

**RULES OF
ARCHITECTURAL AND URBAN
EXECUTIVE COMPETITION
(TWO STAGES)**

for the development

**ARCHITECTURAL AND URBAN COMPETITION CONCEPT FOR
CENTRUM LITERATURY I JĘZYKA – PLANETA LEM
(CENTRE FOR LITERATURE AND LANGUAGE – PLANET LEM)**

Awarding Entity (Organizer)

Krakow Festival Office
ul. Wygrana 2
30-311 Kraków

Supporting Entity (Co-organizer):

Association of Polish Architects, Kraków Branch
plac Szczepański 6
31-011 Kraków

Kraków, August 2018

The value of the Competition is higher than the amount defined in the provisions under Article 11 section 8 of the Public Procurement Law of 29 January 2004 (consolidated text, Journal of Laws of 2018 items 1191, 129)

Contents

1. GENERAL INFORMATION AND PROVISIONS	4
1.1. Name and address of the Organizer and the Entity supporting the Organizer of the Competition.....	4
1.2. The method for communicating with the Participants of the Krakow Festival Office and providing clarifications to these Rules	4
1.3. Legal basis for the Competition	5
1.4. General form and principles of the Competition	6
1.5. Type and amount of prizes	6
1.6. Changes in the Competition Rules	8
1.7. Maximum planned cost of works based on the Competition Work.....	8
1.8. The maximum planned total cost of fulfilling the subject matter of the contract for design documentation that is a detailed version of the Competition Work.	10
1.9. COMPETITION JURY	Error! Bookmark not defined.
1.10. CPV classification	11
1.11. Competition Schedule	12
2. OBJECTIVE, TASK AND DESCRIPTION OF THE COMPETITION'S SUBJECT.....	13
2.1. Competition objective.....	13
2.2. The competition task, use of the results of the Competition by the Awarding Entity ..	13
2.3. Subject matter of the Competition	13
2.4. Description of the investment location.....	14
2.5. Other relevant guidelines.....	14
3. REQUESTS TO PARTICPATE IN THE COMPETITION, eligibility conditions that Competition Participants must fulfill to be admitted to the Competition and documents required from Competition Participants before concluding an agreement regarding the single-source contract..	15
3.1. Conditions applicable to Competition Participants.....	15
3.2. Conditions to be fulfilled by the Competition Participant.....	16
3.3. Request to participate in the Competition and required statements and documents .	16
3.4. Evaluation of the request to participate in the Competition.....	19
3.5. Modification or withdrawal of the Request to participate in the Competition and confidential information	19
3.6. Documents required from the Participant (Joint Participants) whose Competition Works is recognized as the best (Stage 2 of the Competition) before launching negotiations through the single-source procedure and documents required from the Participant (Participants) before the conclusion of the agreement	20
4. METHOD FOR PREPARING AND SUBMITTING STUDIES AT STAGE 1.....	24
4.1. General information.....	24
4.2. Content of the Study at Stage 1, manner and form of its development, presentation and submission.....	24
5. EVALUATION OF STUDIES AT STAGE 1 OF THE COMPETITION	27
5.1. Evaluation procedure of Studies at Stage 1 of the Competition.....	28
5.2. Criteria for evaluating Studies at Stage 1 of the Competition	27
5.3. Method for releasing the results of Stage 1 of the Competition	27
6. DETAILED SCOPE, METHODS FOR DEVELOPING, PRESENTING AND SUBMITTING COMPETITION WORKS AT STAGE 2	29

6.1.	General information.....	29
6.2.	Content of the Competition Work at Stage 2, manner and form of its development, presentation and submission	29
7.	EVALUATION OF COMPETITION WORKS AT STAGE 2 OF THE COMPETITION, ANNOUNCEMENT OF COMPETITION RESULTS	33
7.1.	Evaluating procedure for Competition Works at Stage 2	33
7.2.	Evaluation criteria for Competition Works at Stage 2.....	33
7.3.	Announcement of Competition results.....	33
8.	OTHER PROVISIONS OF THE RULES.....	35
8.1.	The obligations of the Competition Participants and the Awarding Entity, including the fields of use of Competition Works and the provisions regarding the transfer of property copyrights to the the Competition Work that receives the first prize and other awarded and distinguished works.	35
8.2.	Scope and deadline for the Studies that are the subject matter of the public procurement granted through the single-source procedure	36
8.3.	Instruction on the means of legal protection of Competition Participants	38
8.4.	Information on personal data protection.....	38
8.5.	List of attachments to the Competition Rules	40

1. GENERAL INFORMATION AND PROVISIONS

1.1. Name and address of the Organizer and the Entity supporting the Organizer of the Competition

1.1.1. The Awarding Entity (Competition Organizer) is:

Krakow Festival Office
ul. Wygrana 2
30-311 Kraków

The Entity supporting the Organizer (Competition Co-organizer) is:

Association of Polish Architects, Kraków Branch
Plac Szczepański 6
31-011 Kraków
tel.: +48 12 422 75 40
e-mail: sarp@sarp.krakow.pl

1.1.2. The person authorized to communicate with Participants in the Competition are:

1.1.2.1. Organizational Secretary of the Competition:

Marek Kaszyński (SARP, Kraków Branch)
tel.: +48 537 351 742
e-mail: konkurs-pl2018@sarp.krakow.pl

1.1.2.2. Supporting Secretary of the Competition:

Magdalena Szreniawa (KBF)
tel.: +48 514 954 957
e-mail: konkurs-pl2018@sarp.krakow.pl

1.1.2.3. Deputy of the Organizational Secretary:

Benita Strzałka (SARP Oddział Kraków)
tel.: +48 668 847 702
e-mail: konkurs-pl2018@sarp.krakow.pl

1.1.3. Actions exclusive for the Manager of the Awarding Entity are performed by:

1.1.3.1. **Izabela Helbin**, Director of the Krakow Festival Office

1.1.3.2. **Robert Rozciecha**, Executive Deputy Director of the Krakow Festival Office

1.2. The method for communicating with the Participants of the Krakow Festival Office and providing clarifications to these Rules

1.2.1. In this procedure, all letters related to the Competition, including potential queries and information about the submission of a request shall be sent at:

Stowarzyszenie Architektów Polskich, Oddział w Krakowie
Plac Szczepański 6
31-011 Kraków
tel.: +48 12 422 75 40
e-mail: konkurs-pl2018@sarp.krakow.pl

whereas the following designation shall be provided on the envelope (in case of correspondence sent by mail) or in the e-mail message subject:

“COMPETITION – PLANET LEM”

1.2.2. Correspondence may be sent:

- in writing,
- by e-mail,

only at the addresses indicated in item 1.2.1. Correspondence sent at addresses other than those indicated in item 1.2.1 will not be recognized as delivered and it will not

- constitute documentation in the procedure in question under the Public Procurement Law.
- 1.2.3. To provide efficient services, the Awarding Entity encourages Participants in the Competition to send correspondence via **e-mail**, except for the documents that, subject to these Rules, shall be submitted only in writing.
- 1.2.4. All information regarding the Competition, including;
- Rules and attachments,
 - potential changes in the Rules and attachments,
 - Participants' request for the clarification of the Rules, attachments to these Regulations and clarifications from the Organizer,
- shall be published on the following websites:
- Organizer: www.biurofestiwalowe.pl
 - Co-organizer: www.sarp.krakow.pl
- 1.2.5. If needed, the Organizer or the Co-organizer shall also provide clarifications and information in writing or in the electronic form.
- 1.2.6. Competition Participants may file written or electronic requests for clarifications of these Rules and the attachments to these Rules. The requests shall be sent at the addresses indicated in item 1.2.1.
- 1.2.7. Clarifications shall be provided by the deadline specified in the Rules, provided that the requests are filed by the deadline indicated in the Rules, item 1.11 (depending on the filing date). If the request is filed after the date indicated in item 1.11. or its content is substantively compliant with the questions that have been earlier answered, the Awarding Entity may provide clarifications or leave such a request unexamined.
- 1.2.8. The method for providing clarification, as specified in item 1.2.4. Clarifications shall also be sent by **e-mail** to all Participants.
- 1.2.9. The Awarding Entity shall not disclose any sources of requests for clarifications.
- 1.2.10. Clarifications provided by the Organizer shall apply to all Participants.
- 1.2.11. All information, communications, answers to questions, Competition materials and all other electronic correspondence with Competition Participants shall be sent only from the e-mail address indicated in item 1.2.1., otherwise null and void.

1.3. Legal basis for the Competition

- 1.3.1. The Competition is organized particularly subject to
- the Public Procurement Law of 29 January 2004 (consolidated text, Journal of Laws of 2017 item 1579) as amended, hereinafter referred to as the "Public Procurement Law";
 - Act of 23 April 1963, Civil Code (consolidated text Journal of Laws of 2018 items 1025, 1104) as amended;
 - Act on Copyright and Related Rights of 4 February 1994 (consolidated text Journal of Laws of 2018 items 1191, 129) as amended;
 - Building Law Act of 7 July 1994 (consolidated text (Journal of Laws of 2018 items 1202, 1276) as amended;
 - Regulation of the Minister of Infrastructure of April 12, 2002 on technical conditions which must be fulfilled by buildings and their location (Journal of Laws of 2015 item 1422), as amended;
 - Resolution No. LXXVII/1915/17 of the Kraków City Council of 28 June 2017 on the adoption of the local zoning plan for the area of "Skład Solny" ("Salt Warehouse") - published in the Official Journal of the Małopolskie Voivodeship of 10 June 2017, item 4618.

1.4. General form and principles of the Competition

- 1.4.1. The Competition is an **executive** (i.e. it will result in design documentation that will be a basis for the execution of the investment), **two-stage** competition conducted subject to the following principles:
- 1.4.1.1. By the date defined in the Rules, Competition Participants shall file requests to participate in the Competition,
- 1.4.1.2. The Awarding Entity shall allow all Participants that fulfil the Competition Rules to participate in the Competition and file **Studies at Stage 1**,
- 1.4.1.3. The Awarding Entity shall invite no less than three and no more than five Competition Participants (whose Studies are recognized by the Competition Jury as the best based on the criteria specified in the Rules) to file their **Competition Works at Stage 2**.
- 1.4.2. Competition Participants that do not fulfil the requirements indicated in the Rules shall be disqualified.
- 1.4.3. Participants shall file their Studies and Competition Works by the dates indicated in the Rules.
- 1.4.4. The competition shall be conducted in Polish. Requests to participate in the Competition, statements and documents confirming the fulfilment of the eligibility conditions, Studies, Competition Works and all information, requests, notifications and other statements and documents shall be filed in Polish.
- 1.4.5. Documents and statements prepared in another language shall be filed along with a translation into Polish, authorized by the Competition Participants or their representative.
- 1.4.6. The rules regarding the work of the Competition Jury are specified in the Competition Jury Regulations.
- 1.4.7. Attachments to the Rules have been divided into two groups:
- formal attachments (with letter "F" before the attachment number) constituting document forms required in the Competition);
 - substantive attachments (with letter "M" before the attachment number) applicable to all Participants or constituting auxiliary materials subject to provisions in the Rules.
- 1.4.8. The competition was published in the Official Journal of the European Union.
- 1.4.9. The competition shall be cancelled in the cases indicated in Article 124 of the Public Procurement Law.

