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RULES AND REGULATIONS of the COMPETITION
for the Conceptual Urban and Architectural Design
of the International Centre for Music in Żelazowa Wola

Approved by:

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DEFINITIONS

The expressions and abbreviations used in the Competition Rules and Regulations shall have the following meaning:

“Delivery address” - for postal/courier consignments: **Narodowy Instytut Fryderyka Chopina, ul. Tamka 43, 00-355 Warszawa, POLSKA**; for personal deliveries: Narodowy Instytut Fryderyka Chopina, ul. Tamka 43, Warszawa – **Kancelaria** (level 2, entry from Tamka Street through the porter’s lodge located on the ground floor of the building).

“Design Plans and Specifications” - the complete set of design documentation together with the necessary trade materials, licences, approvals and opinions, in order to obtain a building permit, to prepare and carry out the procedure for the award of a public contract for the execution of works, the execution of the aforementioned works, as well as the delivery of the equipment.

“Investment” - construction of a mixed use cultural services development with a name **The International Centre for Music in Żelazowa Wola**, including a concert hall with 650 seats with a stage accommodating a 100-person orchestra together with the technical facilities, practice rooms, a chamber music hall, conference room, recording studio, education rooms, a control room at the concert hall with the complementary rooms: foyer, hall, catering and restaurant spaces, dressing rooms, offices, an underground garage, on-grade car park, circulation roads, a system of footways, a sealed cess tank with a capacity of approx. 30m³, a transformer station 15kV/0.4kV, generator, access point from the adjacent sub-regional road, and other necessary accompanying structures, building systems and such accessory structures like paved footpaths and a foot bridge near the bridge and the connection road to the proposed municipal car parks on the north side of the Utrata River.

“Manager of the Contracting Authority” - a person authorised to manage the Organiser/Contracting Authority.

“Conceptual Urban and Architectural Design” - drawing and textual specifications of the basic arrangements for conceptual urban and architectural design, solutions and standards to be developed and detailed in the course of further design works.

“Concept Design Package” - specifications of the initial architectural, structural, mechanical, infrastructural, technical, technological and maintenance solutions and standards to be the basis for further design work.

“Competition” - a competition organised under the Act and these Competition Rules and Regulations.

“Competition Materials” - a set of materials constituting **Attachment 10 to these Competition Rules and Regulations**. The Competition Materials consist of:

- **Front-End Engineering Design containing urban, architectural, functional and acoustic guidelines** (Attachment 10a),
- Current contour map for design purposes (Attachment 10b),
- **Decision No 1.2017 on the location of a public purpose investment of 20 February 2017 issued by the Commune Mayor [Wójt Gminy] of Commune Sochaczew** (Attachment 10c),

- **Geotechnical Survey Report** (Attachment 10d),
- **Decision No 892/D/TC-U/16 of the Regional Water Management Board** *[Regionalny Zarząd Gospodarki Wodnej]* **in Warsaw** (Attachment 10e),
- **Letter No PZD.D2.4140.45.2016 of the Sub-regional Roads Board in Sochaczew** (Attachment 10f),
- **Greenery Report** (Attachment 10g),
- **Extract and Excerpt from the Land Register for the plots purchased by the NIFC** (Attachment 10h),
- **Model Table for the Basic Programme and Site Summary** (Attachment 10i).

“**MCM**” – The International Centre for Music in Żelazowa Wola.

“**Competition Design**” - the Competition Stage I Conceptual Design jointly with the Competition Stage II Competition Entry.

“**Organiser**”, also referred to as the “**Contracting Authority**” - the Fryderyk Chopin Institute, ul. Tamka 43, 00-355 Warszawa.

“**Building Permit Design**” - the “building permit design” within the meaning of Articles 33 and 34 of the Act of 7 July 1994, The Construction Law (i.e. Journal of Laws of 2017 Item 1332, as amended) and the provisions of the implementing regulations to this Act, especially the Regulation of the Minister of Transport, Construction and Maritime Economy of 25 April 2012 on the detailed scope and form of the construction project (Journal of Laws of 2012 Item 462, as amended).

“**Detailed Design**” - based on the Building Permit Design, a set of developments to complement and further define the Building Permit Design in terms of and to the degree of precision necessary to prepare the scope of works, bill of quantities with unit prices, the competition bid by the contractor and to perform the works, including detailed drawings and descriptions, referred to in the Regulation of the Minister of Infrastructure of 2 September 2004 on the detailed scope and forms of design documentation, technical specifications for the performance and acceptance of construction works and outline design specifications (Journal of Laws of 2013 Item 1129).

“**Rules and Regulations**” - the **Competition Rules and Regulations for the Conceptual Urban and Architectural Design of the International Centre for Music in Żelazowa Wola** (this Document).

“**Rules of Procedure of the Competition Jury**” - the Rules of Procedure attached to the Decree of the **Director of the Fryderyk Chopin Institute No 23/2017 of 14.12 2017**.

“**Competition Jury**” - a body auxiliary to the Manager of the Contracting Authority with its composition specified in accordance with the Rules of Procedure, and appointed to evaluate Competition Participants’ compliance with the requirements laid down in the Rules and Regulations, in particular: to evaluate Conceptual Design and Competition Entries, to select the best Conceptual Designs and the best Competition Entry and to grant other awards and/or distinctions.

“**Competition Design Development Area**” - the Competition Area shall be the real property located in Nowe Mostki, the Circle 0024, Commune Sochaczew with plots No. **82/3, 82/4, 82/5, 83/1, 83/3, 87/1, 87/3**, with a total area of 17513m², marked with Letters **A-B-C-D-E-F-G-H-I-J-K** in Attachment 10a to the Rules and Regulations.

“Participant” or **“Competition Participant”** - a natural person, a legal person or an organizational unit without legal personality fulfilling the requirements laid down in the Competition Rules and Regulations.

“Act” - the Act of 29 January 2004, the Public Procurement Law (i.e. Journal of Laws of 2017, Item 1579, as amended).

“Contractor” - a Competition Participant that is to receive the first prize and to be invited to negotiations under the single source procurement procedure to perform the scope of contract compatible with the functional requirements and guidelines described in detail in Attachment 10a to the Rules and Regulations.

“Single Source Procurement” - the public procurement procedure under Article 67.1.2 of the Act to be followed following the award granted in the Competition.

CHAPTER 1 GENERAL PROVISIONS

1.1. INFORMATION ON CONTRACTING AUTHORITY

Data of the Contracting Authority:

Narodowy Instytut Fryderyka Chopina

ul. Tamka 43

00-355 Warszawa

tel. +48 22 44-16-100; +48 22 44-16-202; +48 22 44-16-203

www.chopin.nifc.pl, www.archcompetition.chopin.gov.pl

e-mail: archcompetition@chopin.gov.pl, zamowienia@nifc.pl

1.2. LEGAL BASIS

1.2.1. The Competition shall be conducted in compliance with the provisions of the **Act** of 29 January 2004, the Public Procurement Law (Journal of Laws of 2017, Item 1579, as amended) and on the basis of:

- the Directive 2014/24/EC of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (O J EU L 94 of 28 March 2014, p. 65, as amended);
- the Act of 23 April 1964, the Civil Code (i.e. Journal of Laws of 2017, Item 459,933,1132);
- the Act of 4 February 1994 on Copyright and Related Rights (i.e. Journal of Laws of 2017, Item 880);
- the Act of 7 July 1994, the Construction Law (i.e. Journal of Laws of 2017 Item 1332) and the provisions of the implementing Regulations to this Act, especially the Regulation of the Minister of Transport, Construction and Maritime Economy of 25 April 2012 on the detailed scope and form of the construction project (Journal of Laws of 2012, Item 462, as amended);
- these Competition Rules and Regulations;
- regulations and standards in the field of spatial planning, construction and conservation of built heritage, in so far as it applies to Competition Entries.

1.2.2 The Competition shall be organised in cooperation with the Board of the Union of Polish Architects SARP as the Competition fulfils the requirements of the SARP selection procedure.

1.3 COMMUNICATION WITH THE ORGANIZER

1.3.1. **Competition Participants** may contact the **Organiser** seeking explanation concerning **Competition** admission applications and the provisions of the **Competition** Rules and Regulations in writing at the **Delivery Address** or via e-mail at the following address: archcompetition@chopin.gov.pl or via the form available on the Competition website, i.e.: www.archcompetition.chopin.gov.pl.

1.3.2 **The Organiser** shall respond to the inquiries related to the **Competition** admission applications or inquiries related to the **Rules and Regulations**, in compliance with the schedule **of the Competition**.

- 1.3.3 On behalf of **the Organiser**, the information about **the Competition** shall be provided by the Clerk of the Competition Jury. The Clerk of the Competition Jury shall be Marek Szeniawski, email archcompetition@chopin.gov.pl
- 1.3.4 The inquiries and answers to them without disclosing the name of the inquirer shall be published by the Organiser on the Competition website, i.e.: archcompetition@chopin.gov.pl only before submission of Competition admission applications.
- 1.3.5 The explanation provided by the **Organiser** and potential additions or changes to the **Rules and Regulations** shall be binding to all the **Participants** from the moment it is published on the **Competition** website.
- 1.3.6 The **Organiser** shall communicate with the **Competition Participants** admitted or invited to the **Competition** via e-mail, but the written form shall always be allowed.
- 1.3.7 Should a request for explanation of the content of **the Rules and Regulations** be received after expiry of the deadline for submission of inquiries referred to in point 1.7 of these **Rules and Regulations** or should it refer to answers and explanation already provided, the **Organiser** may provide explanations to it or disregard such an inquiry.
- 1.3.8 A breach of the principle of anonymity in contact with the **Organiser** or a member of the **Competition Jury** shall result in the exclusion of the **Competition Participant** from participating in the **Competition**. The Competition Entry of such **Participant** excluded from participating in the **Competition** shall not be examined, and in the event that disclosure of the breach by the **Competition Participant** of the principle of anonymity occurs during or after the award of prizes in the **Competition**, such Participant shall be deprived of the right to the prize or distinction won, if awarded thereto.
- 1.3.9 The **Competition Participant** shall make relevant declarations and/ or documents as called upon by the **Organiser** in connection with Articles 26.3, 26.3a, 26.4 of the Act only in writing to the **Delivery Address**.
- 1.3.10 All the Designs being **Competition** Stage I and II Entries shall be submitted to the **Delivery Address**.
- 1.3.11 The **Organiser** shall not responsible for consequences of the **Competition Participant's** failure to fulfil the requirements set forth in the **Rules and Regulations**.

