

Certified Translation into English

***In compliance with Article 9.2 of the Act of 29 January 2004, the Public Procurement Law (Journal of Laws of 2017, item 1579), the Competition is held only and exclusively in Polish. Under no circumstances whatsoever does the Contracting Authority authorize that the Competition Admission Application, the Single European Procurement Document (SEDP), statements or any other documents be prepared and submitted in a language other than Polish.***

***The (English) translations published by the Contracting Authority with a notice about the Competition on its website [www.archcompetition.chopin.gov.pl](http://www.archcompetition.chopin.gov.pl) constitute only additional (facultative) materials to be of assistance to foreign Contractors, in order to facilitate them to prepare the conceptual urban and architectural design of the International Centre for Music in Żelazowa Wola. The documents translated into English are not attachments to the notice and do not constitute the procedure documentation.***

***Should there occur any discrepancies between the translations and the Polish version, the Polish version should always prevail; the Contractor shall not be entitled to file any claims against the Competition Organiser in respect of such discrepancies.***

## Questions No 1 and 2:

*We would like to ask a question concerning the requirements specified in Chapter 11, point 11.1 Obligations of Competition Participants. Sub-point 11.1.1:*

*“Prior to signing the Agreement on the preparation of the Design Plans and Specifications constituting an in-detail development of the Competition Entry, the Competition Participant individually participating in the Competition or the Participants jointly participating in the Competition (...) shall submit the following documents (...)*

*- Prepaid policy and, in its absence, any other evidence that the Competition Participant or the entity on whose financial and/ or economic position **the Competition Participant depends, is insured against third party liability in respect of the activities related to the subject of the contract to a minimum amount of PLN 6,500,000, but not less than the negotiated contract amount for preparation of the Design Plans and Specifications** and provision of services (...)*”

*1. Given the fact that the Contracting Authority specifies a maximum net cost of developing design documentation of PLN 2,924,800.00, will it be sufficient to produce an insurance policy of PLN 3,000,000? We do kindly request you to provide the explanation concerning the discrepancy between the required insured sum and the amount designated to perform the contract.*

*2. Does the Contracting Authority allow for an option to execute the insurance contract for a requested amount after announcing the results?*

## Response to Question No 1:

**No.** The Contracting Authority expects that a policy or another document will be submitted whereby it is to be confirmed that the Competition Participant or the entity upon whose financial or economic condition the Participants relies has taken third party liability insurance in respect of business activities conducted thereby, as related to the subject of the procurement, for a minimum insurance sum of PLN 6,500,000.00.

## Response to Question No 2:

**Yes.** The Contracting Authority accepts that the insurance contract (or extension of the already possessed contract) be executed for an insured sum determined in the Rules and Regulations of the Competition, after the results of the Competition are announced.

## Question No 3:

*We would like to participate in the Competition for the Conceptual Urban and Architectural Design of the International Centre for Music in Żelazowa Wola. We have reviewed the terms and conditions of participation and we need to explain a few issues.*

*As provided for in the Rules and Regulations of the Competition, in order to participate in the Competition, the information should be specified about presence of at least 1 person in the team of authors who has a building license to design without restrictions in the field of architecture. Please specify what documents we should deliver in order to participate in the programme? In Byelorussia, the procedure to be awarded a building license to design without restrictions in the field of architectures differs from the same that is applicable in Poland.*

### **Response to Question No 3:**

At the stage of filing the Competition Admission Applications, the Competition Participants file only their declaration about satisfying this condition in the above specified Application, i.e. Attachment No 1 to the Competition Regulations.

### **Question No 4:**

*We will apply for the Competition as a group of architectural and engineering firms. A power of attorney (Attachment No 4) requires a signature of each authorised representative of each firm or whether we should sign a power of attorney in the presence of a notary public?*

### **Response to Question No 4:**

As provided for in Chapter 2 section 2.1.6 of the Rules and Regulations of the Competition, the Participants who jointly apply for the Competition will submit an original Power of Attorney without its certifying by a notary public. If a copy of the Power of Attorney is filed, it must be certified by a notary public.

### **Question No 5:**

*Are you in a possession of a site plan in a .dwg version or a map with the marked deluge line? What I need is to precise determine a deluge line in my design.*

### **Response to Question No 5:**

In compliance with Chapter 1 point 1.7 (being the Competition Schedule) of the Rules and Regulations of the Competition for the Conceptual Urban and Architectural Design of the International Centre for Music in Żelazowa Wola, at this stage the Contracting Authority responds to the questions which are strictly related with the Competition Admission Application and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition Stage I.

### **Question No 6:**

*Is it too late to submit the Competition Admission Application?*

### **Response to Question No 6:**

It is not too late – the deadline for submitting the Competition Admission Application expires on 28 December 2017, at 15.00.

## Question 7:

*Does the Contracting Authority expects that the application be filed by a consortium with an investor, architect and engineers – constructors, electricians, plumbers and other sectors?*

## Response to Question No 7:

The required composition of the team of the Competition Participant at the Competition stage is determined in Chapter 2 of the Rules and Regulations of the Competition. The required composition of the team developing the design documentation is specified in Chapter 11 point 11.1.1 of the Rules and Regulations of the Competition.