1.5. Type and sum of prizes

- 1.5.1. Based on the settlement of the Competition, the Competition Jury, in agreement with the Awarding Entity, may establish the method for honouring the Participant that is not invited to participate in Stage 2 of the Competition subject to the Study filed at Stage 1 of the Competition, whereas:
- no cash prize may be awarded;
 - the announcement of such an award will be organized at the place and time in which the Competition results become public.
- 1.5.2. All Participants who are invited to submit Competition Works at Stage 2 of the Competition and submit Competition Works subject to item 6.2. will be granted a cash prize in the **gross amount of PLN 25,000 (twenty five thousand)** and may additionally be awarded an honorary distinction.
- 1.5.3. Moreover, the Awarding Entity shall award a cash prize to the Competition Participant whose Competition Work is recognized by the Competition Jury as the best:

- a) cash prize of the **gross amount of PLN 75,000 (seventy five thousand)** (the first prize) and
 - b) invitation **to negotiations through a single-source procedure** regarding the subject matter of the contract for comprehensive design documentation (based on the Competition Work) for the task named **Centrum Literatry i Języka – Planeta Lem** (Centre for Literature and Language - Planet Lem).
- 1.5.4. The Competition Jury may also award the second cash prize.
- 1.5.5. The summary amount for prizes shall not exceed the **gross amount of PLN 200,000**. The abovementioned sums shall be subject to taxation under applicable legal regulations.
- 1.5.6. If the number of Participants invited to Stage 2 of the Competition is less than five, the Awarding Entity may, at the request of the Competition Jury, increase the sum of prizes, provided that the abovementioned summary amount is not exceeded.
- 1.5.7. At the request of the Competition Jury, the Awarding Entity may change the type and amount of the abovementioned prizes, provided that:
- it will not exceed the summary amount specified in item 1.5.5.;
 - the first cash prize shall not be lower than the amount identified in item 1.5.3.
 - prizes for Participants at Stage 2 of the Competition shall not be lower than the sum in item 1.5.2.
- 1.5.8. The settlement the Competition, including the proposal for the award of prizes and honorary distinctions shall be prepared by the Competition Jury and confirmed by the Awarding Entity's Manager.
- 1.5.9. Having paid the cash prizes, the Awarding Entity becomes the owner of:
- copies of Competition Works admitted to Stage 2;
 - copies of Stage 1 Studies that were not admitted to Stage 2, however, they were awarded the honorary distinction.
- 1.5.10. Cash prizes shall be paid no earlier than 15 calendar days and no later than 30 calendar days as of the date the Awarding Entity's Manager approves of the settlement of the Competition and, in case of an appeal, complaint or cassation complaint, no later than 30 days as of the issuance of the final judgment or decision. The abovementioned dates also apply to the invitation to negotiations through a single-source procedure with a Participant whose work is recognized as the best.
- 1.5.11. The cash prize shall be paid via a transfer to the Participant's bank account indicated in the identification card of the Competition Work (attachment no. F6 to these Rules).
- 1.5.12. In the following cases, the Awarding Entity may invite the author(s) of the second best work(s), as specified in item 1.5.3, to participate in **negotiations through a single-sources procedure** regarding the development (subject to their Competition Work awarded with the second prize) of comprehensive competition documentation for the task named **Centrum Literatry i Języka – Planeta Lem** (Centre for Literature and Language - Planet Lem):
- 1.5.12.1. Disqualification of the Competition Participant whose work is recognized as the best by the Competition Jury on account of a false representation provided in the request to participate in the Competition, violation of the anonymity by the Participant, in particular, the anonymity of Participants towards the Competition Jury, as specified in these Rules, or
 - 1.5.12.2. the Participant whose work is recognized as the best by the Competition Jury refuses to enter negotiations through a single-source procedure subject to principles under these Rules and the Public Procurement Law, or
 - 1.5.12.3. the Participant whose work is recognized as the best by the Competition Jury dies and their design studio cannot continue the works, or

- 1.5.12.4. the Participant whose work is recognized as the best by the Competition Jury is liquidated and their author(s) (with copyrights) cannot continue the works, or
- 1.5.12.5. If, within 6 months, the negotiations are not resolved due to reasons attributable to the Competition Participant whose work is recognized as the best by the Competition Jury. Reasons attributable to the Competition Participant denote the questioning of the non-negotiable provisions in the model agreement or refusal to conclude the agreement that was negotiated with the Awarding Entity.
- 1.5.13. In the case of:
 - 1.5.13.1. not signing a contract due to the participant's fault, after finished negotiations, by a single source procedure with the Contest participant, whose work has been chosen as the best by the jury, as well as
 - 1.5.13.2. not signing a contract due to the participant's fault, after finished negotiations, by a single source procedure with the Contest participant, whose work has been chosen as the second best by the jury,the Contracting Party can order drawing up in details a contest work and other elements for the task entitled **Centrum Literatry i Języka – Planeta Lem (*The Centre of Literature and Language – Lem Planet*)**, which has been chosen by the jury as the best in one of the procurement procedures pursuant to the Act on the Public Procurement Law, in order to obtain a complete project documentation enabling execution of the investment comprising construction of a building (a complex of buildings) together with the development of investment plots.

1.6. Changes in the Competition Rules

- 1.6.1. In agreement with the Competition Jury, the Awarding Entity may, at any time before the expiry of deadline for submitting Competition Works, introduce changes in the provisions of these Rules, subject to item 1.6.2.
- 1.6.2. After the expiry of the deadline for submitting requests to participate in the Competition, no changes can be introduced to the provisions regarding the eligibility conditions and the method for assessing the fulfilment of those conditions by Competition Participants, as well as the criteria and method for evaluating Competition Works, the subject matter of the Competition and the maximum sum of cash prizes.
- 1.6.3. The content of each change shall be forthwith announced in the manner specified in item 1.2.4 and, in case of making changes after the admission of Participants to the Competition, it will be published subject to the abovementioned procedure and sent via e-mail to all Participants who are admitted to the Competition.
- 1.6.4. In agreement with the Competition Jury, the Awarding Entity shall postpone the deadline for submitting Competition Works by at least 5 days, if the Competition Jury decides that, due to the change in the Rules, more time is required to prepare the Competition Work. For this purpose, a meeting of the Competition Jury shall be organized.
- 1.6.5. Changes in the Rules made by the Awarding Entity shall apply to all Competition Participants.

1.7. Maximum planned cost of works based on the Competition Work

- 1.7.1. The maximum planned cost of the building(s) and the development of the area implemented based on the Competition Work must not exceed the gross amount of: **PLN 105,000,000 (one hundred and five million)**
- 1.7.2. The maximum planned cost indicated hereinabove includes the total cost of construction and assembly works related to the construction of the building(s) along with the equipment and development of the area subject to the design prepared on account of the

award of the public contract by the Awarding Entity regarding the detailed preparation of a Competition Work after the decision on the Competition, including in particular:

- the cost of conversion and construction of building(s) of Centrum LiteratURY i Języka – Planeta Lem (Centre for Literature and Language), including finishing works and internal installations,
- cost of connections and potential extensions of the network for the purpose of the investment (beyond the competencies of discipline-specific plants)
- cost of internal and external works necessary for the proper functioning of the building,
- cost of necessary technical infrastructure, i.e. in particular: if needed, rainwater tanks and installations for managing rainwater and water tanks for fire protection purposes in the area of the investment etc.,
- cost of transport communication, i.e. in particular: car parks (parking lots for passenger cars and coaches), walkways and driveways, squares, facilities for parking bicycles and infrastructure etc.,
- cost of developing and arranging the area, i.e. in particular: small architecture, gardens, arranged greenery and uncontrolled greenery, fences etc.,
- cost of providing equipment necessary for the functioning and handling of Centrum LiteratURY i Języka – Planeta Lem (Centre for Literature and Language), i.e. in particular: fixed and movable equipment, either designed or arranging the building(s) interior using purchased elements,
- cost of demolishing warehouse and garage buildings in the area of the investment.

1.7.3. The cost mentioned in item 1.7.1 does not include:

- constructing the connection between the investment area and the public road,
- providing necessary connections and extensions of networks within the competence of discipline-specific plants,
- all elements of permanent and temporary exhibitions,
- office equipment, computers equipment and multimedia devices temporarily assembled in the building(s),
- finishing and equipping interiors for rent,
- developing design documentation,
- providing author's supervisions,
- providing investor's supervisions,

1.7.4. The Statement of the Competition Participant regarding the estimated cost of performing works under the Competition Work constitutes Attachment F9 to these Rules.

1.8. The maximum planned total cost of fulfilling the subject matter of the contract for design documentation that is a detailed version of the Competition Work.

1.8.1. The maximum planned total gross cost of fulfilling the subject of the contract for design documentation that is a detailed version of the Competition Work is **PLN 5,755,000 (five million seven hundred fifty five thousand)**.

The Awarding Entity estimates that the gross remuneration for the development of design documentation necessary for the implementation of the investment consisting in the detailed and extended version of the Competition Work, along with necessary arrangements and supervision over copyright and the transfer of proprietary copyrights in the field of use specified in the model agreement, including the obtainment of all permits, will not exceed **PLN 5,755,000 (five million seven hundred fifty five thousand)**.

1.8.2. The Statement of the Competition Participant regarding the estimated cost of fulfilling the subject of the single-source contract constitutes Attachment F9 to these Rules. The

subject matter of the single-source contract is detailed in these Rules and relevant provisions of the agreement (Attachment F13 to these Rules)

- 1.8.3. The abovementioned cost of ordering works required to provide a detailed version of the Competition Work in the form of design documentation in the scope necessary for the implementation of the investment does not include the cost of preparing documentation for:
- constructing the connection between the investment area and the public road,
 - constructing necessary connections and extensions of networks within the competence of the discipline-specific plants,
 - scenarios and elements of permanent and temporary exhibitions,
 - office equipment, computers equipment and multimedia devices temporarily assembled in the building(s),
 - finishing and equipping interiors for rent,

1.9. **Competition Jury**

- 1.9.1. The Awarding Entity has appointed the Competition Jury with the following composition:
1. architect **Piotr Lewicki**, KSK SARP, Kraków Branch, Presiding Judge
 2. architect **Marcin Brataniec**, KSK SARP, Kraków Branch, Reporting Judge
 3. architect **Zbigniew Maćków**, KSK SARP Wrocław Branch, Competition Judge
 4. architect **Alberto Veiga**, Spain, Foreign Competition Judge
- Members:
5. architect **Grzegorz Lechowicz**, representative of MPOIA, Competition Judge,
 6. **Wojciech Zemek**, the representative of Stanisław Lem's heir, the Contest Judge,
 7. **Jacek Dukaj**, author of the permanent exhibition concept, Competition Judge,
 8. **Agata Kwaśnicka-Janowicz**, the representative of Fundacja na rzecz Muzeum Języka Polskiego (*the Foundation to the benefit of the Polish Language Museum*), the Contest Judge,
 9. **Grzegorz Grabowski**, Deputy Chief Operating Officer, Krakow Festival Office, the Contest Judge,
 10. **Andrzej Kulig**, 3rd Deputy of the President of the City of Krakow on Social Policy, Culture and Promotion of the City, Krakow City Hall, the Contest Judge,
- 1.9.2. The Awarding Entity appoints the following Deputy of the Competition Judge: architect **Marcin Włodarczyk**, KSK SARP Kraków.
- 1.9.3. The Awarding Entity appoints the following Organizational Competition Secretaries: architect **Marek Kaszyński**, SARP Kraków, Organizational Secretary, **Magdalena Szreniawa**, KBF, Supporting Secretary, architect **Benita Strzałka**, SARP Kraków, Deputy of the Organizational Secretary.
- 1.9.4. The Secretaries participate in the sessions of the Competition Jury without the right to vote.
- 1.9.5. The obligations of the Competition Jury are specified in the Rules of the Competition Jury.
- 1.9.6. If one or more members of the Competition Jury or one or more Secretaries are dismissed due to reasons preventing from the fulfilment of their functions, the Awarding Entity may appoint new persons to replace them, considering the Deputy Judge (as referred to in item 1.9.2) in the first place.
- 1.9.7. In case a Competition Secretary is dismissed due to reasons preventing them from fulfilling their functions, the Awarding Entity will have the right to appoint new persons to replace them, considering, in the first place, the Deputy Judge described in 1.9.4.
- 1.9.8. At the request of the Competition Jury, the Awarding Entity may appoint other persons to participate in the sessions of the Competition Jury as experts, consultants or specialists

with an advisory vote. Those persons will not participate in the final evaluation of Competition Works.