1.4 SUBJECT AND PURPOSE OF THE COMPETITION

1.4.1 The Subject of the **Competition** is classified under the Common Procurement Vocabulary (CPV):

- 71222000 - Architectural services for outdoor areas;
- 71220000 - Architectural design services.

1.4.2 The **Competition** task is to deliver the **Competition Conceptual Design** related to the **Investment** in the **Competition Design Development Area** taking into account the functional requirements and guidelines of the **Contracting Authority** included in the **Competition Materials**.

1.4.3 The **Competition** is an open two-stage implementation design competition, on the basis of which the Design Plans and Specifications shall be prepared to serve as the basis for the **Investment**.

- 1.4.4 The Stage I consists in preparing a Conceptual Design, the Stage II consists in preparing the Implementation Design.
- 1.4.5 Following the selection in Stage I by the **Competition Jury** of the best Conceptual Designs, the **Competition Participants**, whose Conceptual Designs are selected, shall be admitted to further participate in the Competition and invited to submit their Competition Entries in the Stage II of the **Competition**.
- 1.4.6 The subject of the Competition Entry in Stage I (Conceptual Design Stage) is to provide a concept urban and architectural design of the **Investment** taking into account the functional requirements and guidelines included in the **Competition Materials**.
- 1.4.7 The subject of the Competition Entry in Stage II (Implementation Design Stage) is to provide a developed detailed Implementation Design of the **Investment** on the basis of the Conceptual Design in Stage I taking into account the functional requirements and guidelines contained in the **Detailed Competition Materials** and guidelines formulated by the **Competition Jury** for the **Competition Participants** qualified for Stage II of the **Competition**.
- 1.4.8 The proposed **Competition** implementation stage (Stage II) solutions should not exceed the assumed budget amount and in the most advantageous way they should provide for the Front-End Engineering Design included in the **Competition Materials**.
- 1.4.9 The proposed functional-spatial conceptual designs, both in Stage I and Stage II of the **Competition**, shall in an optimal way meet the expectations of the **Organiser** for spatial, architectural, functional solutions and economic assumptions referred to in the **Rules and Regulations** and in the **Competition Materials**, and comply with the provisions of the applicable administrative decisions referred to in the **Competition Materials**.
- 1.4.10 The main prize in the **Competition** shall be a monetary amount prize and an invitation to negotiations in the single source procurement procedure for the author of the best selected Competition Entry. The Contracting Authority shall provide additional prizes/ formal distinctions in the form of monetary amount prizes awarded to the **Competition Participants** selected for Stage II of the **Competition**.
- 1.4.11 The purpose of the **Competition** is to select the best **Investment** design located in the vicinity of the Birthplace of Fryderyk Chopin and Park in Żelazowa Wola. The conceptual architectural design must take into account the spatial relationship with the Birthplace of Fryderyk Chopin, which is the focal point of the historic park surrounding it. In particular it must harmonize with the function of the site, i.e. the Park-Memorial created in the 1920s and 1930s to commemorate the great artist (see: the history of the Birthplace of Fryderyk Chopin and Park in Żelazowa Wola in: **Front-End Engineering Design**). Its outline dimensions should organically harmonize with the landscape without dominating the surroundings, which should not however exclude architectural design proposals with a distinct identity. The topography, architectural context of the interwar Park-Memorial and vegetation creating time-varying compositions are all important points of reference for the design project. It is because of this context that the aesthetic value of the proposal and its symbiosis with the surrounding landscape values is of particular importance. The design should take into account the composition of the surrounding vegetation, which in a creative manner refers to the local landscape and modernist layout of the Park. The Investment shall meet the requirements of sustainable development (see: **Front-End Engineering Design**).

1.4.12 The infrastructure to be created is to be dedicated to artistic (concerts, recordings), educational (including musical), workshop (master classes, including piano classes) and a conference activities. Specific rooms, circulation paths, technical and architectural solutions must enable optimal implementation of all these functions in as ergonomic and non-confrontational a way as possible. The design must take into account the international dimension of the project, taking into account the regional needs and the needs of the local community.

1.5. COMPETITION ADMISSIONS

1.5.1 **The Competition** is an open event. The **Participants** shall submit Competition admission applications to the **Organiser**. The **Competition Jury** shall admit Participants to take part in the **Competition** and invite them to submit Competition entries of those **Participants** who meet the conditions for participation set forth in Chapter 2 points 2.2. and 2.3 of the **Rules and Regulations**.

1.5.2 The Participants who do not meet the requirements specified in the **Rules and Regulations** shall be excluded.

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.

1.6 INVESTMENT COST

1.6.1 The maximum planned total cost of the works to be carried out on the basis of the selected Competition entry (implementation of the **Investment**) shall not exceed the gross amount of PLN 65 000 000.00 (in words: sixty-five million PLN gross), i.e. the net amount of PLN 52 845 528.00 (in words: fifty-two million eight hundred forty-five thousand five hundred twenty-eight PLN net). The **Competition Participant's** declaration concerning the estimated cost for the implementation of the works carried out on the basis of his/ her Competition entry is included in point (9) of the Competition admission application.

1.6.2 The maximum planned net cost of the contract works required for further in-detail development of the Competition entry involving the development of the Design Plans and Specifications to the extent necessary to implement the **Investment** and provide other services related to the preparation and implementation of the **Investment** to be awarded under the single source procurement procedure subsequent to this **Competition** and negotiations with the **Competition Participant** whose Competition entry is considered the best, cannot exceed the net amount of **PLN 2 924 800.00** net (in words: two million nine hundred twenty-four thousand eight hundred PLN net).

1.6.3 The subject of the contract under the single source procurement procedure is described in the Essential Agreement Provisions included in **Attachment 3 to the Competition Rules and Regulations**.

1.7. COMPETITION SCHEDULE

Item	Activity/ Place	Deadline
1	Submission of the notice of the Competition to the Publications Office of the European Union	10 November 2017
2	Announcement of these Rules and Regulations and the complete Competition guidelines and materials necessary for the design process on the Competition website	10 November 2017
3	Submission of inquiries concerning clarification of the content of the Competition Rules and Regulations relating to the participation requirements	by 11 December 2017
4	Publication of the answers to the inquiries relating to the participation requirements on the website	by 22 December 2017
5	Deadline for submission of Competition admission applications	28 December 2017
6	Announcement of the results of the qualification to participate in Stage I of the Competition on the basis of the Competition admission applications	by 19 January 2018
STAGE I		
7	Submission of inquiries to clarify the content of the Rules and Regulations relating to the development and submission of Conceptual Designs and Competition Entries	by 02 February 2018
8	Answers to the inquiries from the Participants of STAGE I of the Competition	by 16 February 2018
9	Submission of Conceptual Designs (Stage I of the Competition):	by 23 March 2018
10	Decision to admit Participants to STAGE II of the Competition, call for Competition entries for STAGE II of the Competition to the Participants eligible for further participation in the Competition	13 April 2018
STAGE II		
11	Provision of the Competition recommendations subsequent to Stage I to the Participants eligible for further participation in the Competition	by 20 April 2018
12	Submission of inquiries to clarify the content of the Rules and Regulations relating to development and submission of Competition Entries	by 7 May 2018
13	Provision of the answers to the inquiries of the Participants of Stage II of the Competition	by 18 May 2018
14	Submission of Competition entries for Stage II of the Competition	by 15 June 2018
15	Official Competition verdict public announcement	by 29 June 2018

CHAPTER 2
COMPETITION ADMISSION APPLICATIONS AND REQUIREMENTS WHICH MUST BE
FULFILLED BY COMPETITION PARTICIPANTS IN ORDER TO BE ADMITTED TO
PARTICIPATE IN THE COMPETITION

2.2 GENERAL PROVISIONS

2.1.1 The Competition Participant may be:

- a natural person,
- a legal person,
- an organizational unit without legal personality, both domestic and foreign (foreign in the sense of being a resident outside the territory of the Republic of Poland).

2.1.2 The entities listed in point 2.1.1 may:

- take part in the Competition individually, and as such they are called “Individual Competition Participants”,
- take part in the competition jointly, and as such they are called “Joint Competition Participants”.

2.1.3 The provisions concerning the Individual Competition Participant shall apply mutatis mutandis to Joint Competition Participants.

Note: The Competition Participants jointly participating in the Competition are in particular partners of civil partnerships, consortia (a consortium should also be understood as a design team).

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, 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.

2.1.5 In case the Competition Participant taking part in the Competition individually should appoint an attorney, then the Power of Attorney shall be attached to the Competition admission application in the original or copy certified to be in conformity with the original by a civil law notary and must be signed by a person entitled to represent the Competition Participant and by the attorney. The Power of Attorney should comply in terms of its content to the model set out in Attachment 4 to the Competition Rules and Regulations.

2.1.6 The participants taking part in the Competition jointly, upon appointing of an attorney, shall attach the Power of Attorney to the Competition admission application in the original or 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. The Power of Attorney should comply in terms of its content to the model set out in Attachment 4 to the Competition Rules and Regulations.

