

CITY OF OSTRAVA

announces

pursuant to Act No. 134/2016 Coll., on Public Procurement, as amended (hereinafter referred to as the "Public Procurement Act"),

in compliance with the Competition Code of the Czech Chamber of Architects of 24 April 1993, as amended,

pursuant to Act No. 183/2006 Coll. regarding the territorial planning and construction rules (Building Act), as amended,

in compliance with Act No. 360/1992 Coll. on the pursuit of the chartered architect profession and the chartered engineer and technician active in construction profession, as amended,

taking into account the provisions of Sections 1772 to 1779 of Act No. 89/2012 Coll., the Civil Code,

CONTEST TO PROPOSE A DESIGN SOLUTION OF

NEW APARTMENT BLOCK AT KOSTELNÍ - BISKUPSKÁ STREETS IN OSTRAVA

and issues these Contest Terms and Conditions

In Ostrava, January 9, 2018

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1 PROMOTER, JURY, INVITED EXPERTS AND SUBSIDIARY JURY BODIES

1.1 Promoter

Title: Statutory City of Ostrava
Address: Prokešovo náměstí 8, 729 30 Ostrava
Company ID: 00845451
VAT reg.no.: CZ00845451
Data box ID: 5zubv7w

Authorized representative of the Promoter: Ing. Tomas Macura, MBA, Mayor of the City
Tel/fax: +420,599,442,291
E-mail: tmacura@ostrava.cz

1.2 Contest Terms and Conditions prepared by:

Name/Title: Ing. arch. Jan Malík
Tel/fax: +420 599 443 323
E-mail: jmalik@ostrava.cz

1.3 Jury

The Client (contracting authority) appoints the following Jury

1.3.1 Regular dependent members

Ing. Petra Bernfeldová	Mayor of ÚMOB Moravská Ostrava and Přívoz
Dalibor Mouka	Deputy Mayor of ÚMOB Moravská Ostrava and Přívoz
Ing. arch. Cyril Vltavský, MPA Regulations at Ostrava City Authority	Head of the Department of Chief Architect and Building

1.3.2 Regular independent members

Ing. arch. Tadeáš Goryczka	independent architect, Ostrava
Ing. arch. Adam Horák	independent architect, Brno
Ing. arch. Tomáš Oth	independent architect, Praha
mgr inž. arch. Jakub Szczęsny	independent architect, Warsaw

1.3.3 Substitutes, dependent

Ing. Břetislav Riger	Deputy Mayor of Ostrava
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1.3.4 Substitutes, independent

doc. Ing. Martina Peřínková, Ph.D.	Head of the Department of Architecture, Ostrava
Ing. arch. Gabriel Kurtis Sedlák	independent architect, Brno

1.4 Invited experts

Mgr. Michal Zezula
Jindřich Jansa

Director of the NPÚ Ostrava
budget clerk

The Jury shall be entitled to ask the contracting authority to invite other experts during the competition.

1.5 Contest Secretary

Name/Title: Ing. arch. Jan Malík
Tel/fax: +420 599 443 323
E-mail: jmalik@ostrava.cz

1.6 Contest Reviewer

Name: Ing. arch. Hana Paclová, Ph.D.
Tel/fax: +420 599 443 468
E-mail: hpaclova@ostrava.cz

1.7 E-mail address for contest queries

kostelni-biskupska@ostrava.cz

2 CONTEST SUBJECT AND SPECIFICATIONS

2.1 Contest Subject

The subject of the Contest is the design of an architectural solution of a new apartment block in the city center of Ostrava at the crossing of Kostelní and Biskupská streets.

