

**RULES OF
TWO-STAGE RESTRICTED EXECUTIVE
ARCHITECTURAL AND URBAN DEVELOPMENT COMPETITION**

for the preparation of

**THE CONCEPT FOR
THE JUBILEE TEACHING AND CONFERENCE BUILDING OF
THE CRACOW UNIVERSITY OF ECONOMICS**

Contracting Entity (Organiser):

Uniwersytet Ekonomiczny w Krakowie [Cracow University of Economics]
ul. Rakowicka 27, 31-510 Kraków

UEK ref. no. FZ.201.8.2022.

Supporting Entity (Co-organiser):

Association of Polish Architects (SARP), Kraków Branch
pl. Szczepański 6, 31-011 Kraków

SARP competition no. 1021

Kraków, 17 February 2022

The value of the Competition is greater than the EU thresholds referred to in Article 3 section 2 item 1 and section 3 of the Public Procurement Law of 11 September 2019 (consolidated text in Journal of Laws of 2021 item 1129, as amended).

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1. GENERAL INFORMATION AND PROVISIONS

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

- 1.1.1. The Contracting Entity (Organiser of the Competition) is:
Uniwersytet Ekonomiczny w Krakowie [Cracow University of Economics]
ul. Rakowicka 27, 31-510 Kraków
The Entity supporting the Organiser (Co-organiser of the Competition) is:
Stowarzyszenie Architektów Polskich Oddział Kraków [Association of Polish Architects (SARP), Kraków Branch]
pl. Szczepański 6, 31-011 Kraków
- 1.1.2. The persons authorised to communicate with the Participants in the Competition are:
- 1.1.2.1. Organising Secretary of the Competition:
Architect **Rafał Zawisza**, SARP Kraków Branch
- 1.1.2.2. Supporting Secretary of the Competition:
Architect **Justyna Kolarz**, SARP Kraków Branch

1.2. Communication with the participants in the Competition and provision of clarifications concerning these Rules of the Competition

- 1.2.1. The **electronic communication platform** found at <https://uek-krakow.logintrade.net/rejestracja/ustawowe.html> shall constitute the exclusive tool of electronic communication by means of which communication with the Participants in the Competition is conducted; specifically, the platform is to be used by the Participants in the Competition - on an exclusivity basis - to transmit/submit requests to participate in the Competition, subjective documentary evidence, studies, competition works and other information, statements or documents transmitted in the Competition between the Organiser and the Participant(s) in the Competition. **The electronic communication platform shall not be used for filing requests to clarify the provisions of the Rules of the Competition and the attachments thereto.**
- 1.2.2. The konkurs-uek2022@sarp.krakow.pl email address exclusively shall be the means of electronic communication used by the participants to file requests to clarify the Rules of the Competition. **The email address shall be used exclusively for filing requests to clarify the provisions of the Rules of the Competition and the attachments thereto**, whereas the participants in the Competition shall submit the remaining competition documents via the electronic communication platform referred to in item 1.2.1. The Organiser shall not disclose the sources of requests for clarifications.
- 1.2.3. The correspondence sent otherwise than in the manner described in item 1.2.1. and item 1.2.2. shall not be deemed validly served and shall not constitute documentation under the procedure.
- 1.2.4. Each Participant or the Participants interested in participating in the Competition must register with the aforementioned **electronic communication platform**. In the case of any entity envisaging to participate in the Competition as a Participant participating independently in the Competition, such Participant, i.e. the person representing the Participant in compliance with the form of representation or the person authorised by such person, shall complete the registration process. In the case of the entities envisaging to participate in the Competition as the Participants participating jointly in the Competition, the representative appointed by those Participants shall complete the registration process. This would necessitate acceptance of the rules and regulations of the platform.
- 1.2.5. In order to prepare a request to participate as well as electronic statements and documents for the purpose of their valid submission via the aforementioned **electronic communication**

- platform**, the person authorised to represent the Participant in the Competition or the Participants in the Competition participating jointly in the Competition must be in possession of a qualified electronic signature.
- 1.2.6. The details of the manner of use of the electronic platform and the means of communication are provided in Attachment F01 hereto.
- 1.2.7. All information relating to the Competition, including;
- the Rules of the Competition and the attachments thereto;
 - amendments to the Rules of the Competition and amendments to the attachments, if any;
 - the participants' requests to clarify the Rules of the Competition, attachments to the Rules of the Competition and clarifications provided by the Organiser;
- shall be published on the websites of the Competition at the following addresses:
- Organiser's website: <https://uek-krakow.logintrade.net/rejestracja/ustawowe.html>;
 - Co-organiser's website: www.sarp.krakow.pl
- 1.2.8. Amendments and clarifications to the Rules of the Competition shall be published by the deadline set in the Rules of the Competition on the websites referred to in item 1.2.7., provided that the clarification requests are received by the deadline set in the Rules of the Competition in item 1.11. (to be determined based on the date of their receipt). If the request is received past the deadline or its content is consistent, in terms of substance, with the queries that have been previously answered, the Contracting Entity may provide clarifications or decide not to consider such request any further.
- 1.2.9. Amendments and clarifications to the Rules of the Competition provided by the Organiser shall be binding upon the Organiser and all participants.

1.3. Legal basis for the Competition

The Competition is organised based on, specifically:

- Public Procurement Law of 11 September 2019 (consolidated text in Journal of Laws of 2021 item 1129), hereinafter abbreviated the Public Procurement Law;
- Civil Code of 23 April 1964 (consolidated text in Journal of Laws of 2020 item 1740, as amended);
- Act on Copyright and Related Rights of 4 February 1994 (consolidated text in Journal of Laws of 2021 item 1062);
- Building Law of 7 July 1994 (consolidated text in Journal of Laws of 2020 item 1333, as amended);
- Regulation of the Minister of Infrastructure of 12 April 2002 on technical conditions to be fulfilled by buildings and their location (consolidated text in Journal of Laws of 2020 item 1608);
- Act on Spatial Planning and Development of 27 March 2003 (consolidated text in Journal of Laws of 2021 item 741, as amended);
- Environmental Protection Law of 27 April 2001 (consolidated text in Journal of Laws of 2020 item 1219, as amended).

The list of the abovementioned legal regulations and standards is provided for information purposes only. Design work shall be based on currently applicable regulatory framework.

1.4. Form and General Principles of the Competition

- 1.4.1. The Competition is a **two-stage restricted executive competition**. The Competition shall be held on the following principles:
- 1.4.1.1. by the date defined in the Rules of the Competition, the participants in the Competition shall file requests to participate in the Competition;
 - 1.4.1.2. The Contracting Entity shall allow all participants who fulfil the conditions defined in the Rules of the Competition to participate in the Competition and shall invite them to submit their **studies at Stage 1**;

- 1.4.1.3. The Contracting Entity shall invite no less than three and no more than five participants in the Competition, whose studies are recognised by the Competition Jury as the best based on the criteria specified in the Rules of the Competition, to submit their **competition works at Stage 2**.
- 1.4.2. The requests to participate in the Competition filed by the Participants who have failed to demonstrate fulfilment of the requirements defined in the Rules of the Competition shall be rejected.
- 1.4.3. The participants shall submit their studies and competition works by the dates set in the Rules of the Competition.
- 1.4.4. The Competition shall be held in the Polish language. The requests to participate in the Competition, statements and documents confirming the fulfilment of the eligibility requirements, studies, competition works and all information, requests, notices, statements and documents submitted by the participants in the Competition shall be in Polish.
- 1.4.5. Documents and statements prepared in a language other than Polish shall be submitted along with their translation into Polish, authorised by the Participant in the Competition or their representative.
- 1.4.6. The principles of operation of the Competition Jury shall be defined in the Work Rules of the Competition Jury.
- 1.4.7. Attachments to the Rules of the Competition have been divided into two groups:
- formal attachments (marked with letter 'F' before the attachment's number) constituting model documents required in the Competition);
 - substantive attachments (marked with letter 'M' before the attachment's number) applicable to all participants or constituting auxiliary materials subject to the provisions of these Rules of the Competition.
- 1.4.8. The Rules of the Competition have been translated into English. However, the Organiser makes the reservation that in the case of any discrepancies between the documents, the provisions of the Rules of the Competition in the Polish language version shall prevail and apply.
- 1.4.9. The Competition has been announced in the Official Journal of the European Union.
- 1.4.10. The Competition shall be cancelled in the circumstances referred to in Article 355 of the Public Procurement Law. If the Competition is cancelled for the reasons resting with the Organiser, the Organiser shall reimburse the Participants in the Competition for the costs of preparation and submission of competition works at Stage 2 of the Competition subject to evaluation in the amount no greater than PLN 25,000 (twenty-five thousand Polish zlotys) (VAT included), following presentation of the documented costs to the Organiser.
- 1.5. Type and Pool of Prizes**
- 1.5.1. The Contracting Entity shall award cash prizes in the amount of **PLN 25,000 (twenty-five thousand Polish zlotys) (VAT included)** to the Participants in the Competition who have been invited to Stage 2 and submit a complete competition work in compliance with item 6.2.
- 1.5.2. The Contracting Entity shall award the prize to the Participant in the Competition whose competition work at Stage 2 is recognised as the best by the Competition Jury:
- a) a cash prize in the additional amount of **PLN 60,000 (sixty thousand Polish zlotys) (VAT included)** (the first prize); and
 - b) an invitation to **negotiate** delivery, **through a single-source procedure**, of the subject matter of the contract, based on the competition work, namely the comprehensive design documentation for the task under the name of the **teaching and conference building of the Cracow University of Economics**.