2.2 REQUIREMENTS TO BE COMPLIED WITH BY COMPETITION PARTICIPANTS

2.2.1 The Competition Participant applying to be admitted to participate in the Competition must meet the conditions set out in Article 22.1 of the Act (in accordance with the declaration contained in the Competition admission application), i.e.:

- It shall not be subject to the exclusion in accordance with Articles 24.1.12 – 24.1.23 and 24.5.1, 24.5.3.d in respect of Members of the Competition Jury, Articles 24.5.5, 24.5.6 and 24.5.7.

This requirement applies to the Competition Participant individually participating in the Competition and each of the Participants jointly participating in the Competition and entities whose resources are at the disposal of the Competition Participant and who are to be involved in the performance of the Competition Entry,

- It shall have competences or authorizations to carry out a specific professional activity.

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.
- It shall have economic or financial conditions which will allow to prepare the Competition Design,
- It shall possess technical abilities and professional qualifications which will allow it 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 it to develop the Competition Design.

2.2.2 The admission requirement set out in Chapter 2 point 2.2.1 is fulfilled, if the Competition Participant is a natural person with the required aforementioned licences. If the Competition Participants jointly participate in the Competition, the requirements set out in Chapter 2 point 2.2.1 are fulfilled if fulfilled jointly by the Joint Competition Participants.

2.2.3 The Competition Participant, in order to fulfil the admission requirement set out in this Chapter 2 point 2.2.1, may rely on the resources of other entities in the course of the preparation of the Competition Entry or performance of the contract in accordance with Article 22a of the Act.

2.2.4 The manner to prove to the Organiser that the Competition Participant will have the resources of other entities at his/her disposal when performing the contract as well as other related requirements, is described in Chapter 11 of these Competition Rules and Regulations.

2.2.5 The documents and/or declarations regarding not being subject to the exclusion referred to in point 2.2.1 of this Chapter, are made by every Competition Participant taking part in the Competition individually and each of the Participants taking part in the Competition jointly and by the entities whose resources are or are going to be at the disposal of the Competition Participant in the course of the contract's performance and subcontractors in accordance with the provisions of Chapter 11 of the Rules and Regulations, while upon submission of

Competition admission applications, Competition Participants only submit declarations on fulfilment of this condition in the form contained in the Competition admission applications.

2.2.6 The documents and/or declarations regarding the fulfilment of the requirements set out in point 2.2.1 of this Chapter, are made by the Competition Participant participating in the Competition individually or a Competition Participants taking part in the Competition jointly and entities whose resources are or are going to be at the disposal of a Competition Participant in the course of the contract's performance and subcontractors in accordance with the provisions of Chapter 11 of the Rules and Regulations of the Competition while upon submission of Competition admission applications, Competition Participants only submit declarations on fulfilment of this condition in the form contained in the Competition admission applications.

2.3 COMPETITION ADMISSION APPLICATIONS AND DOCUMENTS OR/ AND DECLARATION REQUIRED ALONG WITH THE APPLICATION

2.3.1 In order to meet the requirements for participation in the Competition and the provisions referred to in these Rules and Regulations, a Competition Participant must 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 apply 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,
- a Power of Attorney in the case of representing a Participant participating in the Competition individually or Powers of Attorney in the case of Participants taking part in the Competition jointly. Then, a Competition admission application must be enclosed with the original or a copy certified by a civil law notary to be in conformity with the original.

2.3.2 The Competition Participant may use the model Powers of Attorney attached to the Rules and Regulations, i.e. a model Power of Attorney to represent a Participant participating in the Competition individually or the model of a Power of Attorney to represent Participants taking part in the Competition jointly - **Attachment 4 to the Rules and Regulations of the Competition**.

2.3.3 A Competition admission application and documents and/or declarations shall be submitted in writing.

2.3.4 It is recommended that all pages of a Competition admission application be consecutively numbered and it is also recommended that all the pages/sheets should be clipped/stapled in such a way as to make it impossible to separate them.

2.3.5 Competition admission applications must be submitted in writing at the following address:

**NARODOWY INSTYTUT FRYDERYKA CHOPINA ul. Tamka 43
00-355 Warszawa**

and marked with the following notice:

**ADMISSION APPLICATIONS TO THE COMPETITION
FOR CONCEPTUAL URBAN AND ARCHITECTURAL DESIGN
OF THE INTERNATIONAL CENTRE FOR MUSIC IN ŻELAZOWA WOLA**

and bear the name and address of the Competition Participant.

2.3.6 The deadline for Admission applications expires on **28 December 2017, at 3.00 pm.**

2.4 EVALUATION OF COMPETITION ADMISSION APPLICATIONS

2.4.1 The Organiser shall, upon the expiry of the deadline for submitting Competition admission applications, examine the Competition admission applications in terms of the fulfilment of the requirements under the Rules and Regulations, potentially call upon the Participants to make corrections or clarifications to the Applications, and on this basis, assess the fulfilment by the Competition Participants of the Competition participation requirements specified in the Rules and Regulations and in the Act employing the simple rule “compliance - non-compliance”.

2.4.2 In order to observe the requirement of anonymity of the Competition Participants in relation to the Competition Jury Members, persons acting as Competition Jurors shall take no part in the assessment of the Competition Admission Applications. Neither shall the list of Competition Participants qualified to participate in the Competition be made public.

2.4.3 **The actions of the Competition Participant which could lead to a breach of the Competition Participant’s anonymity in relation to the Competition Jury Members, shall result in the exclusion of the Participant from the Competition.**

2.4.4 Upon the completion of assessment of the fulfilment of the **Competition** participation requirements, the **Organiser** shall invite the **Competition Participants** fulfilling the participation requirements to submit Stage I Conceptual Designs on or before **19 January 2018.**

2.5 AMENDING OR WITHDRAWING A COMPETITION ADMISSION APPLICATION AND INFORMATION CONSTITUTING A TRADE SECRET

2.5.1 The Competition Participant may amend or withdraw the Competition admission application only before the expiry of the deadline for submitting Competition admission applications. A notification of amending or withdrawal of a Competition admission application must be submitted in the manner and form provided for in Competition admission applications.

2.5.2 In case the information contained in the Admission Application should constitute a secret within the meaning of the Act on combatting unfair competition, the Competition

Participant shall be obliged, not later than before the deadline for submission of Competition Applications, to:

- mark this information with the notice: "INFORMATION CONSTITUTING A TRADE SECRET WITHIN THE MEANING OF ARTICLE 11.4 OF THE ACT ON UNFAIR COMPETITION (consolidated text, Journal of Laws of 2003 No 153 Item 1503, as amended)".
- attach that notice separately to the Application in a sealed envelope permanently connected to the Application and other documents and demonstrate that this information constitutes a trade secret of the Company.

2.5.3. The notice about the reservation of the documents constituting a trade secret must also be given in the Competition admission application form. Should a Competition Participant fail in his/ her Application to reserve his/ her proprietary information pursuant to this provision of the Competition Rules and Regulations, the Competition Participant shall not be entitled to make claims against the Organiser.

CHAPTER 3 COMPETITION STAGE I - MANNER OF PREPARING AND SUBMITTING CONCEPTUAL DESIGNS

3.1 GENERAL INFORMATION ON PREPARING STAGE I CONCEPTUAL DESIGNS

3.1.1. Conceptual Designs shall be characterized by:

- attractiveness of architectural design and site development;
- functionality of the interior design solutions and land development proposed in the context of the functional requirements;
- provision of appropriate acoustic conditions;
- harmonious relationships with the Birthplace of Fryderyk Chopin and Park in Żelazowa Wola;
- clarity of implementation of the Organiser's functional assumptions;
- feasibility of the solutions proposed;
- economical approach to the construction and operation with a focus on energy-efficient building solutions.

3.1.2. A Conceptual Design must clearly indicate the concept proposed by the **Competition Participant**. Graphically, a Conceptual Design must be characterized by clarity of textual information and drawings.

3.1.3. It is recommended that in preparing his/ her Conceptual Design a Competition Participant should take into account the content and guidance included in the **Competition Materials (Attachments 10a-10g to the Competition Rules and Regulations)** and all the other provisions of the **Rules and Regulations**.

3.1.4. The Conceptual Design must not violate the copyright of third parties in terms of both its substantive content and tools used to prepare it.

3.1.5. No Conceptual Designs shall be considered which are developed in a way that allows identification of their authors, and the **Competition Participant/Competition**

Participants that submit such Conceptual Design(s) shall be excluded from the **Competition**.

3.2. CONTENT OF STAGE I CONCEPTUAL DESIGN AND MANNER AND FORM OF ITS PREPARATION

3.2.1 The Conceptual Design will consist of:

- a graphic part – boards, not more than 2, glued to a stiff light material 100x70cm, horizontal layout, - 1 copy,
- a descriptive part - a booklet with text and with the boards of the graphic part reduced to A3 format miniatures, with horizontal layout visualisations and the primary programme table and the site summary (Attachment 10i to the Competition Rules and Regulations) - 2 copies,
- a sealed envelope with the Stage I identification card prepared in accordance with Attachment 5 to the Competition Rules and Regulations,
- a sealed envelope with an electronic data carrier (cd disc and flash/usb memory) with electronic version of the Conceptual Design.

3.2.2 Graphic Part (the boards) will consist of:

- the site development design drawn to a scale of 1:500,
- floor plans (sets of spaces with a specific function) to a scale of 1:200,
- cross-sections to a scale of 1:200,
- the whole of the façade and the roof.

3.2.3 Descriptive Part - a booklet with the text of the Conceptual Design and with the boards of the Graphic Part reduced to A3 format miniatures will consist of:

- a description of the Conceptual Design,
- reduced boards (A3 format, horizontal layout),
- visualizations from the audience's point of view, including the visualisation from the point of view of a person sitting at the concert hall in medium rows on the ground floor,
- view from the Park in Żelazowa Wola from the South Terrace,
- view from the Park in Żelazowa Wola from the New Bridge,
- view from the public road (from the beginning of the internal road leading to the MCM),
- view of the façade in the immediate vicinity of the building,
- view of the interior of the concert hall and the chamber hall,
- the basic programme table and the site summary table (Attachment 10i to the Competition Rules and Regulations).