2.2 Contest Specifications

2.2.1 The Promoter requests compliance with the following solution specifications:

- a) A Contest Proposal shall be in compliance with the document P.01 Construction Program, which forms a part of the Contest Documentation;
- b) The implementation price of the Contest Proposal shall not exceed CZK 120 million VAT exclusive;
- c) A Contest Proposal shall be in compliance with the document P.09 Regulatory Conditions of the Department of Chief Architect and Building Regulations, which forms a part of the Contest Documentation;

2.2.2 The Promoter requests the Contest Proposals address the following:

- a) Ensuring the required number of parking lots in compliance with standard values - underground parking on two floors is preferred;
- b) Commercial areas in the parterre;
- c) Conservation of the underground collector - to be designed in compliance with the document P.14 Statement to Building Options in the Proximity of the Collector, which forms part of the Contest Documentation

2.2.3 The Promoter recommends the Contestants taking into account the following requirements:

- a) technical solutions in compliance with with current trends, economic and environmental approaches

2.2.4 The solution of the Contest subject aspects mentioned above is left to the invention of the Contestants.

2.3 Consequences of a failure to comply with the Promoter's requirements for the Contest subject

2.3.1 Should a Contestant fail to meet the mandatory requirements set out in paragraphs 2.2.1 and 2.2.2, the Jury shall disqualify their bid and the Promoter shall exclude them from the Contest.

3 CONTEST TYPE AND PURPOSE, SPECIFICATION OF SUBSEQUENT CONTRACT

3.1 Contest Type

- 3.1.1 In terms of the Contest subject, the Contest is issued as architectural.
- 3.1.2 In terms of the number of Contestants, the Contest is issued as open.
- 3.1.3 In terms of the number of phases announced, the Contest is issued as one-phase.
- 3.1.4 In terms of the solution intention, the Contest is issued as a project one.

3.2 Contest Purpose and Mission

- 3.2.1 The purpose and mission of the Contest is to find and rate the most appropriate solution of the Contest subject, which shall meet the Promoter's requirements contained in these Contest Terms and Conditions and Contest Documents, and select the Contestants eligible to negotiate awarding a subsequent contract without prior publication pursuant to Section 143 (2) and Section 65 of the Public Procurement Act (hereinafter referred to as "NPWPP - negotiation procedure without prior publication"), according to par. 3.3 of these Contest Terms and Conditions.
- 3.2.2 Promoter
 - a) shall invite to act the Contestant, whose proposal shall be placed at the highest rated position, and should a contract be concluded with them, the negotiations shall be terminated;
 - b) should a contract not be concluded by negotiation referred to in point a), the Promoter shall invite a Contestant whose proposal is placed at the second highest rated position, and should a contract be concluded with them, the negotiations shall be terminated;
 - c) should a contract not even be concluded by negotiation referred to in point b), the Promoter shall invite a Contestant whose proposal is placed at the third highest rated position, and the NPWPP shall be terminated after negotiation with this Contestant.
- 3.2.3 The Promoter reserves the right to invite two, three award winners or all Contestants to the NPWPP if the highest rating is awarded twice or three times at the same level. In such a case, the price of the subsequent project documentation shall be the rating criterion in the NPWPP, in particular.

3.3 Subsequent contract specifications

- 3.3.1 The Promoter intends to outsource, based on the Contest results, a project documentation for the new apartment block at Kostelní - Biskupská streets in Ostrava in all the basic service phases (hereinafter referred to as SP) in drawing up the Project Documentation

SP 1 - Contract preparation

SP 2 - Finalization of the building design (construction study)

SP 3 - Design documents for siting permit

SP 4 - Project documentation for building permits

SP 5 - Project documentation for construction implementation

SP 6 - As-Built Project Documentation

SP 7 - Supervision

as well as services and special related activities associated with a public contract performance such as procurement (engineering) activities,

cooperation with the contracting authority in removing defects and faults and putting the construction into use.

Necessary surveys (geological, hydrogeological, dendrological, archaeological) shall be provided by the Promoter.

- 3.3.2 The estimated value of the subsequent contract shall not exceed CZK 6 million VAT exclusive.
- 3.3.3 The reward for executing a subsequent contract in the scope of paragraph 3.3.1 of these Contest Terms and Conditions shall be determined with reference to the recommended prices according to www.cka.cz/cs/pro-architekty/kalkulacky. The Contest Documents include an example of table P.13 Overview of the reward for the implementation of a subsequent public contract

4 CONTESTANTS

4.1 Terms of Participation in Contest

Terms of Participation in Contest shall be met by the individuals or legal entities, that demonstrate that:

