle+" joint building venture group built one storey for owner-occupiers, apartments for refugees (incl. for unaccompanied adolescents), cluster apartments for single parents and a "community living room" in the district. The Passerelle Group finances two positions, one for a social worker and one head of workshops. The Neue Nachbarn Tübingen group used crowdfunding to provide long-term affordable housing in their house.

Evaluation criteria

	Actors	<ul style="list-style-type: none"> • Broad mix of actors • Civic engagement • Social actors
	Construction time and certainty of realization	<ul style="list-style-type: none"> • How can high-quality accommodation be provided quickly and permanently? • When will the apartments be ready? • How probable is it that the project will actually be realized?
	Urban planning and architectural concept	<ul style="list-style-type: none"> • How does the building fit into the surroundings? • How can good-quality architecture and urban planning be created and maintained in the long term?
	Utilization and social concept	<ul style="list-style-type: none"> • Very neutral use • Adaptation to users' changing needs • How many refugees and others can be accommodated? • Other uses in building? How can they become established? • Is a flexible layout design possible? • To what extent is the type of building suitable for use as housing in the long term? • How will refugees and other residents be involved? • Is it possible for users to redesign or enlarge the buildings later on, e. g.? • How can a sense of community be fostered amongst residents? • What will the project contribute to fostering good neighbourhood relations? • What added value will be created for the neighbourhood now and when the buildings are no longer used for refugee housing?
	Construction and rental costs, financing	<ul style="list-style-type: none"> • How can affordable, high-quality housing be created now and in the future? • Under what conditions can the buildings be leased to the City after completion? • Under what conditions are the buildings to be leased after 10 years when they are no longer used for refugee housing?
Not weighted		

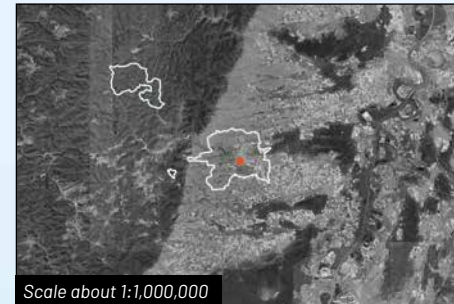


Advantages

- * The exceptionally successful, tried and tested Tübingen concept tendering process was used in this new field of application and proved its worth.
- * The high-maintenance process was successfully applied even under greater pressure of time.
- * The City of Tübingen itself drew up test drafts on which the tenders could be based.
- * The projects' most important features were included in the purchase agreements and entered in the land register.

10. LANDAU IN DER PFALZ, AM EBENBERG

Awarding body	City of Landau in der Pfalz
Sale or building lease?	Sale
Timeframe	Tender process: 2015; realization: 2016–2019
Target groups	Joint building venture groups, individual contractors, investors
Is price a criterion?	2015: yes (40 %) 2013, 2016/17: joint building ventures and 50 % social housing: no; investors: yes (40 %)
Are criteria weighted?	ja
Is architecture a criterion?	ja
Urban planning	scheuvens + wachten plus planungsgesellschaft, Dortmund
Open space planning of area	A24 Landschaft, Berlin



Background photo: Norman P. Krauß/Landau, editing: t. Webartists
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Culture of participation and housing provision

There has been a culture of intensive participation for a long time in Landau. A "Dialogue on *Baukultur* in Landau" was launched back in 2004, for instance. In 2013 the City Council adopted a Building Land Strategy which, amongst other things, focused on inner-city development. Under this strategy, areas on the outskirts of the city can only be developed if the city is able to first make an interim acquisition of the land and then sell it on the basis of procurement guidelines and/or concept tendering. Only concept tendering processes have been used in relation to the "Am Ebenberg" site since 2013. The Landau Model of Building with Joint Building Ventures is applied from the start of each tender process aimed specifically at joint building ventures. The "Future-Proof Neighbourhood Development with Joint Building Ventures" project was supported by funding available under the "Experimental Housing Construction and Urban Development" (ExWoSt) research programme. As the number of people moving to Landau and demand for housing are both still increasing, the City in 2015 commissioned a Housing Provision Strategy and started to implement the recommendations made. These include the recently adopted Quota and Marketing Guidelines, which stipulate that a 25% share of housing on private and municipal land must be social rental housing. An additional 10% is to be allocated to joint building ventures in future neighbourhood developments.



Design and draft: scheuevens + wachten plus planungsgesellschaft

Conversion site close to city centre

The "Am Ebenberg" site covers 24 hectares along the southern edge of the city centre formerly occupied by army barracks. It is bounded by railway tracks and a nature conservation area to the south. Some of the buildings on the site will be retained and repurposed. The site will be developed based on an urban development measure on which agreement was reached in 2008. Around 900 apartments and 300 jobs are to be created on the area, which is to be a traffic-calmed, green garden city with two- and four-storey town houses, detached houses and urban villas. The land sales began in 2011. The development, which is to be concluded by 2021, is being supported with urban development funding, as the management of legacy pollution proved expensive. Framework planning began in 2000; the current framework plan was adopted in 2015 when the Rhineland-Palatinate Regional Garden Show was held on the site.



The first completed new builds (show homes) and refurbishment of existing buildings on the edge of the grounds of the Regional Garden Show. Landscape architecture: A24 Landschaft. Photo: Hanns Joosten

Annual concept tendering processes

DSK Deutsche Stadt- und Grundstücksentwicklungsgesellschaft (DSK), the City of Landau's development agency, acquired the site and is selling the plots of land in consultation with the city authorities. The first tender process was conducted in 2011/12 (though not based on underlying concepts) to sell, under great pressure of time, plots for show homes which were needed for the Regional Garden Show. Since then concept tendering has been used to sell plots in small tranches and stages, both to joint building ventures and investors. Low-threshold access was to be provided to joint building ventures to help them gain a foothold in Landau. In addition, a contact office was set up in the municipal administration for interested developers and architects. The first tender process in 2012/13 which was aimed specifically at joint building ventures received submissions from 12 groups for three plots, which is why the City Council subsequently made additional plots available. Since then, 11 joint building venture projects have been completed and more than 100 apartments constructed. The best land-use and utilization concepts submitted anonymously for each plot as part of the tender process for investors formed part of an exhibition which followed the evaluation phase.

Joint tender process

The invitation to tender in a tender process conducted for the sale of 10 plots (total of 3.5 ha) was launched in the summer of 2015 and the decision on the award taken in early 2016. Whilst the conditions applied to the plots sold to joint building ventures before and after this process were specific and low-threshold, the same type of tender process was carried out for all kinds of interested parties in 2015. That is why the criteria in that year included a purchase price (40%), whilst a fixed price applied to the process specifically for joint building ventures. As a rule, fixed prices were set for plots with a large share of planned social housing construction. Urban planning objectives, specifications as to use, design objectives and evaluation criteria were defined by the City Council for each construction site. The pre-check and project evaluations were carried out by an external planning office working in cooperation with the municipal administration and DSK. The results of the evaluation were then submitted to the City Council for a decision. A jury comprising external experts and members of the building committee was established for the subsequent tender process and the approach was gradually refined as more and more experience was gained applying it.