- 1.5.3. The Contracting Entity shall award a cash prize in the additional amount of **PLN 30,000 (thirty thousand Polish zlotys) (VAT included)** to the Participant in the Competition who is awarded the second prize by the Competition Jury at Stage 2.
- 1.5.4. The Contracting Entity shall award a cash prize in the additional amount of **PLN 15,000 (fifteen thousand Polish zlotys) (VAT included)** to the Participant in the Competition who is awarded the third prize by the Competition Jury at Stage 2.
- 1.5.5. The overall prize pool shall not exceed the amount of **PLN 230,000 (two hundred and thirty thousand Polish zlotys) (VAT included)**. The abovementioned amounts shall be subject to taxation under the applicable legal regulations.
- 1.5.6. At the request of the Competition Jury, the Contracting Entity may change the type and the amount of the abovementioned prizes, provided that:
- this does not exceed the overall prize pool specified in item 1.5.5.;
 - the prizes for the participants at Stage 2 of the Competition referred to in item 1.5.1. are not reduced.
- 1.5.7. In consultation with the Contracting Entity, the Competition Jury may award honorary distinctions to the participants both at Stage 1 (for the submitted study) and at Stage 2 (for the submitted competition work). The award of an honorary distinction may not constitute the basis for the distinguished Participant in the Competition to claim payment of a cash prize.
- 1.5.8. The decisions in the Competition, including the proposal for the award of prizes and honorary distinctions, shall be prepared by the Competition Jury and approved by the Contracting Entity's manager.
- 1.5.9. The following shall pass to the Contracting Entity:
- the rights to present and make competition works and studies available to the general public for the first time on the principles defined in Attachment F02;
 - the rights to use the awarded and distinguished honorary studies and competition works in the various fields of exploitation defined in Attachment F13 hereto on the exclusive license basis; and
 - the author's economic rights in the competition work that was awarded the first prize in the fields of exploitation and on the terms defined in the transfer agreement referred to in Attachment F14 hereto.
- 1.5.10. Cash prizes shall be paid no earlier than 15 calendar days and no later than 30 calendar days after the date of approval by the Contracting Entity's manager of the settlement of the Competition and, in the case of an appeal, complaint or cassation complaint, no later than 30 calendar days after the issuance of the related final judgment or decision. The abovementioned dates shall also apply to the invitation to the negotiation, through a single-source procedure, of the Participant whose work has been recognised as the best.
- 1.5.11. The cash prize shall be paid via a bank transfer to the Participant's bank account indicated in the identification card of the competition work (Attachment F11 hereto).
- 1.5.12. Where no contract is concluded through a single-source procedure with a participant whose work has been awarded the first prize in spite of the participant in the Competition and the Contracting Entity's best efforts to conclude such contract and both parties acting in good faith, the Contracting Entity may:
- 1.5.12.1. invite the Participant in the Competition whose competition work was awarded the second prize to negotiate the contract through a single-source procedure;
and/or
 - 1.5.12.2. acquire the rights to exercise derivative copyright in the works associated with the construction of the teaching and conference building of the Cracow University of Economics that have been created in the Competition. The right to exercise derivative copyright shall be acquired by the Contracting Entity against separate remuneration payable to the Participant in the Competition that

reflects the value of the concept, namely **PLN 300,000 (three hundred thousand Polish zlotys) (VAT included)**.

- 1.5.13. According to Article 310 of the Public Procurement Law, the Contracting Entity envisages the possibility of withdrawing from conclusion of the design services contract should the public funding the Contracting Entity intended to allocate towards the full or partial financing of the contract not be awarded to the Contracting Entity.

1.6. Amendments to the Rules of the Competition

- 1.6.1. In consultation with the Competition Jury and in justified cases, the Contracting Entity may amend the Rules of the Competition in accordance with Article 342 of the Public Procurement Law with the reservation that, when the amendment is made past the deadline for submission of the requests to participate in the Competition, it cannot affect any fundamental and material provisions of the Rules of the Competition, in particular those relating to expansion of the scope of the competition work, change of the subject matter of the Competition, shortening of the deadlines in the Competition, modification of prize amounts or amendment of the criteria for evaluation of the studies or competition works.
- 1.6.2. Answers to the requests to clarify the Rules of the Competition shall be binding upon the Participants. If, as a result of a request to clarify the Rules of the Competition, it becomes reasonable to amend the Rules of the Competition, such amendment shall be possible prior to the expiry of the deadline for submission of the requests to participate in the Competition and, after the expiry of that deadline, solely in the scope outlined in Article 342 of the Public Procurement Law and in item 1.6.1. above.
- 1.6.3. The Contracting Entity shall publish the notice of amendment of the Rules of the Competition on the Competition's website.

1.7. Maximum planned aggregate cost of works performed based on the competition work

- 1.7.1. The maximum planned aggregate cost of construction of the **teaching and conference building of the Cracow University of Economics**, with area development, based on the competition work shall not exceed the amount of: **PLN 120,000,000 (one hundred and twenty million Polish zlotys) (VAT included)**.
- 1.7.2. The maximum planned aggregate cost indicated hereinabove shall include the total cost of construction and assembly works related to the construction of the building(s) together with the equipment and development of the area based on the design prepared under the public contract awarded by the Contracting Entity for the detailed preparation of a competition work after the settlement of the Competition, including specifically:
- the cost of construction of the teaching and conference building of the Cracow University of Economics together with finishing works;
 - the cost of execution of the technical infrastructure necessary for proper operation of the building, i.e. specifically indoor and outdoor installations, utilities connections and potential extensions for the purpose of the investment project beyond the competence of discipline-specific utilities providers;
 - the cost of execution of the necessary transport infrastructure, in particular parking spaces, pedestrian access and access roads, squares;
 - the cost of developing and arranging the area, in particular landscape structures, gardens, cultivated and non-cultivated greenery, fences etc.;
 - the cost of provision of the comprehensive equipment necessary for the operation and servicing of the building, in particular fixed and movable equipment, either designed or arranging the building's interior by means of purchased elements;
 - the cost of the project's preparatory works associated with the underground infrastructure under the plots intended for development and other costs that must be incurred to ensure completion of the investment project.

The detailed design guidelines shall be provided at the time of the award of the contract through the single-source procedure in accordance with item 1.5.2. letter b hereof.

1.7.3. The cost referred to in item 1.7.1. shall not include:

- the cost of construction of the connection between the investment site and the public road;
- the cost of execution of necessary utilities connections and potential extensions within the competence of discipline-specific utilities providers and/or beyond the area covered by the Competition;
- mobile office devices and office computer hardware as well as mobile multimedia devices, and mobile office equipment.
- the development of design documentation, and
- the provision of investor's supervision.

1.7.4. The cost referred to in item 1.7.1. shall include all necessary costs enabling the securing of the occupancy permit decision for the intended use of the teaching and conference building of the Cracow University of Economics while complying with the requisite urban development, architectural, acoustic, aesthetic, functional, utility and technical assumptions and parameters.

1.7.5. The statement from the Participant in the Competition relating to the estimated cost of execution of the works based on the competition work constitutes Attachment F12 hereto.

1.8. The maximum planned aggregate cost of performance of the contract for the preparation of design documentation, i.e. a detailed version of the competition work

1.8.1. The Contracting Entity estimates that the remuneration for the preparation of complete design and building documentation, including interior arrangement, necessary for the execution of the investment project consisting in preparing a detailed and expanded version of the competition work, together with the necessary arrangements and exercise of the design architect's supervision and the transfer of the author's economic rights in the fields of exploitation specified in the model contract, including the securing of all approvals, shall not exceed **PLN 7,000,000 (seven million Polish zlotys) (VAT included)**, which represents the planned aggregate cost of performance of the contract for the preparation of complete design and building documentation, i.e. a detailed version of the competition work.

1.8.2. The statement from the Participant in the Competition relating to the estimated cost of execution of the subject matter of the single-source contract constitutes Attachment F12 hereto. The subject matter of the single-source contract has been detailed herein and in the relevant provisions of the contract (Attachment F15 hereto).

1.8.3. The above cost, referred to in item 1.8.1., of performing the works required to prepare a detailed version of the competition work in the form of complete design documentation in the scope necessary for the completion of the investment project, consistently with the model design services contract (Attachment F15 hereto), shall not include the cost of preparing documentation for:

- modernisation of public roads outside the investment site, if any;
- the cost of execution of necessary utilities connections and potential extensions within the competence of discipline-specific utilities providers and/or beyond the area covered by the Competition;
- mobile office devices and office computer hardware as well as mobile multimedia devices, and mobile office equipment.

1.9. Competition Jury

1.9.1. The Contracting Entity has appointed the Competition Jury composed of:

- 1.9.1.1. Architect **Zbigniew Maćków**, SARP Wrocław Branch competition judge,
Presiding Judge;
- 1.9.1.2. Architect **Michał Szymanowski**, SARP Kraków Branch competition judge,

Reporting Judge;

- 1.9.1.3. Architect **Oana Bogdan**, competition judge representing SARP Kraków Branch;
- 1.9.1.4. Architect **Marcin Pawłowski**, Malopolska Regional Chamber of Architects of the Republic of Poland;
- 1.9.1.5. UEK Professor **Karolina Klecha-Tylec** Ph.D., UEK Vice-Rector for Education and Students;
- 1.9.1.6. **Krzysztof Głuc** Ph.D., Director of UEK Department of Resources and Development;
- 1.9.1.7. **Agnieszka Lakner**, Manager of UEK Planning and Development Unit;
- 1.9.1.8. **Piotr Polek**, Manager of UEK Investment and Renovation Unit; and
- 1.9.1.9. **Włodzimierz Dębowski**, Deputy Manager of UEK Investment and Renovation Unit.
- 1.9.2. The Contracting Entity shall appoint the following Deputy Competition Judges:
 - 1.9.2.1. Architect **Marcin Włodarczyk** Ph.D., SARP Kraków Branch;
 - 1.9.2.2. **Józef Laskowski**, representing the Contracting Entity.
- 1.9.3. The Contracting Entity has appointed the assistant Reporting Judge who shall participate in the sessions of the Competition Jury without the right to vote.

Architect **Gaja Bieniasz**, SARP Kraków Branch.
- 1.9.4. The Contracting Entity has appointed the following Secretaries of the Competition:
 - 1.9.4.1. Architect **Rafał Zawisza**, SARP Kraków Branch, Organising Secretary of the Competition; and
 - 1.9.4.2. Architect **Justyna Kolarz**, SARP Kraków Branch, Supporting Secretary of the Competition.
- 1.9.5. The Secretaries shall participate in the sessions of the Competition Jury without the right to vote.
- 1.9.6. The responsibilities of the Competition Jury have been defined in the Work Rules of the Competition Jury.
- 1.9.7. If one or more members of the Competition Jury or a secretary are dismissed for the reasons preventing them from fulfilling their functions, the Contracting Entity may appoint new persons as replacements, considering the deputy Judges referred to in item 1.9.2. in the first place.
- 1.9.8. If a Competition secretary is dismissed for the reasons preventing them from fulfilling their functions, the Contracting Entity may appoint new persons as replacements.
- 1.9.9. At the request of the Competition Jury, the Contracting Entity may appoint additional persons to participate in the sessions of the Competition Jury in the capacity of experts, consultants or specialists with an advisory vote. Those persons shall not participate in the final evaluation of the competition works.