1.10. CPV classification

The subject matter of the Competition has been classified according to the Common Procurement Vocabulary (CPV) as:

71220000-6 – architectural design services,

71320000-7 – engineering services in terms of designing,

71420000-8 – area development architectural services,

71248000-8 – supervisions over design and documentation.

1.11. Competition Schedule

No.	Task/Stage	Date*
1.	Submission of the announcement about the Competition to the Publications Office of the European Union,	4.09.2018
2.	Publication of the announcement about the Competition in the Publications Office of the European Union and the Organizer's website:	6.09.2018
3.	The deadline for submitting requests to clarify the Rules regarding the eligibility conditions	by 14.09.2018, 16:00
4.	The deadline for publishing clarifications of the Rules regarding the eligibility conditions	until 21.09.2018
5.	Deadline for submitting requests to participate in the Competition	28.09.2018, 16:00
6.	Sending notifications to Participants about the admission to the Competition and invitations to file Studies at Stage 1 of the Competition	by 05.10.2018
7.	Deadline for submitting requests for clarifications of the Rules regarding the development and submission of Studies and Competition Works by Participants admitted to the Competition and invited to file Studies at Stage 1 of the Competition	by 12.10.2018
8.	Deadline for publishing answers to questions about the Rules regarding the development and submission of Studies and Competition Works by Participants admitted to the Competition and invited to file Studies at Stage 1 of the Competition	By 19.10.2018
9.	Deadline for submitting Studies at Stage 1 of the Competition	By 30.11.2018, 16:00
10.	Settlement of Stage 1 of the Competition and invitations to submit Competition Works at Stage 2 of the Commission	by 14.12.2018
11.	Deadline for submitting requests for the clarification of the Rules regarding the development and submission of Competition Works by Participants invited to file Studies at Stage 2 of the Competition	by 4.01.2019
12.	Provision of answers to question about the provisions in the Rules regarding the development and submission of Competition Works by Participants invited to file Studies at Stage 2 of the Competition	by 11.01.2019
13.	Deadline for submitting Competition Works at Stage 2 of the Competition	By 01.03.2018, 16:00
14.	Decision, public announcement of the Competition results and opening of the post-competition exhibition	by 15.03.2019
15.	Submission of the announcement of Competition results to the Publications Office of the European Union and publication of the Competition results on the Organizer' website	by 15.03.2019
1.6.	Payment of prizes	by 15.04.2019.
1.7.	Invitation of the author(s) of the work(s) recognized as the best by the Competition Jury to negotiations through a single-source procedure	by 15.04.2019
1.8.	Return of works to Competition Participants that did not receive any prize/distinction/honorary distinction	by 15.04.2019

*The Awarding Entity stipulates that the abovementioned deadline may change in case of a prolonged competition procedure. The Awarding Entity shall forthwith inform Competition Participants of any change in the deadlines via e-mail or publication on the Organizer's or Co-organizer's website.

2. OBJECTIVE, TASK AND DESCRIPTION OF THE COMPETITION'S SUBJECT

2.1. Competition objective

- 2.1.1. The objective of the competition is to obtain the best architectural and urban solution for the venture named **CENTRUM LITERATURY I JĘZYKA – PLANETA LEM** (CENTRE FOR LITERATURE AND LANGUAGE – PLANETA LEM). The best concept chosen by the Competition Jury shall consider the general nature of the venture. It is important to combine the applied solutions with close and remote contexts (spatial, architectural and cultural) of the Małopolska region and Kraków - the city of culture, science and art. At the location in question, the Awarding Entity envisages a modern architectural form of the highest quality that may become the city's and region's showcase.
- 2.1.2. The Awarding Entity intends that the patron of the Centre for Literature and Language in Kraków will be Stanisław Lem, a distinguished Polish writer, philosopher and futurologist, the most commonly translated Polish author in history, for most of his life related to Kraków. The central element of the building will be an interactive exhibition inspired by the legacy of Lem's thought. Except for the exhibition, the Centre for Literature and Language - Lem Planet will host: a modern, multifunctional hall for Krakow's literary events, space for exhibitions on literature and language, public media library, multimedia studio, coffeeshop-bookshop and office spaces. The building will be the headquarters of the "Cracow - UNESCO City of Literature" Programme.

2.2. Competition Task, use of the results of the Competition by the Awarding Entity

- 2.2.1. The objective of the Competition is to choose (based on verification and evaluation under the provisions in these Rules) the concept for the development of complete design documentation indicated in item 1.8., to implement the investment described in item 1.7. The Competition Participant whose work is recognized as the best by the Competition Jury, as specified in items 1.5.14. and 1.5.15, will be invited to negotiations through a single-source procedure, as specified in the scope described in the model agreement in Attachment No. F13 to this Rules.

2.3. Subject matter of the Competition

- 2.3.1. The subject matter of the Competition is the development of a concept for the building or building complex as a part of the investment named "Conversion of the existing building of the former "Salt Warehouse" ("Skład Solny") and construction of a new building with internal installations, technical and transport infrastructure as the implementation of the investment named „Centrum Literatury i Języka – Planet Lem" ("Centre For Literature and Language - Planet Lem"), on plots no. 61/5, 61/8, 61/14, 61/17, district 13, Podgórze, ul. Na Zjeździe 8, Kraków.
- 2.3.2. The architectural and urban solution specifying the standards of the building, rules for shaping public space and buildings and transport services should take into account the tradition and importance of the location, its role in the city and region, as well as the significance of the building to be designed and value related to it.
- 2.3.3. A detailed description of the Competition's subject, functional and usage assumptions and guidelines and description of the investment location are included in Attachment no. M1 to these Rules entitled "Description of the Competition's subject , description of the investment location, functional and usage assumptions and guidelines".

- 2.3.4. The scenario for the main exhibition, inspired by the legacy of Stanisław Lem's thought is included in Attachment no. M2 to these Rules.
- 2.3.5. The substantive assumptions of the permanent exhibition - focused on general communication, particularly linguistic communication - are included in Attachment No. M9 to these Rules.
- 2.3.6. In case of any discrepancies between the documents due to chronology of their creation, the provisions of the "Description of the Competition's subject, description of the investment location, functional and usage assumptions and guidelines" (Attachment no. M1) shall supersede. The Competition Participant does not have the right any claims towards the Awarding Entity on account of such discrepancies and non-compliance with the document prioritization principle.

2.4. Description of the investment location

The description of the investment location is included in Attachment No. M1 to these Rules entitled "Description of the Competition's subject, description of the investment location, functional and usage assumptions and guidelines"

2.5. Other relevant guidelines

- 2.5.1. The Competition Participant may propose additional areas of general use (accompanying, optional functions) that may be obtained beyond the required programme, provided that they are justified in terms of the nature of the Competition subject matter, available investment area and investment implementation costs assumed by the Awarding Entity.
- 2.5.2. The Awarding Entity expects that proposed technical and technological solutions, particularly in the scope of:
- construction;
 - transport;
 - finishing materials of public interiors;
 - finishing materials of external parts;
 - water and sewage installations;
 - central heating installations;
 - ventilation and air conditioning with heat recovery;
 - electrical installations;
 - teletechnical installations;
 - monitoring and access control protection;
 - fire protection installations;
- will fulfil the standards of high quality and energy effectiveness.
- 2.5.3. It is recommended that, in reference to the construction and space creation, the construction solutions shall enable to shape and arrange interiors in a flexible manner;
- 2.5.4. In the scope of installations, the following aspects must be planned in respect to the level of elaboration of the Competition Work:
- possibility to use central heating management systems in the building, particularly the management of energy efficiency (BMS systems);
 - possibility to apply solutions using renewable energy sources;
 - Building envelope of high thermal insulation and acoustic parameters.

3. REQUESTS TO PARTICIPATE IN THE COMPETITION, eligibility conditions that Competition Participants must fulfil to be admitted to the Competition and documents required from Competition Participants before concluding the agreement regarding the single-source contract.

3.1. Conditions applicable to Competition Participants

- 3.1.1. Competition Participants may be natural persons, legal persons and organization units without legal personality.
- 3.1.2. Competition Participants may take part in the Competition jointly. Provisions regarding the Competition participant apply respectively to all Participants taking part in the Competition jointly.
- 3.1.3. The information described in items 3.1.1. and 3.1.2. means that the entities in question have the right to :
- participate in the Competition individually;
 - participate in the Competition jointly;
- However, note that Participants taking part in the Competition jointly are, among others:
- partners in a civil partnership,
 - consortia,
- 3.1.4. Each Competition Participant may submit only one request to participate in the Competition, only one Study or only one Competition Work. A Competition Participant who submits more than one request will be disqualified from the Competition. The submission of a Study or Competition Work also includes making it jointly with another Competition participant.
- 3.1.5. A Competition Participant who submits more than one Study or more than one Competition Work shall be disqualified from the Competition and all their works will be rejected.
- 3.1.6. Joint Participants in the Competition shall appoint a person authorized to represent them. For this purpose, Participants should file proper documents - their templates are included in the attachment to these Regulations (Attachment No. F4). The representative of Joint Competition Participants may be one of the Participants.
- 3.1.7. If an individual Competition Participant appoints their representative, they must attach to the request to participate in the Competition a proper authorization (an original copy or an official copy certified by notary public subject to Article 96 of the Notary Public Act of 14 February 1991, consolidated text, (Journal of Laws of 2017 item 2291, of 2018 items 398, 723). The authorization shall be signed up by a person authorized to represent the Participant based on the template in Attachment No F3 to these Rules.
- 3.1.8. Having appointed a representative, Joint Competition Participants shall attach to the request to participate in the Competition an authorization (an original copy or an official copy certified by notary public subject to Article 96 of the Notary Public Act of 14 February 1991, consolidated text, (Journal of Laws of 2017 item 2291, of 2018 items 398, 723), signed up by a person authorized to represent all Joint Participants in the Competition. Such an authorization shall be compliant with the template in the Attachment No. F4 to these Rules.
- 3.1.9. A person authorized to represent the Competition Participant may be:
- 3.1.9.1.1. person(s) authorized, subject to the representation principles, to make statements of intention on behalf of a legal person or organizational unit without legal personality,
 - 3.1.9.1.2. representative of an Individual Competition Participant or representative of Joint Competition Participants.

3.2. Conditions to be fulfilled by the Competition Participant

- 3.2.1. A Participant requesting to participate in the Competition cannot be disqualified from the Competition subject to Article 24 section 1, section 5 items 1, 3, 4 of the Public Procurement Law (according to the statement included in the European Single Procurement Document, ESPD, included in Attachment No. F2 to these Rules).
- 3.2.2. Each participant requesting to participate in the Competition shall fulfil the eligibility conditions indicated in Article 22 section 1, of the 1b Public Procurement Law (subject to the statement included in the ESPD), i.e.:
- 3.2.2.1. have the right to conduct a specific professional activity, provided that it is defined in other regulations;
 - 3.2.2.2. have competences to perform the contract whose scope and dates are specified in item 8.2 of these Rules;
 - 3.2.2.3. have proper technical and professional potential to perform the contract referred to in 8.2 of these Rules;
 - 3.2.2.4. be in an economic and financial situation enabling the performance of the contract referred to in 8.2 of these Rules;
- 3.2.3. In case of Joint Competition Participants, the conditions referred to in items 3.2.1. and 3.2.2., are fulfilled, provided that all Joint Participants fulfil them.
- 3.2.4. In the scope of the conditions referred to in item 3.2.2., the Awarding Entity requires that the Competition Participant shall prove that they:
- 3.2.4.1. **have proper technical and professional potential to perform the contract, i.e.** they have at least one person with building qualifications within architecture to design without limitations; the person should be a member of a relevant Chamber of Professional Association;
 - 3.2.4.2. **have technical and professional capability, i.e.** experience in proper provision of at least one service correspondent with the subject matter of the Competition, i.e. preparing or participation in the preparation (as a member of a team of authors) of a multi-discipline design documentation for at least 1 (one) public building or multi-family residential building (subject to §3 of the Regulation of the Minister of Infrastructure on technical conditions which must be fulfilled by buildings and their location) of the usable area of at least 2,000m², including area development; it is required that the multi-discipline documentation was a basis for obtaining a final construction permit(s) in the recent 10 years.
- 3.2.5. If the Competition Participant is a natural person(s) with qualifications required under item 3.2.4.1, the condition to have such a person at disposal is fulfilled.
- 3.2.6. If the Competition Participant is a natural person(s) who is the author or co-author of a design (s) referred to in item 3.2.4.2, the condition to have such a person at disposal is fulfilled.
- 3.2.7. By specifying requirements regarding rights, the Awarding Entity approves of corresponding rights issued subject to earlier legal regulations and correspondent right issued to the citizens of the European Economic Area and the Swiss Confederation, subject to Article 12a and other provisions in the Construction Law (Journal of Laws of 2016 item 290) and the Act on recognizing professional qualifications obtained in EU Member States (Journal of Laws of 2016 item 65).