3.2.4 The sealed envelope with the Stage I identification card - the envelope will contain the Stage I identification card completed in accordance to **Attachment 5 to the Competition Rules and Regulations** (name of the **Competition Participant** and the composition of the design team).

3.2.5 The sealed envelope with a CD with the electronic version of the Conceptual Design - the envelope will contain an electronic data carrier containing the whole of Conceptual Design (drawings and text) in electronic version.

- 3.2.6 In order to allow for the use of the conceptual works, in accordance with the Rules and Regulations, Participants are required to provide the Contracting Authority with Conceptual Design in electronic form enabling to make copies, on CD discs, in the following formats:
- **drawing materials** (*.jpg), (*.pdf) or (*.tif) at a resolution of 300dpi.
 - **text materials** (*.pdf).
- 3.2.7 Notice should be taken that the files shall not contain information which would allow for identification of their authors.
- 3.2.8 Documents on an electronic data carrier shall not be password-protected or otherwise secured against the use by the Contracting Authority.
- 3.2.9 The Conceptual Designs shall be marked exclusively with **a six-digit identification number**. The number must be placed on all parts of the Conceptual Design, such as:
- Graphic Part - the boards,
 - Descriptive Part - booklet, 2 copies. (It is recommended that a six-digit identification number should be put only on the first page of the Descriptive Part),
 - A sealed envelope with the identification card,
 - A sealed envelope with an electronic data carrier with the electronic version of the Conceptual Design,
 - Packaging of the Conceptual Design.
- 3.2.10 For the Descriptive Part (the first page), the boards, the envelope with the identification card and the envelope with the electronic data carrier, it is recommended that the six-digit identification number should be put **in the upper right corner**. Height of digits approx. - **1 cm**.
- 3.2.11 None of the above parts of a Conceptual Design must be marked with the name of the **Competition Participant** submitting the Conceptual Design, nor with any other information identifying the author of the Conceptual Design or the **Competition Participant** before the announcement of the verdict by the **Competition Jury**. Should a Conceptual Design be delivered by mail or courier, the name and address marked on the envelope must not be the name and address of the **Competition Participant**.
- 3.2.12 Materials which are not included in the scope of the **Competition** shall not be evaluated.

3.3 MANNER, PLACE AND DEADLINE FOR SUBMISSION OF STAGE I CONCEPTUAL DESIGNS

- 3.3.1 Conceptual Designs shall be submitted in a graphic and written form by a final deadline of **23 March 2018; 3.00 pm**, against a receipt of submission of the Conceptual Design (**Attachment 7 to the Competition Rules and Regulations**), at the following address:

**NARODOWY INSTYTUT FRYDERYKA CHOPINA ul. Tamka 43
00-355 Warszawa**

- 3.3.2 Conceptual Designs shall be submitted in packaging preventing their untraceable opening and examination of their content. The packaging shall be marked in the following manner:

CONCEPTUAL DESIGN SUBMITTED IN THE COMPETITION FOR THE CONCEPTUAL URBAN AND ARCHITECTURAL DESIGN

OF THE INTERNATIONAL CENTRE FOR MUSIC IN ŻELAZOWA WOLA

and marked with the **NUMBER**
put on all parts of the Conceptual Design.

- 3.3.3 The Conceptual Designs delivered by mail, courier or submitted in any other manner shall be delivered to the Contracting Authority by the deadline specified in point 3.3.1. (effective date of delivery).
Note: Should a Conceptual Design be delivered in any other manner than in person (e.g. by mail or courier), the name and address indicated on the envelope must not be the name and address of the **Competition Participant**. Moreover, the Conceptual Design must be enclosed with a receipt of delivery (**Attachment 7 to the Rules and Regulations**) in an open envelope addressed to the address which is not that of the **Competition Participant**. The receipt of delivery of the Conceptual Design shall be returned at that address.
- 3.3.4 The Conceptual Design submitted by the **Competition Participant** may only be withdrawn prior to the deadline for submission of Conceptual Designs. Withdrawal of a Conceptual Design may be made upon presentation of the original receipt of submission of the Conceptual Design issued by the Organiser or a person or entity appointed by the Organiser.
- 3.3.5 Amendments and additions to a Conceptual Design shall only be possible prior to the deadline for submission of Conceptual Designs. Amendments or additions to a Conceptual Design may only be made in compliance with the requirements specified for Conceptual Designs, provided that the packaging (envelopes) should additionally be marked: "AMENDMENT/ ADDITION".
- 3.3.6 The Conceptual Designs delivered by mail, courier or delivered in any other way, which should be delivered to the **Contracting Authority** subsequent to the deadline for submission of Conceptual Designs, which should be confirmed in a delivery report, shall not be considered submitted and may be returned to the Competition Participant solely at expense of the **Participant**.
- 3.3.7 The Conceptual Design shall be encoded by the Clerk of the Competition Jury with an individual three-digit code. A report of that encoding shall be made and provided to the **Manager of the Contracting Authority**.

CHAPTER 4

EVALUATION OF STAGE I CONCEPTUAL DESIGNS

4.1 STAGE I CONCEPTUAL DESIGNS EVALUATION MODE

- 4.1.1 Evaluation of **Competition** Stage I Conceptual Designs shall be conducted by the **Competition Jury** in closed sessions evaluating the compatibility of Conceptual Designs as a rule with crucial substantive and formal requirements set out in the **Competition Rules and Regulations** and evaluating Conceptual Designs under the criteria set out in point 4.2 of this Chapter.

- 4.1.2 The **Competition Jury** shall adjudicate the Stage I of the **Competition** selecting not more than 6 best Conceptual Designs in accordance with the criteria set out in point 4.2 of this Chapter. In particular, the Competition Jury shall:
- select not more than 6 Conceptual Designs to be eligible for **Competition Stage II**,
 - prepare information on Conceptual Designs qualified for **Competition Stage II**,
 - prepare an explanatory memorandum of its adjudication of **Competition Stage I** potentially with recommendations for **Competition Stage II**,
 - present the results of **Competition Stage I** to the Manager of the Contracting Authority for approval.

4.2 STAGE I CONCEPTUAL DESIGNS EVALUATION CRITERIA

- 4.2.1 The **Competition Stage I** Conceptual Designs shall be evaluated in accordance with the following criteria and their significance:
- attractiveness of architectural design and land development;
 - functionality of the interior design solutions and land development proposed in the context of the functional requirements;
 - provision of appropriate acoustic conditions;
 - harmonious relationships with the Birthplace of Fryderyk Chopin and Park in Żelazowa Wola;
 - clarity of implementation of the Organiser's functional assumptions;
 - feasibility of the solutions proposed;
 - economical approach to the construction and operation with a focus on energy-efficient building solutions.

The above criteria are listed in descending order of importance.

- 4.2.2 Each of the **Competition Stage I** Conceptual Designs shall be evaluated by the **Competition Jury** on the basis of the above criteria and the fulfilment of the essential requirements set out in the **Rules and Regulations of the Competition**. The **Competition Jury** shall evaluate the Competition Entries in a comprehensive manner in accordance with the above criteria and the requirements of the **Competition Rules and Regulations**.
- 4.2.3 For **Competition Stage II**, not more than **6 Competition Participants** shall be qualified under the **Competition Jury's** adjudication which shall be subject to approval by the **Manager of the Contracting Authority**.

4.3 METHOD OF ANNOUNCING THE VERDICT OF STAGE I OF THE COMPETITION

- 4.3.1 The verdict of **Competition Stage I** and selection of not more than 6 best Conceptual Designs qualified for **Competition Stage II** shall be announced individually to all **Competition Participants** who have submitted their Competition admission applications by the **Organiser** and published on his website: www.archcompetition.chopin.gov.pl and <http://pl.chopin.nifc.pl/institute/bip/tenders>. The information on the verdict of the adjudication of Stage I shall only include the code numbers of Conceptual Designs qualified for Stage II which are given by the **Competition Participants** and potential recommendations, opinions and/ or guidelines for further design work, which shall constitute a summary of **Competition Stage I**.

- 4.3.2 The announcement of the verdict of the **Competition** Stage I to all the **Competition Participants**, and an invitation to **Competition Participants**, who should be qualified to Competition Stage II, to submit their Competition Entries for Competition Phase II shall take place by **13 April 2018**.
- 4.3.3 **The Competition Participants, whose Conceptual Design's code number should be mentioned in the information of the verdict of Competition Stage I as the number of the Conceptual Design qualified to continue to participate in the Competition, are invited to submit their Competition Entries for Stage II of the Competition.**

CHAPTER 5 COMPETITION STAGE II

5.1 MANNER OF PREPARING AND SUBMITTING COMPETITION ENTRIES - GENERAL INFORMATION ON PREPARING STAGE II COMPETITION ENTRIES

- 5.1.1 The Competition Entry shall clearly refer to the idea proposed by the **Competition Participant** in **Competition** Stage I of the architectural and programme and functional solutions and to the context of the surroundings.
- 5.1.2 Graphically, a Competition Entry must be characterized by clarity of the textual information (non-geometric) and the drawing information (geometric).
- 5.1.3 A Competition Participant shall take into account the content and guidance included in the Competition Materials (**Attachments 10a-10i to the Competition Rules and Regulations**) and all the other provisions of the **Rules and Regulations**, as well as the recommendations provided by the **Competition Jury** as a result of **Competition Stage I**.
- 5.1.4 The Competition Entry shall not violate the copyright of third parties in terms of both its substantive content and tools used to prepare it.
- 5.1.5 No Competition Entries shall be considered which are developed in a way that allows identification of their authors, and a **Competition Participant/ Competition Participants** who submit such Competition Entry(ies) shall be excluded from the Competition.