1.10. CPV Classification

The subject matter of the Competition in the context of the Public Procurement Law has been classified based on the Common Procurement Vocabulary (CPV) as:

- 71200000-0 – Architectural and related services;
- 71210000-3 – Advisory architectural services;
- 71220000-6 – Architectural design services;
- 71242000-6 – Project and design preparation, estimation of costs;
- 71245000-7 – Approval plans, working drawings and specifications;
- 71248000-8 – Supervision of project and documentation;
- 71320000-7 – Engineering design services;
- 71420000-8 – Landscape architectural services; and
- 79933000-3 – Design support services.

1.11. Planned Competition Schedule

Item	Task	Deadline*
1.	Submission of the notice of the Competition to the Publications Office of the European Union.	17 February 2022
2.	Deadline for submission of the requests to clarify the Rules of the Competition relating to the conditions of eligibility for participation in the Competition.	25 February 2022
3.	Deadline for publication of the clarifications of the Rules of the Competition relating to the conditions of eligibility for participation in the Competition.	4 March 2022
4.	Deadline for submission of requests to participate in the Competition	11 March 2022, 02:00PM
5.	Sending of notifications to the participants about their admission to the Competition and invitations to submit studies at Stage 1 of the Competition.	25 March 2022
6.	Deadline for submission of requests to clarify the Rules of the Competition relating to the preparation and submission of the studies by the participants admitted to the Competition and invited to submit studies at Stage 1 of the Competition	1 April 2022
7.	Deadline for publication of the answers to the requests to clarify the Rules of the Competition relating to the preparation and submission of the studies by the participants admitted to the Competition and invited to submit studies at Stage 1 of the Competition	8 April 2022
8.	Deadline for submission of studies at Stage 1 of the Competition	20 May 2022, 02:00PM
9.	Decisions made at Stage 1 of the Competition and sending of the invitations to submit competition works at Stage 2 of the Competition	3 June 2022
10.	Deadline for submission of requests to clarify the provisions of the Rules of the Competition relating to the preparation and submission of competition works by the participants invited to submit works at Stage 2 of the Competition	17 June 2022
11.	Provision of answers to the requests to clarify the provisions of the Rules of the Competition relating to the preparation and submission of competition works by the participants invited to submit works at Stage 2 of the Competition	24 June 2022
12.	Deadline for submission of competition works at Stage 2 of the Competition	26 August 2022, 02:00PM
13.	Decisions in the Competition, public announcement of the Competition's results and opening of the post-competition exhibition	
15.	Submission of the notice of the Competition's results to the Publications Office of the European Union and publication of the Competition's results on the Organiser's website	9 September 2022
16.	Payment of prize amounts	9 September 2022
17.	Invitation of the author(s) of the competition work recognised as the best by the Competition Jury to the negotiation through a single-source procedure	9 September 2022
18.	Pick-up of the studies by the participants in the Competition who did not receive any prizes/distinctions/honorary distinctions	the deadline to be set on the day of settlement of the Competition

*The Contracting Entity makes the reservation that the set deadlines may be subject to change in the case of extension of the competition procedure. The Contracting Entity shall promptly notify the participants in the Competition of any changes to the deadlines via e-mail or publication on the Organiser's and Co-organiser's websites.

2. PURPOSE AND TASK OF THE COMPETITION AND DESCRIPTION OF THE SUBJECT MATTER OF THE COMPETITION

2.1. Purpose of the Competition

The purpose of the Competition is to obtain the best architectural and urban development solution for the construction of the new jubilee **teaching and conference building of the Cracow University of Economics** on the premises of the CUE Campus at ul. Rakowicka 27 in Kraków.

In connection with the growth of the University, construction of a multi-function energy efficient building housing teaching and office rooms, including a large auditorium with a minimum of 500 seats, food and beverage services, guest rooms for lecturers/speakers as well as rooms for the local IT centre with the necessary infrastructure, is envisaged. The building is to be delivered in a technology assuring fulfilment of the maximum energy efficiency conditions while preserving the value for money ratio.

2.2. Task of the Competition and manner of utilisation of the results of the Competition by the Contracting Entity

The task of the Competition is to select, through verification and evaluation under these Rules, the concept for the preparation of complete design documentation referred to in item 1.8. that enables execution of the investment project referred to in item 1.7. The Participant in the Competition whose work is recognised as the best by the Competition Jury, subject to item 1.5.12.1., shall be invited to negotiate, through a single-source procedure, the contract the scope of which has been outlined in the model contract constituting Attachment F15 hereto.

2.3. Subject matter of the Competition

- 2.3.1. The subject matter of the Competition is delivery of the concept for the jubilee teaching and conference building of the Cracow University of Economics, situated on plots nos. 232/4, 232/1, 226, 231/3, 225/2, 233/1, 320/1, geodesic precinct 8, at ul. Rakowicka in Kraków.
- 2.3.2. The architectural and urban development solutions rendering more specific the standards applicable to the building, rules for shaping public space and buildings and transport services shall take into account the tradition and the significance of the site, its role within the city and region, as well as the significance of the building to be designed and the values contributed by it.
- 2.3.3. A detailed description of the subject matter of the Competition, functional and utility assumptions and guidelines and description of the site of the investment project make up Attachment M01 hereto titled 'Description of the subject matter of the Competition, description of the site of the investment project, and functional and utility assumptions and guidelines'.
- 2.3.4. In the case of any discrepancies between the documents due to chronology of their creation, the provisions of the 'Description of the subject matter of the Competition, description of the site of the investment project, and functional and utility assumptions and guidelines' (Attachment M01) shall prevail and apply at all times. The Participant in the Competition shall hold no claims against the Contracting Entity on account of such discrepancies and non-compliance with the abovementioned document prioritisation principle.

2.4. Description of site of the investment project

Description of the site of the investment project can be found in Attachment M01 to the Rules of the Competition titled 'Description of the subject matter of the Competition, description of the site of the investment project, and functional and utility assumptions and guidelines'.

2.5. Other applicable guidelines

- 2.5.1. The Participant in the Competition may propose additional general use areas (accompanying optional functions) that may be obtained beyond the required programme, provided that they are justified given the nature of the subject matter of the Competition, the available investment site and the cost of execution of the investment project assumed by the Contracting Entity.
- 2.5.2. The Contracting Entity expects that proposed technical and technological solutions, particularly in the scope of:
- structure;
 - finishing materials in public interiors;
 - finishing materials of external parts;
 - water and sewage installations;
 - central heating installations;
 - ventilation and air conditioning installations;
 - electrical installations;
 - teletechnical installations;
 - CCTV monitoring and access control;
 - fire protection installations;
- meet high standards of quality and energy efficiency.
- 2.5.3. As regards installations and systems, the following aspects must be considered in respect to the level of detail of the competition work:
- use of centralised building management systems, specifically to manage the building's energy efficiency (BMS systems);
 - possibility to apply solutions relying on renewable energy sources; and
 - a building envelope of high thermal and acoustic insulation parameters.

3. REQUESTS TO PARTICIPATE IN THE COMPETITION, eligibility conditions that the participants in the Competition must fulfil to be admitted to the Competition, statements and documents to be submitted to confirm fulfilment of eligibility conditions

3.1. Conditions applicable to Participants in the Competition

- 3.1.1. The Participants in the Competition may be natural persons, legal persons and organisational units without legal personality.
- 3.1.2. The Participants in the Competition may participate in the Competition jointly. The provisions relating to the Participants in the Competition shall apply respectively to the participants participating jointly in the Competition.
- 3.1.3. The information presented in items 3.1.1. and 3.1.2. above means that the entities in question have the right to:
- participate in the Competition independently;
 - participate in the Competition jointly;
- with the reservation, however, that the participants participating jointly in the Competition are, among others:
- partners in a civil partnership, and
 - consortia.

- 3.1.4. Each Participant in the Competition may submit only one request to participate in the Competition, only one study or only one competition work. Submitting a request, study or competition work jointly with another Participant in the Competition shall also be deemed to constitute submission of a request, study or competition work.
- 3.1.5. In the case of occurrence of the grounds from Article 343 section 3 of the Public Procurement Law, the Contracting Entity shall reject the request to participate in the Competition.
- 3.1.6. In the case of occurrence of the grounds from Article 345 section 2 of the Public Procurement Law, including specifically the activities of the Participant in the Competition likely to result in a breach of anonymity of the Participant in the Competition in dealings with the members of the Competition Jury, the study or competition work shall not be evaluated.
- 3.1.7. The Participants participating jointly in the Competition shall be obliged to appoint a representative authorised to represent them. To that end, the Participants shall file proper documents the models of which have been enclosed as attachments to these Rules of the Competition. One of the Participants may act as the representative of the Participants participating jointly in the Competition.
- 3.1.8. When a Participant participating independently in the Competition appoints a representative, the relevant power of attorney shall be attached electronically to the request to participate in the Competition in the electronic form (electronic format bearing a qualified electronic signature), otherwise such power of attorney being considered null and void. The power of attorney shall be signed by the persons authorised to represent the Participant and the wording of such power of attorney shall be consistent with the model constituting Attachment F03 hereto.
- 3.1.9. After appointing a representative, the Participants participating jointly in the Competition shall attach the relevant power of attorney to the request to participate in the Competition in the electronic form (electronic format bearing a qualified electronic signature), otherwise such power of attorney being considered null and void. The power of attorney shall be signed by the persons authorised to represent all Participants participating jointly in the Competition. The wording of such power of attorney shall be consistent with the model constituting Attachment F04 hereto.
- 3.1.10. A person authorised to represent the Participant in the Competition may be:
- a person(s) authorised, subject to the representation principles, to make statements of intent on behalf of a legal person or organisational unit without legal personality; or
 - a representative of an individual Participant in the Competition or representative of the Participants participating jointly in the Competition.
- 3.2. Conditions to be fulfilled by a Participant in the Competition**
- 3.2.1. No Participant, including the Participants participating jointly in the Competition, requesting to participate in the Competition can be excluded from the Competition pursuant to Article 109 section 1 sub-sections 5, 7 to 10 as well as sub-section 6 of the Public Procurement Law.
- 3.2.2. Each Participant requesting participation in the Competition shall be obliged to fulfil the conditions of eligibility for participation in the Competition indicated in item 3.2.4.
- 3.2.3. Where the participants participate jointly in the Competition, the grounds for exclusion referred to in item 3.2.1. shall be fulfilled when they do not arise for any of the Participants acting jointly whereas the conditions referred to in item 3.2.2. shall be fulfilled once they have been fulfilled jointly by all Participants acting jointly.
- 3.2.4. As regards the conditions referred to in item 3.2.2., the Contracting Entity requires that the Participant in the Competition demonstrates that they: **have in place, as a minimum, one person capable of performing the contract who shall be tasked with its performance, i.e. (collectively the same person):**