## Question No 8:

*While acting as a foreign company based in Switzerland, do I need to submit the ESPD form along with the Competition Admission Application?*

## Response to Question No 8:

An ESPD form is not required at the stage of submitting the Competition Admission Application. The scope of documents and statements filed with the Competition Admission Application is determined in Chapter 2 of the Rules and Regulations of the Competition. A completed form of the European Single Procurement Document is filed by the Competition Participant (awarded the 1<sup>st</sup> Prize – invited to negotiations in the single source procurement procedure) prior to signing the agreement.

## Question No 9:

*I would like to submit the Competition Admission Application. Could you please specify the data to be completed in the ESPD form: Official Journal UE S number [], date [], page [], Notice number in OJ S: [ ][ ][ ][ ]/S [ ][ ][ ]-[ ][ ][ ][ ][ ][ ][ ]. Can I complete this document electronically or can I complete it manually?*

## Response to Question No 9:

A completed form of the European Single Procurement Document is submitted by the Competition Participant (awarded the 1<sup>st</sup> Prize – invited to negotiations in the single source procurement procedure) prior to signing the agreement.

## Question No 10:

*I kindly request you to confirm that the person who independently applies for the Competition is to submit ONLY the Application provided for in Attachment 1, without any additional documents, like for example, authorizations, entry into CEIDG or the ESPD form?*

## Response to Question No 10:

The scope of the documents and statements submitted with the Competition Admission Application is determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 11:

*What does the expression “a specialist in the field of acoustics” mean”? Please, precisely specify the requirements which apply to this person. Does it involve education or experience in design?*

## Response to Question No 11:

A “specialist in the field of acoustics” means a person who possesses relevant education and experience in the field of acoustics.

## Question No 12:

*The wording in compliance with point 2.2.1, i.e. the Competition Participant should possess at least 1 person who is a specialist in the field of acoustics. Therefore, our question is: can this specialist in the field of acoustics be also used by more than 1 Competition Participant, providing he is not a team member, but a consultant?*

## Response to Question No 12:

Yes. The same specialist in the field of acoustics may be used by more than 1 Competition Participant, i.e. he can be a member of more than one team or a consultant.

## Question No 13:

*Is there any chance to be provided with a map for designing purposes with a bigger number of high points/ or a 3D model of the investment site? What we mean is mostly setting high points along the BCDE border lines. Unfortunately the height cannot be determined in that area on the basis of a current map.*

## Response to Question No 13:

In compliance with Chapter 1 point 1.7 (the Competition Schedule) of the Rules and Regulations of the Competition for the Conceptual and Urban Design of the International Centre for Music in Żelazowa Wola, at this stage the Contracting Authority responds to the questions that are strictly related to the Competition Admission Application and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition Stage I.

## Question No 14

*I am a student of architecture in Indonesia; I would like to enter the Competition. Can a student of architecture participate in the Competition?*

## Response to Question No 14

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 15

*In respect of the aforementioned requirement, the Organiser requires that the Competition Participant should declare that it has at its disposal at least the following people to participate in the implementation of the Competition Entry:*

- 1 person with a licence to design in the architectural field without limitations, and
- 1 person, a specialist in the field of acoustics.

*Therefore, the question goes whether in connection with a limited small group of specialists in the field of acoustics, is it possible that the same specialist in the field of acoustics be used by more than one Competition Participant?*

## Response to Question No 15

Yes. The same specialist in the field of acoustics may be used by more than 1 Competition Participant, i.e. he may be a consultant for a few teams.

## Question No 16

*I am a student of the last year of the five-year Master architectural studies from India and now pursuing my professional training. Am I eligible to participate in the Competition?*

## Response to Question No 16

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 17

*The Competition is addressed only to the architectural firms or also the students? It is commonly known that the same person does not solve all the problems but he may present some interesting concepts which may be further on presented to prize winners. They may then acquire a different view of the project.*

## Response to Question No 17

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 18

*In order to verify, register to participate in the competition one should complete the form „Standard Form of a European Single Procurement Document” and send it by mail at: Narodowy Instytut Fryderyka Chopina, ul. Tamka 43 00-355 Warszawa? If not, how can I register?*

## Response to Question No 18

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 19

*Hello, can the Competition Admission Application and attachments thereto be prepared in English?*

## Response to Question No 19

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition. The Chapter 1, point 1.5.3 of the Rules and Regulations of the Competition provides that the Competition is conducted in Polish. The documents and certifications prepared in any other language will be submitted with their translations into Polish, to be certified by the Competition Participant or an attorney thereof.

## Question No 20

*If the Applicator is an architectural firm employee employed on the basis of the employment agreement (the firm is active, has its registered seat and is registered in Poland), should he/she possess a confirming document when filing the Application?*

## Response to Question No 20

Please specify the expression “filing” – whether it concerns the delivery of the Application to the Organiser’s registered seat or signing the Competition Admission Application on behalf of the firm.

## Question No 21

*A person possessing an architectural license and acoustic are persons with whom we cooperate when implementing projects, but they are not employed by our firm. How should (what document is required to) confirm that we have these persons at our disposal?*

## Response to Question No 21

The statement contained in the wording of the Competition Admission Application, Attachment No 1 to the Rules and Regulations of the Competition. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition

## Question No 22

*Is it an international competition? We are an architectural firm from Canada and we are very willing to participate in the competition.*

## Response to Question No 22

Foreign firms can participate in the Competition. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 23

*Are there any other documents required to be filed apart from the Competition Admission Application? Is there any portfolio or previous works required to be submitted?*

## Response to Question No 23

A portfolio and example of previous works are not required. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition

## Question No 24

*In point 2.2.1., it is written: "It shall have economic or financial condition which will allow to prepare the Competition Design". Is it necessary to generate specific income or turnover to participate in the Competition?*

## Response to Question No 24

No, it is only required to provide a statement of economic standing that will allow to perform the contract as provided for in the Competition Admission Application – Attachment No 1 to the Rules and Regulations of the Competition.