3.3. Request to participate in the Competition and required statements and documents

- 3.3.1. To be admitted to the Competition on principles specified in these Regulations, the Participant should file:

3.3.1.1. Hard copy of the request to participate in the Competition drawn up subject to Attachment No. F1 to these Rules.

3.3.1.2. Except for the Request to participate in the Competition, the Competition Participant shall make a statement in the form of a single procurement document (ESPD) in the electronic form with a qualified electronic signature.

Note! In order to fill in the statement in the form of the ESPD, the Organizer shall attach the ESPD as Attachment No. F2 to these Rules of the Competition and inform that the attachment may be downloaded from the Organizer's website, saved on the disk, imported and filled in through the ESPD website at: <https://ec.europa.eu/growth/tools-databases/espd/filter?lang=pl>. The ESPD website does not archive files.

Note! The ESPD in the electronic form with the qualified electronic signature shall be sent before the expiry of the deadline for submitting requests indicated in item 1.11. at e-mail address: konkurs-pl2018@sarp.krakow.pl. In relation to the requirement of 18 April 2018 to submit the ESPD in the electronic form, each Competition Participant's representative who signs up the ESPD on the Participant's behalf must have their qualified electronic signature issued by the supplier of the qualified trust service which is an entity providing certification services - electronic signature compliant with the safety requirements specified in the Act.

3.3.1.3. The means of electronic communication used to submit the ESPD is e-mail.

Note! Submitting the ESPD and the request on a data carrier (CD, DVD, flash memory) is unacceptable, therefore, it does not qualify as a submission with the means of electronic communication under the provisions of the Act of 18 July 2002 on provision of services by electronic means.

3.3.1.4. The Organizer particularly allows sending files in the following formats: .pdf, .doc, .docx, .rtf, .xps, .odt.

3.3.1.5. The Competition Participant fills in the ESPD, creating an electronic document. They may use the ESPD tool or other available tools or software that enables filling in the ESPD and creating an electronic document, particularly in one of the abovementioned formats.

3.3.1.6. Having created or generated the ESPD electronic document, the Competition Participant signs up the abovementioned document with a qualified electronic signature issued by a supplier of the trust service which is an entity providing 28 certification services - electronic signature compliant with the safety requirements specified in the Act.

3.3.1.7. A signed up electronic ESPD shall be encoded, i.e. secured by an access password. For this purpose, the Competition Participant may use tools offered by the software in which the statement document is prepared (e.g. Adobe Acrobat) or open-source license tools available on the market (e.g. AES Crypt, 7-Zip i Smart Sign) or commercial ones.

3.3.1.8. The Competition Participant shall submit the ESPD file access password of the Individual Competition participant, Joint Competition Participants and entities providing potential along with the electronic Request to participate in the Competition. If needed, the Request may also specify other information regarding proper access to the document, in particular, information about the

- applied encoding software or decoding procedure with regard to the data in the ESPD.
- 3.3.1.9. The Competition Participant shall send to the Organizer an encoded ESPD signed up with the qualified electronic signature at the indicated e-mail address in the manner that will ensure the delivery of the document to the Organizer before the expiry of the deadline for submitting requests indicated in item 1.11. The message should include the designation of the procedure (name of the Competition indicated in item 1.2.1 if the Rules) that is the object of the ESPD and the name of the Competition Participant or any designation enabling the identification of the Competition Participant.
- 3.3.1.10. By sending the ESPD, the competition participant requests for the confirmation of the delivery of the message with the ESPD.
- 3.3.1.11. The dispatch date of the ESPD shall be the receipt date of the message with the ESPD from the e-mail server of the Organizer.
- 3.3.1.12. The obligation to submit the ESPD in the electronic form with the qualified electronic signature in the manner specified hereinabove also applies to the ESPD submitted at the request in the manner specified in Article 26 section 3 of the Public Procurement Law. In such a case, the Organizer does not require encoding such a document.
- 3.3.1.13. In case the request to participate in the Competition is filed by Joint Participants, each Participant shall file the statement in the form of the single document (ESPD) confirming the lack of basis to disqualify the Participant from the Competition due to circumstances referred to in Article 24 section 1 and Article 24 section 5 item 1, item 3 of the Public Procurement Law.
- 3.3.1.14. If the Competition participant relies on capabilities or situation of other entities, the Participant shall prove to the Awarding Entity that, while performing the contract, the Participant will have access to the resources of those entities, particularly by providing a declaration of those entities to give the Participant access to necessary resources for the purpose of performing the contract,
- 3.3.1.15. If the Competition Participant relies on capabilities or situation of other entities, for each of such entities, the Competition Participant must submit a separate European Single Procurement Document with information required in Part II sections A and B and Part III. The ESPD shall be properly filled in and signed up with the qualified electronic signatures of those entities. If it is relevant for specific capabilities on which the Participant relies, it is necessary to attach information required in part IV or V for each relevant entity.
- 3.3.2. All powers of attorney shall be attached to the request to participate in the Competition. The Competition Participant may use the following forms of power of attorney attached to the Rules of the Competition:
- form of the power of attorney to represent an Individual Competition participant, Attachment No. F3,
 - form of the power of attorney to represent Joint Competition Participants, Attachment No. F4,
- 3.3.3. The request to participate in the Competition with the ESPD should be signed up by a person(s) authorized to represent the Competition Participant.
- 3.3.4. All the pages of the request to participate in the Competition should be bound/stapled in a manner that prevents from splitting it up. All sheets should have page numbers.
- 3.3.5. The request to participate in the Competition shall be submitted in person or sent via a courier or mail at the address indicated in item 1.2.1., along with the name and address of the Competition Participant. The envelope with the request shall contain the following information.

Stowarzyszenie Architektów Polskich, Oddział Kraków**Plac Szczepański 6****31-011 Kraków****PLANETA LEM – REQUEST TO PARTICIPATE IN THE COMPETITION****do not open before (enter relevant deadline from the announcement)**

The electronic form with the qualified electronic signature applies only to the single procurement document (ESPD), as specified in the provisions of items 3.3.1.2 – 3.3.1.12.

- 3.3.6. The deadline for submitting requests expires on the date and hour indicated in item 1.11. in these Rules.
- 3.3.7. All requests submitted after the expiry of the submission deadline shall not be considered and shall be returned without opening to relevant Competition Participants who submitted them.

Attention! Request files sent via e-mail will not be taken into consideration.

3.4. Evaluation of the request to participate in the Competition

- 3.4.1. Immediately after the expiry of the deadline for submitting requests to participate in the Competition, the Organizational Secretary and the Supporting Secretary shall open the submitted requests and ESPDs, examine them in terms of compliance with the conditions specified in these Rules and, if appropriate, request that the Participant supplement and clarify the request and ESPDs. The Organizational Secretary and the Supporting Secretary shall evaluate the Competition Participant's fulfilment of the eligibility conditions as referred to in these Rules subject to the "compliant - non-compliant" formula and submit a proper protocol to be confirmed.
- 3.4.2. Potential calls for supplementing and clarifying the requests to participate in the Competition and the ESPDs shall be sent by e-mail at the e-mail address indicated by the Competition Participant in the request to participate in the Competition. The Awarding Entity is not responsible for any technical problems that prevent the Competition Participant from the receipt of the electronic message (e.g. failures of computers and servers of the Participant and failures of computers/servers of the Participant's mail service providers). In order to keep anonymity of the Competition Participants in relation to the Competition Jury, the persons who have functions in the Competition Jury shall not participate in the evaluation of the requests to participate in the Competition. The List of Competition Participants admitted to the Competition shall also not be put in public.
- 3.4.3. Any actions of the Competition Participant that may lead to the violation of the Competition Participant's anonymity towards the member of the Competition Jury may result in the disqualification of the Participant from the Competition.
- 3.4.4. Having evaluated the compliance with the eligibility conditions, the Awarding Entity shall invite Participants that comply with the eligibility conditions to submit Studies. The abovementioned invitations shall be sent by the Organization Secretary on behalf of the Awarding Entity.

3.5. Modification or withdrawal of the Request to participate in the Competition and confidential information

- 3.5.1. The Competition Participant may change or withdraw their request to participate in the Competition only before the expiry of the deadline for submitting requests. The agreement on changes or withdrawal of the request to participate in the competition shall be filed in a manner and form specified for the submission of the request, provided that

the packages (envelopes) of the notification have additional designation “**PLANET LEM – CHANGE IN THE REQUEST**” or “**PLANET LEM – WITHDRAWAL OF THE REQUEST**”.

- 3.5.2. In case the information in the request to participate in the Competition is a company secret under the Act of 16 April 1993 on Fighting Unfair Competition (consolidated text Journal of Laws of 2018 item 419), the Competition Participant shall, no later than by the deadline for submitting request,
- 3.5.2.1. mark the information with the following clause: “**COMPANY SECRET**”,
- 3.5.2.2. attach a separate, closed envelope (fixed to the request and other documents) with information on the classification of documents that are a company secret, including the justification of the classification,
- 3.5.3. If, while filing the request to participate in the Competition, the Participant reserves the right not to share information that is a company secret, subject to the provision of the Act on Fighting Unfair Competition, the Participant shall clearly specify in the request to participate in the Competition that the classified information is a company secret (through an appropriate statement with a list of reserved information).
Document with the clause “**COMPANY SECRET**” shall be attached, along with the abovementioned statement, at the end of the request to participate in the Competition. The Competition Participant cannot classify the information indicated in Article 86 section 4 of the Public Procurement Law.
- 3.5.4. In case the Competition participant does not secure classified information in the request to participate in the Competition in the manner specified in these Rules, the Participant will not have the right to any claims towards the Awarding Entity.

3.6. Documents required from the Participant (Joint Participants) whose Competition Works is recognized as the best (Stage 2 of the Competition) before launching negotiations through the single-source procedure and documents required from the Participant (Participants) before the conclusion of the agreement

- 3.6.1. Before launching negotiations through the single-source procedure, the Competition Participant whose work is recognized as the best (whose can be further called the “Contractor”) shall submit, subject to Article 25 of the Public Procurement Law, the following statements and documents confirming the lack of grounds for disqualifying the participant from the procedure due to non-compliance with the conditions in Article 24 section 1 and section 5 item 1, 3 and 4 of the Public Procurement Law and confirming the eligibility conditions:
Documents confirming the compliance with the eligibility conditions:
- 3.6.1.1. List of persons to confirm the compliance with the condition in item 3.2.4.1 delegated by the Contractor to perform the public Contract, particularly person responsible for service provision and quality control, along with information about their professional qualifications, competences, experience and education needed to perform the public contract, as well as the scope of duties and the information about the basis for employing those persons – prepared subject to the form in Attachment F10 to these Rules.
- 3.6.1.2. List of provided services and, in case of periodical or continuous services, their value, subject matter, provision dates and entities to which the deliveries and services were provided, as well as evidence proving that the deliveries or services were or are provided properly, whereas the evidence in question includes references or other documents issued by the entity to which the services were provided and - in case of periodical or continuous services - are being provided. If, due to objective reasons, the Contractor cannot obtain the

documents - the Contractor' statement is required. In case of periodical or continuous services that are still being provided, references or other documents confirming their proper provision should be issued no earlier than 3 months before the expiry of the deadline for submitting requests to participate in the procedure – drawn up according to the form in Attachment No. F11 to the Competition Rules.