- a) they are citizens of the Czech Republic or one of the Member States of the European Economic Area and the Swiss Confederation or have their registered office in the Czech Republic or in one of the Member States of the European Economic Area and the Swiss Confederation;
- b) none of the authors or co-authors of a Contest Proposal and their associates listed in list inserted in the envelope marked "AUTHOR", and in the case of legal entities, none of their statutory body members:
 - b.1) participated in the Contest preparation or conduct;
 - b.2) is a full member or a substitute of the Jury, the Jury secretary, the examiner of the Contest Proposals or the invited expert of the Contest;
 - b.3) is a spouse, direct relative, permanent project partner, immediate superior or direct co-worker of the persons referred to in points b.1 and b.2, if such persons are listed in Contest Terms and Conditions;
 - b.4) is a member of the Promoter's self-governing bodies or an employee of the Promoter's offices or legal entities established by the Promoter that participated in the negotiation and approval of the Contest Terms and Conditions, Contest Specifications or shall participate in the negotiation and approval of the Contest results, the results of the contract award procedure following the Contest and the results of the contract awarded following the Contest.
- c) meet the basic qualification pursuant to Section 74 of the Public Procurement Act;
- d) are registered in the Companies Register or other similar records, if another legal regulation requires such a registration;
- e) have a business license for a project activity under construction (not applicable to persons performing the activity of an architect as a liberal profession and to individuals and legal entities having their registered office in the country where such authorization is not required);
- f) are chartered architects with authorizations for the field of architecture or with general competence pursuant to Act No. 360/1992 Coll., on the pursuit of the chartered architect profession and the chartered engineer and technician active in construction profession, as amended, or chartered architects under the law of the State of which they are citizens or where they have their residence.

4.2 Demonstration of compliance with Terms of Participation in Contest

- 4.2.1 A Contestant shall demonstrate that the Terms of Participation in Contest have been met pursuant to paragraph 4.1 by a declaration stamped in an envelope marked "AUTHOR" (see paragraph 6.5 of these Contest Terms and Conditions).
- 4.2.2 Should multiple persons submit a Contest Proposal together, they will jointly and severally bear their responsibility in their joint implementation of the subsequent public procurement.
- 4.2.3 When submitting a Contest Proposal as a single Contestant by multiple persons together, each of those persons shall meet the conditions set out in paragraph 4.1. (a), (b), (c) and (d). These persons shall jointly demonstrate meeting of the other conditions of participation. The legal entities shall demonstrate the fulfillment of the basic eligibility conditions pursuant to Section 74 (2) of the Public Procurement Act.

- 4.2.4 The Contestant shall be entitled to demonstrate the compliance with conditions in paragraph 4.1. (e) through another person.
- 4.2.5 A person demonstrating compliance with the condition in paragraph 4.1 (f) shall be an author or co-author of the Contest Proposal.
- 4.2.6 An international Contestant shall demonstrate the compliance with the Terms of Participation in Contest under paragraph 4.1. d), e) and f) to the extent corresponding to the law of the country where they have their residence.
- 4.2.7 A Contestant invited to conclude the contract based on the results of the negotiation procedure without prior publication (NPWPP) shall provide the Promoter with originals or officially certified copies of the documents attesting compliance with the Terms of Participation in Contest set forth in paragraph 4.1.

4.3 Consequences of a failure to comply with Terms of Participation in Contest

- 4.3.1 Should a Contestant fail to submit the required documents in the envelope "AUTHOR" proving the compliance with the in the envelope "AUTHOR" referred to in paragraph 4.2.1, the Promoter shall ask them to provide what is required.
- 4.3.2 Should a Contestant fail to meet the Terms of Participation in Contest, the Jury shall disqualify their Contest Proposal and the Promoter shall exclude them from the Contest.

5 AVAILABILITY OF CONTEST DOCUMENTATION, CONTEST DOCUMENTS, TOUR OF CONTEST VENUE AND EXPLANATION OF CONTEST TERMS AND CONDITIONS

5.1 Availability of the Contest Documentation

5.1.1 The Contest Terms and Conditions and the Contest Documents are published on the Promoter's profile <https://verejnezakazky.ostrava.cz/detail/11811> from the date of the Contest issuance until the end of the Contest period.