## Question No 25

*The point 2.3.1 of the Rules and Regulations of the Competition provides that Regulaminu „a document confirming the right to represent the Competition Participant for a person submitting the Competition admission application on behalf of the Competition Participant or appointing an attorney/attorneys representing the Competition Participant. The foregoing requirements applies to the Participant participating in the Competition individually and to each of Participants taking part in the Competition jointly; in these circumstances, they shall be presented in the form of an original or a copy to be certified as accurate with an original document by persons authorised to represent the Competition Participant or an attorney/attorneys, if these are not documents or their copies which do not require certification in respect of their accuracy with an original document”*

*Is it appropriate to attach a confirmation of registration with the Chamber of Architects?*

## Response to Question No 25

The Contracting Authority is not able to confirm it if it does not know the form of activities pursued by the Competition Participant. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition – the foregoing also applies to the certification of the right to represent the Participant.

## Question No 26

*I am a graduate of architecture and would like to enter the Competition. Are there any limitations which I should be aware before commencing the procedure?*

## Response to Question No 26

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 27

*I would like to apply for being a participant of the Competition. To which the documents 1, 2 and 3 on the last page of Attachment 1 refer? Would a completed Attachment 1 be sufficient? What other documents are required in an original application? Part 2 was not clear.*

## Response to Question No 27

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 28

*Will questions and responses be translated into English?*

## Response to Question No 28

No, in compliance with point 1.5.3 of the Rules and Regulations of the Competition, the Competition is conducted in Polish.

## Question No 29

*Being an undergraduate 5th semester student of architecture, may I also apply for being admitted to the Competition?*

## Response to Question No 29

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 30

*I would like to participate in the Competition.*

## Response to Question No 30

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 31

*Where can I find some information about the application and the requirements as well as the programme and location, and the requirements concerning the procedure to submit the Applications.*

## Response to Question No 31

All the materials are available at: <http://archcompetition.chopin.gov.pl/>

## Question No 32

*We are an architectural firm from Spain and we are interested in participation in the Competition organised by the International Centre of Music, and would like to ask whether fees for building construction specialist, electricity specialists and plumbers or telecommunication specialist, road construction specialist and acoustics specialist are contained in the amount of PLN 2,924,800.00 or will be paid outside that amount?*

## Response to Question No 32

Pursuant to point 1.6.2 of the Rules and Regulations of the Competition this amount constitutes a maximum prospected net cost of the procurement for the works required to render the Competition Entry more detailed involving the preparation of the design documentation within

extent that will be necessary to implement the Investment and provide other services related to the preparation and implementation of the Investment.

## Question and Response No 33

*We are a group of architects from China and we have one simple question concerning the qualification requirements applicable to the Competition Participants. We are interested in participating in this architectural competition and it will be wonderful if we have a chance to join candidates. After reading the information available in the Internet, we have one question. As we have noticed in Chapter 2.2. (<http://archcompetition.chopin.gov.pl/regulamin>) – „1 person with a licence to design in the architectural field without limitations” – we would like to know what the word “licence” mean in this respect?*

*It is a type of certificate awarded in the form of a decision made by a relevant qualification commission of the Chamber of Architects in the Republic of Poland whereby its holder is authorized to perform independent technical functions in construction engineering, which will involve designing and managing construction works.*

*As we are an international competitor, will a license issued in our country be appropriate?*

*No, it will not.*

*Do we need to possess an EU/ Polish license in the field of architectural design?*

*The Competition Participant should possess in its team a person who possesses such license.*

## Question No 34

*Do we need at this stage to send all the attachments in English and event in Polish? Do we need to have a notarial certificate in these circumstances?*

## Response to Question No 34

*As provided for in point 1.5.3 of the Rules and Regulations of the Competition, that the Competition is conducted in Polish. The documents and certifications prepared in any other language will be submitted with their translations into Polish, to be certified by the Competition Participant or an attorney thereof. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.*

## Question No 35

*As the ESPD form may be submitted after winning the 1st prize, can other documents, e.g. a certificate from criminal register, extract from the Tax Chamber, Social Insurance Institution be also filed after winning the 1st prize?*

## Response to Question No 35

*The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition. The obligations of the Competition Participants, i.e. the documents and/or statements the Participant is obliged to submit before*

executing the agreement on preparing the design documentation being a detailed study of the Competition Entry are specified in Chapter 11 of the Rules and Regulations of the Competition.

## Question No 36

*Will the Competition Participant remain unanimous until the moment of announcing the result of the Competition Stage II?*

## Response to Question No 36

Yes.

## Question No 37

*As provided for in Chapter 2 point 2.2.1 of the Rules and Regulations of the Competition, the competition team should include 1 architect and 1 acoustics specialist. The Chapter 11.1.1 also provides for the requirement of possessing the construction engineer, mechanics engineer, electric engineer, telecommunication engineer, road construction engineer. We kindly request you to confirm that in order to participate in the Competition it is sufficient to satisfy the requirements set forth in Chapter 2.2.1 or if we need to have them in the design team also the requirements set forth in Chapter 11.1.1.?*

## Response to Question No 37

At the stage of the Competition it is required that there participate 1 architect (with a relevant licence) and 1 acoustics specialist; the Competition Participant will make a relevant statement in the Competition Admission Application (Attachment 1 to the Rules and Regulations of the Competition). Chapter 11.1.1 provides for the required composition of the design team that prepares the design documentation after signing the agreement.