The "Garten Eben" project, part of the 2015 tender process on an investor site. Architecture and photo: BAU4 Architekten, Karlsruhe

Requirements for participants

Tenders had to include a purchase price offer, bidder declarations, a site plan, a land-use and utilization concept (incl. open space concept), aspects and floor plans, ground plans and an exposition. Planning thus required a relatively large amount of effort. In 2015 joint building ventures had to submit the same documentation as all the other tenderers, although they also had to include the project focuses, the number of apartments, information on their members and the type of joint building venture. In contrast to other target groups, though, a six-month option period was agreed with the joint building ventures to give them time to refine their planning and financing concept. In the tender processes aimed specifically at joint building ventures before and after 2015 only the latter documents were required, i.e. the threshold was significantly lower, but milestones which needed to be achieved at specific points throughout the option period were set.

Quality assurance for the site

The City Council adopted design statutes and a design manual to guarantee a high level of architectural and urban planning quality. The design manual was drawn up by the urban planners and was to serve as a guideline during the planning phase. The qualities of the proposed concepts, including a buy-back option, were included in the purchase agreement. A moderator was appointed for the joint building ventures in the neighbourhood to help develop common open spaces.

Specific requirements and criteria

The goal was to develop a diverse urban district based on high-quality planning. That was why the invitations to tender included specifications relating to each of the plots. At the same time, the tender processes were intended to attract numerous different actors.

The future

Since 2018 Landau has been adapting its previous tendering practice in regard to joint building ventures. In future, the Tübingen model is to be applied more often, in particular the anchor user concept it entails. All new neighbourhood developments will also in future have to guarantee that 10 % of the sites go to joint building ventures and that all plots, not just those for joint building ventures or those intended for social housing construction, are to be sold at a fixed price.

Evaluation criteria

Building site 14 (2015)

	Architectural and urban planning quality
15 %	Urban planning
10 %	Addressing aspects relating to the preservation of historic monuments
5 %	Addressing sustainability aspects
30 %	Total
	Image and innovation
5 %	Architectural language and genius loci
20 %	Housing quality/types of housing
5 %	Local mobility
30 %	Total
	Tender price
40 %	Tender price
40 %	Total

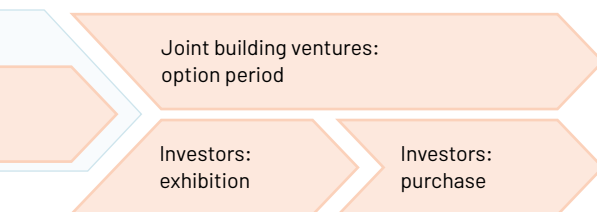


Advantages

- * Tender processes are part of wide-ranging housing and planning policy programmes and there is a great deal of civic participation.
- * Concept tendering is a mandatory requirement on the large “Am Ebenberg” site.
- * The approach is constantly being refined. An external jury now takes all decisions relating to projects.
- * Used to establish a comparatively large number of cooperative and communal forms of living in a middle-order centre.
- * Moderator appointed for the neighbourhood to enable cooperative development of open space.
- * After the City of Landau failed in its attempt to include joint building ventures in the “Vauban” development area in the early 2000s, it then gradually increased requirements and conditions imposed, which proved a successful approach.

Disadvantages

- * The conditions applied vary a great deal in the individual tender processes. This is because the City of Landau is testing an approach which was relatively new to it.
- * Initially, the tender processes were very open as far as the evaluation of the submissions was concerned, which meant the projects could not contribute much towards what the city and the neighbourhood had to offer.
- * Purchase price was included as a criterion in the tender process, which was open to all types of bidders and weighted very highly at 40%. This was not a low-threshold tender process.



COMPARATIVE ANALYSIS AND EVALUATION

COMMONALITIES AND DIFFERENCES

The concept tendering processes analyzed have certain things in common, for instance as regards the evaluation criteria applied. There are key differences between them, though, in particular in regard to the following aspects:

Policy programme or case-by-case application

Some of the tender processes presented here are embedded within policy programmes, ranging from housing construction strategies to programmes aimed at joint building ventures, to land policy and urban planning strategies. In some cases it is the main policy body in a city which determines how concept tendering is to be conducted and which criteria and requirements are to be applied. Some towns and cities have also specified that concept tendering must be carried out for all urban housing construction sites above a certain size or that joint building ventures or other target groups must be awarded a certain share of the housing sites which are up for sale. Some cities have made no such policy determinations. Instead, the decision on whether to apply concept tendering is taken on a case-by-case basis or else the city authorities make a general decision, or at least frequently decide, to apply it to certain types of plot (e. g. those which are important for urban planning, joint building ventures).

In order to be able to integrate the concept tendering model into urban policy and implement it in a coordinated manner, it makes sense to incorporate concept tendering into such programmes and also to make policy determinations – that is if these are not defined too narrowly, there is sufficient leeway when it comes to putting them into practice and the political situation in a particular city allows it. However, the level of implementation of such determinations does not always keep pace with progress made in regard to their formulation. It may, therefore, be useful to do concept tendering even though nothing has actually been set down in writing in a policy programme. Concept tendering should at any rate be applied consistently, regularly and predictably, possibly

after a pilot phase. A pool of interesting actors and broad-based trust in concept tendering will not materialize after carrying out a single tender process, but only if concept tendering is employed regularly and in the long term. Of course, it should be possible to continue refining the process on an ongoing basis. Good arguments need to be presented to interested members of the public where major changes are to be made to the process. In addition, concept tendering which is not set down in a detailed policy programme should be brought into line with other local traditions or programmes (e. g. housing promotion, building land models and urban planning).

Firmly embedded within city administration

The concept tendering processes studied here are conducted by various departments in the municipal administration, for example the property administration department, urban planning or housing construction department. The focuses of the individual tender processes will vary depending on which of these departments is responsible for them. In principle, of course, concept tendering processes can be incorporated into each of the above three departments. However, they can only be usefully implemented if these departments cooperate, regardless of which has the lead on a particular tender process. Conflicts between departments in the municipal administration which arise in connection with tender processes can lead to delays, impact negatively on the outcome and impose impracticable requirements on tenderers, and can thus massively detract from a project's success. One prerequisite for that cooperation is a joint vision, i.e. that the main aim of selling land through a concept tendering process is not to get the biggest return but primarily to achieve housing and planning policy objectives. Some city administrations have set up special (internal or external) agencies to which responsibility for concept tendering in general or only for concept tendering aimed specifically at joint building ventures has

been delegated. These agencies then have specific competences as regards organizing the tender process, PR work, maintaining contact with the pool of actors etc. and can champion the specific requirements imposed within the city administration. Sometimes the authorities also cooperate with civil-society organizations or companies who know the target groups well and can therefore help formulate goal-oriented conditions applicable to the process. Both approaches are recommended.

Public consultation

Some cities do not invite public participation over and above what is required by law. Several cities do, though, and concept tendering is well suited to incorporating and benefiting from different forms of participation. Some cities incorporate standard forms of participation – from the early planning phases to project completion – which generally also include the provision of wide-ranging information. In some cases that participation is also linked directly to a particular concept tendering process, for instance in the form of preparatory workshops in which the conditions applied to and the content of the invitation to tender are worked out; information sessions, which also help groups to form and partners to be found; civic representatives on the decision-making panel or for quality assurance purposes; by exhibiting the submitted projects and evaluation by interested members of the public before a decision is taken; and discussing the projects with the general public after a decision has been taken on the award to get an idea about how to take things forward. Generally speaking, concept tendering should always be accompanied by appropriate PR work. That not least helps to transparently communicate the decision-making process and its outcome.