Documents confirming the lack of grounds for disqualification:

- 3.6.1.3. extract from a proper register or the Central Registry and Information about Business Activity in order to confirm the lack of ground for disqualification subject to [Article 24 section 5 item 1](#) of the Public Procurement Law; in a situation when the Contractor did not indicate in the ESPD the place where the Awarding Entity may obtain the abovementioned extract using free and public databases, in particular public registers under the Act of 17 February 2005 on the Computerization of Entities Serving Public Functions (Journal of Laws of 2014 item 1114 and of 2016 item 352).

Note! *The abovementioned requirements apply to Individual, as well as Joint Participants in the Competitions;*

- 3.6.1.4. Information from the National Criminal Register in the scope specified in Article 24 section 1 items 13, 14, 21 - Public Procurement Law issued no earlier than 6 (six) months before the expiry of the deadline for submitting requests to participate in the Competition;

Note! *The abovementioned requirements apply to individual, as well as collective participants in the Competition;*

- 3.6.1.5. Participant's declaration on the lack of a final judicial decision or final administrative decision on their default in paying taxes, fees, social security or health contributions or - in case of such a decision - documents confirming the settlement of such outstanding amounts along with potential interest or fines or confirming a binding agreement on the payment of those outstanding amounts.
- 3.6.1.6. Participant's declaration on the lack of a decision preventing them from applying for public procurements;
- 3.6.1.7. A Participant who relies on capabilities or situation of other entities on principles indicated in Article 22a of the Act shall submit, with reference to those entities, the documents indicated in items 3.6.1.3 – 3.6.1.6.
- 3.6.1.8. If the Participant's registered office or place of residence is outside the Republic of Poland, instead of documents mentioned in items 3.6.1.3 – 3.6.1.4., the Participant shall file a document or documents issued in the country in which the Participant's registered office or place of residence is situated, respectively confirming that:
- no liquidation procedure has been opened or no bankruptcy has been declared
 - instead of the document referred to in item 3.6.1.4 – the Participant shall provide information from a relevant register or, in case there is no such a register, an equivalent document issued by a relevant judicial or administrative authority of the country where the Competition Participant's registered office or place of residence is situated or the place of residence of the person whom

- the information or document pertains is situated - in the scope specified in Article 24 sections 1 items 13, 14 and 21;
- 3.6.1.9. The documents mentioned in item 3.6.1.8 should be issued no earlier than 6 (six) months before the expiry of the deadline for submitting requests to participate in the Competition.
- 3.6.1.10. If the country where the Competition Participant's registered office or place of residence is situated or the place of residence of the person whom the document pertains is situated does not issue documents indicated in item 3.6.1.8, the document may be replaced by a document with a proper statement of the Contractor, indicating the person(s) authorized to represent the Contractor or a statement of the person whom the document would pertain, filed before a notary public or a judicial, administrative, professional association or economic authority competent for the registered office or place of residence of the Contractor or the place of residence of the person. Regulations regarding deadlines for issuing documents shall apply respectively.
- 3.6.1.11. In reference to the person (that is the subject of the document indicated in item 3.6.1.3) whose place of residence is situated outside the territory of the Republic of Poland, the Participant that has its registered office on the territory of Poland, shall file a document indicated in item 3.6.1.8 indent two in the scope indicated in Article 24 section 1 items 14 and 21. If the country of residence of the person that is the subject matter of document does not issue such document, it may be replaced with a document with the statement of that person files before a notary public or a judicial, administrative, profession association or economic authority competent for the person's place of residence. The regulations regarding deadlines for issuing documents shall apply respectively.
- 3.6.1.12. No later than 3 days after the Awarding Entity publishes on its website the information referred to in Article 123 section 1 of the Act, the Competition Participants shall provide to the Awarding Entity a Statement on the membership or lack of membership in the same capital group indicated in Article 24 section 1 item 23. Along with the statement, the Competition Participant may provide evidence that the relations with other Competition Participant do not lead to any competitive distractions in the award of the contract.
- 3.6.1.13. The statement form with the abovementioned information will be published on the Awarding Entity's website where the Competition Rules are provided.
- 3.6.2. Before the conclusion of the agreement and after the negotiations, within the deadline set by the Awarding Entity, the Competition Participant whose work is recognized as the best shall submit:
- 3.6.2.1. paid insurance policy; if there is none - another document confirming that the Competition Participant has civil liability insurance in the scope of the activity related to the subject matter of the contract for the sum not lower than PLN 1,000,000 (one million zloty);
- 3.6.2.2. list of persons, subject to the form in Attachment F12, who will participate in the performance of the subject matter of the Contract, i.e.:
- at least one person who is the designer (chief designer) with building qualifications within architecture to design without limitation. The person must be a member of a relevant chamber of professional association.
 - at least one person with building qualifications within construction to design without limitation. The person must be a member of a relevant chamber of professional association.

- at least one person who is the designer (chief designer) with building qualifications to design without limitation within installation in the scope of heating, ventilation, gas, water supply and sewage networks, installations and devices. The person must be a member of a relevant chamber of professional association.
 - at least one person who is the designer (chief designer) with building qualifications to design without limitation within installation in the scope of electric and energy installations and devices. The person must be a member of a relevant chamber of professional association.
 - at least one person who is the designer (chief designer) with building qualifications to design without limitation within installation in the scope of telecommunication installations and devices. The person must be a member of a relevant chamber of professional association.
 - at least one person with building qualifications within road engineering to design without limitation. The person must be a member of a relevant chamber of professional association.
- except for information about their professional qualifications, scope of activities and ground for having those people at disposal, the Participant shall accompany the list with copies of rights along with a certificate of the membership in a relevant chamber of professional association.

Attention! *The list may be extended or limited according to the arrangements under the negotiations through the single-source procedure.*

- 3.6.3. The Competition Participant may use the knowledge, experience and competencies, technical potential and people capable of fulfilling the Contract, as well as financial or economic capabilities of other entities, regardless of the legal nature of the relationship between them. In such a situation, the Contractor shall inform the Awarding Entity that the Contractor will use those people during the performance of the Contract.
- 3.6.4. Subject to Article 12 section 7 of the Public Procurement Law, the ground for fulfilling independent technical functions in construction is the entry into the list of members of a relevant chamber of professional association confirmed with a certificate issued by the chamber. By specifying requirements regarding rights, the Awarding Entity approves of corresponding rights issued subject to earlier legal regulations and correspondent right issued to the citizens of the European Economic Area and the Swiss Confederation, subject to Article 12a and other provisions in the Construction Law (Journal of Laws of 2016 item 290) and the Act on recognizing professional qualifications obtained in EU Member States (Journal of Laws of 2016 item 65).
- 3.6.5. The model agreement (Importance contractual provisions) is in Attachment F13 to these Rules.

4. METHOD FOR PREPARING AND SUBMITTING STUDIES AT STAGE 1 OF THE COMPETITION

4.1. General information

- 4.1.1. The Study should feature:
- legibility and functionality of adopted solutions,
 - programme and spatial value of adopted solutions,
 - feasibility of adopted solutions in the context of applicable standards, technical and building regulations, material and construction solutions, as well as expected costs of the investment implementation.
- 4.1.2. The Study must clearly and unanimously indicate the Competition Participant's concept regarding adopted solutions.
- 4.1.3. In terms of graphic design, the Study should feature legibility of information in texts and drawings.
- 4.1.4. The Study must not violate copyrights of third parties in the substantive scope, as well the tools used for its development.
- 4.1.5. If the Study is developed in a manner enabling the identification of the authors or the Participant, the Study shall not be taken into consideration.
- 4.1.6. Each Competition Participant (or Joint Participant that take part in the Competition from time to time) may submit only one Study.
- 4.1.7. No variant solutions are allowed.

4.2. Content of the Study at Stage 1, manner and form of its development, presentation and submission

- 4.2.1. The Study should comprise:
- 4.2.1.1. 1 copy of the **graphic part (black and white)** comprising **two boards (100x70cm)** in the horizontal orientation, glued to a light substrate (e.g. on foam);
 - 4.2.1.2. 2 copies of the descriptive part in the form of a **bound book** in the A3 format;
 - 4.2.1.3. 1 copy of a closed **envelope with an identification card** drawn up in compliance with Attachment F6 to these Rules;
 - 4.2.1.4. 1 copy of a closed envelope with a **CD, DVD or USB data carrier** with an electronic version of the Study.
- 4.2.2. The subject matter of the Study at Stage 1 should be:
- Concept for the study area development with particular consideration of the functional, spatial and transport connections,
 - Architectural and urban concept of the building (building complex) of the Centre for Literature and Language - Planet Lem.
- 4.2.3. In order to fulfil the abovementioned conditions, the graphic part should clearly and as fully as possible present the design concept of the whole complex and its relationship with the surrounding area. It should include at least:
- 4.2.3.1. area development Study in the 1:2000 scale,
 - 4.2.3.2. site plan in the 1:1000 scale,
 - 4.2.3.3. at least two views of characteristic floors with rooms for visitors in the 1:200 scale,
 - 4.2.3.4. other views in the 1:400 scale,
 - 4.2.3.5. at least one characteristic cross-section in the 1:200 scale,
 - 4.2.3.6. at least two elevations in the 1:200 scale,
 - 4.2.3.7. at least three exterior views, including:

- one bird-eye view with the surrounding area, featuring the adopted principle for the area development,
 - one view from the human perspective from the Powstańców Śląskich Bridge,
 - one view that is characteristic in the opinion of the Competition Participant;
- 4.2.3.8. At least one exterior view;
- 4.2.3.9. Other drawings and diagrams showing the architectural and urban concept, function and spatial solutions, transport solutions etc. - at the discretion of the Competition Participant.
- 4.2.4. The descriptive part should be a brochure in the A3 format. The descriptive part should include a comment and supplement of the graphic content of the Study and it should clearly, concisely and as fully as possible describe the design concept of the while Centre for Literature and Language - Planet Lem along with the area development and its relationship with the surrounding space. The volume of the text should be approximately **5,000 characters**.
At the end of the descriptive part, the Competition Participant should also attach:
- site summary prepared according to the form in Attachment No. M16 to these Rules,
 - tabular summary of the area with the content prepared according to the form in Attachment No. M15 to these Rules,
 - printout of graphic boards in the A3 format **without the identification number** indicated in item 4.2.6.
- 4.2.5. In order to enable the use of Studies according to the regulations, the Competition Participants shall provide the Awarding Entity with the whole Study in a copiable electronic form, on CD or DVD or USB data carrier in the following formats:
- for drawings: (*.jpg), (*.pdf) or (*.tif) in 300 dpi resolution.
 - for text (*.pdf).
- The following attachments shall also be added:
- attachment M15 in *.xlsx or *.xls format
 - attachment M16 in *.xlsx or *.xls format
- The files shall have no features enabling the identification of the authors or the Participant (including metadata). Documents on electronic carriers cannot be protected with a password or secured in another way against the use by the Competition Jury and the Awarding Entity.
- Attention!** Documents on electronic carriers must not be marked with any identifiable number described in item 4.2.6.
- 4.2.6. The Study shall be designated only with a six-digit identification number chosen by the Competition Participant. The number shall be put on all Study components, such as:
- graphic part - boards,
 - first (or title) page of the descriptive part,
 - closed envelope with the identification card - the envelope should also be marked as follows: **“PLANET LEM – IDENTIFICATION CARD STAGE 1,”**
 - closed envelope with CD, DVD or a USB data carrier with the electronic version of the Study - the envelope should also be marked as follows: **“PLANET LEM – ELECTRONIC VERSION STAGE 1”**,
 - package of the Study,
- subject to item 4.2.4 indent 3.