## Question No 38

*Does a certificate made by a third party on providing the Competition Participant with necessary resources when preparing the Competition Entry (an entity with a specialist in the field of acoustics) differ from a certificate made by a third party on providing the Competition Participant with the resources necessary to perform the contract? Are the two certificates submitted before signing the Agreement?*

## Response to Question No 38

At the stage of the Competition, there is submitted a certificate referred to in the wording of the Competition Admission Application – Attachment 1 to the Rules and Regulations of the Competition. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition. The obligations of the Competition Participants, i.e. the documents and/or statements the Participant is obliged to submit before executing the agreement on preparing the design documentation being a

detailed study of the Competition Entry are specified in Chapter 11 of the Rules and Regulations of the negotiations under the single source procurement procedure.

## Question No 39

*I want to register for the Competition.*

## Response to Question No 39

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 40

*I am a certified architect practising in the United States and I am wondering whether I possess qualifications appropriate to participate in the Competition. The relevant procedure is described in the downloaded document, i.e. Article 22.1, but it is not clear where Article 22.1 can be found. I would also like to find out about how to register. I reviewed the links, but I cannot trace the registration site.*

## Response to Question No 40

All the materials are available at:

<http://archcompetition.chopin.gov.pl/pl/pliki-do-pobrania>

<http://archcompetition.chopin.gov.pl/en/pliki-do-pobrania>

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 41

*I was extremely happy when I noticed the information about the Competition for the International Centre of Music in Żelazowa Wola. I am Master student working on my thesis at the School of Architecture Århus, Dania. I would like to obtain information whether I am allowed to participate in the Competition as a student or I should pursue professional practice?*

## Response to Question No 41

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition. At the stage of the Competition it is required that there participate 1 architect (with a relevant licence) and 1 acoustics specialist; the Competition Participant will make a relevant statement in the Competition Admission Application (Attachment 1 to the Rules and Regulations of the Competition). Chapter 11.1.1 provides for the required composition of the design team that prepares the design documentation after signing the agreement.

## Question No 42

*I represent a group of French architects from France and Canada. We are interested in the Competition. My question is: it seems to me to be a competition for building groups? Can we participate as an architectural firm? An application (in English) always requires participation of constructors engineers from other industries.*

## Response to Question No 42

Yes, architectural firms can participate in the Competition as it deals with conceptual urban and architectural design. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition. At the stage of the Competition it is required that there participate 1 architect (with a relevant licence) and 1 acoustics specialist; the Competition Participant will make a relevant statement in the Competition Admission Application (Attachment 1 to the Rules and Regulations of the Competition). Chapter 11.1.1 provides for the required composition of the design team that prepares the design documentation after signing the agreement.

## Question No 43

*I would like to kindly request you to provide me with an accurate list of documents to be attached to the Competition Admission Application. Point 2.3 is not clear enough – as since we are to submit only Attachment 1 and Attachment 4, do we need to separately submit other written statements? And, if other statements are made, how can they be prepared? Is there any ready form to be completed?*

## Response to Question No 43

The Contracting Authority cannot provide the information on the list of statements to be submitted by the Competition Participant, without knowing the form of activities pursued by the Competition Participant. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition – the foregoing also concerns the confirmation of a right to represent the Participant.

## Question No 44

*Can specialists from all over the world register for the Competition, or is it rather local? What are exact requirements at Stage I?*

## Response to Question No 44

The Competition is not subject to any territorial constraints, anyone who satisfies the conditions set forth in the Rules and Regulations of the Competition can register for the Competition. The procedure for participation in the Competition and the requirements to be satisfied by the

Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 45

*Point 2.2.1 “THE REQUIREMENTS TO BE SATISFIED BY THE COMPETITION PARTICIPANT” provides that the Participants should satisfy the following requirements:*

- *It shall have economic or financial condition which will allow to prepare the Competition Design,*
- *It shall possess technical abilities and professional qualifications which will allow to prepare the Competition Design,*
- *It shall possess appropriate technical resources,*
- *It shall have engaged persons able to implement the Competition Design,*
- *It shall possess knowledge and experience which would allow to develop the Competition Design”*

*Is it possible to determine whether there apply any more accurate requirements to be satisfied in order to participate in the Competition? Do we need to have a minimum turnover in our architectural firm, should we satisfy the requirements conditions safety at work and should certify whether we have already built the same structure? Or we should just state that we have technical and organizational resources which are sufficient to participate in the Competition? Thank you in advance.*

## Response to Question No 45

It is required only to provide a statement of economic condition whereby it will be possible to perform the contract specified in the Competition Admission Application – Attachment 1 to the Rules and Regulations of the Competition. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 46

*We are from Iran and we would like to find out how to register to participate in the Competition and submit our Competition Entry? If there applies any special programme, please, forward it to us.*

## Response to Question No 46

All the materials concerning the Competition are available at:

<http://archcompetition.chopin.gov.pl/pl/pliki-do-pobrania>

<http://archcompetition.chopin.gov.pl/en/pliki-do-pobrania>

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 47

*I kindly request you to inform me whether a consultant in the field of acoustics can participate in the Competition with more than one design team?*

## **Response to Question No 47**

A specialist in the field of acoustics may be used by more than one Competition Participant, i.e. he may be a member or consultant of a few teams.