- 3.2.4.1. **possessing professional qualifications necessary to perform the contract**, holding an unlimited construction license to prepare designs in architectural specialisation, who shall be involved in delivery of the competition concept and design documents.
- 3.2.4.2. **possessing the necessary know-how** consisting in due provision of, as a minimum, one service of co-ordination of the project's execution as the author or co-author of multi-trade design documentation, together with provision of the author's supervision over the course of its delivery involving construction or comprehensive alteration of at least 1 (one) public utility facility (within the meaning of § 3 Regulation of the Minister of Infrastructure on Technical Conditions to be Fulfilled by Buildings and their Location) of a net area of 2,500sqm or greater, within the 10 (ten) years preceding the expiry of the deadline for submission of the requests to participate in the Competition.
- The requirements referred to in items 3.2.4.1. and 3.2.4.2. must be fulfilled jointly by the same person.
- 3.2.5. The qualifications equivalent to those defined in item 3.2.4.1., acquired in other countries, on the principles defined in Article 12a of the Building Law of 7 July 1994, with due account taken of the provisions of the Act on Principles of Recognition of Professional Qualifications acquired in the Member States of the European Union of 22 December 2015 (Journal of Laws of 2020 item 220) shall also be accepted.
- 3.2.6. A Participant, who relies on the capabilities or situation of the entities making available the resources, shall submit, together with the request, an undertaking by each entity making available the resources to place at the Participant's disposal the necessary resources for the purpose of performance of the contract or another subjective documentary evidence confirming that the Participant is in possession of the necessary resources of those entities while performing the contract.
- 3.2.7. After the expiry of the deadline for submission of the requests, a Participant may not invoke the capabilities or situation of the entities making available the resources if the Participant did not rely on the capabilities or situation of the entities making available the resources in a given scope at the stage of submission of the requests.

3.3. Requests to participate in the Competition and required statements and documents (subjective documentary evidence)

- 3.3.1. The technical conditions for preparation and submission of requests and statements via the electronic platform have been defined in Attachment F01.
- 3.3.2. To be admitted to the Competition on the principles specified herein, the Participant shall submit via the **electronic communication platform**:
- 3.3.2.1. Request to participate in the Competition in the electronic format bearing a qualified electronic signature.
- 3.3.2.2. List of the persons, confirming fulfilment of the condition referred to in item 3.2.4. and rendered more precise in items 3.2.4.1. and 3.2.4.2., seconded by the Participant to the execution of the project together with the information on their educational background, experience required for the performance of a public contract as well as the scope of the activities carried out by them, and the information on the basis of employment of those persons, in the electronic format bearing a qualified electronic signature; and
- 3.3.2.3. Own statement of absence of grounds for exclusion in the scope outlined in item 3.2.1. hereof.
- 3.3.3. If the Participant in the Competition relies on the capabilities or situation of other entities, the Participant must demonstrate to the Contracting Entity that, while performing the

contract, the Participant is in possession of the necessary resources of those entities, particularly by producing an undertaking by those entities to place at the Participant's disposal the necessary resources for the purpose of performance of the contract in compliance with the requirements of the Public Procurement Law in the context of the provisions above and Attachment F07.

- 3.3.4. The deadline for submission of the requests shall expire on the day and at the time indicated in item 1.11. of the Rules of the Competition.
- 3.3.5. Requests submitted past the submission deadline shall be rejected.

3.4. Evaluation of the requests to participate in the Competition

- 3.4.1. Immediately after the expiry of the deadline for submission of requests to participate in the Competition together with the statements and documents, the Organising Secretary of the Competition along with the Supporting Secretary shall open the submitted requests, examine the same for compliance with the conditions specified herein and, if appropriate, call upon the participants to supplement and clarify their requests, and shall evaluate fulfilment by the participants in the Competition of the eligibility conditions as referred to herein according to the 'compliant - non-compliant' formula and, thereafter, shall submit the applicable report to the Contracting Entity for approval.
- 3.4.2. Calls for supplementing or clarifying the requests to participate in the Competition, if any, together with the statements and documents shall be sent via the **electronic communication platform**. The Contracting Entity shall not be liable for any technical problems that prevent the Participant in the Competition from accessing the electronic communication platform (e.g. failures of computers or servers of the Participant and failures of computers or servers of the Participant's mail service providers). In order to preserve anonymity of the participants in the Competition in dealings with the Competition Jury, the persons holding the function of the Competition judges shall not participate in the evaluation of the requests to participate in the Competition. The list of the participants in the Competition admitted to the Competition shall not be made public either.
- 3.4.3. Having evaluated compliance with the conditions of eligibility to participate in the Competition, the Contracting Entity shall invite the eligible participants to take part in Stage 2 of the Competition. The abovementioned invitations shall be sent via the **electronic communication platform** by the Organising Secretary or the Supporting Secretary of the Competition on behalf of the Contracting Entity.

3.5. Modification or withdrawal of the request to participate in the Competition and non-public information

- 3.5.1. A Participant in the Competition may amend or withdraw their request to participate in the Competition only prior to the expiry of the deadline for submission of the requests, exclusively by electronic means via the **electronic communication platform**.
- 3.5.2. If the information contained in the request to participate in the Competition constitutes a company secret within the meaning of the Unfair Competition Act of 16 April 1993 (consolidated text in Journal of Laws of 2019 item 1010), the Participant in the Competition shall attach the same to the request to participate in the Competition in a separate and duly marked file ('**INFORMATION CONSTITUTING A COMPANY SECRET**') for the purpose of preserving confidentiality of such information. No information constituting a company secret within the meaning of the Unfair Competition Act of 16 April 1993 (Journal of Laws of 2020 item 1913) shall be disclosed if the contractor has made the reservation, at the time of provision of such information, that such information cannot be disclosed and demonstrated that classified information constitutes a company secret.

- 3.5.3. If the Participant in the Competition fails to secure or justify the nature of classified information in the request to participate in the Competition in compliance with the provisions of the Rules of the Competition, the Participant shall hold no claims against the Contracting Entity.

3.6. Basic conditions to be fulfilled by the Participant (Participants participating jointly in the Competition) prior to the signing of the contract for preparation of the design documentation.

- 3.6.1. Prior to starting the negotiation, the Contracting Entity may request the Participant in the Competition participating independently in the Competition or the Participants in the Competition participating jointly in the Competition to produce documents and/or statements (subjective documentary evidence) for the purpose of confirming absence of the grounds for exclusion from the procedure and fulfilment of the eligibility conditions for participation in the procedure submitted on the form of a European Single Procurement Document (ESPD), prepared consistently with the model standard form defined in the implementing regulation of the European Commission issued on the basis of Article 59(2) of Directive 2014/24/EU and Article 80(3) of Directive 2014/25/EU.
- 3.6.2. No Participant, including the Participants participating jointly in the Competition, invited to the negotiation can be excluded from the Competition pursuant to Article 108 section 1 and Article 109 section 1 sub-sections 4 and 5, 7 to 10 as well as sub-section 6 of the Public Procurement Law.
- 3.6.3. Once invited to the negotiation, the Participant, prior to the signing of a contract for the preparation of the design documentation referred to in items 1.8. and 2.3., shall be obliged to demonstrate that they employ the persons capable of performing the contract who shall be seconded to the performance of the contract, i.e.
- at least one person who is a designer (the chief designer) holding an unlimited civil engineering and construction license to prepare architectural designs in the scope required to perform the contract; the person in question must be a member of a relevant chamber of professional association;
 - at least one person holding an unlimited civil engineering and construction license to prepare structural and civil engineering designs in the scope required to perform the contract; the person in question must be a member of a relevant chamber of professional association;
 - at least one person holding an unlimited civil engineering and construction license to design heating, ventilation, gas, water supply and sewage systems, installations and devices in the scope required to perform the contract; the person in question must be a member of a relevant chamber of professional association;
 - at least one person holding an unlimited civil engineering and construction license to design electricity and power supply systems, installations and devices in the scope required to perform the contract; the person in question must be a member of a relevant chamber of professional association;
 - at least one person holding an unlimited civil engineering and construction license to design telecommunications systems, installations and devices in the scope required to perform the contract; the person in question must be a member of a relevant chamber of professional association;
 - at least one person holding an unlimited civil engineering and construction license to prepare road construction designs in the scope required to perform the contract; the person in question must be a member of a relevant chamber of professional association;

- 3.6.4. Prior to the signing of a contract for the preparation of the design documentation referred to in item 1.8.1., the Participant invited to the negotiations shall be obliged to demonstrate that they hold:
- financial means or borrowing capacity in the minimum amount of PLN 250,000 (two hundred and fifty thousand Polish zlotys) (VAT included); and
 - paid insurance policy and, if there is none, another document confirming that the Contractor holds third party liability insurance in the scope of the business activity related to the subject matter of the contract for a sum not lower than PLN 2,500,000 (two million five hundred thousand Polish zlotys) (VAT included).