- 4.2.7. As for the descriptive part (the first page), boards, envelopes with the identification card and envelopes in the electronic version, it is recommended to provide an identifiable number in the upper right corner. Recommended height of digits: 1 cm.
- 4.2.8. None of the abovementioned elements of the Study can be accompanied by the name of the Competition Participant that submits the Study or any information that enables identifying the author of the Study before settling the Competition.
- 4.2.9. Any materials not included in the Competition scope shall not be taken into consideration.
- 4.2.10. Studies shall be submitted by the deadline (date and time indicated in item 1.11, with the receipt of the submission of the Study (Attachment No. F5 to these Rules) in Kraków at the address indicated in the invitations to participate in the Competition.
- 4.2.11. All Studies sent by mail, courier or submitted in another manner must be delivered to the Awarding Entity by the deadline indicated in item 4.2.10.
- 4.2.12. If the Study is not submitted in person (e.g. by mail or courier), the address and name of the sender on the envelope/package may not be the address or name of the Competition Participant. Furthermore, the Study shall be accompanied by the receipt of the Study submission (Attachment No. F5 to these Regulations) in an open envelope with an address that is not the address of the Competition Participant. The receipt of Study submission shall be sent at the abovementioned address.
- 4.2.13. Studies shall be submitted in packages that can be opened and read in a traceless manner. Packages must be marked as follows:
“PLANET LEM – STUDY STAGE 1”,
as well as a legible and visible six-digit identification number as referred to in item 4.2.6.
- 4.2.14. The Study submitted by the Competition Participant may be withdrawn only before the expiry of the deadline for submitting Studies. The Study may be withdrawn after presenting an original receipt of the Study submission issued by the Organizer or Co-organizer of the Competition or a person appointed by them.
- 4.2.15. Introducing changes and supplements to the Study is possible only before the expiry of the deadline for submitting Studies. The changes and supplements to the Study must be introduced according to the conditions specified for the Study, providing that the package (envelope) is additionally marked as follows: **„PLANET LEM – CHANGE IN THE STUDY”** or **„PLANET LEM – SUPPLEMENT TO THE STUDY”**.
- 4.2.16. Studies sent by mail, courier or delivered in another manner to the Awarding Entity after the deadline for submitting Studies, which is confirmed in a protocol, will not be deemed submitted and will not be considered. They can be collected by the Participant only at their request.
- 4.2.17. Studies shall be encoded by the Competition Organizational Secretary in cooperation with the Supporting Secretaries through assigning a unique, three-digit code to each Study. Those actions shall be described in a protocol sent to the Awarding Entity’s Manager.

5. EVALUATION OF STUDIES AT STAGE 1 OF THE COMPETITION

5.1. Evaluation procedure of Studies at Stage 1 of the Competition

- 5.1.1. The evaluation of Studies at Stage 1 of the Competition shall be made by the Competition Jury at closed meetings. Its objective will be to evaluate the compliance of Studies with the requirements in Sections 2 and 4 of these Rules and the criteria of Study evaluation indicated in item 5.2 of this Section.
- 5.1.2. The Competition Jury shall settle Stage 1 of the Competition, choosing Studies subject to the criteria specified in item 5.2, in the number specified in item 1.4.1.3. of these Rules.
- 5.1.3. In this scope, the Competition Jury shall:
- 5.1.3.1. prepare information on Studies admitted to Stage 2 of the Competition,
 - 5.1.3.2. prepare a justification of the decision regarding Stage 1 of the Competition,
 - 5.1.3.3. present the results of Stage 1 of the Competition to the Awarding Entity's Manager for approval.

5.2. Criteria for evaluating Studies at Stage 1 of the Competition

- 5.2.1. Studies shall be evaluated according to the following **priority criteria** and their meanings:
- 5.2.1.1. originality and relevance of the area development concepts, with particular emphasis on the functional and spatial relation with the surrounding space. In this scope, the Competition Jury shall pay particular attention to the originality, attractiveness and feasibility of proposed urban solutions,
- 5.2.1.2. Aesthetic value of the adopted architectural solution. In this scope, the Competition Jury shall pay particular attention to the originality, attractiveness and rationality of proposed architectural solutions,
- 5.2.1.3. The Competition Jury shall pay attention to the rationality of adopted solutions in terms of the possibility to apply energy efficient solutions;
- 5.2.2. Studies shall be evaluated according to the following secondary criteria and their meanings:
The Competition Jury shall pay attention to the rationality of adopted solutions in terms of:
- implementation costs,
 - building use and maintenance costs,
- while the evaluation shall be made subject to the analysis of submitted design solutions
- 5.2.3. Each Study at Stage 1 of the Competition shall be evaluated by the Competition Jury subject to the abovementioned criteria and the compliance with the provisions in these Competition Rules regarding Studies at Stage 1 of the Competition.

5.3. Method for releasing the results of Stage 1 of the Competition

- 5.3.1. The results of the decision regarding Stage 1 of the Competition and the selection of Studies admitted to Stage 2 of the Competition shall be communicated by the Awarding Entity to the Participants that submitted requests to participate in the Competition and have been admitted to the Competition via e-mail. The Awarding Entity shall also publish the information on its website www.biurofestiwalow.pl and the Competition Co-organizer's website: www.sarp.krakow.pl
- 5.3.2. The information on the websites and messages sent via e-mail about the decision regarding Stage 1 of the Competition will include only identification the numbers of Studies assigned by the Participants admitted to Stage 2 of the Competition subject to item 4.2.6. of these Rules and it may contain potential recommendations, opinions and/or

guidelines for further works prepared by the Competition Jury as a summary of Stage 1 of the Competition.

- 5.3.3. The results of Stage 1 of the Competition shall be established through notifying all Participants and inviting successful Participants to submit Competition Works at Stage 2 by the date specified in the Competition Schedule in item 1.11 of these Rules;
- 5.3.4. The Competition Participants whose Study identification number is mentioned in the information about the results at Stage 1 of the Competition as an identification number of the Study admitted to further stage of the Competition shall submit their Competition Works at Stage 2 of the Competition.

6. DETAILED SCOPE, METHODS FOR DEVELOPING, PRESENTING AND SUBMITTING COMPETITION WORKS AT STAGE 2 OF THE COMPETITION

6.1. General information

- 6.1.1. The Competition Work should clearly and unanimously indicate the Competition Participant's concept regarding the adopted architectural, programme, functional, usage and material solutions and their relationship with the immediate and further surrounding area. The Competition Work shall clearly indicate the compliance with the guidelines in the attachments to these Rules. In terms of graphic design, the Competition Work shall feature legibility of information in texts and drawings.
- 6.1.2. The Competition Work must not violate copyrights of third parties in the substantive scope, as well the tools used for its development.
- 6.1.3. If the Competition Work is developed in a manner enabling the identification of the authors or the Participant, the Study shall not be considered.
- 6.1.4. Each Competition Participant (or Joint Participant that take part in the Competition from time to time) may submit one Competition Work.
- 6.1.5. No variant solutions are allowed.
- 6.1.6. Studies submitted at Stage 1 of the Competition shall be attached by the Competition Secretariat to the Competition Works submitted at Stage 2 and the Competition Works submitted at Stage 2 shall be examined by the Competition Jury along with the Studies submitted at Stage 1, subject to potential guidelines, opinions and recommendations for further works that summarize Stage 1 of the Competitions as referred to in item 5.3.2 of these Rules;

6.2. Content of the Competition Work at Stage 2, manner and form of its development, presentation and submission

- 6.2.1. A **Competition Work** should comprise:
 - 6.2.1.1. 1 copy of the **graphic part, black and white**, comprising no more than **six boards (100x70cm)** in the horizontal orientation, glued to a light substrate (e.g. on foam substrate);
 - 6.2.1.2. 2 copies of the descriptive part in the form of a **bound book** in the A3 format;
 - 6.2.1.3. 1 copy of a closed **envelope with an identification card** of Stage 2 of the Competition drawn up in compliance with Attachment F8 to these Rules;

Attention! *The names(s) of the Competition Participant(s) presented on the identification card of Stage 2 of the Competition must be the same as the one in the identification card attached to the Study at Stage 1 of the Competition. Any inconsistency between the identification cards found during the publication of the Competition result shall lead to the exclusion of the Participant(s) from the Competition.*

- 6.2.1.4. 1 copy of a closed envelope with a **CD, DVD or USB data carrier** with the electronic version of the Competition Work.
 - 6.2.1.5. 1 copy of the **model**.
- 6.2.2. At Stage 2, the Competition Work shall particularly contain:
 - detailed area development concept for the Centre for Literature and Language - Planet Lem, showing detailed urban solutions,

- detailed architectural concept of the building (building complex) of the Centre for Literature and Language - Planet Lem, including architectural details and the applied construction and material solutions.
- 6.2.3. The **graphic part** shall include:
- 6.2.3.1. Area development Study in the 1:1000 scale,
 - 6.2.3.2. Area development concept in the 1:500 scale, considering the surrounding part;
 - 6.2.3.3. Views of all building (building complex) floors in the 1:200 scale (the pictures shall contain numbers of each room and be accompanied with the list of names and floor areas of each rooms, taking into consideration the "Description of the Competition's subject, description of the investment location, functional and usage assumptions and guidelines" in Attachment M1 to these rules.
 - 6.2.3.4. At least two characteristic cross-sections in the 1:200 scale,
 - 6.2.3.5. At least four elevations from the external perspective (North, South, East, West), considering the surrounding space and adopted material solutions in the 1:200 scale;
 - 6.2.3.6. At least five exterior views, including:
 - one bird-eye view with the surrounding area, featuring the adopted principle for the area development,
 - one view from the human perspective from the Powstańców Śląskich Bridge,
 - one view of the main entrance,
 - one view of the garden,
 - one view of the square in front of the building of the former Salt Warehouse,
 - 6.2.3.7. At least two exterior views, including:
 - one view of the converted building of the former Salt Warehouse,
 - one characteristic view of the interior of the new cubic volume,
 - 6.2.3.8. Conceptual diagram(s) and drawings, including:
 - drawings with the building's functional solutions, including, in particular, the possibilities of arranging the multifunctional spaces in the version with separated rooms shown in the functional programme and in the open-space version.
 - transport solutions (square, building(s)), car park, other development elements,
 - solutions in the scope of sustainable use of energy and energy efficient solutions,
 - 6.2.3.9. At least two details in the 1:10 or 1:20 scale, enabling the understanding of the adopted material, technical and energy efficient solutions.
 - 6.2.3.10. other drawings and diagrams at the Participant's discretion;
- 6.2.4. The **descriptive part** in the form of a bound A3 book shall contain:
- 6.2.4.1. Description text - the text volume shall not exceed 6 numbered pages. The volume of the text should be approximately **15,000 characters**. The text should contain:
 - detailed description of the conceptual assumptions and development concept, including relations with the neighbouring areas, particularly public spaces, as well as further contexts, such as cultural conditions, importance of the adopted concept regarding the Centre for Literature and Language - Planet Lem for Kraków and the Małopolska region.
 - description of the architectural concept in the scope of functional, spatial, constructional, material and installation solutions;

- description of the proposed pro-ecological solutions and energy efficient solutions,
It is possible to complement the text with diagrams and other drawings, provided that they do not exceed the volume of 6 pages; the number of pages does not include the title page (optional).
- 6.2.4.2. Information on planned costs of works performed subject to the Competition Work and costs of providing the subject matter of the Contract prepared subject to Attachment M9;
- 6.2.4.3. Site summary prepared according to the form in Attachment No. M16 to these Rules,
- 6.2.4.4. Tabular summary of the area with the content prepared according to the form in Attachment No. M15 to these Rules,
- 6.2.4.5. All boards of the graphic part reduced to the A3 format (excluding the boards submitted in Stage 1) without the **identification number** referred to in item 6.2.7;
- 6.2.5. **Model** of the Centre for Literature and Language - Planet Lem building with the neighbouring area in the 1:200 scale with a removable roof and major elements of the building interior. The model shall be made of light materials and adjusted to the mother-model developed by the Awarding Entity. Detailed guidelines for the model shall be sent to Participants along with the invitation to submit Competition Works at Stage 2.
- 6.2.6. In order to enable the use of Studies according to the regulations, the Competition Participants shall provide the Awarding Entity with the whole Study in a copiable electronic form, on CD or DVD or USB data carrier in the following formats:
 - for drawings: (*.jpg), (*.pdf) or (*.tif) in 300 dpi resolution.
 - for text (*.pdf).The following attachments shall also be added:
 - attachment M15 in *.xlsx or *.xls format
 - attachment M16 in *.xlsx or *.xls formatFiles shall have no features enabling the identification of authors or Participants (including metadata). Documents on electronic carriers cannot be protected with a password or secured in another way against the use by the Competition Jury and the Awarding Entity.