## **Question No 48**

*Should the Application contain a full name of an architect and a number of his authorization/license and the Chamber and a specialist in the field of acoustics with his data (full name), or whether it is sufficient to include the STATEMENT whereby it is stated that persons participating in the works on the Competition Design possess architectural authorizations or an acoustics specialist without providing his personal details?*

## **Response to Question No 48**

The Competition Admission Application – Attachment No 1 to the Rules and Regulations of the Competition, precisely specifies the data of an architect and acoustics specialist to be provided.

## **Question No 49**

*We would like to participate in the Competition for the Conceptual Urban and Architectural Design of the International Centre for Music in Żelazowa Wola. We are a French architectural firm – can we participate in the Competition?*

## **Response to Question No 49**

Yes. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## **Question No 50**

*We are interested in participation in the Competition, but before preparing official documents we would like to check whether we do not violate any participation procedure. Our acoustics specialist (enjoying worldwide recognition) cooperated with one of the jury members during the last 3 years. Is the 3-year principle applicable only to architects or to everyone? An acoustics specialist is a consultant, not a team leader. We should bear in mind that the acoustics world is very narrow and, therefore, it is difficult to apply this principle. Please, respond to our question as soon as possible as we are a foreign firm and we need some time to prepare and translate all the documents*

## **Response to Question No 50**

This principle applies to the Competition Participant, not consultants engaged by the Participant. The Competition Jury members do not know the Competition Participants or their



teams preparing the Competition Entry. All the Competition Participants are entirely anonymous during the Competition until the moment of public opening the envelopes with data of the Authors when announcing the Competition results.

## Question No 51

*Can the Organiser make the Rules and Regulations available in a pdf format that is not a scan? I also kindly request that attachments to the Rules and Regulations of the Competition be made available in an editable version, e.g. \*.doc format, which will allow for their completing without a need to copy the text.*

## Response to Question No 51

Yes. They have been published on the official website of the Competition.

## Question and Response to Question No 52

*Can, at the stage of filing the Competition Entry, an architectural firm for EU (Italy), whose owner possesses all the authorizations and licenses required by law to design in Italy, enter itself into Attachment 1 as a person "with a building license to design without restrictions in the field of architecture"?*

Yes, an owner can be such person.

*Should this person, at the stage of filing the Competition Entry, and in order to confirm the foregoing, attach official confirmations of these authorisations in the Republic of Poland, in compliance with the Act of 18 March 2008?*

No.

## Question No 53

*Should, at the stage of filing the Competition Entry, while entering in Attachment 1 the data of a person being a “specialist in the field of acoustics”, attach any documents to confirm education or experience of this person?*

## Response to Question No 53

No.

## Question No 54

*In the Republic of Poland, there is no license issued to the “specialists in the field of acoustics”; therefore, what should be entered in a line "similar authorization of a person used by the Competition Participant/authorization number for acoustics specialist?"*

## Response to Question No 54

If in the country of origin or pursuing business activities by an acoustics specialist no relevant authorisations are awarded, it is necessary to state so in the Application, e.g. by stating “not applicable”.

## Question No 55

*In questions and responses, there are indicated the documents which “At the stage of submitting the Competition Admission Application, the Competition Participants should only submit their statement of fulfilling this condition in the above specified Application, i.e. Attachment 1 to the Rules and Regulations of the Competition”. Should there any other documents be required in order to submit our Application or just "ATTACHMENT NO 1 TO THE RULES AND REGULATIONS OF THE COMPETITION" should be delivered?*

## Response to Question No 55

The Contracting Authority is not allowed to provide the information on the list of statements to be made by the Competition Participant along with the Application, not knowing the form of activities pursued by the Competition Participant. The scope of documents and statements to be made with the Competition Admission Application is determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 56

*How can I register ..... where is the spatial plan for the project ..... and where is an AutoCAD plan to determine an accurate location .... and an agreement for a winner?*

## Response to Question No 56

Please, read the Rules and Regulations of the Competition.

## Question No 57

*[number] I would like to ask whether people from all over the world can register for the Competition or is it rather a local contest?*

## Response to Question No 57

The Competition is not subject to any territorial constraints; the Competition Participants should only fulfil the conditions set in the Rules and Regulations of the Competition. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 58

*Could you please precise the requirement concerning specification of a number of a license of a specialist in the field of acoustics. In Poland, there does not apply any construction specialisation of the Chamber of Engineers and, therefore, no authorisation is awarded to this extent.*

## Response to Question No 58

If in the country of origin or pursuing business activities by an acoustics specialist no relevant authorisations are awarded, it is necessary to state so in the Application, e.g. by stating “not applicable”.

## Question and Response to Question No 59

*Could you please explain the following questions concerning the RULES AND REGULATIONS OF THE COMPETITION for the Conceptual Urban and Architectural Design of the International Centre for Music in Żelazowa Wola:*

*- In compliance with the Rules and Regulations of the Competition, page 10, point 1.5.3 “The Competition shall be held in the Polish language. The documents and declarations prepared in a language other than Polish shall be enclosed with a translation into Polish certified by the Participant or his/ her representative”. Some of the documents delivered by the Competition Organisers, like a form of Competition Admission Application, a form of power of attorney, a form of Single European Procurement Document, as well as other forms, are delivered in English. Should we have them translated into Polish?*

The competition materials in English are supplementary materials. All the documents and statements attached to the Competition Admission Application, prepared in any other language, must be translated into Polish.

