

COMPETITION
for the Conceptual Urban and Architectural Design
of the “International Centre for Music” in Żelazowa Wola

RULES OF PROCEDURE OF THE COMPETITION JURY

§1

These Rules of Procedure concern the procedure of the Competition Jury of the Competition for the Conceptual Urban and Architectural Design of the “International Centre for Music” in Żelazowa Wola.

1. The activities of the Competition Jury shall be governed by:
 - 1) Act of 23 April 1964, the Civil Code (Journal of Laws of the Republic of Poland of 2017, Items 459, 933, 1132);
 - 2) Act of 4 February 1994 on copyright and related rights (Journal of Laws of the Republic of Poland of 2017, Item 880);
 - 3) Act of 7 July 1994, the Construction Law (unified text, Journal of Laws of the Republic of Poland of 2017, Item 1332);
 - 4) Act of 29 January 2004, Public Procurement Law (unified text, Journal of Laws of the Republic of Poland of 2017, Item 1579);
 - 5) Competition Rules and Regulations of the Competition for the Conceptual Urban and Architectural Design of the “International Centre for Music” in Żelazowa Wola.

§2

1. The Competition Jury shall be an auxiliary body to the Manager of the Contracting Authority and its composition shall be specified in accordance with the Rules of Procedure, and it shall be appointed to evaluate Competition entries and select the best one out of them.
2. The Manager of the Contracting Authority shall supervise the Competition Jury in terms of its compliance with the provisions of the Act Public Procurement Law and the Competition Rules and Regulations, and in particular, the Manager shall, as need be:
 - 1) cancel the Competition;
 - 2) approve the verdict of the Competition Jury.
3. The Competition Jury shall consist of 9 members appointed by way of the Manager of the Contracting Authority's decision, and at least 1/3 of the Competition Jury's members, including the Chairperson of the Competition Jury, shall have the appropriate licences which are required from the Competition Participants.

The composition of the Competition Jury shall be as follows:

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Chairperson of the Competition Jury:

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

Deputy Chairperson of the Competition Jury:

- 2) Ryszard Jurkowski, architect, Representative of the SARP,

Reporting Juror:

- 3) Tomasz Konior, architect, Representative of the SARP

Jurors:

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

and deputies to Jurors:

- Maciej Janicki, Deputy Director of the Fryderyk Chopin Institute,
- Jacek Krych, Architect, Landscape Architect, Representative of the of the SARP

Competition Jury Clerk:

- Marek Szeniański, Landscape Architect, Representative of the SARP

4. Members of the Competition Jury shall fairly and objectively carry out the tasks assigned to them and comply with the law, and take decisions based on their own knowledge and experience.
5. The provisions of Article 17 of the Public Procurement Law shall apply mutatis mutandis to the Competition Jurors.
6. Members of the Competition Jury and the Clerk of the Competition Jury shall each, under pain of criminal liability for false testimony, submit a written declaration on the non-existence of or the existence of the circumstances referred to in Articles 17.1.1 and 17.1.5 of the Public Procurement Law as requested by Attachment 3 to these Rules of Procedure.
7. The Declaration referred to in point 6 shall be submitted by the Members of the Competition Jury and the Clerk of the Competition Jury prior to the announcement of the Competition.
8. The Clerk of the Competition Jury, upon the verification of the Competition admission applications, shall submit a written declaration on the non-existence of or the existence of the circumstances referred to in Articles 17.1.2, 17.1.3 and 17.1.4 of the Public Procurement Law as requested by Attachment 4 to these Rules of Procedure.
9. Should in the course of the Competition the existence of the circumstances referred to in Articles 17.1.2, 17.1.3 and 17.1.4 of the Public Procurement Law be revealed or should a member of the Competition Jury acquire knowledge of the name of any of the Competition Participants which may harm anonymity of the Competition Participants in relation to a Member/Members of the Competition Jury, then such a member of the Competition Jury shall be obliged immediately to step down from the Competition Jury,

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and notify the Chairperson or the Clerk of the Competition Jury thereof in writing. The Chairperson or the Clerk of the Competition Jury shall immediately inform the Manager of the Contracting Authority thereof.