Attention! Documents on electronic carriers must not be marked with any identifiable number described in item 4.2.7.
- 6.2.7. The Competition Work shall be marked only with the six-digit identification number. The number shall be put on all Study components, such as:
 - graphic part - boards,
 - first (or title) page of the descriptive part,
 - closed envelope with the identification card - the envelope should also be marked as follows: "**PLANET LEM – IDENTIFICATION CARD STAGE 2**",
 - closed envelope with CD, DVD or a USB data carrier with the electronic version of the Study - the envelope should also be marked as follows: "**PLANET LEM – ELECTRONIC VERSION STAGE 2**",
 - Competition Work package.
- 6.2.8. As for the descriptive part (the first page), board, envelope with the identification card and envelopes in the electronic version, it is recommended to provide an identifiable number in the upper right corner. Recommended height of digits: 1 cm.

Attention! The identification number at Stage 2 must be the **same** as the identification number used to mark the Study elements at Stage 1. Competition Works marked with a

different identification number than the one on the list of identification numbers of works admitted to Stage 2 shall not be taken into consideration.

- 6.2.9. None of the abovementioned elements of the Competition Work can be accompanied by the name of the Competition Participant that submits the Study or any information that enables identifying the author of the Study before settling the Competition by the Competition Jury.
- 6.2.10. Any materials not included in the Competition scope shall not be taken into consideration.
- 6.2.11. Competition Works shall be submitted by the deadline (date and time indicated in item 1.11) with the receipt of the Competition Work (Attachment No. F7 to the Competition Rules) in Kraków at the address indicated in the invitations to submit Competition Works at Stage 2 of the Competition.
- 6.2.12. All Competition Works sent by mail, courier or submitted in another manner must be delivered to the Awarding Entity by the deadline indicated in item 6.2.11.
- 6.2.13. If the Competition Work is not submitted in person (e.g. by mail or courier), the address and name of the sender on the envelope/package may not be the address or name of the Competition Participant. Furthermore, the Competition Work shall be accompanied by the receipt of the submission (Attachment No. F7 to these Regulations) in an open envelope with an address that is not the address of the Competition Participant. The receipt of Competition Work submission shall be sent at the abovementioned address.
- 6.2.14. The Competition Work shall be submitted in packages enabling to open it in a traceless manner and read the content of the Study. Packages must be marked as follows:
„PLANET LEM – COMPETITION WORK STAGE 2”,
as well as a legible and visible six-digit identification number as referred to in item 6.2.6.
- 6.2.15. The Competition Work may be withdrawn only before the expiry of the deadline for submitting works. The Competition Work may be withdrawn after presenting an original receipt of the submission issued by the Awarding Entity or Co-organizer of the Competition or a person appointed by them.
- 6.2.16. Introducing changes and supplements to the Competition Study is possible only before the expiry of the deadline for submitting works. The changes and supplements to the Competition Work must be introduced according to the conditions specified for the Competition Work, providing that the package (envelope) is additionally marked as follows: **„PLANET LEM – CHANGE IN THE STUDY”** or **„PLANET LEM – SUPPLEMENT TO THE STUDY”**.
- 6.2.17. Competition Works sent by mail, courier or delivered in another manner to the Awarding Entity after the deadline for submitting works, which is confirmed in a relevant protocol, will not be deemed submitted and will not be considered. They can be collected by the Participant only at their request.
- 6.2.18. Competition Works shall be encoded by the Competition Organizational Secretary through assigning a unique, three-digit code to each work. Those actions shall be described in a protocol sent to the Awarding Entity's Manager. The code numbers assigned by the Organization Secretary shall be different than those at Stage 1 of the Competition.

7. EVALUATION OF COMPETITION WORKS AT STAGE 2 OF THE COMPETITION, ANNOUNCEMENT OF COMPETITION RESULTS

7.1. Evaluating procedure for Competition Works at Stage 2 of the Competition

- 7.1.1. The evaluation is performed by the Competition Jury at closed meetings. Its objective is to evaluate the compliance of works, as a rule, with the important formal and substantive requirements specified in the Rules subject to the criteria defined in item 7.2 of this Section.
- 7.1.2. The Competition Jury shall settle the Competition, choosing the best Competition Work. In particular, the Competition Jury:
- 7.1.2.1. shall indicate the work to be awarded the first prize and the amount of the prize or indicate the withdrawal from awarding a prize, if all Competition Works are significantly non-compliant with the requirements specified in the Rules;
 - 7.1.2.2. may award the second prize to the Participant of Stage 2 and honorary distinctions to authors of works and Studies submitted either at Stage 1 or Stage 2 of the Competition;
 - 7.1.2.3. shall prepare information about awarded and distinguished works;
 - 7.1.2.4. shall prepare a justification of the Competition settlement.
 - 7.1.2.5. shall prepare post-competition instructions for the works that were awarded the first and the second prize;
 - 7.1.2.6. shall present the results of the Competition to the Awarding Entity's Manager for approval.
 - 7.1.2.7. shall prepare a justification of the decision not to settle the Competition.

7.2. Evaluation criteria for Competition Works at Stage 2 of the Competition

- 7.2.1. Competition Works shall be evaluated according to the following **priority** criteria:
- 7.2.1.1. attractiveness and feasibility of proposed urban solutions and attractiveness and feasibility of proposed architectural solutions,
 - 7.2.1.2. relevance and appropriateness of functional, programme and spatial solution of the buildings and development;
 - 7.2.1.3. legitimacy of the adopted technical solutions, considering energy efficient solutions;
 - 7.2.1.4. nature of the location neighbouring historic buildings;
- 7.2.2. Competition Works shall be evaluated according to the following **secondary** criteria:
- 7.2.2.1. Economics of solutions with particular emphasis on the economics of construction and usage costs;
 - 7.2.2.2. Cost of investment implementation in relation to the adopted solutions in comparison to the information regarding the costs of implementation proposed by the Competition Participant as referred to in item 6.2.4.2.;
 - 7.2.2.3. Cost of design documentation mentioned in item 6.2.4.2.
- 7.2.3. Each Competition Work shall be evaluated by the Competition Jury subject to the abovementioned criteria and its compliance with important provisions of the Rules regarding Competition Works.

7.3. Announcement of Competition results

- 7.3.1. Results shall be announced in public on the day indicated in item 1.11 of these Rules;

- 7.3.2. Competition Participants shall be informed of the place and time of the announcement in a separate letter or via e-mail.
- 7.3.3. After the official announcement of the Competition results, the Organization Secretary shall, together with the Competition Jury and the Awarding Entity's Manager, publicly disclose and identify all Competition Works, assigning them to each Participant based on the code number assigned by the Organization Secretary to all elements of the Competition Works and identification cards attached to Competition Works submitted at Stage 2 of the Competition and Studies submitted at Stage 1 of the Competition.
- 7.3.4. In case it is found out (after the identification of Competition Works) that a Competition Work was submitted by a Participant that was not invited to submit the Competition Work or if a Competition Participant is involved in more than one Competition Work, such a Competition Work(s) will be deemed rejected and the Participant(s) shall be excluded from the Competition. They shall not have the right to any prize.
- 7.3.5. The Awarding Entity shall inform all Participants admitted to the Competition of the results and publish the announcement on its website www.biurofestiwalowe.pl and the following website www.sarp.krakow.pl.
- 7.3.6. After settling the Competition, all Competition Works submitted at Stage 2, as well as the Studies submitted at Stage 1 and indicated by the Competition Jury and the Awarding Entity shall be presented at the post-competition exhibition. The Awarding Entity shall publish the notification about this on the abovementioned websites and send it via e-mail to all Participants invited to the Competition. It is assumed that the opening of the post-competition exhibition will take place at a date and time of the public announcement of Competition results (after the announcement).
- 7.3.7. The Awarding Entity shall provide separate announcement and notification about a public post-competition discussion – provided such a discussion is planned.

8. OTHER PROVISIONS OF THE RULES

8.1. The obligations of the Competition Participants and the Awarding Entity, including the fields of use of Competition Works and the provisions regarding the transfer of property copyrights to the Competition Work that receives the first prize and other awarded and distinguished works.

- 8.1.1. Studies and Competition Works must not be disclosed in public or otherwise distributed, in full or in part, before the date the Competition results are announced.
- 8.1.2. Regardless of the payment date of prizes and distinctions, without any additional remuneration for Participants, the Awarding Entity reserves the right to presentation and the first public disclosure of all or selected Studies or Competition Works during the post-competition exhibition and as a part of the post-competition publication, as well as the right to reproduce and publish it using any technique (including print, reprographics, and digital record), lend, create copies of the work in the abovementioned manner and distribute them in the form an exhibition catalogue - printed or digital), as well on the Internet or in other media. In this respect, all Participants shall provide the Awarding Entity with a free, non-exclusive, territorially and timely unlimited license valid until the approval of the competition results by the Awarding Entity's Manager. Participants also give their consent to make necessary modifications (e.g. change in format, presentation, only certain elements of the Competition Work) related to the publication of the Competition Works. The statement on granting licenses on the abovementioned principles is included in the request to participate in the Competition.
- 8.1.3. The provisions in item 8.1.2. do not violate the personal copyrights of the authors of Competition Works.
- 8.1.4. As of the announcement of results, Competition Participants that were invited to Stage 2 of the Competition and awarded prizes, as well as Participants that were not invited to submit Competition Works at Stage 2 of the Competition, nevertheless, are awarded the honorary distinction, shall grant to the Awarding Entity an exclusive license for an indefinite time, without territorial limitations with regard to Competition Works, including the Study - subject to the agreement concluded with the Awarding Entity based on the model in Attachment No. F14 of the Competition Rules - in the following fields of use:
- 8.1.4.1. attaching, recording, replicating and using it in any scale or in any part in materials published for marketing purposes of the Awarding Entity or entity indicated by the Awarding Entity, particularly in the form of printed publications, boards, on computer disks and other types of carriers intended for digital recording.
- 8.1.4.2. publishing any of its part on the Internet, including the its disclosure and use as a part of website publications,
- 8.1.4.3. displaying it in public, particularly at the post-competition exhibition, viewing, playing, broadcasting and re-broadcasting it using wired and wireless visions through ground stations or satellites or the Internet.
- 8.1.4.4. using any part of it for advertisement, promotion, marketing and identification purposes of the Awarding Entity, their programmes, auditions and publications, as well as preparing foreign language versions.
- 8.1.5. The license mentioned in item 8.1.4. may be terminated on a 5-year notice period.
- 8.1.6. If the Awarding Entity uses the work, the license granted as referred to item 8.1.4. obliges the Awarding Entity to present, from time to time, the name of the Competition Participant(s) and the composition of the design team at the discretion of the Competition Participant referred to in item 8.1.4., unless the Competition Participant makes a written

reservation that they do not want such information to be published. In such a case, the identification number of the Competition Work as referred to in these Rules may be published.