Market research/preparations

In cities which are new to concept tendering in particular it can be useful to first sound out who is interested in taking part be-

fore launching the actual tender process. That can involve doing market research, where companies and other actors are invited to express their interest in a particular project. The City of Heilbronn did such market exploration in the course of refining its concept tendering process and in order to get clarity on the planned framework conditions. Where communal housing projects are an important target group of the planned concept tendering process, private individuals or groups can also be asked to register their interest. Some advisory centres aimed specifically at joint building ventures store interested parties' contact data on a long-term basis. It makes sense for those cities which are not yet regularly carrying out concept tender processes to at any rate publicize the fact that they plan to do so, either by publicly addressing the issue, holding information sessions and exhibitions about the site and its development, and by announcing the tender process and its framework conditions ahead of time. Especially when the invitation to tender is aimed at joint building ventures, information sessions can also be used as a networking opportunity for those who have expressed an interest. Mitbauzentrale München is exemplary in this regard: besides providing advice about communal forms of living it also consults on how to found a cooperative and thus contributes to establishing a pool of innovative actors.

Sale or building lease

In only one of the 10 case examples was concept tendering used to award a building lease, in all the other cases it was used to sell the land in question. However, this is not because building leases are currently of so little relevance, but because this option is still relatively new. Some of the cities studied have now decided that they will in future put out calls for building leases more often, or exclusively, rather than for the sale of land. That not only makes sense if the land is to remain under municipal ownership, but also because a lease agreement can include determinations on the

use of the land which apply across to the entire contract term. Purchase agreements, by contrast, are subject to strict limitations (ruling by the 5th Civil Panel at the Federal Court of Justice of 8 Feb. 2019; case no. V ZR 176/17), and imposing obligations for more than 15 years will generally prove problematic.

Length of tender processes

Concept tendering processes last between a few weeks to several months and even (in one exceptional case) several years. Naturally, they should be conducted as swiftly as possible. However, good concept tendering takes time, especially if there is no big pool of professional actors who work well together and routinely take part in such tender processes. The less that is the case, the more time needs to be scheduled and the more important it is to do the right PR work during, but especially before and after, the tender process. Furthermore, attention needs to be paid to how long each of the stages of the tender process lasts: the application to take part should at any rate be announced well in advance, including information about key requirements; the submissions phase; and the option period/quality assurance phase. During the application phase potential participants need to establish cooperation projects and find partners, form (core) groups and sound out strategic conditions. During the submissions phase enough time needs to be scheduled to enable the bid itself to be elaborated as well as teams, partnerships and groups to be formed. And time is needed during the option period or quality assurance phase to finalize the financing arrangements, for project development, working out architectural projects etc. If the individual timeframes are too short and the deadline and conditions come as a surprise, important actors may not be able to take part

Scope of tender processes

The size of the plots on offer in the tender processes studied was sufficient to build between around 24 to almost 1 000 dwellings.

There is no doubt that large-scale tender processes need to be embedded within the right framework, tried and tested modalities and experienced actors. If all this is the case and the target group is big enough, then even large-scale tender processes are possible. If it is not, then it is better to sell off large plots in stages so that conditions can be adapted accordingly, as is the case in Landau.

Target groups

Concept tendering was born out of tender processes aimed specifically at joint building ventures. However, it should be made clear that the oldest concept tendering model – that applied in Tübingen – was never limited just to joint building ventures, but was open to all those groups which expressed an interest, whether commercial or community-oriented, private or entrepreneurial. However, the criteria applied in those tender processes did privilege joint building ventures for urban planning reasons. There are now several types of tender processes which are open to (almost) all target groups. Some impose certain restrictions. In other cases, several tender processes are conducted in parallel for different target groups and conditions are adapted to each specific target group. Restricting a particular tender process or individual plots to certain target groups makes sense if the district wants these specific target groups to take part (e. g. co-operatives offering affordable housing) but there are fears that they would lose out if they were placed in direct competition with other target groups. If those fears exist, then it may make more sense to adapt the criteria so that they better correspond to the planned objectives. Restricting the invitation to tender to certain target groups can lead to some favoured actors being excluded and cooperation projects between different actors not being possible. Sometimes the target group is deliberately broadly defined, but certain types of tenderers are specifically asked to apply, such as joint building ventures. In some cases, tenderers may

only be awarded one plot each. Of course, this is of advantage as far as the mix in the neighbourhood is concerned, because then various different actors come into play. However, this specification should be left more to the decision-making stage rather than being part of the invitation to tender, because otherwise some sought-after actors may be ruled out. In some cases, the invitation to tender recommends or specifies that tenderers have to cooperate with certain consultants (architects, construction supervisors or landscape architects).

Requirements for submissions

The range of possible requirements is very broad, from very low-threshold examples (Tübingen requires a two-page option sheet and a brief project outline, the most important decision-making basis is an in-depth meeting with each of the participants) up to very demanding requirements, for example as regards drafting an architectural project, including determining which types of plan need to be submitted. Standard requirements include various bidder declarations (certificates, acceptance of procedural conditions), a utilization concept (sometimes including the impact on the surroundings), a group concept (in the case of tender processes specifically aimed at joint building ventures), sometimes an architectural concept or at least a space allocation plan, a financial statement and evidence of creditworthiness, a list of members, references for the tenderers or their partners (architecture, construction supervision, use), preliminary contracts with partners, private corporation contracts, declarations regarding the legal form and decision-making structures, floor space and cost calculations or key indicators, schedules etc. In two cases an architectural model also had to be submitted. Furthermore, where price is included as a criterion, an offer will also need to be included in the bid – sometimes together with a declaration of acceptance of the fixed price. Those tender processes which cover several plots or plots which

are not yet clearly demarcated will naturally need to include preferences (first and second choice) as well as information about preferred locations. Because the quality of the actors is extremely important when it comes to the development of urban districts, it is highly recommended that the decision-making body either hold meetings with the tenderers or that they are required to give face-to-face presentations of their projects. Where tender processes involve joint building ventures in particular these sessions can deliver important information about the type and quality of the group.

Architectural quality

Architectural quality is without a doubt a key criterion of Baukultur. Nevertheless, some cities believe that the quality of urban development is even more important than the quality of the architecture. That is why preference should in many cases be given to projects which deliver other features which are easier to assess in a concept tendering process than architecture is. Several tender processes do not require submission of an architectural concept, or only of a space allocation plan and estimated site coverage. Some ask for simple architectural concepts, others impose high standards in regard to architecture. No matter how important the architectural aspects are, it is especially important that concept tendering does not end up simply being an architectural competition. Even if architectural quality is included as an evaluation criterion, it must always be weighed up against other criteria. In some cases an architecturally excellent project may lose out to one of lesser quality if the latter has a particularly good utilization concept or social criteria and includes relevant offerings. One key feature of concept tendering is that it gets innovative community-oriented players involved. In order to rule out as few of these as possible for resource-related reasons, the attempt should be made to keep the requirements made of the architectural design as low as possible during the concept

tendering process and instead to use methods of guaranteeing architectural quality later on during the quality assurance phase. In the case studies presented here these measures included mandatory downstream architectural competitions, cooperative planning workshops, support from design review panels, compliance with design guidelines, and participation in regular planning and coordination meetings. In many cities purchase agreements are not concluded until architectural quality is guaranteed, for example after the planning application has been made or granted. Including an obligatory architectural competition following a concept tendering process can be problematic in some cases, for instance where architectural firms were involved as key players at the project development stage.