4. METHOD OF PREPARATION AND SUBMISSION OF STUDIES AT STAGE 1 OF THE COMPETITION

4.1. General information

- 4.1.1. The study shall be characterised by legibility of adopted solutions, their programme and spatial value, and feasibility of adopted solutions in the context of applicable standards, technical and building regulations, materials and structural solutions, as well as expected costs of execution of the investment project. The study must clearly and explicitly indicate the proposed concept underlying the adopted solutions.
- 4.1.2. In terms of graphic design, the study shall present legible information in the form of texts and drawings.
- 4.1.3. The study cannot breach third party copyrights in terms of substance or tools used for its development.
- 4.1.4. If the study has been developed in a manner enabling identification of its authors or the Participant, the study shall not be taken into consideration.
- 4.1.5. Each Participant in the Competition (or each Participant participating jointly in the Competition from time to time) may submit one study.
- 4.1.6. No variant solutions shall be allowed.

4.2. Content of the study at Stage 1, manner and form of its preparation, presentation and submission

- 4.2.1. The study shall comprise:
- 4.2.1.1. 1 copy of the **black and white graphic part** (against a white background, no negative boards set against a dark background shall be accepted) comprising **two 100x70cm boards** in the horizontal orientation;
 - 4.2.1.2. 2 copies of the **black and white descriptive part** (against a white background, no negative boards set against a dark background shall be accepted) in A3 format;
- 4.2.2. The subject matter of the study at Stage 1 of the Competition shall be:
- the concept for the development of the area covered by the study with special emphasis on the functional, spatial and transport connections; and
 - the architectural and urban development concept for the jubilee teaching and conference building of the Cracow University of Economics.
- 4.2.3. The **graphic part** shall include:
- 4.2.3.1. area development study in the 1:2,000 scale;
 - 4.2.3.2. land survey with study of relations between individual buildings in the 1:1,000 scale;
 - 4.2.3.3. functional diagrams of all floors in the 1:250 scale presenting, in a legible manner, the general spatial disposition of the pre-defined program and function of the building;

- 4.2.3.4. at least one characteristic cross-section in the 1:250 scale;
- 4.2.3.5. at least two characteristic elevations in the 1:250 scale;
- 4.2.3.6. at least two exterior views, including:
 - one bird-eye view of the site with the surrounding area, featuring the adopted principle for the building and area development; and
 - one view from the human perspective from the direction of the 'Finance Pavilion';
- 4.2.3.7. if necessary, other diagrams and drawings showing the architectural and urban development concept, functional and spatial solutions, transport solutions etc. at the discretion of the Participant in the Competition.
- 4.2.4. The **descriptive part** in the A3 format shall contain:
 - 4.2.4.1. Descriptive text - the size of the text shall not exceed 6 numbered pages. The size of the text shall be **approx. 5,000 characters**. The text shall contain:
 - 4.2.4.2. An estimate tabular summary of the area consistent, in terms of content, with the model constituting Attachment M11 hereto; and
 - 4.2.4.3. An estimate land use specification consistent, in terms of wording, with the model constituting Attachment M12 hereto.
- 4.2.5. **The study shall be marked with a six-digit identification number selected by the Participant in the Competition solely on the first page of the descriptive part.**
- 4.2.6. Studies shall be encrypted by the Competition's Organising Secretary and Supporting Secretary through assignment of a unique, three-digit code to each work. Those activities shall be recorded in a report sent to the Contracting Entity's manager.
- 4.2.7. Studies shall be submitted no later than by the date and at the time indicated in item 1.11., in the form of a digital record, via the electronic communication platform. Materials shall be sent in the formats described in detail in Attachment F01 to the Rules of the Competition – the information on the technical and organisational requirements for preparing, sending and receiving files in electronic communication.

***Please note:** Files shall have no features enabling identification of the authors or the Participant (including metadata). Documents on electronic media cannot be secured with a password or otherwise protected against their use by the Competition Jury and the Contracting Entity. Files containing the graphic part and the descriptive part of the competition work must definitely not bear a qualified electronic signature under the pain of exclusion of the Participant from the Competition.*

- 4.2.8. **An identification card consistent, in terms of content, with Attachment F09 to the Rules of the Competition in the electronic format bearing a qualified electronic signature shall be submitted together with the study in the form of a digital record. Studies shall be submitted via the electronic communication platform. Technical conditions for preparing and submitting studies via the abovementioned platform have been defined in Attachment F01 hereto.**
- 4.2.9. **The Organiser additionally introduces the obligation to submit a hardcopy version of the study that should comprise:**
 - a) the graphic part glued to a 100x70cm rigid light-weight substrate (e.g. foam) in the horizontal orientation; and
 - b) the descriptive part in the form of an A3 book with the descriptive part and the boards reduced to the A3 format bound into a single complete set. Materials not included in the scope of the Competition shall not be taken into consideration.

Competition works in the hardcopy version shall be sent to the following address:
Stowarzyszenie Architektów Polskich Oddział Kraków [Association of Polish Architects (SARP), Kraków Branch]
pl. Szczepański 6, 31-011 Kraków

no later than by the date set in item 1.11.

As regards submission of the study in the hardcopy format consistently with item 4.2.9., the Contracting Entity waives the requirement to use the means of electronic communication based on Article 65 section 1 sub-section 4 of the Public Procurement Law. The reason for waiving exclusivity of the means of electronic communication and for introducing the additional requirement to submit the study in the hardcopy format is the need for preserving uniformity of the graphics (colour shades, thickness of lines etc.) intended by the Participant that may impact the evaluation as the electronic format may fail to reflect the aesthetic effects intended by the Participant.

- 4.2.10. Materials not included in the scope of the Competition or submitted past the deadline shall not be taken into consideration.
- 4.2.11. A study may be withdrawn only before the expiry of the deadline for submission of the works. A study may be withdrawn via the electronic communication platform exclusively by the Participant or a representative of the Participant in the Competition. In such case, the submitted hardcopy version of the study shall not be evaluated or presented at the exhibition, in the catalogue or in the post-competition discussion.
- 4.2.12. Amending or making additions to the study shall be possible only before the expiry of the deadline for submission of the studies. The amendments or additions to the study must be made while respecting the requirements specified for the competition work, provided that they are uploaded onto the electronic communication platform by the Participant or a representative of the Participant in the Competition.

5. EVALUATION OF STUDIES AT STAGE 1 OF THE COMPETITION

5.1. Procedure for evaluating studies at Stage 1 of the Competition

- 5.1.1. The studies at Stage 1 of the Competition shall be evaluated by the Competition Jury meeting behind closed doors. The Competition Jury shall evaluate fulfilment by the studies of the requirements defined in sections 2 and 4 of these Rules of the Competition and the study evaluation criteria defined in item 5.2. of this section.
- 5.1.2. The Competition Jury shall make decisions at Stage 1 of the Competition by selecting the best studies based on the criteria specified in item 5.2. in the number specified in item 1.4.1.3. hereof.
- 5.1.3. Within that scope, the Competition Jury shall:
 - 5.1.3.1. prepare the information on the studies admitted to Stage 2 of the Competition;
 - 5.1.3.2. prepare a justification for the settlement of Stage 1 of the Competition; and
 - 5.1.3.3. present the results of Stage 1 of the Competition to the Contracting 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 equivalent criteria:
 - 5.2.1.1. aesthetic value of the adopted architectural solutions and, in that respect, the Competition Jury shall pay special attention to the originality, attractiveness and rationality of proposed architectural solutions, as well as relation to the surroundings;
 - 5.2.1.2. originality and relevance of the area development concept, with particular emphasis on the functional and spatial links to the surrounding area and, in that respect, the Competition Jury shall pay special attention to the relevance, attractiveness and feasibility of proposed urban development solutions;
 - 5.2.1.3. rationality of adopted solutions in terms of implementation costs;

- 5.2.1.4. cost of operation and maintenance of the facility, including the possibility of application of energy-efficient solutions;
and the evaluation shall be made based on an analysis of submitted design solutions.
- 5.2.2. Each study at Stage 1 of the Competition shall be evaluated by the Competition Jury based on the abovementioned criteria and fulfilment of the requirements of these Rules of the Competition applicable to the studies at Stage 1 of the Competition, which shall be recorded in the minutes of the Competition Jury. The Contracting Entity shall notify the Participants in the Competition who have submitted the studies of the results of their evaluation without delay while providing the factual and legal grounds therefor.

5.3. Method of communication of the results of Stage 1 of the Competition

- 5.3.1. The results of the settlement of Stage 1 of the Competition and the selection of the best studies admitted to Stage 2 of the Competition shall be communicated by the Contracting Entity via e-mail to all participants in the Competition that submitted requests to participate in the Competition and have been admitted to the Competition. The Contracting Entity shall also publish that information on its website <https://uek-krakow.logintrade.net/rejestracja/ustawowe.html> and on the website of the co-organiser of the Competition: www.sarp.krakow.pl
- 5.3.2. The information published on the websites about the decisions made at Stage 1 of the Competition shall include only identification numbers of the studies assigned by the participants in the Competition admitted to Stage 2 in accordance with item 4.2.6. hereof and may contain potential recommendations, opinions and/or guidance for further works, formulated 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 notification of all participants and invitation of the participants admitted to Stage 2 of the Competition to submit their competition works at Stage 2 by the date set in the time schedule of the Competition in item 1.11. hereof.
- 5.3.4. The participants in the Competition whose study's identification number is provided in the information about the results of Stage 1 of the Competition as the identification number of the study admitted to the subsequent stage of the Competition shall submit their competition works at Stage 2 of the Competition.

6. DETAILED SCOPE, METHODS OF PREPARATION, PRESENTATION AND SUBMISSION OF COMPETITION WORKS AT STAGE 2 OF THE COMPETITION

6.1. General information

- 6.1.1. The competition work shall identify clearly, explicitly and in detail the Competition Participant's proposed concept relating to the adopted architectural, programme, functional, utility and material solutions and their relations with the immediate and more distant surrounding area. The competition work shall clearly demonstrate compliance with the guidelines constituting the attachments to these Rules of the Competition. The competition work shall constitute an expansion of the study and incorporate the recommendations of the Competition Jury made after Stage 1 of the Competition.
- 6.1.2. In terms of graphic design, the competition work shall present legible information in the form of texts and drawings.
- 6.1.3. The competition work must not breach any third party copyrights in terms of substance or tools used for its preparation.
- 6.1.4. If the competition work is prepared in a manner enabling the identification of the authors or the participants, it shall not be considered.