5.2 Contest Documents

5.2.1 The Promoter provides the Contestants with the following documents in digital form:

- P.01 Construction program
- P.02 Detail of the Cadastral Map
- P.03 Orthophotomap
- P.04 A snapshot to draw a mandatory perspective
- P.05 Photodocumentation
- P.06 Detail of the Development (Zoning) Plan
- P.07 Examples of contest panels
- P.08 Drawing of the existing technical infrastructure
- P.09 Regulatory Conditions of the Department of Chief Architect and Building Regulations
- P.10 Geodetic survey
- P.11 Opinion of concerned network owners and DOSS
- P.12 Bill of Quantities
- P.13 Overview of the reward for the implementation of a subsequent public contract
- P.14 Statement to Building Options in the Proximity of the Collector
- P.15 3D model of the neighborhood

5.2.2 The Contestants hereby undertake to use the materials only for decision-making on participation in the Contest and Contest Proposal preparation.

5.3 Tour of the Contest venue

As the site to be addressed is publicly accessible and given the character of the Contest subject, the tour of the Contest venue shall not take place.

5.4 Explanation of Contest Terms and Conditions (Queries)

5.4.1 The Contestants may only submit requests for explanations of the Contest Terms and Conditions in writing to the e-mail address kostelni-biskupska@ostrava.cz (see 1.7 E-mail address for for Contest queries).

5.4.2 The explanation of the Contest Terms and Conditions and documents shall be published, along with the request (query) text, anonymously. For the terms to submit the queries see par. 9.3.

6 CONTEST PROPOSAL

6.1 Contest Proposal requirements

A Contest Proposal shall include the following:

- a) 2 panels of 700x1000 mm format made of light material for exhibition purposes (hereinafter referred to as "panels") containing a graphic representation of the design (see point 6.2);
- b) text part in A4 format in 3 copies (see section 6.3);
- c) digital part on a solid data carrier in a closed envelope (see 6.4);
- d) envelope marked "AUTHOR" (see 6.5);

6.2 Graphical part

6.2.1 Panel 01 will contain the following graphical expressions:

- a) Mandatory drawing into perspective;
- b) Views – streets Kostelní, 28.října, Biskupská scaled 1:250;
- c) Longitudinal and cross section scaled 1:250;
- d) Schemes, text at your discretion

6.2.2 Panel 02 will contain the following graphical expressions:

- a) 2x visualization or axonometry at your discretion;
- b) Situation with a parterre scaled 1:500;
- c) Floor plans (underground floor, ground floor, typical floor and more at your own discretion) scaled 1:250.

6.2.3 It is recommended to arrange the contest panels according to P.07 Examples of Contest Panels.

6.3 Text part

6.3.1 The text part shall include:

- a) cover page;
- b) list of Contest Proposal parts marked with the serial number and the part title and reference serial numbers (see paragraph 6.6 (b) of these Contest Terms and Conditions);
- c) text summary of the Contest Proposal (cover report) up to 3 pages A4;
- d) Bill of Quantities pursuant to the Contest Documentation P.12 Sample Bill of Quantities;
- e) proposal of the reward according to the Contest Document P.13 Overview of the reward for the implementation of a subsequent public contract - see 3.3.3
- f) reduced printouts of the graphics in the A4 format.

6.3.2 The text part may also contain additional information and technical specifications of the Contest Proposal in the form of text, sketches or diagrams specifying the principle of solution and technical clarification of the Contest Proposal within the range of up to 3 pages A4.

6.4 Digital version of the Contest Proposal

- 6.4.1 Contestants shall submit the Contest Proposal in a digital form on solid data CD ROM/DVD ROM with the following contents in the following formats:
- The graphics panels shall be delivered in *.pdf format in the resolution appropriate for publishing a Contest Proposal at www or in the Contest Catalogue.
 - text submission of the Contest Proposal in the *.doc or *.docx formats,
 - Bill of Quantities in *.xls or *.xlsx or *.doc or *.docx formats,
 - proposed reward in *.xls or *.xlsx or *.doc or *.docx formats.
- 6.4.2 The carrier shall be marked "NEW APARTMENT BLOCK AT KOSTELNÍ – BISKUPSKÁ STREETS IN OSTRAVA" and shall be protected against damage.
- 6.4.3 The Contestant shall insert the carrier into an envelope marked "AUTHOR".