10. Should a Member of the Competition Jury submit a declaration of the existence of the circumstances referred to in Article 17 of the Public Procurement Law, or submit a false declaration or fail to submit such a declaration within the obligatory time limit, or should the circumstances referred to in point 10 of these Rules of Procedure occur, the Manager of the Contracting Authority, of his own accord or at the request of the Chairperson, shall immediately exclude such a Member of the Competition Jury from further participation in the activities of the Jury.
11. The activities related to the Competition having been conducted by a Member of the Jury to be excluded upon his/ her acquisition of the knowledge of circumstances referred to in Articles 17.1.2, 17.1.3 and 17.1.4 of the Public Procurement Law shall be conducted anew, with the exception of the opening of Competition admission applications, Competition entries and other actual activities having no effect on the verdict of the Procedure, including voting and evaluation of the entries, in case in the course of such evaluation and/or voting no quorum had been required.
12. The Manager of the Contracting Authority shall declare the nullity of the activities in the Procedure conducted in violation of the law.
13. At a request of the Manager of the Contracting Authority, the Competition Jury shall repeat the activities declared null and void.
14. Exclusion of a Member of the Competition Jury may also be effected for unforeseen reasons.
15. The Manager of the Contracting Authority, of his own accord or at the request of the Chairperson of the Competition Jury, may dismiss a Member of the Competition Jury, should such a Member fail to fulfil the tasks conferred upon him/her under these Rules of Procedure, the Competition Rules and Regulations and/or under the law. In such a case, and in case the circumstances referred to in points 10, 11 and 15 should occur, the dismissed Member of the Competition Jury may be replaced by the Manager of the Contracting Authority with a new Competition Juror with the same or higher qualifications. The provisions of these Rules of Procedure shall apply to a replacement Member of the Competition Jury so appointed (should he/she be appointed).
16. Should the circumstances referred to in points 10, 11 and/ or 15 occur, the Manager of the Contracting Authority may abstain from appointing a new Member of the Competition Jury in case the state of the evaluation work should be advanced and the meetings of the Competition Jury concerning these activities had taken place when the quorum was required. This circumstance shall be confirmed by the Chairperson of the Competition Jury.
17. The dismissal referred to in point 16 may not take place for reasons arising directly from the evaluation of Competition entries by a Member of the Competition Jury nor from his/her personal beliefs and preferences as to the value of the architectural works.
18. The Chairperson of the Jury shall apply to the Manager of the Contracting Authority to dismiss a Member of the Jury in the following cases:
 - 1) unexcused absence from two consecutive meetings of the Jury;
 - 2) failure by a Member of the Jury to perform his/ her obligations under these Rules of Procedure or the Competition Rules and Regulations;
 - 3) occurrence of other obstacles preventing his/her participation in the activities of the Jury.

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19. Given the circumstances causing exclusion of the Chairperson of the Jury, such an exclusion shall be made directly by the Manager of the Contracting Authority, who shall take a decision of his/her dismissal and of an appointment of his replacement from among the Members of the Competition Jury. A new Chairperson of the Competition Jury shall be selected by the Competition Jury, which is subject to approval by the Manager of the Contracting Authority. A vacated position of the Member of the Competition Jury who is appointed as Deputy Chairperson of the Jury, a new Member of the Competition Jury shall be appointed by the Manager of the Contracting Authority in accordance with the provisions of point 16.

§3

1. Members of the Competition Jury shall have the right and obligation to participate in all meetings and activities of the Jury. The schedule of the Competition Jury's meetings is attached hereto as Attachment 1.
2. Members of the Jury shall perform their activities in good faith, with the utmost diligence and professional ethics, observing the provisions of the law, their best knowledge and experience and the Competition Rules and Regulations and these Rules of Procedure.
3. Members of the Competition Jury shall have the right to inspect all the documents related to the activities of the Jury.
4. Members of the Jury may not, without the written consent of the Chairperson of the Jury, disclose any information relating to the activities of the Jury, in particular relating to the procedure of evaluation and comparison of the submitted Competition entries.
5. A Member of the Jury shall be obliged to immediately notify the Chairperson of the Jury or the Clerk of the Jury of his/her absence at a meeting of the Jury, stating the reasons for such absence.
6. The decision on the justification of the absence of a Member of the Jury at a meeting shall be taken by the Chairperson of the Jury in consultation with the other Members of the Jury.
7. Members of the Competition Jury shall have the right at any time to submit their written objections to the activities to the Jury to the Chairperson of the Jury or to the Manager of the Contracting Authority.