- 6.1.5. Each Participant (or each Participant participating jointly in the Competition from time to time) may submit one competition work.
- 6.1.6. No variant solutions shall be allowed.
- 6.1.7. The studies submitted at Stage 1 of the Competition shall be attached by the Competition's 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, including guidance, opinions and recommendations for further work, if any, that summarise Stage 1 of the Competition as referred to in item 5.3.2. hereof.

6.2. Content of the competition work at Stage 2, manner and form of its preparation, presentation and submission

- 6.2.1. A **competition work** shall comprise:
 - 6.2.1.1. the **black and white graphic part** (against a white background, no negative boards set against a dark background shall be accepted) comprising at most **six 100x70cm boards** in the horizontal orientation;
 - 6.2.1.2. the **black and white descriptive part** (against a white background, no negative boards set against a dark background shall be accepted) in A3 format; and
 - 6.2.1.3. 1 copy of the **synthetic mock-up**.
- 6.2.2. At Stage 2, the competition work shall contain specifically:
 - a detailed concept for development of the area around the teaching and conference building of the Cracow University of Economics, showing detailed urban development solutions; and
 - a detailed architectural concept for the teaching and conference building of the Cracow University of Economics, including the architectural details and applied structural solutions and materials.
- 6.2.3. The **graphic part** shall include:
 - 6.2.3.1. area development study in the 1:1,000 scale;
 - 6.2.3.2. area development concept in the 1:500 scale incorporating the surrounding area;
 - 6.2.3.3. views of all floors of the building in the 1:200 scale (the drawings shall contain numbers of individual rooms and be accompanied by a list of their names and areas, taking into consideration the 'Description of the subject matter of the Competition, description of the site of the investment project, and functional and utility assumptions and guidelines' constituting Attachment M01 hereto);
 - 6.2.3.4. at least two characteristic cross-sections in the 1:200 scale;
 - 6.2.3.5. at least four elevations taking into account the surrounding area and the adopted materials in the 1:200 scale;
 - 6.2.3.6. at least three exterior views, including one view from the human perspective from the direction of the 'Finance Pavilion';
 - 6.2.3.7. at least two interior views, including one view of the entrance/lobby zone and one view of the main auditorium;
 - 6.2.3.8. at least two details in the 1:10 or 1:20 scale enabling the understanding of the adopted materials as well as technical and energy efficient solutions; and
 - 6.2.3.9. if necessary, other diagrams and drawings showing the architectural and urban development concept, functional and spatial solutions, transport solutions etc. at the discretion of the Participant in the Competition.
- 6.2.4. The **descriptive part** in the form of an A3 book shall contain:
 - 6.2.4.1. Descriptive text - the size of the text shall not exceed 6 numbered pages. The size of the text shall be **approx. 15,000 characters**. The text shall contain:
 - detailed description of the conceptual assumptions and development concept, including relations with the neighbouring areas, particularly public spaces, as well as further contexts;

- description of the architectural concept in the scope of functional, spatial, structural, material and installation solutions; and
- description of the proposed environment-friendly solutions and energy efficient solutions.

Complementing the description text with diagrams and other drawings shall be acceptable, provided that they do not exceed 6 pages; the number of pages shall not include the title page (optional).

- 6.2.4.2. Information on the planned costs of works performed based on the competition work referred to in item 1.7. and the planned costs of performance of the subject matter of the contract referred to in item 1.8., prepared consistently, in terms of content, with Attachment F12 hereto;
- 6.2.4.3. A detailed tabular summary of the area consistent, in terms of content, with the model constituting Attachment M9 hereto;
- 6.2.4.4. A detailed land use specification consistent, in terms of content, with the model constituting Attachment M11 hereto; and
- 6.2.5. A **synthetic mock-up** of the building in the 1:200 scale together with the immediate surrounding area. The mock-up shall be made of white light-weight materials (with transparent materials being acceptable) matching the master mock-up prepared by the Contracting Entity. The detailed guidelines for the mock-up shall be sent to the participants in the Competition along with the invitation to submit competition works at Stage 2. Ten (10) photographs of the mock-up shall be attached to the competition work at the time of its submission via the electronic communication platform.
- 6.2.6. **The competition work shall be marked with a six-digit identification number selected by the Participant in the Competition solely on the first page of the descriptive part.**
- 6.2.7. Competition works shall be encrypted by the Competition's Organising Secretary and Supporting Secretary through assignment of a unique, three-digit code to each work. Those activities shall be recorded in a report sent to the Contracting Entity's manager.
- 6.2.8. Competition works shall be submitted no later than by the date and at the time indicated in item 1.11, in the form of a digital record, via the **electronic communication platform**. Materials shall be sent in the formats described in detail in Attachment F01 to the Rules of the Competition – the information on the technical and organisational requirements for preparing, sending and receiving files in electronic communication.

Please note: Files shall have no features enabling identification of the authors or the Participant (including metadata). Documents on electronic media cannot be secured with a password or otherwise protected against their use by the Competition Jury and the Contracting Entity. Files containing the graphic part and the descriptive part of the competition work must definitely not bear a qualified electronic signature under the pain of exclusion of the Participant from the Competition.
- 6.2.9. **An identification card consistent, in terms of content, with Attachment F11 to the Rules of the Competition in the electronic format bearing a qualified electronic signature shall be submitted together with the competition work in the form of a digital record. Competition works shall be submitted via the electronic communication platform. The technical conditions for submitting competition works via the platform have been defined in Attachment F01.**
- 6.2.10. **The Organiser additionally introduces the obligation to submit a hardcopy version and a mock-up of the competition work that should comprise:**
 - a) graphic part glued to a 100x70cm rigid light-weight substrate (e.g. foam) in the horizontal orientation; and

b) descriptive part in the form of an A3 book with the descriptive part and the boards reduced to the A3 format bound into a single complete set. Materials not included in the scope of the Competition shall not be taken into consideration.

c) Mock-up.

Competition works in the hardcopy version shall be sent to the following address:

Stowarzyszenie Architektów Polskich Oddział Kraków [Association of Polish Architects (SARP), Kraków Branch]

pl. Szczepański 6, 31-011 Kraków

no later than by the date set in item 1.11.

As regards submission of the competition work in the hardcopy format consistently with item 6.2.10., the Contracting Entity waives the requirement to use the means of electronic communication based on Article 65 section 1 sub-section 4 of the Public Procurement Law. The reason for waiving the electronic format and for introducing the additional requirement to submit the competition work in the hardcopy format is the need for preserving uniformity of the graphics (colour shades, thickness of lines etc.) intended by the participant that may impact the evaluation as the electronic format may fail to reflect the aesthetic effects intended by the participant.

6.2.11. Materials not included in the scope of the Competition or submitted past the deadline shall not be taken into consideration.

6.2.12. A competition work may be withdrawn only before the expiry of the deadline for submission of the works. A study may be withdrawn via the electronic communication platform exclusively by the Participant or a representative of the Participant in the Competition. In such case, the submitted hardcopy version of the competition work shall not be evaluated or presented at the exhibition, in the catalogue or in the post-competition discussion.

6.2.13. Amending and making additions to the competition work shall be possible only before the expiry of the deadline for submission of the works. The amendments or additions to the competition work must be made while respecting the requirements specified for the competition work, provided that they are uploaded onto the electronic communication platform by the Participant or a representative of the Participant in the Competition.

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

7.1. Procedure for evaluating competition works at Stage 2 of the Competition

7.1.1. The works shall be evaluated by the Competition Jury behind closed doors to determine fulfilment, in principle, of the material formal and substantive requirements specified in the Rules of the Competition based on the criteria defined in item 7.2. of this section.

7.1.2. The Competition Jury shall settle the Competition by selecting the best competition work. In particular, the Competition Jury:

- 7.1.2.1. shall designate the work to be awarded the first prize and the amount of the prize or shall refrain from awarding a prize when no competition work fulfils the requirements specified in the Rules of the Competition in any material aspect;
- 7.1.2.2. may award the second prize and the third prize to the Participant of Stage 2 of the Competition and honorary distinctions to the authors of the works and studies submitted either at Stage 1 or Stage 2 of the Competition;
- 7.1.2.3. shall prepare the information about the awarded and distinguished works;
- 7.1.2.4. shall prepare a justification for the settlement of the Competition;

- 7.1.2.5. shall prepare post-competition recommendations for the works that were awarded the first prize and the second prize;
- 7.1.2.6. shall present the results of the Competition to the Contracting Entity's manager for approval; and
- 7.1.2.7. shall prepare a justification for the decision not to settle the Competition.

7.2. Criteria of evaluation of competition works at Stage 2 of the Competition

- 7.2.1. Competition works shall be evaluated according to the following primary criteria:
 - 7.2.1.1. attractiveness and feasibility of the proposed urban development solutions and attractiveness and feasibility of proposed architectural solutions;
 - 7.2.1.2. relevance and appropriateness of functional, programme and spatial solutions for buildings and area development;
 - 7.2.1.3. economics of solutions with special emphasis on the economics of the buildings' construction and operating costs; and
 - 7.2.1.4. legitimacy of adopted technical solutions, including energy efficient solutions.
- 7.2.2. Competition works shall be evaluated according to the following **secondary** criteria:
 - 7.2.2.1. cost of execution of the investment project in the context of the adopted solutions set against the information regarding the costs of execution submitted by the Participant in the Competition referred to in item 6.2.4.2.;
 - 7.2.2.2. cost of the design documentation mentioned in item 6.2.4.2.and the evaluation shall be made based on an analysis of submitted design solutions.
- 7.2.3. Each of the competition works shall be evaluated by the Competition Jury based on all abovementioned criteria and fulfilment of the requirements of the Rules of the Competition applicable to competition works, which shall be recorded in the minutes of the Competition Jury.