*Should we forward all the documents to be attached to the Application after their translation into Polish?*

Yes.

*Should we send all the documents translated into Polish, even if the originals are prepared in English?*

Yes.

*How can we certify a translation? Are all the documents required to be translated by an official / certified / accredited translator?*

The Point 1.5.3 of the Rules and Regulations of the Competition provides that the translation into Polish must be certified by the Competition Participant or its representative.

- Does the deadline to submit application expire on 28 December 2017 (subject to a stamp affixed by a courier firm or a post office) or should the Application be filed with the Fryderyk Chopin Institute on or before 28 December 2017?

The Competition Admission Application should be filed or delivered (post office, courier firm, etc.) at the address indicated in the Rules and Regulations of the Competition at or before 15.00 (Warsaw time) on 28 December 2017. The applications filed after this date will not be reviewed.

- page 12, point 2.1.4 of the Rules and Regulations of the Competition “The Competition Participants taking part in the Competition jointly are required to appoint an attorney authorised to represent the Participants taking part in the Competition jointly, including to submit the Application and documents and declarations required under this Chapter of the Competition Rules and Regulations. An attorney of the Competition Participants jointly participating in the Competition can be one of these Participants”. Can an advocate be from any other EU Member State, not from Poland?

A decision on a person to be appointed by the Competition Participant or joint Competition Participants as an attorney/ representative is made at discretion of the Competition Participant or Competition Participants jointly participating in the Competition.

Are two Participants submitting the Application entitled jointly to one power of attorney representing two Competition Participants or each of Participant is to have one power of attorney?

In compliance with Point 2.1.4, the Competition Participants taking part in the Competition jointly are required to appoint an attorney authorised to represent the Participants taking part in the Competition jointly. One of these Participants can be an attorney.

- Chapter 11 – should Competition Participants submit all the documents specified in Chapter 11 in the Competition Admission Application on or before 28 December 2017?

No. Chapter 11 of the Rules and Regulations of the Competition provides for the obligations of the Competition Participant, i.e. the documents and/or statements to be made by the Participant awarded the 1<sup>st</sup> PRIZE and awarded to negotiations prior to signing the Agreement on the preparation of the design documentation being the detailed study of the Competition Entry. This requirement is not applicable at the stage of filing the Competition Admission Application.

– regarding: “The list of persons, delegated by the Contractor to execute the public contract, in particular persons responsible for providing the services, quality control or management of the construction work, together with information on their professional qualifications, licences, experience and education necessary for the performance of a public procurement contract, and the scope of their activities and information on the legal basis to delegate these persons. Can in our Competition Admission Application there be a person responsible for provision of services, quality control or managing a few construction licenses at the same time, as specified

*in the Rules and Regulations of the Competition? For example, one person may deal with design in architecture, construction works, structure works and plumber works and telecommunication? In certain EU Member States construction licenses involve various activities.*

The question does not concern the stage of submitting the Competition Admission Application. Chapter 11 of the Rules and Regulations of the Competition provides for the obligations of the Competition Participants, i.e. the documents and/or statements which the Participant awarded the 1<sup>st</sup> Prize and invited to negotiations should submit, prior to signing the Agreement on the preparation of the design documentation being the detailed study of the Competition Entry.

- point 11.2.2 (...)

- “the scope of resources of another entity available to the Contractor,
- the manner of use of other entity’s resources by the Contractor in the performance of the public contract”(…),

*How can we present the evidence that we will possess the resources at our disposal? Is the list signed by one of the Competition Participant (jointly participating) sufficient?*

Chapter 11 of the Rules and Regulations of the Competition provides for the obligations of the Competition Participant, i.e. the documents and/or statements to be made by the Participant awarded the 1<sup>st</sup> PRIZE and awarded to negotiations prior to signing the Agreement on the preparation of the design documentation being the detailed study of the Competition Entry. This requirement is not applicable at the stage of filing the Competition Admission Application.

*If the Competition Admission Application does not contain a document, can we send it further on?*

Competition Participants will be requested to complete documents missing in the Application within the timeframe set by the Organiser.

## Question No 60

*Is there any option after being qualified for the second stage to change a group of Participants in the Competition?*

## Response to Question No 60

No, as it would be another Competition Participant.

## Question No 61

*I live in Brazil and I would really like to participate in the Competition, but I cannot send hard-copies of the documents. Can I forward the materials via electronic mail?*

## Response to Question No 61

No, it is not possible.

## Question and Response No 62

*I am an architect accredited with the HKIA (The Hong Kong Institute of Architects) and today live in Berlin. I am very interested in participation in the Competition and would like to do it. I would like to ask the following questions:*

*After filing the Application (before 28 December 2017), I will have to wait until 18 January 2018 to find out whether I qualify for participation in the Competition?*

Yes.

*2) What qualifications are required? i.e. educational qualifications and professional qualifications?*

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

*3) I am a practising architect with over 3-year experience and I am for over 7 years in the profession. Do I qualify?*

The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition. At the stage of the Competition, there should be ensured 1 architect (with a relevant authorisation/ license) and 1 specialist in the field of acoustics, the Competition Participant makes a relevant statement with the Competition Admission Application (Attachment 1 to the Rules and Regulations of the Competition).

*4) For the Competition Stage I, will I have to submit and project proposal?*

No. When submitting the Competition Admission Application, no project is submitted.