§4

1. The activities of the Jury shall be headed by its Chairperson.
2. The Chairperson of the Jury shall be appointed by the Manager of the Contracting Authority from among the Members of the Jury.
3. The President shall be responsible for the correct, and consistent with the law, course of activities performed by the Jury and their transparency.
4. The Chairperson shall in particular be responsible for:
 - 1) convening and chairing the meetings of the Competition Jury;
 - 2) distributing the Competition Jury's activities among its Members undertaken as part of its activities and identifying the individual scope of responsibility of individual Members of the Jury;
 - 3) applying to the Manager of the Contracting Authority to appoint experts to consult in cases where special information is required;
 - 4) informing the Manager of the Contracting Authority of problems related to the activities of the Competition Jury in the course of the Competition proceedings;

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- 5) submitting to the Manager of the Contracting Authority of applications to exclude a Member of the Jury should the circumstances referred to in §2 of these Rules of Procedure occur;
 - 6) acceptance of declarations referred to in §2.6 of these Rules of Procedure from the Members of the Jury;
 - 7) supervising the proper conduct of the Competition proceedings.
5. In the absence of the Chairperson, his/ her duties shall be performed by the Deputy Chairperson.

§5

1. The documentation of the Competition proceedings shall be prepared by the Clerk of the Competition Jury.
2. The duties of the Clerk of the Competition Jury shall be in particular:
 - 1) record keeping and overseeing the Competition proceedings the Competition and the related procedures under the adopted schedule;
 - 2) organising the Jury's meetings and performing other organisational and administrative activities under the Jury's scope of responsibility, and, in particular, applying to employ expert(s)/specialist(s) to provide expertise to the Competition Jury;
 - 3) ensuring anonymity of Competition participants and Competition entries in relation to the Members of the Jury;
 - 4) taking the minutes of the Jury's meetings and of other events associated with the Competition procedure including taking the minutes of the Jury's evaluation of Competition entries;
 - 5) taking part in accepting and coding of the Competition entries;
 - 6) taking part in the evaluation of Competition entries, and in preparing drafts of possible calls for additions and explanations relating to the admission applications;
 - 7) taking part in drafting of answers to the questions of the Competition participants;
 - 8) contacting the Competition participants including preparation of letters and notices to the Competition participants;
 - 9) preparing the follow-up Competition documentation;
 - 10) completing the Competition documentation with declarations referred to in §2.6 and 10 of these Rules of Procedure accepted from the Members of the Jury;
 - 11) safe-keeping of the minutes with the appendices, including the Competition entries, during the Competition proceedings;
 - 12) informing the Manager of the Contracting Authority of any problems with the activities of the Competition Jury in the course of the Competition proceedings should the Chairperson of the Competition Jury be unable to do so;
 - 13) observing the principle of written form.

§6

1. The duties of the Reporting Juror shall be in particular:
 - 1) taking part in drafting answers to the questions of the Competition participants;
 - 2) presenting to the Competition Jury of Competition entries in order to evaluate them and provide a preliminary opinion on the conformity of the Competition with the Competition Rules and Regulations, including preparation of applications to

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include individual Competition entries in a group of non-compliant Competition entries;

- 3) supervising the final drafting of the information of the Competition Jury concerning the Competition entries and conclusions, recommendations and guidelines of the Jury.

§7

1. The duties of all Members of the Competition Jury, including those referred to in points 4 and 6, shall be:
 - 1) taking an active part in the meetings of the Competition Jury;
 - 2) maintaining the confidentiality of the information provided at the meetings of the Competition Jury, and also provided in written and electronic form pending the verdict of the Competition;
 - 3) objective and reliable evaluation of Competition entries;
 - 4) execution of the Chairperson's instructions relating to the activities of the Competition Jury;
 - 5) immediately notifying the Chairperson of any circumstances preventing the performance of the duties by a Member of the Competition Jury. In any circumstance where preventing the performance should be related to the duties of the Chairperson, then the Chairperson himself/herself shall notify the Manager of the Contracting Authority or the Clerk of the Competition Jury thereof;
 - 6) making by each Member the declaration referred to in §2.6 of these Rules of Procedure.