5.2 CONTENT OF A STAGE II COMPETITION ENTRY AND MANNER AND FORM OF ITS PREPARATION

- 5.2.1 The Stage II Competition Entry shall consist of:
 - a graphic part - boards in the amount of up to 6 boards glued to a stiff light material 100x70cm, horizontal layout, - 1 copy,
 - a descriptive part - a booklet with the text of the Competition Entry and with the boards of the graphic part reduced to A3 format miniatures and the site summary table (Attachment No 10i to the Competition Rules and Regulations), and with pricing information prepared in accordance with Attachment No 9 to the Competition Rules and Regulations - 2 copies,
 - a sealed envelope with the Stage II identification card (Attachment No 6 to the Rules and Regulations),
 - a model to a scale of 1:200 made of lightweight material with lifted roof, concert hall inside and a 15 m wide area beyond the outline of the building, inserted in a site model,
 - a sealed envelope with an electronic data carrier with the electronic version of the Competition Entry.
- 5.2.2 The Graphic Part (the boards) shall contain:
 - the development concept for the entire site clarifying the location of MCM building and indicating its connection with the adjacent sites (specifically with the Park in Żelazowa Wola where the Birthplace of Fryderyk Chopin is located), drawn to a scale of 1:2000,

- the Investment site development concept together with the layout of the ± 0.00 level of the MCM building with the entrances, arcade walkways, driveways, etc. drawn to a scale of 1:500, marked on the map to a scale of 1:500,
- floor plans of all the building floors to a scale of 1:200 (the areas and names of individual spaces should be marked on the floor plans), taking into account the functional requirements and trade solution concepts contained in **Attachment 10a to the Competition Rules and Regulations**,
- description of the spaces on the floor plans **in compliance with Attachment 10a to these Competition Rules and Regulations**. (for rooms specifically by Competition Participants, their names and functions must be indicated),
- characteristic cross-sections to a scale of 1:200,
- all façades to a scale of 1:200,
- view of the interior of concert hall, chamber hall and one of the educational rooms,
- view from the perspective of the audience sitting at the concert hall and chamber hall in medium rows on the ground floor, and from the perspective of outermost seats,
- perspectives and visualizations necessary to present the concept, including the viewpoint of the perspectives, indicated on the development plan board (30.1.(a)); obligatory visualizations:
 - view from the Park in Żelazowa Wola from the South Terrace,
 - view from the Park in Żelazowa Wola from the New Bridge,
 - view from the public road (from the beginning of the internal road leading to the MCM),
 - view of the façade in the immediate vicinity of the building,
- more important architectural details to a scale allowing to comprehend the adopted material-technical solution, to be chosen by the Competition Participant, and necessarily the details of the following finishing elements: façade,

5.2.3 **Descriptive Part, i.e. a booklet with the text of the Competition Entry and the boards of the Graphic Part reduced to A3 format miniatures, with the programme tables and pricing information, shall contain:**

- description of the concept with material solutions adopted,
- programme tables (Attachment 10i to the Competition Rules and Regulations),
- cost information (Attachment 9 to the Competition Rules and Regulations).

5.2.4. **The sealed envelope with the Stage II identification card shall** contain the Stage II identification card completed in accordance with Attachment 6 to the Rules and Regulations. The envelope shall be marked as: **“IDENTIFICATION CARD”**.

5.2.5 **The name of the Competition Participant/ Competition Participants given on the identification card must be the same as the name on the identification card attached to the Competition Stage I Conceptual Design.**

5.2.6 **The sealed envelope with an electronic data carrier with the electronic version of the Competition Entry shall** contain an electronic data carrier containing the whole of the Competition Entry (drawings and text) in an electronic format.

- 5.2.7 In order to allow for the use of the Entries, in accordance with the Rules and Regulations, Participants are required to provide the Contracting Authority with Conceptual Design in electronic form enabling to make copies, on electronic data carriers, in the following formats:
- **drawing materials** (*.jpg), (*.pdf) or (*.tif) at a resolution of 300dpi.
 - **text materials** (*.pdf).
 - **BIM model** (*.ifc 2x3).
- 5.2.8 The electronic data carrier must be provided in a sealed envelope. Notice should be taken that the files must be deprived of the authors' identifying information.
- 5.2.9 The documents on an electronic data carrier must not be password-protected or otherwise secured against the use by the Contracting Authority. The envelope shall be marked as: **"ELECTRONIC DATA CARRIER"**.
- 5.2.10 The Stage II Competition Entry must be indicated only with **the same six-digit number** which was used to mark the Competition Stage I Conceptual Design. The number must be placed on all parts of the Competition Entry, such as:
- graphic Part - the boards,
 - descriptive Part - booklet, 2 copies. (It is recommended that a six-digit identification number should only be put on the first page of the Descriptive Part.),
 - the sealed envelope with the Stage II identification card,
 - the sealed envelope with an electronic data carrier with the electronic version of the Competition Entry,
 - packaging of the Competition Entry.
- 5.2.11 For the Descriptive Part, the boards, the envelope with the identification card and the envelope with the electronic data carrier, it is recommended that the identification number should be put **in the upper right corner**. The height of the digits should be approx. **1 cm**. In the case of the booklet with the descriptive part, it is recommended that the identification number should only be put on the cover (on the first page) in the upper right corner.
- 5.2.12 None of the above parts of a Competition Entry must be marked with the name of the Competition Participant submitting the Entry, nor with any other information identifying the author of the Entry or the Competition Participant before the announcement of the verdict by the Competition Jury. Should an Entry be delivered by mail or courier, the name and address marked on the envelope must not be the name and address of the Competition Participant.
- 5.2.13 The materials which are not included in the scope of the Competition shall not be evaluated.
- 5.2.14 The range and accuracy of the concept presented should allow for the development of the Building Permit Design.

5.3 MANNER, PLACE AND DEADLINE FOR SUBMISSION OF STAGE II COMPETITION ENTRIES

- 5.3.1 Competition Entries must be submitted in graphic and writing form by the deadline of **15 June 2018, 3.00 pm**, against the receipt of submission of a Competition Entry (**Attachment 8 to the Rules and Regulations**) at the following address:

**NARODOWY INSTYTUT FRYDERYKA CHOPINA ul. Tamka 43
00-355 Warszawa**

- 5.3.2 Competition Entries must be submitted in packaging preventing their untraceable opening and examination of their content. The packaging must be marked in the following way:

**COMPETITION ENTRY SUBMITTED IN THE COMPETITION FOR THE CONCEPTUAL
URBAN AND ARCHITECTURAL DESIGN
OF THE INTERNATIONAL CENTRE FOR MUSIC IN ŻELAZOWA WOLA
and marked with the NUMBER put on all the Competition Entry's parts.**

- 5.3.3 The Stage II Competition Entries may only be submitted by those **Participants** whose Conceptual Designs are qualified for Stage II of the **Competition**.
- 5.3.4 Competition Entries delivered by mail, courier or submitted in any other way, must be delivered to the Organiser by the deadline specified in point 5.3.1 of this Chapter (effective date of delivery).
- Note:** Should the Stage II Competition Entry be delivered in any other manner than in person (e.g. by mail or courier), the name and address indicated on the envelope must not be the name and address of the Competition Participant. Moreover, the Stage II Competition Entry shall be enclosed with the receipt of delivery of the Stage II Competition Entry (**Attachment 8 to the Competition Rules and Regulations**) in an open envelope addressed to the address which is not that of the **Competition Participant**. The receipt of delivery of the Stage II Competition Entry shall be returned to that address.
- 5.3.5 The Stage II Competition Entry submitted by the **Participant** may only be withdrawn prior to the deadline for submission of the Stage II Competition Entries. Withdrawal of the Competition Entry may be made upon presentation of the original receipt activities submission of the Competition Entry issued by the **Organiser** or a person or entity appointed thereby.
- 5.3.6 Any and all amendments and additions to the Stage II Competition Entry shall only be possible prior to the deadline for submission of the Stage II Competition Entries. Amendments or additions to a Competition Entry may only be made in compliance with the requirements specified for Stage II Competition Entries, provided that the packaging (envelopes) should additionally be marked: "AMENDMENT/ADDITION".
- 5.3.7 The Competition Entries delivered by mail, courier or delivered in any other manner, which are delivered to the **Contracting Authority** after the deadline for submission of Competition Entries, which should be confirmed in a delivery report, shall not be considered submitted and may be returned to the **Participant** solely at the expense of the **Participant**.
- 5.3.8 The Stage II Competition Entry shall be encoded by the Competition Clerk, with an individual three-digit code. A report of that encoding shall be made and provided to the **Manager of the Contracting Authority**.

CHAPTER 6 EVALUATION OF STAGE II COMPETITION ENTRIES

6.1 METHOD OF EVALUATION OF STAGE II COMPETITION ENTRIES

- 6.1.1 The evaluation of Competition Entries shall be conducted by the **Competition Jury** in closed sessions evaluating the compatibility of Competition Entries as a rule with crucial substantive and formal requirements set out in the **Rules and Regulations** and evaluating Competition Entries under the criteria set out in point 6.2 of this Chapter.
- 6.1.2 The **Competition Jury** shall adjudicate the Competition by selecting the best Competition Entry or the best Competition Entries from among the Competition Entries.
- 6.1.3 In particular, the **Competition Jury** shall:
- indicate the Entries which shall be prized along with the type and amount of prize or decide to abstain from granting a specific prize or prizes when the Competition Entries do not in a significant way fulfil the requirements specified in the **Competition Rules and Regulations**,
 - prepare the information announcement on the prize-winning and distinguished Competition Entries,
 - prepare a justification of the verdict of the Competition,
 - prepare follow-up recommendations for the Entry which is granted the 1st prize,
 - present the verdict of the Competition to the **Manager of the Contracting Authority** for approval,
 - prepare a justification in case a prize-winning Entry is not selected in the **Competition**.