Multi-stage tender process

Concept tendering is at least a two-stage process, incorporating a selection process and a quality assurance phase, often combined with an exclusive option or option period. The second phase is not solely reserved for quality assurance, but is also important when it comes to clarifying key project development elements (e. g. financing). It lasts between six months and two years and concludes with the land purchase. It makes sense to set milestones to define what needs to be achieved and when during this phase, but these should be fairly flexible. This phase can often be extended if the need therefor can be credibly argued. But even if the sale is completed immediately after the selection process, tools should still be available to guarantee the quality of the project right up until its completion, in the same way as quality assurance work continues after the sale at the end of the option period. In many cases, tenderers are pre-selected before the actual selection process begins. It is at this stage that their eligibility is checked. This is unnecessary in simple, low-threshold tender processes. However, as soon as the selection process exceeds a certain threshold in terms of time and effort (on the part of both

tenderers and the awarding body), it will of course make sense to only permit submissions from suitable participants. In München there is no actual selection phase if the list of selected tenderers indicates that there will only be one project per plot. Some of the more complex tender processes involve a two-stage selection process. The first stage is then less costly and time-consuming and the number of participants admitted to the second stage is limited based on submissions made during the first stage, so that only a small number of participants are required to put in more time and effort during the second stage. Such complex, multi-stage processes should be avoided wherever possible.

Qualitative or quantitative evaluation

There are two schools of thought when it comes to tender evaluation: Many cities use point systems in their tender processes so that the evaluation criteria can be assigned quantitative values and weighted differently. When considering each bid, the members of the evaluation panel choose a value for each criterion which reflects the level of fulfilment of the criterion in question. Multiplying this by the percentage weighting and adding up all the values produces a point score based on which the bids can then be placed in rank order. Some cities, however, primarily those with many years of experience of using concept tendering, use only qualitative evaluations, i.e. they compare the various different bids. As a result, the bids are placed in rank order based on the criteria themselves. Of course, that is all the more difficult the more criteria are applied. The big advantage of the quantitative method is its (apparent) objectivity. However, how objective the awarding of the points is will be highly dependent on the type of criteria used. Whilst some criteria can in fact be objectively evaluated (e. g. the number of subsidized apartments), the evaluation will necessarily be subjective in the case of more complex criteria (e. g. quality of the architecture, of the utilization concept) even if done by an expert. However, the disadvantage

of the first category of criteria is that all or at least many projects can achieve high point scores which can then hardly serve to distinguish between the different projects. This can easily happen, especially in very popular tender processes. Moreover, applying the quantitative method means the projects cannot be weighed up against each other, but only evaluated each in their own right. Finally, a quantitative evaluation cannot address innovative, unexpected aspects of a project. In an attempt to resolve this problem, Hamburg recently began reserving a certain percentage of the points awarded for innovative concepts.

Evaluation panel

The best way to reach a decision is to have an interdisciplinary body carry out a discursive, comparative evaluation of the projects. That body should have all the competences to enable the projects to be assessed based on the relevant criteria (and thus also the objectives of the tender process). Whether this evaluation is then written down (as in an architectural competition) or is translated into points for each criterion is less important. If, by contrast, the quantitative evaluation is not done by the panel working as a group but consecutively by experts for each of the individual criteria, then the discursive aspect, in which individual expert opinions are controlled by the group dynamic, is lost. A panel meeting similar to the jury meeting in an architectural competition is of course more time-consuming. It also makes sense to pre-check submissions before the panel takes its decision. Projects are generally not submitted anonymously, and the evaluation is also not based on anonymized data, because information about the actors and uses is key.

Cooperation between projects

One difficult aspect of concept tendering is that, at least in the first project development phase, cooperation between the individual projects in an area is hardly possible because they are

competing for the plots of land. During this phase, however, project teams can form which can then cooperate on individual projects. That is why the quality assurance phase is so important, because that is when cooperation between the projects can begin. The cooperation projects can be initiated or promoted by those organizing the tender process, for example through cooperative planning processes, support from various bodies, forms of participation, required agreements relating to open space planning, car park planning or other issues which need to be resolved cooperatively. The decision-making body can do a certain amount of coordination work during the selection phase by selecting projects which are compatible and possibly have synergies. Redundancies can also be avoided if the invitation to tender allocates certain uses or other elements which may produce synergies across various plots and thus imposes requirements on individual participants as regards their utilization concepts. This naturally makes concept development a less open process.

Quality assurance methods

One critical aspect of the concept tendering process is the matter of how the promised features can be guaranteed right up until completion and, in the long term, during the utilization phase – whilst remaining open enough to permit any changes which may be necessary in the period between the decision on the award and project realization. This necessitates either a strict, ongoing support process or a review at certain milestones, for example when the planning application is made. The support or review must, on the one hand, be based on the criteria applied in the tender process and, on the other hand, on those key features which the projects have promised to deliver. Possible quality assurance measures include contractual stipulations in the purchase agreement, lease agreement or urban planning contract (possibly including penalties for non-compliance), additional payment obligations and buy-back clauses, entries in the land register,

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exclusive option periods with subsequent review or comments, design guidelines, design review panels and other panels, coordination meetings in which the required qualities are regularly addressed etc. A lease agreement in which these features and uses are defined can be a key quality assurance tool.

What concept tendering is becomes clear when it is compared to an architectural competition: The aim of the latter is to find the best architecture for a plot of land, user or programme; the aim of the former is to find the best user and the best programme for a plot of land. Another difference is the interplay between the best programmes and users in an urban district.

Local authorities use concept tendering

- * to promote the construction of affordable, long-term fixed-price housing;
- * to achieve diversity in target-group-appropriate forms of housing and a social mix;
- * to promote neighbourhoods and incorporate special types of housing;
- * to cooperatively realize a social and cultural infrastructure;
- * to improve the architectural and urban development quality of projects;
- * to support sustainable buildings;
- * to drive forward innovation in urban planning (open space, environmental aspects, mobility etc.);
- * to achieve high-quality ground floor uses and mixed uses;
- * to carry out transparent tender processes.

To address these goals the awarding bodies (i.e. the cities themselves) apply various different criteria to compare the quality of the bids. Sometimes these criteria are evaluated based on a complex point system, some evaluations are holistic and based on a list of unweighted criteria, a method which has traditionally been used in architectural competitions. In the above descriptions of the case-study tender processes the criteria were listed to ensure their comparability. They can be divided into six different categories: utilization concept; architecture/design; environmental aspects; feasibility; social criteria; and purchase price. The criteria are not eligibility but evaluation criteria, that

is non-compliance does not automatically result in exclusion from the tender process but to a less favourable evaluation of the submitted concept. Many tender processes use evaluation criteria which were not included in the following assessment because they are applied in the first stage during which those groups which will be permitted to make a submission are selected.