## Question and Response No 63

*I am a holder of an architectural authorisation (license) issued in Italy. Can I apply for the Competition with such a license, or should there be any other architect with Polish authorisation in my team?*

If your Italian authorisation (license) complies with the requirement of architectural license without restrictions, it proves sufficient at the stage of the Competition.

*The required specialist in the field of acoustics should be a member of the design team or can he be a third party consultant? Can a specialist in the field of acoustics be a consultant to a greater number of teams?*

A specialist in the field of acoustics can be used by more than 1 Competition Participant, i.e. he/she can be a member or consultant to a few teams.

## Question and Response No 64

Note: A more detailed response to a previous question

*If an applicant is a firm employee employed on the basis of an employment agreement (a firm operates, has its registered seat and is incorporated in Poland), should he/she have a certifying document when submitting an application?*

We kindly request you to explain in further detail the word “submitting” – does it concern the delivery of the Application to the Organizer’s registered seat or signing the Competition Admission Application on behalf of the firm.

*It means delivery of the application to the Organiser’s registered office.*

The Competition Admission Applications should be delivered in a written form, at the address and within the timeframe prescribed in the Rules and Regulations of the Competition. The selection of a mode of delivery, e.g. by mail, courier or any trusted natural person, is at discretion of the Competition Participant.

## Question No 65

*We conclude, based upon Questions Nos 7 and 37, whereby engineers are not required at the stage of the Competition, but further after winning the Competition and developing the Project. Can we add engineers later on as new members of the design team in order to develop the Project? Can we add engineers later on as subcontractors to develop the Project?*

## Response to Question No 65

Yes.

## Question No 66

*If we win the Competition, what minimum income should we prove during the recent years in order to be awarded the Contract for developing the Project?*

## Response to Question No 66

There is no such obligation. The Competition Participant should only prove economic or financial condition which will allow for performing public contract; a relevant statement is contained in the submitted Competition Admission Application – Attachment 1.

## Question No 67

*Apart from the Application form, what documents/ statements should Competition Participant provide in order to individually join the Competition as an architect based in Switzerland?*

## Response to Question No 67

The Contracting Authority is not able to provide the information on the list of documents and statements to be attached by the Competition Participant, without knowing the form of the Competition Participant’s activity. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition.

## Question No 68

*Due to a relatively small number of specialists in the field of acoustics in comparison to the number of architects interested in participation in the Competition, it would prove reasonable for an acoustics specialists to act for a few independent design teams which will apply for the Competition. Does the Contracting Authority accept such option?*

## Response to Question No 68

Yes.

## Question No 69

*Does "Information about persons authorized to make statements of intent for and on behalf of the Competition Participant" (Attachment 1) concern a full name of an appointed attorney/representative?*

## Response to Question No 69

For the Participants jointly participating in the Competition – yes, it does. For other participants – the foregoing may concern persons indicated in corporate documents (e.g. KRS [court register]) as being authorised to represent the company.

## Question No 70

*I presume that as an individual Competition Participant (an architect registered in UK) I need to submit Attachment 1. Could you please specify whether or not I should include also Attachments 2 and 4 into the Competition Admission Application? Do I also need to attach a copy of my UK registration certificate?*

## Response to Question No 70

Attachment 2 is not to be submitted at this stage of the Competition. Attachment 4 should be filed only if an attorney is actually appointed. In compliance with point 2.3.1 of the Rules and Regulations of the Competition, the Competition Participant needs to submit (...) a document confirming the right to represent the Competition Participant for a person submitting the Competition admission application on behalf of the Competition Participant or appointing an attorney/attorneys representing the Competition Participant. The foregoing requirement applies to the Participant participating in the Competition individually and to each of Participants taking part in the Competition jointly; in these circumstances, they shall be



presented in the form of an original or a copy to be certified as accurate with an original document by persons authorised to represent the Competition Participant or an attorney/attorneys, if these are not documents or their copies which do not require certification in respect of their accuracy with an original document, (...)

## Question No 71

*Are the Competition Participants required, in order to be admitted to the Competition, submit, apart from a completed Application set forth in Attachment 1 to the Rules and Regulations of the Competition, and a power of attorney set forth in Attachment 4, to be completed and signed by Competition Participants, any other additional documents and statements? If so, what are these documents?*

## Response to Question No 71

The Contracting Authority is not able to provide the information on the list of documents and statements to be attached by the Competition Participant, without knowing the form of the Competition Participant's activity. The procedure for participation in the Competition and the requirements to be satisfied by the Competition Participants in order to be admitted to the Competition are determined in Chapter 2 of the Rules and Regulations of the Competition – the foregoing also refers to the confirmation of the right to represent the Competition Participants, e.g. members of a company's management board, etc.

## Question No 72

*What is a difference between an original power of attorney signed by the persons authorised to represent all Competition Participants jointly participating in the Competition and the attorney from (2.1.6) "... copy certified to be in conformity with the original by the civil law notary and signed by a person authorized to represent all Participants taking part in the Competition jointly, and by the attorney"?*

## Response to Question No 72

If a copy of the power of attorney is attached, it shall be certified to be in conformity with the original by the civil law notary and an appointed attorney. The original power of attorney must be signed by persons comprising the Competition Participant jointly participating in the Competition or persons authorised to represent the Competition Participant (e.g. if legal persons jointly comprise the Competition Participant).