6.2 CRITERIA OF EVALUATION OF STAGE II COMPETITION ENTRIES

- 6.2.1 The Competition Entries shall be evaluated in accordance with the following criteria:
- attractiveness of architectural design and site development;
 - functionality of the interior design solutions and land development proposed in the context of the functional requirements;
 - provision of appropriate acoustic conditions;
 - harmonious relationships with the Birthplace of Fryderyk Chopin and Park in Żelazowa Wola;
 - clarity of implementation of the Organiser's functional assumptions;
 - feasibility of the solutions proposed;
 - economical approach to the construction and operation with a focus on energy-efficient building solutions.

The above criteria are listed in descending order of importance.

- 6.2.2 Each of Competition Entries shall be evaluated by the **Competition Jury** on the basis of the above criteria and the fulfilment, as a general rule, of essential requirements set out in

- the **Rules and Regulations**. The **Competition Jury** shall evaluate the Competition Entries in a comprehensive manner in accordance with the above criteria and the requirements of the **Competition Rules and Regulations** awarding points in the range from 1 to 100. During the deliberations, the minutes shall be drawn up with a description of the activities of the Jury and the reasons for the selection of the Entries and their ranking.
- 6.2.3 The Entry shall be considered the best in if it obtains the highest number of points, and its result is not lower than 80 points. It is then entitled to be awarded the prize for the best Competition Entry. The Competition Entry which obtains in total the highest number of points but with result lower than 80 points or the entry which takes the second position in the point ranking, in compliance with the terms and conditions of the Competition, shall be considered the second Competition Entry and shall be entitled to receive the 2nd Competition Entry prize. The Entry which takes the third ranking spot in accordance with the terms and conditions of the Competition shall be considered the third Competition Entry and shall be entitled to receive the 3rd Competition Entry prize.

CHAPTER 7 PRIZES AND ANNOUNCEMENT OF THE COMPETITION VERDICT

7.1 PRIZES

- 7.1.1 In the Competition, three prizes and three distinctions may be awarded, with the first (1st) prize awarded to the best Competition Entry on condition that the minimum point criterion referred to in point 6.2.3 of these Competition Rules and Regulations is satisfied. The amount allocated by the **Organiser** for the prizes and distinctions shall not be less than PLN 486 000.00 gross (in words: four hundred and eighty six thousand zloty gross). Irrespective of the number of prizes and distinctions awarded, this amount shall compulsorily be allocated in its entirety among the Competition Entries awarded with prizes and distinctions.
- 7.1.2 The **Organiser** shall promise to award the following prizes (1st - 3rd) in Competition Stage II of the Competition:

1st PRIZE

- a gross monetary amount of PLN 200,000 (in words: two hundred thousand zloty gross) and an invitation to negotiations under the single source procurement procedure to prepare the Design Plans and Specifications constituting an in-detail development of the Competition Entry,

2nd PRIZE

- a gross monetary amount of not less than PLN 150 000 (in words: one hundred and fifty thousand zloty gross),

3rd PRIZE

- a gross monetary amount of not less than PLN 100 000 (in words: one hundred thousand zloty gross).

- 7.1.3 The Organiser stipulates an option not to award the prize or to grant two 2nd prizes, under the terms and conditions specified in point 6.2.3.

- 7.1.4 The **Organiser** provides for the granting of formal distinctions in the gross amount not lower than PLN 12 000 (in words: twelve thousand zloty gross) for the **Competition Participants** having submitted their Competition Entries in Stage II of the **Competition**. The total amount allocated by the **Organiser** for these distinctions shall be not less than PLN 36 000 gross (in words: thirty six thousand zloty gross).
- 7.1.5 The final value of the prizes and distinctions shall depend on the results of the Competition and the final classification of the Competition entries.
- 7.1.6 The proposals to award specific prizes and distinctions shall be prepared by the **Competition Jury** and approved by the **Manager of the Contracting Authority**.
- 7.1.7 Upon the verdict of the **Competition** and payment of the prize money, the **Organiser** shall become the owner of the prize-winning and distinguished Competition Entries.
- 7.1.8 The prizes and monetary distinctions are subject to taxation, in compliance with applicable laws and regulations.
- 7.1.9 The Competition entries that have not been awarded prizes or distinctions will be awarded for collection after the end of the follow-up exhibition, upon producing an acknowledgment of the Competition entry submission.
- 7.1.10 The Competition entry will be returned at the venue and time indicated by the Organiser, upon the Participant's filing a relevant written application.
- 7.1.11 The Competition entries not awarded with prizes or distinctions submitted by the Competition Participants that have failed to file an application for their return within 3 months from the date of announcing the results of the Competition or filed such application but have failed to appear to collect them within the agreed timeframe, shall be destroyed with such destruction to be reported in the form of a report.
- 7.1.12 The monetary prizes shall be paid within a period of not less than 15 days and not more than 30 days from the date of approval of the verdict of the Competition by the **Manager of the Contracting Authority**; in case an appeal, complaint or cassation complaint is filed, within a period of not more than 14 days from the final judgment or decision.
- 7.1.13 The payment of the prize money shall be made by bank transfer to the bank account indicated in the Competition Entry identification card (**Attachment 6 to the Competition Rules and Regulations**).
- 7.1.14 In case the best Competition Entry should be awarded the prize in the form of an invitation to negotiations under the single source procurement procedure to prepare the Design Plans and Specifications constituting an in-detail development of the Competition Entry, the **Contracting Authority** shall invite the selected **Participant** within a period of not less than 15 days from the date of approval of the Competition verdict by the **Manager of the Contracting Authority** and, in case an appeal, complaint or cassation complaint should be filed, within a period of not more than 14 days from the final judgment or decision.

7.2 COMPETITION VERDICT PUBLIC ANNOUNCEMENT

- 7.2.1 The Competition verdict public announcement shall take place on **29 June 2018**. The Competition Participants shall be informed of the place and time of the announcement by a separate letter or electronic mail. Promptly upon the verdict of the Competition, the Organiser shall provide a relevant announcement concerning the Competition results to the Office for Official Publications of the European Communities.

- 7.2.2 Following the official announcement of the verdict of the **Competition**, the **Organiser** shall in public disclose and identify all the Stage I Conceptual Designs and Stage II Competition Entries matching the Entries with individual **Participants**, based on the NUMBER on the identification cards attached to the Stage I Conceptual Designs to the Stage II Competition Entries.
- 7.2.3 In case it is reported after the identification of the Competition Entries that:
- the Competition Entry was submitted by the Participant that actually was not invited to submit the Competition Entry,
 - the **Competition Participant** takes part in more than one Competition Entry,
 - the **Competition Participant** fails to fulfil the requirements specified in the **Competition Rules and Regulations** and/ or in the Competition admission application,
- such Competition Entry or Entries shall be rejected and such **Participant** shall be excluded from participation in the Competition and shall not be entitled to any prizes.
- 7.2.4 Should the situation described in point 7.2.3. of this Chapter refer to the **Competition Participant** whose Competition Entry is considered the best and the **Competition Jury** decides to award the prize in the form of an invitation to negotiations under the single source procurement procedure to prepare the Design Plans and Specifications constituting an in-detail development of the Competition Entry, the **Manager of the Contracting Authority** shall have the right to nominate the next Competition Entry indicated in the Competition Jury's verdict as the best and to award it a prize in the form of an invitation to negotiations under the single source procurement procedure to prepare the Design Plans and Specifications constituting an in-detail development of such a Competition Entry.
- 7.2.5 The verdict of the Competition shall be announced by the **Organiser** to all the **Competition Participants** that have submitted their Competition Entries, and a relevant announcement of the **Competition** verdict shall also be made on the Organiser's website.
- 7.2.6 Upon the verdict of the **Competition**, the Stage II Competition Entries and all or selected Stage I Conceptual Designs shall be presented at the follow-up exhibition during which a follow-up discussion shall take place, of which the **Organiser** shall notify separately. The follow-up publication in the form of a brochure or catalogue is also envisaged.

CHAPTER 8 COMPETITION JURY

8.1 COMPOSITION OF THE COMPETITION JURY

8.1.1 The Competition Jury shall consists of:

Chairperson of the Competition Jury:

- Piotr Walkowiak, architect, Representative of the Ministry of Culture and National Heritage

Deputy Chairperson of the Competition Jury:

- Ryszard Jurkowski, architect, Representative of the SARP,

Reporting Juror:

- Tomasz Konior, architect, Representative of the SARP,

Jurors:

- Prof. Zofia Chechlińska, musicologist, chopinologist (Jagiellonian University, NIFC Programme Board member),
- Jarosław Szajner, Representative of the Governor of Mazowsze, General Director of the Voivodship Office in Mazowsze,
- Prof. Jakub Lewicki, Mazowsze Voivodship Monument Conservator,
- Prof. John Rink, musicologist, specialist on Fryderyk Chopin (University of Cambridge, NIFC Programme Board member),
- Artur Szklener, musicologist, Ph.D., Director of the Fryderyk Chopin Institute,
- Piotr Lewicki architect, Representative of the SARP;

8.1.2 The **Organiser of the Competition** has appointed the following Deputy Competition Jurors:

- Maciej Janicki, Deputy Director of the Fryderyk Chopin Institute,
- Jacek Krych, architect, landscape architect, Representative of the SARP ,

8.1.3 The **Organiser of the Competition** has appointed the following Clerk of the Competition Jury:

- Marek Szeniański, landscape architect, Representative of the SARP

8.1.4. The duties of the **Competition Jury** shall specifically include:

- giving opinions on the Competition Rules and Regulations,
- preparation of information on the Competition Entries,
- evaluation of Stage I Conceptual Designs and qualification of the **Participants** to Stage II,
- in Stage II, indication of Competition Entries which should be awarded and prizes and distinctions together with the types and amounts of prizes,
- indication of the best Competition Entry,
- preparation of a justification of the verdict of the **Competition**,
- presentation of the verdict for approval by the **Manager of the Contracting Authority**.