The attempt will be made in the following to draw conclusions from the choice of quality criteria applied in the case-study tender processes. A total of 14 different sets of criteria were included in this analysis. There were 11 tender processes, including three cases in which different sets of criteria were applied to different target groups (Hamburg, München and Stuttgart). Seven out of the 10 cities use weighted lists of criteria and conduct a

quantitative evaluation of the criteria. Three cities (Frankfurt am Main, Heilbronn and Tübingen) use unweighted criteria and only conduct a qualitative evaluation. In five of the 10 cities the purchase price is used as a sub-criterion (Berlin, Münster, Landau; also Hamburg and Stuttgart in the tender process for property developers); all the other cities only apply content-related criteria. In these five cities the purchase price is weighted either at 30 % or 40 %, in Stuttgart even at 50 %.

To ensure comparability of all the cases studied, the non-weighted sets of criteria were quantified too. To that end it was assumed that all the criteria listed in these cases were weighted equally. The following picture emerges when all the sets of criteria are translated into one of the six types of criteria:

	Berlin	Hamburg (joint building ventures)	Hamburg (property developers)	München (joint building ventures)	München (property developers)	Frankfurt	Stuttgart (joint building ventures)	Stuttgart (property developers)	Hannover	Münster	Heilbronn	Tübingen (Weaving Mill)	Tübingen (refugees)	Landau	Average	Standard deviation
Values in %																
X...maximum in row																
x...minimum in row																
Purchase price	40		30					50		30				40	38.00	8.37
Social criteria		6		30		33	27	13	45		14	50	40		28.67	15.20
Architecture/design			10			17	45	7		40	25	13	20	50	25.22	15.94
Environmental aspects	20	13	5	50	80		15	4	10		34			10	24.10	24.23
Utilization concept	40	28	55	10	20	17		2	45	12	14	25	20		24.00	15.61
Feasibility		53		10		33	13	25		18	13	12	20		21.89	13.77

The table shows that, in those cases in which these criteria are used, “purchase price”, “social criteria” and “architecture/design” were the most important, whilst “environmental aspects”, “utilization concept” and “feasibility” were slightly less important. If account is only taken of the (few) sets of criteria in those tender processes in which there was no weighting of criteria, then the table shows that “social criteria” are the most important by far:

	Frankfurt	Heilbronn	Tübingen (Weaving Mill)	Tübingen (refugees)	Average	Standard deviation
Values in %						
X...maximum in row						
x...minimum in row						
Social criteria	33	14	50	40	34.25	15.20
Feasibility	33	13	12	20	19.50	9.68
Utilization concept	17	14	25	20	19.00	4.69
Architecture/design	17	25	13	20	18.75	5.06
Environmental aspects	-	34	-	-	-	-
Purchase price	-	-	-	-	-	-

Social criteria

Social criteria rank in second place when it comes to average value (28.67 %) and in first place in the case of those tender processes with no weighting of criteria (34.25 %). The spectrum of

percentages for this category is a little broader than for the others. Social criteria were used in only nine out of the 14 tender processes. They include issues such as social concepts; housing policy criteria; and residents.

Feasibility

Feasibility has the lowest average value (21.89 %) and was also used in nine out of the 14 cases. Issues include cooperation with consultants and their experience; financing and economic feasibility; stability; feasibility; and previous unsuccessful bids.

Utilization concept

This criterion was used the most frequently (in 12 out of 14 tender processes) and has a low average value (24 %). In the tender processes studied here it encompasses a number of issues: different types of use; relevance of the utilization concept for the neighbourhood; relationship between use and design; user participation; type of housing; innovativeness of the concept; and retaining ownership.

Architecture/design

The architecture/design criteria rank third when it comes to average value (25.22 %) and were also used in nine out of 14 cases. The issues involved are: general architectural quality; urban development quality; housing design; features of the development and open space; and preservation of historic monuments.

Environmental aspects

Environmental aspects rank fourth as far as the average value is concerned (24.10 %) and were used in 10 out of the 14 cases. They vary much more, with percentages ranging between 4 % and 80 %. General issues referenced are: energy concept or energy standard; other environmental concepts; mobility concepts; and innovative technological approaches.

Purchase price

This criterion, which has the highest average value (38%), was only applied in five out of the 14 cases, but then the percentage was high. In the tender processes with non-weighted criteria the impact of the purchase price on decision-making cannot be quantified, which is why there is no price criterion in these cases.

Evaluation of the criteria

The premise of the concept tendering process is that decisions are not based on the price offered but on the quality of the underlying concept. This approach goes back to the first tender processes aimed specifically at joint building ventures, where the goal was 1. to find a selection method which was not based on the price criterion and 2. to use the selected projects to achieve urban development and housing policy objectives. The sets of criteria then evolved from that.

The first key issues concerned **utilization**: What are the planned uses on the ground floor and other floors, the types of housing, the types of commercial uses and mixes? The projects are not supposed to deliver the most typical forms of housing on the market but what the city regards as the most important types of housing and those non-housing uses which are lacking or desired in the neighbourhood. In the best-case scenario specific partners would also be to hand. This includes the question of neutrality of use and flexibility. Innovative concepts combining living and working are also sought-after. Depending on the location of the land and its surroundings, this criterion can either be very important or less important. It should be borne in mind that, particularly as regards commercial uses, the building projects' long development time and many companies' shorter planning horizons do not guarantee that users who have expressed an interest in renting or buying property at the time when the tender process was carried out will actually do so once the project is completed.

That is why projects either need to incorporate robust commercial spaces which can be used in diverse ways or specific spaces which are in high demand or a safe bet on account of a strong utilization concept. Account should be taken of this fact during both the selection process and the quality assurance phase. The question of whether those applying to take part in the project will keep the building in their stock in the long run or whether it will be sold relatively quickly is equally as important. These criteria will usually be quite difficult to evaluate quantitatively, unless they are clearly objectifiable (e. g. certain types of housing are included or not included; commercial spaces are included or are not included; commercial spaces are flexible or not flexible). Naturally, the more complex aspects of utilization concepts are easy to evaluate qualitatively.

Social criteria are another key area which, like utilization criteria, are often used to achieve a city's policy objectives by way of concept tendering. On the one hand, they address hard facts, i.e. the shares of different types of subsidized housing construction or information about sustainable housing price ceilings. On the other hand, they also address social concepts, for example incorporating social facilities, inclusion concepts and a social mix through different types of housing and prices, and shares of certain user groups. And, not least, they address the issue of the limited amount of living space and community concepts for the surrounding area or else civic engagement. This criterion is important, too, and is likely to be sensibly used in almost every instance. Nevertheless, whether it can be measured and guaranteed in the long term varies greatly depending on which specific criteria are applied. Shares of subsidized housing are easy to evaluate and probably also easy to control using existing tools. In the case of hard facts such as living costs or the integration of social facilities that is not likely to pose any problems at the evaluation stage, but will be more difficult when it

comes to long-term guarantees. And it is even more difficult in the case of “soft” concepts such as inclusion, shares of different user groups, community concepts and engagement. First, it is no doubt difficult to weigh these aspects up against each other. Second, if changes are made to the concept, then an assessment will have to be made of whether there is an alternative of equal quality available. Third, guaranteeing qualities in the long run in particular is time-consuming. Civic engagement, for instance, is a project feature which will undoubtedly go back a long way.