## Question No 73

*Should a group of persons jointly participating the Competition establish a company or pursue any type of activity? Or maybe such requirement does not apply?*

## Response to Question No 73

There is no such requirement.

## Question No 74

*In the Relevant Provisions of the Agreement, which constitute Attachment 3 to the Rules and Regulations of the Competition, the provisions of §11.5 and §11.6 provide for an unrestricted authorisation of the Contracting Authority to execute copyright and a right to make any and all changes into the work. Changes made to the design without their consultation with an architect may threaten an integrity and quality of the work. They are not acceptable to the architects that respect their creativity and take care of a final effect of their endeavours to serve not only the Contracting Authority but also the society. Therefore, we hereby request that relevant modifications be made to points 5 and 6. This modification proves decisive in terms of our possible participation in the Competition.*

## Response to Question No 74

The foregoing does not constitute a question concerning the participation in the Competition. The Contracting Authority hereby informs that no modification is made to the foregoing regulations.

## Question No 75

*The proposed maximum net fee to the designer is PLN 2,924,800. The foregoing constitutes 5.5% of the prospected cost of the investment implementation. You require that the team should include a person be a member of the Chamber of Architects in the Republic of Poland. In compliance with the “Fee Regulations” developed by the IARP Chamber, the fee should equal 12-14%, taking into consideration a specific nature of the design described in the Rules and Regulations of the Competition and Relevant Provisions of the Agreement. The fee calculated in compliance with the document entitled “The Principles for Valuation of Design Works”, prepared by SARP, being an association which co-organizes the competition, grossly exceeds the fee proposed by you in the Competition. There emerges reasonable fear that you fee will not prove sufficient for an architect to win the Competition to duly perform the contract. It is not possible to develop a high architectural and acoustic quality structure for the process which will not even comply the set standards. We do kindly request you to revise and modify the fee.*

## Response to Question No 75

The foregoing does not constitute a question concerning the participation in the Competition. The Contracting Authority hereby informs that no modification is made to the foregoing regulations.

## Question No 76

*For joint Competition Participants, can one of the Participants submit an application and the documents and statements required on the basis of the chapter of the Rules and Regulations*

of the Competition? Or maybe the application is allowed to be submitted by the appointed attorney?

## Response to Question No 76

Pursuant to point 2.1.4 of the Rules and Regulations of the Competition, the Competition Participants taking part in the Competition jointly are required to appoint an attorney authorised to represent the Participants taking part in the Competition. This attorney can be one of these Participants. The selection of a person to be appointed an attorney by the Competition Participant or joint Competition Participants is at discretion of the Competition Participant or joint Competition Participants.

## Question No 77

With regard to point 2.3.1 of the Rules and Regulations of the Competition, “In order to fulfil the conditions to participate in the Competition and the provisions of the Rules and Regulations of the Competition, the Competition Participant should submit:

- a completed Competition admission application drawn up in accordance to Attachment 1 to the Rules and Regulations of the Competition along with the declaration of not being subject to exclusion and of the fulfilment of the Competition participation requirements, shall be completed in the form of an original document signed by a person authorised to represent the Competition Participant,---
- a document confirming the right to represent the Competition Participant for a person submitting the Competition admission application on behalf of the Competition Participant or appointing an attorney/ attorneys representing the Competition Participant. The foregoing requirements applies to the Participant participating in the Competition individually and to each of Participants taking part in the Competition jointly; in these circumstances, they shall be presented in the form of an original or a copy to be certified as accurate with an original document by persons authorised to represent the Competition Participant or an attorney/attorneys, if these are not documents or their copies which do not require certification in respect of their accuracy with an original document

does the second document contain any other document from the competition admission application, in compliance with Attachment 1? If so, what type of the document should it be? Can it be in English? In these circumstances, will it be necessary for the purpose of translation into Polish?

## Response to Question No 77

It is a document confirming the right of a person signing the Competition Admission Application to sign and represent a specific firm or a team of joint Competition Participants. It can be: an

extract from a court register, a register of business activity, chamber of commerce or a power of attorney granted to the team of Participants. In compliance with point 1.5.3 of the Rules and Regulations of the Competition, “The Competition shall be held in the Polish language. The documents and declarations prepared in a language other than Polish shall be enclosed with a translation into Polish certified by the Participant or his/her representative”.

## Question No 78

*I am interested in the participation in the Competition, but my knowledge of the Polish language is very poor. Can the questions and responses be translated on the website of the Competition?*

## Response to Question No 78

The responses in English are published on the website of the Competition, but these are only supplementary materials. As provided for in point 1.5.3 of the Rules and Regulations of the Competition, the competition will be held in Polish.

## Question No 79

*Where can I find attachments to a public purpose location decision?*

## Response to Question No 79

The question does not concern the stage of submitting the Competition Admission Application.

## Question No 80

*Should the statements on possessing the resources of other entities (other than an authorized architect or a specialist of acoustics) be submitted at the stage of filing the Competition Admission Application or before signing an agreement on preparing the design documentation after winning the first position? Does it mean possessing a design firm which has taken out insurance or back-up facilities?*

## Response to Question No 80

The provisions of points 2.2.3 and 2.2.4 of the Rules and Regulations of the Competition specify the manner of proving to the Organiser that the Competition Participant will have the resources of other entities in order to perform the contract, as well as other related requirements provided for in Chapter 11 of the Rules and Regulations of the Competition, i.e. before signing the Agreement.

Clerk of the Competition Jury

**Marek Szeniawski**