8.1.5 The evaluation of the Competition Entries shall be made by the **Competition Jury** whose composition is set up under the Decree of the **Director of the Fryderyk Chopin Institute** No.23/2017 of 14.12.2017. **The Competition Jury** shall conduct its activities in accordance with the Rules of Procedure of the Competition Jury.

8.1.6 The duties of the Clerk of the Competition Jury shall be in particular:

- evaluation of the **Competition** admission applications;
- ensuring the anonymity of information on the **Competition Participants** and on the Competition Entries, and the Entries submitted for the **Competition** shall remain fully anonymous until the verdict of Stage II of the **Competition**;
- on behalf of the Competition Organiser, to supervise the conformity of the **Competition** with the **Rules and Regulations** and with other requirements arising under the provisions of the law, in particular the provisions of the **Act**.

CHAPTER 9

SINGLE SOURCE PROCUREMENT PROCEDURE

9.1 NEGOTIATIONS UNDER THE SINGLE SOURCE PROCUREMENT PROCEDURE

- 9.1.1 **The Competition Participant**, who should receive the prize in the form of an invitation to negotiations under the single source procurement procedure to prepare the Design Plans and Specifications constituting an in-detail development of the Competition Entry, shall be obliged to start the negotiations under the single source procurement procedure at a place and on the date decided by the **Organiser**.
- 9.1.2 The subject of the negotiations shall be arrangements crucial for the Parties and included in the Agreement concluded by them in accordance with the relevant provisions of the Agreement constituting **Attachment 3 to the Rules and Regulations of the Competition**, i.e. arrangement in respect of remuneration, copyright and the deadlines for the subject of the Agreement enabling to perform the Subject of the Agreement by the final date specified by the final deadline indicated by the **Organiser** in the relevant provisions of the Agreement.
- 9.1.3 **The Organiser** reserves the right to oblige the author/ authors of the best Competition Entry to take into account the follow-up recommendations of the **Competition Jury** concerning the selected Competition Entry while preparing the Design Plans and Specifications. In such circumstances the follow-up recommendations of the **Competition Jury** concerning the selected Competition Entry shall form an integral part of the description of the subject of the single source procurement contract.
- 9.1.4 **The Organiser** may refuse to conclude an Agreement to prepare the Design Plans and Specifications constituting an in-detail development of the Competition Entry should there be any evidence supporting a need to declare the procedure invalid in accordance with Article 93.1.6 and 93.1.7 of the Act.
- 9.1.5 The subject of the contract is described in the relevant provisions of the Agreement constituting Attachment 3 to the Rules and Regulations of the Competition.

CHAPTER 10

MISCELLANEOUS PROVISIONS OF THE RULES AND REGULATIONS

10.1 FIELDS OF EXPLOITATION OF CONCEPTUAL DESIGNS AND COMPETITION ENTRIES AND ARRANGEMENTS CONCERNING TRANSFER OF FINANCIAL COPYRIGHTS TO THE BEST COMPETITION ENTRY

- 10.1.1 The Conceptual Designs and Competition Entries may neither in part nor in whole be made available to the public nor otherwise disseminated prior to the date of the **Competition** verdict public announcement.
- 10.1.2 The Organiser, irrespective of the date of payment of prizes and distinctions and without additional remuneration for the **Competition Participants**, reserves the right to firstly present and made available to the public all or selected Conceptual Designs and Competition Entries during the public follow-up exhibition, to reproduce them and make

them public with the use of any techniques (including printing, reprography and digital recording), to lend, produce copies of the works as described above and to distribute them in the form of an exhibition catalogue (printed or digital), and also on the Internet. In this respect all **Participants** give the **Organiser** a free non-exclusive regionally and temporarily unlimited licence from the approval of the verdict of the Competition by the **Manager of the Contracting Authority**. Participants also agree to make the necessary modifications (e.g. to change the format) related to the publication of the Competition Entries. A declaration on the award of the licence on this basis is included in the Competition admission applications.

10.1.3 The provisions of points 1.1 and 1.2 of this Chapter shall not affect the moral rights of the authors of the Competition Entries.

10.1.4 The **Competition Participant** whose Competition Entry is recognized as the best Entry and that is awarded the prize in the form of an invitation to negotiations under the single source procurement procedure to prepare the Design Plans and Specifications constituting an in-detail development of the Competition Entry, shall transfer the financial copyrights to the Competition Entry to the **Organiser** as soon as the monetary prize should be paid - for the following fields of exploitation:

- recording and reproducing with the use of any technique on any storage medium, on any scale, for any media and in particular in the form of printed publications, boards, photosensitive and/or magnetic tape, computer drives and all types of media for digital recording,
- placement and use on any scale or in any part of any materials published for promotional purposes of the **Organiser** or the entity designated by the **Organiser**,
- putting in any part on the Internet and in computer memory, placement and use in on-line publications,
- use in multimedia works,
- public displaying, screening, performing and broadcasting and reemission with the use of wired and/ or wireless earth stations, broadcasting via satellite and on the Internet,
- use in any part for the purposes of advertising, promotion, marking or identification of the **Organiser** and its programmes, broadcasts and publications,
- preparation of foreign-language versions.

10.1.5 **The Competition Participant** shall declare and ensure that the use by the **Organizer** of the work shall not infringe on any rights of third parties, including financial and personal copyrights of third parties.

CHAPTER 11

OBLIGATIONS OF COMPETITION PARTICIPANTS

11.1 OBLIGATIONS OF COMPETITION PARTICIPANTS

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 and/ or declarations in order to confirm the absence of reasons for exclusion from the proceedings and the fulfilment of the requirements for participation in the proceedings:

- declaration made in the form of Single European Contract Document drawn up in accordance with the model of the standard form set out in the implementing regulation of the European Commission issued on the basis of Article 59.2 of Directive 2014/24/EU and Article 80.3 of Directive 2014/25/EU, hereinafter referred to as “the single document”.

This requirement applies to **the Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition** and to each entity whose resources are at the disposal of **the Competition Participant** and to any subcontractor involved in the performance of the Contract.

- Information from the National Criminal Register within the scope referred to in Articles 24.1.13, 24.1.14 and 24.1.21 and, with regard to a conviction for an offense for detention pursuant to Article 24.5.5 and 24.5.6 of the Act, issued not earlier than 6 months prior to the expiry of the deadline for submission of Competition admission applications.

This requirement applies to **a Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition** and to each entity whose resources are at the disposal of **the Competition Participant** and to any subcontractor involved in the performance of **the Contract**.

- Certificate issued by a competent head of the tax office certifying that the Contractor is not in arrears in the payment of taxes and issued not earlier than three months prior to the expiry of the deadline for the submission of Competition bids or admission applications, or other evidence that the Contractor has concluded an agreement with the competent tax authority on the repayments of his/ her duties together with any interest or fines, in particular that he/ she has been awarded a legal exemption, postponement or instalment scheme for late payments or suspension in whole the implementation of a decision of the competent authority.

This requirement applies to **a Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition** and to each entity whose resources are at the disposal of **the Competition Participant** and to any subcontractor involved in the performance of the Contract.

- Certificate issued by a competent regional organisational unit of the Social Security Institution or Agricultural Social Insurance Fund or another document certifying that the Contractor is not in arrears in the payment of social and/ or health security contributions and issued not earlier than three months prior to the expiry of the deadline for the submission of Competition bids or admission applications, or other evidence that the Contractor has concluded an agreement with the competent authority on the repayments of his/ her obligations together with any interest or fines, in particular that he/ she has been awarded a legal exemption, postponement or instalment scheme for late payments or suspension in whole the implementation of a decision of the competent authority.

This requirement applies to **a Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition**

and to each entity whose resources are at the disposal of the **Competition Participant** and to any subcontractor involved in the performance of the Contract.

- Extract from an appropriate register or from the central register and information on economic activity, in the event that separate provisions require an entry in the register or registry, certifying the absence of the basis for exclusion under Article 24.5.1 of the Act.

This requirement applies to a **Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition** and to each entity whose resources are at the disposal of the **Competition Participant** and to any subcontractor involved in the performance of the Contract.

- Declaration by the **Contractor** on the absence of a res judicata of the court or a final administrative decision on avoidance in payment of taxes, charges or social and/ or health security contributions or - in the case of the issue of such a judgment or decision - evidence of payment of such obligations together with any interest or fines or a conclusion of a binding agreement on repayment of such obligations.

This requirement applies to a **Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition** and to each entity whose resources are at the disposal of the **Competition Participant** and to any subcontractor involved in the performance of the Contract.

- Declaration by the **Contractor** on the absence of a judgment against him/ her as a precautionary measure concerning the prohibition to files bids for public contracts.

This requirement applies to a **Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition** and to each entity whose resources are at the disposal of the **Competition Participant** and to any subcontractor involved in the performance of the Contract.

- Declaration by the **Contractor** on the absence of a res judicata of the court convicting for an offense to a detention or a fine under Articles 24.5.5 and 24.5.6 of the Act.

This requirement applies to a **Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition** and to each entity whose resources are at the disposal of the **Competition Participant** and to any subcontractor involved in the performance of the Contract.

- Declaration by the **Contractor** on the absence of a final administrative decision concerning infringement of the obligations arising from the provisions of labour law, environmental law or of the regulations on social security under Article 24.5.7 of the Act.

This requirement applies to a **Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition** and to each entity whose resources are at the disposal of the **Competition Participant** and to any subcontractor involved in the performance of the Contract.

- Declaration by the **Contractor** on not being in arrears in payment of any taxes and local charges referred to in the Act of 12 January 1991 on taxes and local charges (Journal of Laws of 2016, Item 716).