Architecture/design are of particular relevance for Baukultur. However, there are certain overlaps with the criterion “utilization concept”, in which aspects of the design, type of housing and relation to the surroundings are addressed. The “architecture” criteria often relate to a general requirement as regards the quality of the architecture, the design of the structure and its external effect. Urban planning deals, on the one hand, with parcelling and the distribution of uses, that is planning aspects, and, on the other hand, with architectural sculpture, town planning and compatibility with the cityscape. The tender processes often not only address architectural but above all urban planning aspects and aspects relating to open spaces which have a direct impact on the spatial environment and the links between buildings and the neighbourhood. Aspects relating to housing quality are directly linked to the above-mentioned criteria “utilization concept” and “social criteria”, but are often also addressed from a specifically architectural perspective. The issue of innovation is also quite relevant here, because it, firstly, addresses architectural excellence and, secondly, acts as a kind of “joker” as regards special architectural aspects. All of the issues addressed under this criterion have one thing in common, though: architecture, urban planning, open space planning, housing quality as well as (design) innovation are too complex to be evaluated objectively, i.e. quantifying this criterion will of necessity be subjective. That

is why architectural competitions always involve a qualitative evaluation. In the case of concept tendering processes where the evaluation is based on points, the difficulty thus arises that the qualitative evaluation of the architectural design has to be translated into a ranked points score. This can likely best be done by making a direct comparison of the individual bids and ranking the projects based on their architectural quality. Architectural quality of an individual project will probably be difficult to quantify in any sensible manner without comparing it to the others. Conducting a qualitative evaluation as is generally the case in an architectural competition is the optimal approach to this type of criterion.

Environmental aspects are just as important because they evaluate those features of building projects which were discussed particularly intensively when concept tendering was first being introduced. The evaluation of energy standards at any rate has become less important, because these are now included in building regulations. Other environmental issues such as construction materials, recycling and water management are without a doubt still very important, but are applied significantly less frequently in practice. Naturally, such a criterion could also be relatively flexibly defined so that applicants could propose specific concepts. The role which the energy efficiency criterion played in the 1990s has probably been superseded by the issue of mobility concepts, although this is likewise still being applied both relatively rarely and schematically. Simple environmental aspects, that is for instance a certain primary energy balance or a specific share of recyclable building materials, are also very easy to evaluate quantitatively. It will not be possible to objectivize more complex requirements and to evaluate concepts in terms of the mobility of future residents or their everyday activities, in which case a qualitative evaluation is preferable.

The criterion of **feasibility** is very frequently, but not exclusively, applied to joint building ventures, where decisions are not taken by professional players. In contrast to all the other criteria, this one does not refer to features of the planned project but about guaranteeing the project's realization within the temporal, financial and conceptual framework. That is why the quality of financing concepts and economic feasibility is evaluated here, professional advisors and partners are evaluated, as is efficient implementation by way of assessing the "fill level" of the group, that is whether a joint building venture still has to find a lot of its members. The features which are part of the "feasibility" criteria are similar to the eligibility criteria which are usually applied in competitive tender processes. Attention should be paid to not raising requirements too high but basing the selection on the task in hand. New cooperatives and joint building ventures, for example, tend not to be able to provide references. Feasibility is also difficult to objectify, except if it is limited to the question of whether suitable references or a financing concept can be provided or to a certain percentage "fill level".

Purchase price is definitely not a quality criterion. In fact, the aim is to move away from using it as a basis to make the decision on the award. Naturally, very high price bids will, from the outset, obviate the need for many of the uses which a city actually wants to deliver, for instance affordable housing. The higher the price, the narrower the spectrum of possible uses. Nevertheless, there are many types of tender process which still use price as a subordinate criterion. This approach limits the potency of the concept tendering process because, depending on the weighting attached to price, an only average concept may still win the award. But even if price is not a criterion, urban development will naturally not be entirely immune to market influences. In such cases the price is fixed – usually at the market value, which is

also high, especially on what can be highly speculative markets for land, something which is now not only restricted to big cities. That is why it makes sense to use all means available to move away from having prices dictated by the market, even though that is, of course, not easy from a legal point of view.

Selection panel: Criteria and competences

The aforementioned criteria can only be sensibly evaluated if the members of the decision-making body have the relevant competences – in relation to utilization concepts (commerce) and social criteria, environmental and architectural aspects, and feasibility (expertise as regards joint building venture projects and project management in general). The same goes for the pre-check, which is recommended, at least in simple form, and conducted either internally or externally. When evaluating the criteria, attention should also be paid to how the chosen feature can be realized or guaranteed in the long term. What criteria, what project features are easy to review and monitor, and which are not? How can the chosen quality assurance process (or that quality assurance process which is still to be determined) support the projects and contribute to the quality of the projects? If decisions are taken to make changes, does the decision-making body need to be consulted again or can others take the relevant decisions?

RECOMMENDATIONS

Before the actual start of a tender process, there is a certain amount of urban planning leeway when it comes to land sales, defining targets, focusing on specific groups of actors and avoiding entry thresholds. Setting the price is key to the success of tendering, and advantage should be taken of opportunities to reduce that price. Where possible, price should not be made a criterion in the award. Where that is absolutely necessary, though, the criterion should not be weighted at more than 30%. The basis for a target-oriented decision on the award is the appropriate, low-threshold determination of eligibility and selection criteria as well as requirements for tenders. They should at any rate be based on a proper analysis of the neighbourhood in question. The main factor during the application phase is finding a balance between the freedom to draw up a concept and how properly to evaluate the bids. It is best to have the tenders evaluated qualitatively by a panel of experts. The quality assurance phase is used to gradually achieve the qualities promised in line with the targets set for the tender process.

The recommendations regarding the design and execution of concept tendering processes are set out in the following along the time line of a tender process. The first aspects to be addressed are those which are important prior to the start of the tender process and those linked to the price of the land to be sold. Next come the criteria and requirements which are derived from the targets set. Recommendations concerning the central part of the concept tendering process follow, that is the application phase and the subsequent evaluation phase. Recommendations regarding the quality assurance phase which rounds off the process conclude this presentation.