§8

1. The Competition Jury shall commence its activities on the date of its appointment.
2. The duties of the Competition Jury shall be performance of the Competition proceedings in accordance with the principles of equal treatment, fair competition, impartiality and objectivity, the principle of anonymity specific to the Competition consisting in the inability to identify the authors of Competition entries pending the verdict of the Competition.
3. The Competition Jury shall meet in closed meetings attended by Members of the Competition Jury, experts/ specialists (if necessary) and the Clerk of the Competition Jury.
4. In order to take effective decisions by the Competition Jury, the presence of a majority of appointed Members shall be necessary, including the Chairperson and at least two Members of the Jury who are architects.
5. In the event that at a meeting of the Jury the required quorum should not be present, the Chairperson of the Jury shall adjourn the meeting.
6. The Competition Jury shall take its decisions by a simple majority of votes or by voting arrangements; in the case of an equal number of votes for and against, the vote of the Chairperson shall prevail.
7. Each of the Competition Jurors shall have the right to file a dissenting opinion, and filing a dissenting opinion shall require a written justification and an entry in the minutes of the deliberations of the Competition Jury.
8. Only the Chairperson of the Competition Jury, Clerk of the Competition Jury or a person authorised by the Chairperson shall be entitled to give explanations and information on the activities of the Jury.

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9. The Competition Jury shall end its operation upon the meeting closing the follow-up Competition discussion but not earlier than on the date of approval of the verdict of the Competition by the Manager of the Contracting Authority.
10. The conduct of the meetings shall be recorded in minutes.

§9

1. The Competition Jury shall in particular:
 - 1) assess Competition entries in accordance with the evaluation criteria laid down in the Competition Rules and Regulations and in other requirements contained in the Competition Rules and Regulations;
 - 2) upon the selection of the best Competition entry and nomination of the other winners and upon awarding the prizes and awards, present the verdict of the evaluation for the acceptance by the Manager of the Contracting Authority (in compliance with the content of Article 114.2 of the Public Procurement Law), and in particular draw up the minutes of the conduct of the Jury's activities submitted for approval by the Manager of the Contracting Authority, including:
 - information and opinions on the prize-winning and distinguished Competition entries;
 - justification of the verdict of the Competition;
 - follow-up Competition recommendations relating to the first prize-winning Competition entry.
 - 3) Upon accepting by the Manager of the Contracting Authority of the presented evaluation results and proposals to grant prizes and awards, the Manager of the Contracting Authority shall disclose the authors of the Competition entries at an open public announcement of the verdict of the Competition, with the first prize-winning Competition entry disclosed as the first. Upon matching the Competition participant (author(s)) with the prize-winning Competition entry, the Competition Jury shall verify if the entry is submitted by a participant properly invited to submit a Competition entry. Should it be found that the entry is submitted by a participant uninvited to submit a Competition entry, then such an entry shall be deemed invalid and the Competition Jury shall not disclose the other Competition entries. Then another date for the announcement of the Competition verdict shall be designated and the Jury shall repeat the activities related to the assessment of the entries;
 - 4) prepare a notice of the Competition verdict addressed to the Competition participants;
 - 5) apply to the Manager of the Contracting Authority to declare invalidity of the Competition in the cases referred to in Article 124 of the Public Procurement Law;
 - 6) perform the required activities under the review procedures provided for in the Public Procurement Law.
2. In the matters referred to above, the Competition Jury shall be independent.
3. The Manager of the Contracting Authority may entrust other activities than those specified in these Rules of Procedure to be performed by the Competition Jury in relation to the preparation and carrying out of the Competition.
4. The Manager of the Contracting Authority shall supervise the Competition Jury in terms of the compliance of the Competition with the provisions of the Act Public Procurement Law and the Competition Rules and Regulations.