7.3. Announcement of the results of the Competition

- 7.3.1. The participants in the Competition shall be notified of the venue and time of the announcement of the results in a separate letter or via e-mail.
- 7.3.2. After the official announcement of the results of the Competition, the Organising Secretary of the Competition shall publicly declassify and identify, in the presence of the Competition Jury and the Contracting Entity's manager, all competition works, assigning them to the respective participants based on the code numbers given by the Organising Secretary to all elements of the competition works and identification cards attached to the competition works submitted at Stage 2 of the Competition and studies submitted at Stage 1 of the Competition.
- 7.3.3. If it is stated, following identification of the competition works, that a competition work was submitted by a Participant not invited to submit a competition work or if a Participant in the Competition is involved in more than one competition work, such competition work(s) shall not be evaluated.
- 7.3.4. The Contracting Entity shall notify all participants admitted to the Competition of the results of the Competition and shall publish the relevant notice on its website <https://uek-krakow.logintrade.net/rejestracja/ustawowe.html> and on the www.sarp.krakow.pl website, and shall also submit the notice of the results of the Competition to the Publications Office of the European Union immediately after establishment of the results of the Competition.
- 7.3.5. After the settlement of the Competition, all competition works submitted at Stage 2 of the Competition, as well as the studies submitted at Stage 1 and designated by the Competition Jury and the Contracting Entity shall be presented at the post-competition exhibition. The Contracting Entity shall publish the relevant notice on the abovementioned websites and send it via e-mail to all participants invited to participate in the Competition. It is assumed

that the opening of the post-competition exhibition shall take place on the day and at the venue of the public announcement of the results of the Competition, after their announcement.

- 7.3.6. A post-competition discussion shall be envisaged after the settlement of the Competition. The holding of the exhibition shall depend upon the epidemiological situation and the related information shall be published on the Competition's website and the Contracting Entity's website.

8. OTHER PROVISIONS OF THE RULES

8.1. The undertakings by the participants in the Competition and the Contracting Entity, including the fields of exploitation of the competition works and the provisions governing the transfer of the author's economic rights in the competition work awarded the first prize and the remaining awarded and distinguished works

- 8.1.1. The studies and competition works must not be made public or otherwise disseminated, whether in full or in part, prior to the date of public announcement of the results of the Competition.
- 8.1.2. Regardless of the date of payment of the prizes and distinctions, and with no additional remuneration for the participants in the Competition, the Contracting Entity reserves the right to present and make public, for the first time, all or selected studies or competition works during the public post-competition exhibition and as a part of the post-competition publication, as well as the right to reproduce and publish the same using any technique, including printing, reprography and digital recording, lend for use, produce copies of the work in the abovementioned manner and distribute the same in the form an exhibition catalogue, whether printed or digital, as well on the Internet or in other media. In that respect, all participants undertake to grant the Contracting Entity a free, non-exclusive, global and perpetual license from the moment of approval of the results of the Competition by the Contracting Entity's manager. Furthermore, the participants undertake to grant their consent to the making of necessary modifications (e.g. change in the format or presentation of some elements of the competition work only) in connection with the publication of the competition works. The statement on the granting of the license on the abovementioned principles has been included in the request to participate in the Competition.
- 8.1.3. The arrangements in item 8.1.2. shall not breach the author's moral rights held by the authors of the competition works.
- 8.1.4. The participants in the Competition admitted to Stage 2 of the Competition and awarded prizes as well as the participants not invited to submit the competition works at Stage 2 of the Competition and, nonetheless, awarded honorary distinctions, shall grant the Contracting Entity an exclusive global and perpetual license with regard to the competition works, including the study, as of the announcement of the results of the Competition, based on the agreement concluded with the Contracting Entity, the model of which constitutes Attachment F13 hereto, within the following fields of exploitation described therein.
- 8.1.5. The license referred to in item 8.1.4. may be terminated subject to a 5-year notice period.
- 8.1.6. The granting of the license referred to item 8.1.4. obligates the Contracting Entity to publish each time the name of the Participant(s) in the Competition and the composition of the design team, as requested by the Participant in the Competition in the cases of exploitation listed in item 8.1.4., unless the Participant in the Competition makes a written reservation that they do not wish that such information be published. In such case, the identification number of the competition work referred to in the Rules of the Competition may be published.
- 8.1.7. The Participant in the Competition whose competition work is recognised as the best by the Competition Jury undertakes to transfer to the Contracting Entity the author's economic rights in the competition work, including the study, based on an agreement concluded with the Contracting Entity the model of which constitutes Attachment F14 hereto.
- 8.1.8. The Participant in the Competition shall declare and guarantee that the use of the work by the Contracting Entity does not breach any third party rights, including the author's economic and moral rights. The Participant in the Competition shall be liable towards the Contracting Entity for any legal defects in the work, in particular, potential third party claims for breaches of their intellectual property rights.

8.2. Scope and deadline for preparation of the studies constituting the subject matter of the public contract awarded through the single-source procedure

- 8.2.1. The deadline for preparation of the studies constituting the subject matter of the public contract awarded through the single-source procedure is envisaged at the end of April 2024.
- 8.2.2. The consecutive phases of the design documentation shall be completed in accordance with and by the dates set in the design services contract the model of which constitutes Attachment F15 hereto.

8.3. Instruction on legal remedies available to participants in the Competition

- 8.3.1. If the Contractor, a participant in the Competition or another entity had or has interest in obtaining the contract or a prize in the Competition and has suffered or is likely to suffer damage as a result of the Contracting Entity's breach of the provisions of the Public Procurement Act, they shall be entitled to legal remedies.
- 8.3.2. Legal remedies with respect to the notice initiating the contract award procedure or the competition notice and the contract's documents shall be available also to the organisations entered on the list referred to in Article 469 sub-section 15 of the Public Procurement Law and to the Ombudsman for Small and Medium-Sized Enterprises (RMIŚP).
- 8.3.3. The appeals procedure shall be conducted in the Polish language and all documents shall be presented in the Polish language and, if prepared in a foreign language, the party to and the participant of the appeals procedure invoking the same shall present their translation into Polish. In justified cases, the National Appeals Chamber (KIO) may request that a Polish translation of a document certified by a sworn translator be produced.
- 8.3.4. Letters submitted in the course of the appeals procedure by the parties to and participants of the appeals procedure shall be submitted with copies for the parties to and participants of the appeals procedure if the letters in question are submitted in writing.
- 8.3.5. Letters in the appeals procedure shall be submitted in writing or electronically or in the electronic format with the reservation that the appeal and the statement on joining the appeals procedure submitted in the electronic format must bear a trusted signature.
- 8.3.6. The deadlines shall be calculated in accordance with the civil law regulations and if a deadline for performance of an act falls on a Saturday or a statutory holiday, such deadline shall expire on the day following such statutory holiday(s).
- 8.3.7. An appeal may be filed against:
 - 8.3.7.1. the Contracting Entity's act in breach of the regulations of the Public Procurement Law made in the contract award procedure, a procedure to conclude a framework agreement, a dynamic purchasing system, a contractor qualification system or a competition, including a projected contractual provision;
 - 8.3.7.2. omission of an act in the contract award procedure, a procedure to conclude a framework agreement, a dynamic purchasing system, a contractor qualification system or a competition, to the execution of which the Contracting Entity was obligated under the Public Procurement Law; or
 - 8.3.7.3. omission to conduct a contract award procedure or hold a competition under the Public Procurement Law in spite of the fact that the Contracting Entity has been obligated to do so.
- 8.3.8. The appeal shall be filed with the President of the National Appeals Chamber. The appellant shall send a copy of the appeal to the Contracting Entity prior to the expiry of the deadline for filing an appeal in such manner that the Contracting Entity is able to acquaint itself with the appeal prior to the lapse of the deadline.
- 8.3.9. An appeal shall be filed:
 - 8.3.9.1. in the case of the contracts whose value is equal to or greater than the EU thresholds, within:

- a) 10 days of the date of notification of the Contracting Entity's act constituting the basis for filing the appeal if the notification was made using the means of electronic communication; or
 - b) 15 days of the date of notification of the Contracting Entity's act constituting the basis for filing the appeal if the notification was made otherwise than in the manner specified in letter a;
- 8.3.10. in the case of the contracts whose value is smaller than the EU thresholds, within:
 - a) 5 days of the date of notification of the Contracting Entity's act constituting the basis for filing the appeal if the notification was made using the means of electronic communication; or
 - b) 10 days of the date of notification of the Contracting Entity's act constituting the basis for filing the appeal if the notification was made otherwise than in the manner specified in letter a.
- 8.3.11. An appeal against the wording of the notice initiating a contract award procedure or a competition or against the wording of the contract's documents shall be filed within:
 - a) 10 days of the date of publication of the notice in the Official Journal of the European Union or uploading of the contract's documents onto a website, in the case of the contracts whose value is equal to or greater than the EU thresholds; or
 - b) 5 days of the date of publication of the notice in the Public Procurement Bulletin (BZP) or uploading of the contract's documents onto a website, in the case of the contracts whose value is smaller than the EU thresholds.
- 8.3.12. In the cases other than specified in items 9 and 10 above, an appeal shall be filed within:
 - a) 10 days of the date at which the circumstances constituting the basis for filing the appeal became known or could have become known in the exercise of due diligence, in the case of the contracts whose value is equal to or greater than the EU thresholds; and
 - b) 5 days of the date at which the circumstances constituting the basis for filing the appeal became known or could have become known in the exercise of due diligence, in the case of the contracts whose value is smaller than the EU thresholds.
- 8.3.13. If the Contracting Entity failed to publish the notice of its intention to conclude the contract or, despite being obligated to do so, failed to send to the Contractor the notice of selection of the most advantageous offer or failed to invite the Contractor to submit an offer under a dynamic purchasing system or a framework agreement, the appeal shall be filed no later than within:
 - a) 15 days of the date of publication in the Public Procurement Bulletin (BZP) of the notice of the outcome of the procedure or 30 days of the date of publication in the Official Journal of the European Union of the contract award notice and, in the case of award of a contract under a negotiated procedure without publication or a single-source procedure, of the notice of the outcome of the procedure or the contract award notice, comprising the statement of grounds for the award of the contract under a negotiated procedure without publication or a single-source procedure;
 - b) 6 months of the date of conclusion of the contract if the Contracting Entity failed to publish in the Official Journal of the European Union the contract award notice or published in the Official Journal of the European Union a contract award notice that does not comprise the statement of grounds for the award of the contract under a negotiated procedure without publication or a single-source procedure;
 - c) 1 month of the date of conclusion of the contract if the Contracting Entity failed to publish the notice of the outcome of the procedure in the Public Procurement Bulletin (BZP) or published in the Public Procurement Bulletin (BZP) the notice of the outcome of the procedure that does not comprise the statement of grounds for the award of the contract under a negotiated procedure without publication or a single-source procedure.