- 8.1.7. The Participant whose Competition Work was recognized as the best by the Competition Jury shall transfer to the Awarding Entity all proprietary copyrights to the Competition Work, including the Study, subject to the agreement concluded with the Awarding Entity based on the form in Attachment F15 to these Rules.
- 8.1.8. The Competition Participant shall declare and guarantee that the use of the work by the Awarding Entity shall not violate any rights of third parties, including their property and personal rights. The Competition Participant is responsible towards the Awarding Entity for all legal defects of the work, in particular, potential claims of third parties for the violation of their intellectual property rights.
- 8.1.9. The Competition Participant who receives the first prize in the form of the invitation to negotiations through the single-source procedure regarding the preparation of the Studies referred to in the Rules, shall enter into those negotiations by the time defined in the Rules and in the location indicated by the Awarding Entity.
- 8.1.10. The subject of negotiations shall comprise agreements significant for the parties. They shall be introduced to the contents of the concluded contract on project works, the template of which constitutes annex no. F13 to the Contest Rules.

8.2. Scope and deadline for the Studies that are the subject matter of the public procurement granted through the single-source procedure

- 8.2.1. The assumed end date of the investment implementation subject to the design documentation, is planned for the end of September 2022 (planned completion period of construction works is 30 months).
- 8.2.2. Further stages of design documentation should be performed in the following scope:
 - 8.2.2.1. developing a multi-discipline concept design of the Centre for Literature and Language - Planet Lem along with accompanying infrastructure, providing all relevant improvements and arrangements (Study, pre-design and conceptual works) with relevant authorities and other institutions or persons, as well as other participants in the planning process, including the estimation of the planned investment value;
 - 8.2.2.2. developing a multi-disciplinary construction design for the Centre for Literature and Language - Planet Lem along with the accompanying infrastructure, representing the Awarding Entity in procedures aimed at obtaining the environmental decision (if needed), construction permit and all documents, opinions, Studies, arrangements, permits and consents necessary to obtain the abovementioned decisions based on the Awarding Entity's authorization and statement about the right to dispose of the real property for construction purposes covered by the investment. In particular, the Designer shall prepare verification and potential update of pre-project materials delivered by the Awarding Entity. Those are: geotechnical documentation, situation-height map for design purposes, architectural record, natural record;
 - 8.2.2.3. preparing a multi-discipline executive design, bills of quantities and comprehensive design the equipment at the Centre for Literature and Language – Planet Lem along with the accompanying infrastructure, preparing the interior design and visual identification regarding the building of the Centre for Literature and Language – Planet Lem along with the accompanying infrastructure, which the Awarding Entity needs in order to prepare and conduct the procedure for the award of the public contract for construction

- works along with the purchase of equipment and other services, considering all requirements of such documentation.
- 8.2.2.4. providing a technical specification for the performance and acceptance of construction works, development of investor cost estimates with their maximum three-time update in case of a written notification about the need for such an update by the Awarding Entity by the deadline that will be established through negotiations;
 - 8.2.2.5. providing advisory services in the scope of this Agreement at the stage of the procedure for the award of a public contract for construction works, particularly the preparation of a description of the subject matter of the contract in the substantive scope, along with attachments, answers to questions from Contractors, participation in the meetings of the National Chamber of Appeals and other appeal instances;
 - 8.2.2.6. providing author's supervision during the performance and acceptance of construction works on the Centre for Literature and Language – Planet Lem and equipment.
- 8.2.3. The deadlines for the preparation of Studies in item 8.2.2 were specified in the model agreement in Attachment F13 to the Competition Rules.
- 8.2.4. The design documentation - comprising Studies and materials mentioned in item 8.2.2. and other formal, legal and design documents necessary for the fulfilment of the subject of the contract - must be prepared subject to the applicable regulations, Polish standards, technical principles and building rules based on principles and manner enabling the procedure for the award of a contract to be conducted.
- 8.2.5. Designs prepared as a part of the works indicated in item 8.2.2. shall be complete, i.e. they should include Studies, for example construction, road, installation or technology design, as well as other designs required in applicable regulations for the Centre of Literature and Language – Planet Lem. They shall be prepared by discipline-specific designers of relevant specializations.

8.3. Instruction on the means of legal protection of Competition Participants

- 8.3.1 If the Contractor or another entity had or has interest in obtaining the contract and has incurred or may incur a damage as a result of the Awarding Entity's violation of the provisions of the Act, the Contractor or the other entity shall have the right to the means of legal protection specified in section VI of the Act.
- 8.3.2 They may appeal against an action taken by the Awarding Entity (or a failure to perform an action required under the Act) during the procedure for the awards of a contract in violation of the provisions of the Act.
- 8.3.3 They may also file a complaint in court against the decision of the National Chamber of Appeal.

8.4. Information on personal data protection

Subject to Article 13 sections 1-2 of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (the General Data Protection Regulation, hereinafter referred to as the GDPR), the Awarding Entity informs that:

- 1) **Personal data controllers.** The Controller of personal data of the Competition Participant is the Organizer.

- 2) **Data Protection Representative** Contact data of the Data Protection Representative – correspondence address: Łukasz Gajdecki, e-mail: rodo@biurofestiwalowe.pl or in writing: Inspektor Ochrony Danych, Krakowskie Biuro Festiwalowe, ul. Wygrana 2, 30-311 Kraków
- 3) **Objective of data processing.** Controllers shall process the Competition Participant's data in order to organize and conduct the Competition to use the Studies or Competition Works subject to the provisions in the Rules, as referred to in the Rules.
- 4) **Information on the requirement to provide data subject to legal regulations.** The Competition Participant's obligation to provide personal data, as referred to in the Rules, is a statutory requirement specified in the Public Procurement Law in relation to the participation in the Competition, including Article 123 of the Public Procurement Law, therefore, it is necessary to fulfil the legal obligation of the Controller, i.e. Article 6 section 1c) of the Regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.
- 5) **Consequences of the failure to provide personal data.** The consequence of the failure to provide specific data result from the Public Procurement Law.
- 6) **Data storage period.** Personal data of the Competition Participant maybe stored for 4 years as of the establishment of the Competition results.
- 7) **Rights of data subjects.** The Participant has the following rights:
- subject to Article 15 of the GDPR, the right to access the personal data regarding the Participant;
 - subject to Article 16 of the GDPR, the right to correct the personal data regarding the Participant;
 - subject to Article of 18 the GDPR, the right to request that the controllers reduce the personal data processing, except for the case referred to in Article 18 section 2 of the GDPR
- 8) **Right to file a complaint to the supervisor authority.** The Competition Participant has the right to file a complaint to the supervisory authority - in Poland, it is the President of the Personal Data Protection Office.
- 9) **Data subjects.** The personal data of the Competition Participant may be disclosed subject to the legal regulation applicable to the Competition.
- 10) **Information on the automated processing of personal data.** The data of the Competition Participant shall not be processed in the automated manner.
- 11) **Additional information.** The Competition Participant has the following rights:
- subject to Article 17 section 3b, d or e of the GDPR, the right to delete personal data;
 - right to transfer personal data referred to in Article 20 of the GDPR.
 - subject to Article 21 of the GDPR, the right to object against the processing of personal data as the legal basis for processing the Participant's personal data is Article 6 section 1c) of the GDPR.

8.5. List of attachments to the Competition Rules

8.5.1. Formal attachments "F"

No. of Attachment	Attachment description	Clarifications
F1 (PL/EN)	Form of the request to participate in the Competition	The request shall be submitted subject to the Rules and the Competition Schedule
F2 (PL)	ESPD Form	The document shall be submitted subject to the Rules and the Competition Schedule
F3 (PL)	Form of the power of attorney to represent an Individual Participant	The document is submitted only in case the Competition Participant appoints their representative
F4 (PL)	Form of the power of attorney to represent the Joint Competition Participants	The document is submitted only in case the Joint Competition Participant appoints their representative
F5 (PL)	The receipt of the submission of the Study at Stage 1 of the Competition	The document shall be handed over to the Participant by the Competition Secretary at the address indicated by the Participant, if the Competition Work is sent via mail or courier (in such a case, the document filled in by the Participant shall be attached to the parcel in a manner that does not require opening the parcel).
F6 (PL)	Form of the identification card of the Study submitted at Stage 1 of the Competition	Document submitted at Stage 1 of the Competition along with the Competition Work.
F7 (PL)	Deadline for submitting Competition Works at Stage 2 of the Competition	The document shall be handed over to the Participant by the Competition Secretary at the address indicated by the Participant, if the Competition Work is sent via mail or courier (in such a case, the document filled in by the Participant shall be attached to the parcel in a manner that does not require opening the parcel).
F8 (PL)	Form of the identification card of the Competition Work submitted at Stage 2 of the Competition	Document submitted at Stage 2 of the Competition along with the Competition Work.
F9 (PL)	Information on planned costs of works performed subject to the Competition Work and costs of providing the subject matter of the Contract	Attachment to the Competition Rules - applies to participants invited to Stage 2 of the Competition The document shall be submitted along with the descriptive part of the Competition Work and it shall be bound with the Work Note! The document <u>must not</u> be put in the closed envelope with Attachment F7
F10 (PL)	List of persons to confirm the fulfilment of the conditions in item 3.2.4.1 Competition Rules	document required from the participant invited to the negotiations through a single-source procedure
F11 (PL)	List of service to confirm the fulfilment	Document required from the participant

	of the conditions in item 3.2.4.2 Competition Rules	invited to the negotiations through a single-source procedure
F12 (PL)	List of persons who will participate in the performance of the Contract for the development of design documentation subject to item 3.6.2.2	Document required from the participant invited to the negotiations through a single-source procedure
F13 (PL)	Model agreement for the performance of design works	Attachment to the Rules
F14 (PL)	Model agreement for granting an exclusive license	The agreement shall be concluded after the public announcement of the Competition results.
F15 (PL)	Model agreement for the transfer of property copyrights	The agreement shall be concluded with after the public announcement of the Competition results with the author that is awarded the 1 st prize.

8.5.2. Substantive attachments “M”

No. of Attachment	Attachment description
M1 (PL/EN)	Description of the Competition’s subject, description of the investment location, functional and usage assumptions and guidelines
M2 (PL/EN)	The scenario of the main exhibition inspired by Stanisław Lem’s thought
M3 (PL/EN)	The substantive assumptions of the permanent exhibition focused on general communication, particularly linguistic communication
M4 (PL/EN)	Local zoning plan for the area of the “Skład Solny” (“Salt Warehouse”)
M5 (PL)	Land survey and height map of the area covered by the Competition (*.dwg + *.pdf)
M6 (PL)	Base map with borders of the Study ((* .dwg + *.pdf)
M7 (PL)	Orthophotomap (*.pdf)
M8 (PL)	Architectural records of the former “Skład Solny” (“Salt Warehouse”) building (*.dwg + *.pdf)
M9 (PL)	Construction expertise of the former “Skład Solny” (“Salt Warehouse”) building (*.dwg + *.pdf)
M10 (PL)	Mycological expertise of the former “Skład Solny” (“Salt Warehouse”) building (*.dwg + *.pdf)
M11 (PL)	Geological and engineering documentation
M12 (PL)	Greenery record
M13 (PL)	Technical information regarding utilities
M14	Photographic record
M15 (PL)	Tabular summary of the building area in the *xlsx format
M16 (PL)	Tabular area summary in the *xlsx format