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§10

1. All Members of the Competition Jury shall make a declaration that they acknowledge and accept the terms and conditions of these Rules of Procedure and Competition Rules and Regulations and that they undertake to abide by them. The obligation to make a declaration shall also apply to:
 - 1) all possible new Members of the Jury appointed during the course of the Competition,
 - 2) the Clerk of the Jury.
2. The model declaration is included in Attachment 2 to these Rules of Procedure.

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Attachment 1 to the Rules of Procedure of the Competition Jury

Schedule of the Jury Meetings

1.	Meetings of the Competition Jury	7 November 2017
2.	Meetings of the Competition Jury	28 December 2017
3.	Submission of Competition entries, Stage I of the Competition	By 23 March 2018
4.	Making the activities of the Jury confidential by the Clerk of the Jury, preparation of the exhibition of the Competition entries in the Competition Jury meeting room	23-24 March 2018
5.	Activities of the Reporting Juror (preparation of opinions on the Competition entries)	25 March – 13 April 2018
6.	The Competition Jurors' individual activities	By 25 March 2018
7.	Meetings of the Competition Jury	12 April 2018
8.	Competition participants notified of the qualification to the Second Stage of the Competition	13 April 2018
9.	Submission of Competition entries, Stage II of the Competition	By 15 June 2018
10.	Making the activities of the Jury confidential by the Clerk of the Jury, preparation of the exhibition of the Competition entries in the Competition Jury meeting room	15-16 June 2018
11.	Activities of the Reporting Juror (preparation of opinions on the Competition entries)	17-23 June 2018
12.	The Competition Jurors' individual activities	By 17 April 2018
13.	Meetings of the Competition Jury	21 June 2018
14.	Announcement of the verdict of the Composition	By 29 June 2018

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Attachment 2 to the Rules of Procedure of the Competition Jury

DECLARATION

made by a Member of the Competition Jury/Clerk of the Competition Jury* as part of
the procedure of the Competition for the Conceptual Urban and Architectural Design
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I hereby declare that I am aware of and accept the terms and conditions of the Rules of Procedure of the Jury of **the Competition for the Conceptual Urban and Architectural Design of the “International Centre for Music” in Żelazowa Wola** and I hereby undertake to comply with them.

..... this day of
(place) *(date)*

.....
(legible signature)

** delete as appropriate*

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Attachment 3 to the Rules of Procedure of the Competition Jury

DECLARATION

made by a Member of the Competition Jury/Clerk of the Competition Jury*
on the non-existence of the circumstances referred to in Articles 17.1.1 and
17.1.5 of the Act of 29 January 2004, the Public Procurement Law
(unified text, Journal of Laws of the Republic of Poland of 2017, Item 1579)

I, the undersigned, as a Competition Juror/Clerk of the Competition Jury* of **the Competition for the Conceptual Urban and Architectural Design of the “International Centre for Music” in Żelazowa Wola**, hereby declare that:

- I will not apply to participate in this Competition;
- I have not been validly convicted of an offence committed in connection with procurement proceedings, of an offence of bribery, economic and trade-related offences, nor of any other offences committed for financial gain.

..... this day of

(place) *(date)*

.....
(legible signature)

** delete as appropriate*

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Attachment 4 to the Rules of Procedure of the Competition Jury

DECLARATION

made by the Clerk of the Competition Jury on the non-existence of the circumstances referred to in Articles 17.1.2, 17.1.3 and 17.1.4 of the Act of 29 January 2004, the Public Procurement Law (unified text, Journal of Laws of the Republic of Poland of 2017, Item 1579).

I, the undersigned, as the Clerk of the Competition Jury of **the Competition for the Conceptual Urban and Architectural Design of the “International Centre for Music” in Żelazowa Wola**, hereby declare that:

- I am not married, nor am I in a direct relationship of consanguinity or affinity, in a collateral kinship or affinity to the second degree, nor am I bound in respect of adoption, custody or guardianship with the Contractor, his legal representative or members of the management bodies or supervisory bodies of the Contractors applying for the award of the Contract;
- within 3 years from the date of the initiation of the procurement procedure, I have not had a contract of employment or a work order with the Contractor, nor have I been a member of management or supervisory bodies of the Contractors applying for the award of the Contract;
- I have no legal or factual relationships with the Contractor that may give rise to reasonable doubt as to my impartiality.

..... this day of
(place) *(date)*

.....
(legible signature)

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