BEFORE STARTING

- * Concept tendering processes can open up **new ways** in which municipal policy and administration can **shape** urban districts and individual plots of land. An important basis for this is a **dis-course at local level** on the city's future development, from which targets and the general framework for tender processes can be derived.
- * Defining (e. g. urban planning, housing policy) **targets for the tender process** on which the framework conditions, rules and overall approach are to be based is key to the success of a concept tender process.
- * It makes sense to incorporate concept tendering processes into **overarching processes and programmes**, that is local authority strategies and plans, forms of participation, integration with planning processes, tender processes adapted to certain target groups, opportunities for buyers to cooperate, possibly also combinations with other types of tender process.
- * A key advantage of concept tendering when it comes to the quality of *Baukultur* and social aspects is the fact that it attracts **special types of actors**, that is diverse, smaller, unconventional, more innovative actors and those with a special agenda, for instance social and cultural aspects, even aspects of *Baukultur*. An important requirement is a low entry threshold, i.e. a type of process which is relatively inexpensive.
- * **How low the threshold to entry needs to be** depends on the targets set and the characteristics of those participants which the tender process is intended to attract. To make it easier for them to take part it may, in many cases, make sense to avoid

including architecture as a decision-making criteria, at least in the first instance. In the same way as the conditions of an architectural competition should be geared to ensuring that the best project wins and not the project which puts the most time and effort into presenting its design, concept tendering processes are about promoting good actors who may not necessarily be in a position to finance an architectural design, and not those who are the best at presenting themselves. That is why high entry thresholds are often not the best approach. Naturally, architectural quality needs to be guaranteed throughout the entire process, but iterative approaches and ensuring a **high-quality process** are also a suitable means of achieving that goal.

- * A key element when designing a concept tendering process is, where possible, to keep to a minimum the **time and effort** involved for both tenderers and the agency issuing the tender. However, where it makes sense to ensure a high-quality outcome, the necessary requirements and thus the necessary time and effort will have to be required and actually put in.
- * **Certain target groups** (e. g. joint building ventures, cooperatives, actors operating in the public interest) can be **promoted** in concept tendering processes by reserving a certain proportion of the land for them. That way, these target groups do not have to compete with "more professional", financially better resourced players and the framework of the tender process can be adapted to their needs. On the other hand, it can also be fruitful for "conventional" actors (either municipal housing construction companies or commercial property developers) to **compete with new, innovative target groups**.

- * Encouraging inactive actors to cooperate with new, innovative actors can be an important way to **get** traditional cooperatives **involved**, for instance.
- * **Regularly and consistently carrying out** concept tendering processes can help to encourage the defined target groups to get involved so that they can exert a positive influence on urban planning beyond merely taking part in the concept tendering process. Concept tendering promotes the creation of a **pool or culture of quality-oriented actors** which can also have a positive influence on the actions of “more conventional” target groups. This can lead to a **process of exchange and mutual learning** involving “professional” and new actors.
- * When it comes to urban district planning, attention should be paid to the **requirements of the defined target groups**, for example as regards the size of the land, parcelling and location on a site. The approach applied in Tübingen is interesting, because land parcelling is left until after the decision on the award has been made. However, this is only possible where a robust urban planning concept is applied.
- * What is key as regards accessibility of concept tendering processes is the **transparency and comprehensibility of the decision-making**. This can be achieved by means of carefully formulated tender documents together with evaluation criteria which are explained well, by publishing the decision (comprehensible records) and through publicly accessible information about outcomes, i.e. winning projects. Possible data protection issues can be eliminated by ensuring tenderers are required to agree to publication.
- * Concept tendering processes need to provide interested members of the public with **information** about the tender process, decisions and outcomes. If the framework conditions applicable to the concept tendering process need to be adapted, then interested members of the public need to understand why.
- * The effect of concept tendering can be increased if **private land owners** can also be convinced to carry out concept tendering processes either in cooperation with the city authorities or on their own. In Tübingen, for instance, concept tendering was used for plots on the Aurelis site, and in some cities it was applied in conjunction with city-owned subsidiaries. Hamburg bought back the land in a particular area which was to be awarded to joint building ventures as part of a concept tendering process.
- * Concept tendering can be appropriately applied in **diverse situations**: both for communal forms of living and innovative developers in general, for small and large plots and sites, and both for the sale of the land and award of building leases.
- * It is conducive to the success and acceptance of concept tendering processes if civil society is **involved in drawing up the framework conditions** before the detailed general framework is set – for instance as part of a round table or feedback opportunities. Of course, it is useful to repeat these consultations from time to time where concept tendering is regularly applied. It may be useful to include an **expression of interest phase** to prepare and publicize a concept tendering process.

PRICE

- * Either **only qualitative criteria and a fixed price** should be used in concept tendering or, if it is absolutely essential to include a price criterion, the price should be weighted significantly lower in the evaluation than the qualitative criteria as a whole. At any rate, it should not be weighted at more than 30%.
- * Where legally possible, **pressure on the market for land should not be passed on to tenderers** during the concept tendering process.
- * It makes sense to draw on **opportunities for reducing prices** for those actors who have something to offer in return, for instance affordable housing.
- * Land “ordinarily” has to be sold by local authorities at the market value as determined by an expert valuation. That means that if the sale is not an “ordinary” one, then this rule does not need to be applied. **Special requirements** made of the concepts can be applied to **reduce prices**.
- * As well as its other advantages, the **building lease model** is especially suitable for implementing innovative concepts because the contracting parties remain bound to each other and, in contrast to a sale, long-term specifications as regards utilization can be included in the building lease.
- * An **exclusive option period** which follows on after the decision on the award makes sense for actors with fewer financial resources so that they can prepare their financing plans. The purchase agreement is then not concluded immediately after the decision on the award but after the end of the exclusive option period; in some cases a preliminary contract is signed at the start of the exclusive option period. The purchase price must be fixed for the duration of this period.

CRITERIA, REQUIREMENTS

- * Concept tendering processes are suitable for setting specific **Baukultur and housing policy requirements** as regards the use of the land put to tender, for example in terms of urban planning, mixed uses, high-quality ground floor uses, retaining the building stock, shaping the open space, how the development relates to the neighbourhood, types of housing and shares of subsidized housing to be built.
- * Concept tendering processes should, generally speaking, require bids to include an **analysis of the neighbourhood**, ranging from statements on how the development relates to the neighbourhood to specific offerings for the neighbourhood and planned cooperation projects. Concept tendering primarily makes sense where it not only focuses on the individual plot of land or building but also takes account of the value added for the neighbourhood as a whole.
- * Likewise, specifying **cooperation partners** (executing agencies, users, traders etc.) and how they were involved in drawing up the concept can either be required or desired and then evaluated.
- * The **evaluation criteria** must be listed in the invitation to tender and clearly formulated and explained so that the tendered concepts can respond appropriately to the requirements made. Likewise, the type of evaluation needs to be described (qualitative/comparative or quantitative). A balance needs to be struck between formulating clear-cut criteria and keeping the invitation to tender open to innovative as well as unexpected concepts. The members of the evaluation panel should be named in the invitation to tender. Including too many criteria should be avoided.