This requirement applies to a **Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition** and to each entity whose resources are at the disposal of **the Competition Participant** and to any subcontractor involved in the performance of the Contract.

- Declaration by the **Contractor** on his/ her participation or absence of participation in the same capital group; in the case of participation in the same capital group, the Contractor together with this declaration may submit documents or information confirming that the existing relationship shall not result in distortion of competition in the proceedings.

This requirement applies to a **Competition Participant** individually participating in the **Competition** and to each of the **Participants** jointly participating in the **Competition**.

- 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 (in words: six million five hundred thousand PLN), but not less than the negotiated contract amount for preparation of the Design Plans and Specifications and provision of services.
- 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; i.e.
 - at least one person with a building license to design without restrictions in the field of architecture and a member of the competent professional association,
 - at least one person with a building license to design without restrictions in the field of structural and civil works and a member of the competent professional association,
 - at least one person with a building license to design without restrictions in the field of mechanical and plumbing works within the scope of networks, installations and electrical equipment and a member of the competent professional association,
 - at least one person with a building license to design without restrictions in the field of mechanical and plumbing works within the scope of thermal, ventilation, gas, water supply and sewer networks, installations and equipment and a member of the competent professional association,
 - at least one person with a building license to design without restrictions in the field of telecommunications and a member of the competent professional association,
 - at least one person with a building license to design without restrictions in the field of road construction and a member of the competent professional association,

- and 1 person - a specialist in the field of acoustics together with information on his/ her professional qualifications and education necessary for the performance of the contract and also the scope of his/ her activities and the legal basis to delegate the person. The list shall be enclosed with copies of the licences together with the certificates on membership in the competent professional associations.

Pursuant to Article 12.7 of the Construction Law, the basis for the performance of independent technical functions in construction may be certified with among other things an entry on the list of members of the competent professional association confirmed with a certificate issued by the association. Pursuant to Article 12a of the aforementioned Law, independent functions in construction may also be performed by person whose relevant professional qualifications are recognized under the principles set out in separate legal regulations.

- 11.1.2 Should a **Competition Participant** have a person/persons at his/her disposal who has a licence to design as indicated respectively in point 11.1.1 of this Chapter and whose place of residence is outside the territory of the Republic of Poland, the Participant must demonstrate that such a person has the qualifications corresponding to the licences required in the country of residence, if such requirements are binding in that country to have the right to perform certain professions or conduct specific activities, if such qualifications are recognized under the conditions provided for in the Act of 18 March 2008 on rules for the recognition of professional qualifications acquired in the Member States of the European Union (Journal of Laws No. 63, Item 394).
- 11.1.3 For the Participants jointly participating in the **Competition**, the conditions indicated above in point 11.1.1 and 11.1.2 may be fulfilled jointly by the **Participants** jointly participating in the **Competition**.

11.2 HAVING THE RESOURCES OF OTHER ENTITIES BY THE COMPETITION PARTICIPANT WHEN PERFORMING THE CONTRACT

- 11.2.1 In order to certify the fulfilment of participation requirements in the proceedings, a **Competition Participant** may depend on the resources of other entities, regardless of the legal nature of the relationships with such an entity in accordance with Article 22a of the Act. In such a situation, a **Competition Participant** must provide evidence to the **Contracting Authority** that in performance of the contract, he/she shall have the resources of these entities at his/ her disposal, in particular presenting an obligation by those entities to place the necessary resources to perform the contract.
- 11.2.2 In order to confirm that a **Competition Participant**, depending on the resources or positions of other entities under the conditions referred to in Article 22a of the Act, shall have the necessary resources to enable the proper execution of a public contract, and to assess whether the relationship between the Contractor and these entities ensures effective access to those resources, the **Contracting Authority** requests documents which shall specify in particular:
- the scope of resources of another entity available to the Contractor,
 - the manner of use of another entity's resources by the **Contractor** in the performance of the public contract,

- the scope and duration of the participation of another entity in the performance of the public contract,
- whether the entity on whose resources the **Contractor** shall depend in respect to the conditions for participation in the proceedings concerning education, professional qualifications or experience, shall perform construction works or services, which the indicated resources relate to.

11.2.3 Should a **Competition Participant**, evidencing the fulfilment of the conditions referred to in Chapter 2 point 2.2 of the **Competition Rules and Regulations**, depend on the resources of other entities under the conditions referred to in Article 22a of the Act and these entities should be involved in the performance of the contract, the **Competition Participant**, in relation to these entities, shall submit documents mentioned in points 11.1.1 and 11.1.2 of this Chapter.

11.3 FOREIGN PARTICIPANTS, I.E. HAVING THEIR REGISTERED OFFICES OR PLACES OF RESIDENCE OUTSIDE THE TERRITORY OF THE REPUBLIC OF POLAND.

11.3.1 Should the **Competition Participant** be established or have a place of residence outside the territory of the Republic of Poland, instead of the documents referred to in point 11.1, the following shall be submitted:

- the information from the relevant register or in the absence of such a register, other equivalent documents issued by a competent judicial or administrative authority in the country in which the **Contractor** is established or has the place of residence, or any such person has the place of residence who is referred to in the information or document within the scope referred to in Articles 24.1.13, 24.1.14 and 24.1.21 and points 5.5 and 5.6 of the Act,
- the document or documents issued in the country in which the **Contractor** is established confirming that he/ she is not in arrears in the payment of taxes, charges, social security and/ or health contributions or that he/ she has concluded an agreement with the competent authority on the repayments of his/ her duties together with any interest or fines, in particular that he/ she has been awarded a legal exemption, postponement or instalment scheme for late payments or suspension in whole the implementation of a decision of the competent authority,-
- the documents confirming that no liquidation or bankruptcy procedures have been commenced or filed.

11.3.2 The documents referred to in point 11.3.1 of this Chapter, should be issued not earlier than 3 months prior to the expiry of the deadline for submission of Competition bids or Competition admission applications.

11.3.3 If in the country in which the **Contractor** is established or has his/ her place of residence, or a person to whom the document relates has his/ her place of residence, the documents referred to in point 11.3.1 of this Chapter are not issued, then such documents shall be replaced with a document containing respective declarations by the **Contractor**, with an indication of the person or persons authorised to represent him/her, or a declaration of the person to whom such a document is to relate, certified before a civil-law notary or before a judicial, administrative authority or a professional or trade

association competent in respect of the office or place of residence of the **Contractor** or place of residence of that person. Their dates of issue shall apply as above i.e. in accordance with point 11.3.2.

11.3.4 **The Contractor** established in the territory of the Republic of Poland, in relation to the person residing outside the territory of the Republic of Poland to whom the document referred to in § 5.1 is related, shall submit the document referred to in § 7.1.1 to the extent specified in Articles 24.1.14 and 24.1.21 and in Article 24.5.6 of the Act. If in the country in which a person to whom the document is to relate has his/her place of residence, the documents are not issued, then such a document shall be replaced with a document containing a declaration of the person certified before a civil-law notary or before a judicial, administrative authority or a professional or trade association competent in respect of the place of residence of that person.

CHAPTER 12

REMEDIES

The Competition Participant and any other entity, if it has or has had an interest in obtaining the contract and has suffered or may suffer damages as a result of the Organiser's breach of the provisions of the Act, is entitled to remedies provided for in Chapter VI of the Act on the terms and conditions and within the time limits specified for the contract amount less than the amounts set out in the provisions issued under Article 11.8 of the Act. The terms and conditions of the review procedures are regulated in Articles 180-198 of the Act. A decision of the National Board of Appeal may be brought before a court by the Parties and participants of the appeal proceedings. All matters concerning such a court action are regulated in Articles 198a-198g of the Act.

ATTACHMENTS TO THE COMPETITION RULES AND REGULATIONS AND COMPETITION MATERIALS

Attachment 1 -	Model form of a Competition admission application
Attachment 2 -	Standard form of a European Single Procurement Document
Attachment 3 -	Relevant provisions of the Agreement on the preparation of the Design Plans and Specifications constituting an in-detail development of the Competition Entry as the subject of the Agreement under a single source procurement procedure, including information on expected costs of the implementation of works carried out on the basis of the selected Competition Entry and the costs of the performance of the subject of the contract
Attachment 4 -	Models of Powers of Attorney to represent Competition Participant/ Participants
Attachment 5 -	Stage I identification card
Attachment 6 -	Stage II identification card
Attachment 7 -	Confirmation of submission of Stage I Competition Entry
Attachment 8 -	Confirmation of submission of Stage II Competition Entry
Attachment 9 -	Declaration on the costs to execute the works on the basis of the Stage II Competition Entry and estimated costs of the performing the contract
Attachment 10 -	Competition Materials (electronic version):
Attachment 10a -	Front-End Engineering Design containing urban, architectural, functional and acoustic guidelines,
Attachment 10b -	Current contour map for design purposes (AutoCAD),
Attachment 10c -	Decision No. 1.2017 on the location of a public purpose investment of 20 February 2017 issued by the Commune Mayor <i>[Wójt Gminy]</i> of Commune Sochaczew,
Attachment 10d -	Geotechnical Survey Report
Attachment 10e -	Decision No. 892/D/TC-U/16 of the Regional Water Management Board <i>[Regionalny Zarząd Gospodarki Wodnej]</i> in Warsaw,
Attachment 10f -	Letter No. PZD.D2.4140.45.2016 of the Sub-regional Roads Board in Sochaczew,
Attachment 10g -	Greenery Report
Attachment 10h -	[Extract and Excerpt from the Land Register for the plots purchased by the NIFC]
Attachment 10i -	Model Table for the Basic Programme and Site Summary
	These Attachments to the Rules and Regulations may be used by the Competition Participants only for the purpose of this Competition.

=====THE END OF TRANSLATION=====