- 8.3.14. The detailed scope and elements of the appeal have been defined in Article 516 of the Public Procurement Law.
- 8.3.15. The parties to and the participants of the appeals procedure shall have the right to lodge an appeal with a court against a ruling of the National Appeals Chamber or the decision of the President of the National Appeals Chamber referred to in Article 519 section 1 of the Public Procurement Law.
- 8.3.16. The provisions of the Code of Civil Procedure of 17 November 1964 on the appeal shall apply accordingly in the proceedings pending as a result of the filing of the appeal unless the applicable regulations stipulate otherwise.
- 8.3.17. The appeal shall be filed with the Regional Court in Warsaw, a public procurement court.
- 8.3.18. The appeal shall be filed with the intermediation of the President of the National Appeals Chamber within 14 days of the date of service of a ruling of the National Appeals Chamber or the decision of the President of the National Appeals Chamber referred to in Article 519 section 1 of the Public Procurement Law, with a copy of the appeal sent simultaneously to the opposing party. Submission of an appeal at a postal office of an operator appointed within the meaning of the Postal Law of 23 November 2012 shall be tantamount to its filing.
- 8.3.19. The President of the National Appeals Chamber shall forward the appeal, together with the files of the appeals procedure, to the public procurement court within 7 days of the date of its receipt.
- 8.3.20. A cassation appeal may be filed with the Supreme Court against the court's verdict or decision ending the relevant proceedings.
- 8.3.21. The cassation appeal may be filed by the party and the President of the Public Procurement Office. The regulations of the first part of the first book of Title VI Section Va of the Code of Civil Procedure of 17 November 1964 shall apply.
- 8.3.22. The details of legal remedies have been defined in Chapter IX, Legal Remedies, of the Public Procurement Law.

8.4. Information on personal data protection

Subject to Article 13 sections 1 and 2 of 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 Contracting Entity informs that:

- 1) **Personal data controller.** The Organiser, the Cracow University of Economics, ul. Rakowicka 27, 31-510 Kraków (hereinafter 'UEK' or 'the controller'), is the controller of personal data of the Participant in the Competition.
- 2) The controller has appointed the **Data Protection Officer** who may be contacted via email in all matters involving personal data processing and exercise of the rights associated with data processing at iod@uek.krakow.pl or in writing at: **Uniwersytet Ekonomiczny w Krakowie, ul. Rakowicka 27; 31-510 Kraków.**
- 3) **Purposes of and legal basis for data processing.** The controller shall process the data of the Participant in the Competition in order to organise and hold the Competition and for the purposes of the use of the studies or competition works consistently with the provisions of the Rules of the Competition. The legal basis for processing of the data of the Participant in the Competition shall be Article 6(1)(c) of GDPR in conjunction with the provisions of the Act of 11 September 2019 – Public Procurement Law (consolidated text in Journal of Laws of 2021 item 1129, as amended), specifically for the purpose of gathering and evaluating competition works, contacting the Participants in the Competition and requesting provision of additional information. Personal data may also be processed in connection with the legitimate interest pursued by the controller or

a third party (e.g. establishment, exercise or defence of legal claims – Article 6(1)(f) of GDPR). In the case of financing of the organisation and holding of the Competition from the monies of the operational programmes of the European Funds, the beneficiary of which is UEK, personal data may be processed for the purpose of discharge of reporting duties by the controller and confirmation of eligibility of expenses.

- 4) **Data recipients.** The recipients of personal data processed by the controller within the scope of organisation and holding of the Competition shall be the persons or entities to whom the documents of the Competition are made available based on Article 18 of the Act of 11 September 2019 – Public Procurement Law (consolidated text in Journal of Laws of 2021 item 1129, as amended), hereinafter the Public Procurement Law, or the Act of 6 September 2001 on Access to Public Information (consolidated text in Journal of Laws of 2020 item 2176) or other legal regulations or contracts concluded by the controller. In the case of financing of the organisation and holding of the Competition from the monies of the operational programmes of the European Funds, the beneficiary of which is UEK, data recipients may include the Managing Authority, the Intermediary Body and the entities carrying out evaluation tests, checks and audits commissioned by the Managing Authority, the Intermediary Body or UEK.
- 5) **Data retention period.** The personal data of the Participant in the Competition shall be retained, together with the documents of the Competition, over a period of 4 years from the date of establishment of the Competition's results, in accordance with Article 358 of the Public Procurement Law. In the case of financing of the organisation and holding of the Competition from the monies of the operational programmes of the European Funds, the beneficiary of which is UEK, personal data may be retained consistently with the archiving period designated in the specific project co-financing agreement.
- 6) **Information on legal obligation to provide data.** The obligation of the Participant in the Competition to provide personal data, referred to in the Rules, is a statutory requirement associated with participation in the Competition and defined in the Public Procurement Law, including Article 333 of the Public Procurement Law.
- 7) **Consequences of failure to provide personal data.** The consequences of a failure to provide specific data have been defined in the Public Procurement Law. Failure to provide data shall prevent participation in the Competition.
- 8) **Rights of data subjects.** The Participant in the Competition shall have the following rights:
 - subject to Article 15 of GDPR, the right to access the personal data relating to the Participant in the Competition; with the reservation that, in order to exercise that right, the controller may request additional information, in particular designation of the name or provision of the date of the Competition.
 - subject to Article 16 of GDPR, the right to rectify the personal data relating to the Participant in the Competition; and
 - subject to Article 18 of GDPR, the right to request that the controller restricts the processing of personal data, except for the cases referred to in Article 18(2) of GDPR; submission of the request to restrict the processing of personal data shall not restrict that processing until the end of the Competition;
- 9) **Right to file a complaint with the supervisory authority.** The Participant in the Competition shall have the right to file a complaint with the supervisory

- authority, such authority in Poland being the President of the Personal Data Protection Office (UODO).
- 10) **Information on automated processing of personal data.** The data of the Participant in the Competition shall not be processed in the automated manner.

8.5. List of attachments to the Rules of Competition

8.5.1. 'F' formal attachments

No. of attachment	Description of attachment	Clarifications
F01	Model information on the technical and organisational requirements applicable at https://uek-krakow.logintrade.net/rejestracja/ustawowe.html platform	information on the technical and organisational requirements applicable at https://uek-krakow.logintrade.net/rejestracja/ustawowe.html platform
F02	Model request to participate in the Competition	the request shall be submitted in compliance with the Rules of the Competition and the time schedule of the Competition
F03	Model power of attorney to represent the participant in the Competition participating independently in the Competition	the document submitted together with the request to participate in the Competition exclusively in the case of appointment of a representative of the participant in the Competition
F04	Model power of attorney to represent the participants in the Competition participating jointly in the Competition	the document submitted together with the request to participate in the Competition exclusively in the case of appointment of a representative of the participants participating jointly in the Competition
F05	List of the persons to confirm fulfilment of the condition referred to in items 3.2.4.1. and 3.2.4.2. of the Rules of the Competition	the document submitted obligatorily together with the request to participate in the Competition
F06	Own statement of absence of grounds for exclusion	the document submitted obligatorily together with the request to participate in the Competition
F07	Model undertaking to make resources available	the document submitted together with the request to participate in the Competition required where a third party entity makes available the resources required for demonstrating fulfilment of the eligibility conditions for participation in the Competition or the negotiation for delivery of the contract under a single-source procedure
F08	Receipt confirming submission of the study at Stage 1 of the Competition	the document shall be handed over to the Participant by the secretary of the Competition or sent to the address provided by the Participant where the competition work has been submitted by post or courier service (in that case, the document completed by the Participant shall be enclosed to the correspondence in such manner that the parcel does not need to be opened)
F09	Model identification card of the study submitted at Stage 1 of the Competition	the document submitted at Stage 1 of the Competition along with the competition work
F10	Receipt confirming submission of the competition work at Stage 2 of the Competition	the document shall be handed over to the Participant by the secretary of the Competition or sent to the address provided by the Participant where the competition work has been submitted by post or courier service (in that case, the document

		completed by the Participant shall be enclosed to the correspondence in such manner that the parcel does not need to be opened)
F11	Model identification card of the competition work submitted at Stage 2 of the Competition	the document submitted at Stage 2 of the Competition along with the competition work
F12	Information on planned costs of works performed based on the competition work and costs of performance of the subject matter of the contract	applicable to the participants invited to Stage 2 of the Competition, the document shall be submitted along with the descriptive part of the competition work and permanently attached thereto
F13	Model contract – granting of the exclusive license	the contract signed after the public announcement of the results of the Competition
F14	Model contract – transfer of the author's economic rights	the contract signed, after the public announcement of the results of the Competition, by the author of the competition work awarded the first prize
F15	Model design services contract	the contract signed, after the public announcement of the results of the Competition, by the author of the competition work awarded the first prize or the second prize consistently with the provisions of item 1.5.
F16	List of the persons who shall participate in the performance of the contract for preparation of the design documentation consistently with item 3.6.1.3.	the document required exclusively from a participant invited to negotiations through the single-source procedure

8.5.2. 'M' substantive attachments

No. of attachment	Description of attachment
M01	Description of the subject matter of the Competition, description of the investment site, and functional and utility assumptions and guidelines
M02	Decision establishing the site of a public-purpose investment project
M03	Map for design purposes
M04	Orthophotomap
M05	Geotechnical opinion
M06	Film survey
M07	Photographic survey
M08	Guidelines of the Municipal Conservation Officer's Bureau
M09	Report on the premises within military facilities
M10	Summary of the building's area
M11	Summary of the plots' area