- * It is the **combination of targets, evaluation criteria, requirements and jury competences** which forms the most important basis for the tender documents and evaluation of the submitted projects. The (e. g. urban planning, housing policy) targets set in a tender process lay the foundation for the decision on which evaluation criteria to include. Only those criteria should be included which allow the projects to be evaluated in terms of the chosen targets and qualities (and whether they can be achieved). Based on these criteria a determination then needs to be made as to the requirements for the evaluation, i.e. which documents need to be submitted and which detailed plans are required. A sensible balance needs to be struck between the time and effort which tenderers have to put in on the one hand and that involved in the evaluation on the other. The criteria also dictate the choice of members of the selection panel. There needs to be someone on the panel with the relevant expertise regarding each of the criteria included in the tender. If the evaluation panel has no expert who can speak as to a specific criterion, then tenderers should not be required to provide detailed plans regarding that particular aspect. That means a discernible red thread needs to run from the defined targets and qualities to the evaluation criteria and requirements right up to the competences of the panel members.
- * In principle, the list of **requirements** should be as short as possible and as long and as demanding as necessary.
- * Even though elements of standard land sales processes or architectural competitions can be included in concept tendering, it is possible and sensible to make concept tendering more **interdisciplinary**, i.e. to use a broader range of criteria.
- * Criteria for which the bar is set too high (regarding both eligibility and evaluation criteria) prevent important actors partici-

pating and thus reduce the selection of high-quality concepts available. That is why concept tendering processes should be **as open as possible and as restricted as absolutely essential**. It is important to set focused and clear targets. This makes it easier for innovative bids to be submitted than is the case in standard tender processes.

- * Setting the bar too high as regards the **eligibility criteria** (knock-out criteria) can lead to good projects having to be eliminated. That is why it makes sense to only include those eligibility criteria which are absolutely essential and those evaluation criteria which can be used to compare bids rather than having to automatically rule out those which do not make the mark.
- * Eligibility criteria which set the bar too high are those which make too many requirements of the applicants' status or characteristics or require comprehensive documentation to be submitted (e. g. financing documents), i.e. they are not low-threshold. Of course, it may be possible and sensible to make **policy requirements as regards project implementation** which the buyers have to fulfil at a minimum, for example shares of subsidized housing or mixed uses. Attention should be paid to ensuring that this does not set the bar to entry too high.
- * The **requirements** made of the concepts can be **distributed across several plots of land/processes/types of project** instead of being imposed on each individual plot. Requirements should be adapted to the particular location within the neighbourhood. Since it is not possible for tenderers to cooperate or coordinate with each other during the actual tender process, distributing the requirements across several plots in this way can promote synergies and avoid redundancies.

APPLICATION PHASE

- * If it is not possible to divide up the requirements, it can be useful to define **equivalent elements** for certain aspects (e. g. communal spaces, mobility plans) which can be swapped around as part of a process of coordination after the end of the tender process so as to distribute them sensibly across the site. That means that if the winning projects have planned what turn out to be redundancies, swapping over these elements can achieve synergies.
- * In the same way, **different requirements can be applied to several** (contemporaneous or consecutive) **tender processes**, ranging from urban planning and architectural issues to mixed uses, especially commercial uses, affordable housing and special types of housing.
- * It often does not make sense to **require** the submission of **detailed architectural concepts** during the competition phase of concept tendering processes. However, in many cases it may make sense to already require the submission of architectural functional/utilization concepts or the names of a commissioned architectural firm or a list of architectural firms which are to be invited to take part in a planning competition.
- * In cities which do not yet have a big enough pool of joint building ventures, new cooperatives or other innovative actors, or, very generally, in regard to non-professional actors such as joint building ventures, it may be useful to **require cooperation** with experienced architectural firms and/or construction supervisors.
- * Tenderers should be given **as much freedom as possible** when it comes to presenting the requisite concepts. Nevertheless, the tendered concepts must still be comparable. It makes sense not to define too much but rather to only set the general framework so that it is possible for bids to pleasantly surprise the decision-making panel.
- * Tenderers and other involved actors should be given sufficient **space to show initiative and commitment** before, during and after the tender process.
- * Concept tendering processes are an excellent opportunity to get local residents and experts to **participate**, for example by getting involved in setting the framework, in the decision-making, through public presentations and debating the submissions and outcomes, and by documenting each step in the tender process and contributions made.

EVALUATION

- * The best way to attract innovative concepts is to have the **evaluation done by a panel of experts** (like the jury in an architectural competition, though with the competences to evaluate all the criteria set) rather than awarding points to quantified criteria based on a point system. That way the concepts can be evaluated in comparison to each other rather than each in their own right. A point system cannot cope with unexpected, innovative concepts and thus places them at a disadvantage. In addition, tender processes with a lot of competitors tend to have many concepts being awarded the maximum point score, as a result of which this system cannot serve as the decision-making basis.
- * If the aim is to be able to **quantify the decision**, then this should not be done until a comparative evaluation have been carried out as part of a discussion process.
- * A broad-based **jury comprising internal and external experts** who are qualified to evaluate all the criteria provides an excellent basis for ensuring the decision is correct as regards content and legal aspects. Including political decision-makers in the jury (if at all possible, all the relevant political parties, including local politicians) provides the best foundation for an outcome which will be widely accepted. It may also make sense and increase trust if the panel includes citizens' representatives and representatives of the housing project scene or housing sector.
- * It makes sense to evaluate how **the projects interact** with each other and with the surroundings and to incorporate this aspect into the decision-making. The "traffic light system" used in Tübingen is exemplary: first those projects which are wanted on the site are rated (green), then those which will be included if there is still space (yellow), and then those which have fundamental shortcomings (red). If this method is applied, that fact should be stated in the invitation to tender.
- * A qualified decision benefits from the tenderers **presenting** their concepts **in person**.
- * The **same approach** as is applied to decision-making **in an architectural competition** can be used, so that detailed information can be presented fairly, requirements clarified and the bids evaluated. That means including clearly formulated evaluation criteria in a well-written invitation to tender, holding information events, on-site visits, a colloquium involving the selection panel, written questionnaires, a pre-check of submitted concepts, a comparative decision by the panel based on the evaluation criteria, publishing the records and providing information about the outcome, for example, in the form of an exhibition.

QUALITY ASSURANCE PHASE

- * Instead of requiring extremely detailed concepts at the start of the tender process, only brief concept outlines focusing on key aspects and targets set for the tendering should initially be required. Everything else should evolve in the course of a **gradual process of refinement**. Bodies providing support or process support can be useful.
- * At the same time, the **most important targets** and defined characteristics of the selected bids should be **clearly documented** and followed up throughout the project development phase in order, when required, to be able to respond appropriately if important characteristics are lost. The necessary tools will have to be available. Not every change made to a project will necessarily represent a deterioration in quality – sometimes it may even be an improvement, but it must be possible to assess that based on the targets set.
- * **Quality assurance methods** include, for instance, contractual rules (in a purchase agreement, building lease, urban planning contract), possibly including penalties, additional payment obligations and buy-back clauses, inclusion in the land register, exclusive option periods with subsequent review or comments, design guidelines, design review panels and other bodies providing support, coordination meetings etc.
- * Where agreement is reached on specific qualities which are to be delivered and these are to be guaranteed, those experts also need to be on hand who can **review the agreements made**.
- * Incorporating **public participation** or involving key stakeholders during the quality assurance phase can contribute to the quality of the outcomes.

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Concept tendering relating to the sale of plots of land is an excellent tool which local authorities can use to develop lively, mixed neighbourhoods of a high urban development and architectural quality whilst at the same time delivering affordable housing. In concept tendering processes awards are not made to the highest bidders but to the best underlying concepts. The research project on which this publication is based investigated how concept tendering processes can influence Baukultur in urban neighbourhoods. Eleven case studies in ten cities across Germany reveal how concept tendering works as well as important elements of the process. A set of recommendations with regard to these tender processes was developed based on an analysis of the case examples.



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