6.5 Envelope marked "AUTHOR"

- 6.5.1 The envelope shall contain the following documents:
- Contestant information - information about the Contest Proposal author(s) and co-workers, i.e. their names, addresses, or telephone and fax numbers, e-mail addresses;
 - name and address of the contact person to communicate with the Contest secretary, the number of one bank account to which any prize or reward will be sent (the Contestants shall distribute the reward themselves) or the data box ID;
 - Declaration of Honour regarding the compliance with the Terms of Participation in Contest (see paragraph 4.2.1 of these Contest Terms and Conditions).
 - carrier with the digital part of the Contest Proposal.
- 6.5.2 The envelope shall be sealed, intact and completely opaque.

6.6 Labelling of Contest Proposal and Its Components

- 6.6.1 All components of the Contest Proposal referred to in Article 6, paragraphs 6.1 - 6.5 of these Contest Terms and Conditions (panels, text part, the "AUTHOR" envelope) shall be marked as follows:
- 3x3cm blank frame in the lower right-hand corner, where the Contest Secretary shall enter the Contest Proposal identification number;
 - 3x3cm blank frame in the lower left-hand corner, where the Contestant enters the serial number of the Contest Proposal component according to the list included in the text part;
 - the lower part shall be marked in the center with the text "NEW APARTMENT BLOCK AT KOSTELNÍ – BISKUPSKÁ STREETS IN OSTRAVA".

6.7 Contest Proposal packaging

All parts of the Contest Proposal (panels, text part, "AUTHOR" envelope) shall be placed in a tight, sealed, tamper proof package with the inscription "DO NOT OPEN - TENDER BID - NEW APARTMENT BLOCK AT KOSTELNÍ – BISKUPSKÁ STREETS IN OSTRAVA".

6.8 Terms of the Contest Proposal Anonymity

- 6.8.1 Contest Proposals shall be submitted anonymously. No part of the Contest Proposal (with the exceptions expressly stated in these Contest Terms and

Conditions) shall contain the name and signature of the Contestant or the password or any other graphic mark that could lead to identifying a Contestant and thus violating anonymity.

6.8.2 Given the need to observe the sender's anonymity, the sender's uniform address shall be shown on all postal submissions of Contest Proposals:

Česká komora architektů (Czech Chamber of Architects)

Josefská 6

118 00 Prague 1 - Malá Strana

6.8.3 Should a Contest Proposal be sent by post or other public transport of consignments from a territory outside the Czech Republic, the Contestant shall indicate as the sender's address, with respect to the need to observe the sender's anonymity, the name and address of the professional association where the Contestant is registered according to the law in force in the respective country, or other public organization with which the Contestant shall agree on this procedure.

6.8.4 The Jury shall exclude from the evaluation a Contest Proposal where the examiner and/or the secretary during the Contest Proposal examination, or the Jury during the Contest Proposal evaluation find a violation of the terms of the Contest Proposal anonymity. The Promoter shall exclude the Contestant who submitted this Contest Proposal.

6.9 Consequences of a failure to comply with the Contest Proposal requirements

6.9.1 The Jury shall exclude from evaluation the Contest Proposals where the following is found out:

- a) a failure to comply with the requirements for the contents and formal aspects of Contest Proposals not listed in the previous paragraphs of Art. 6 as a recommendation,
- b) breach of the anonymity preservation conditions, such as a failure to comply with the "AUTHOR" envelope requirements set forth in par. 6.5.2.

6.9.2 The Promoter shall exclude from the Contest the Contestants whose Contest Proposals shall be excluded by the Jury from the evaluation.

7 EVALUATION CRITERIA

7.1 Evaluation Criteria

The criteria based on which the Contest Proposals shall be evaluated are determined without the order of significance as follows:

- a) overall urban-architectural quality of the solution, integration into the local structure;
- b) architectural quality of the solution;
- c) meeting the requirements of the Contest Specifications;
- d) economic adequacy of the Contest Proposal in terms of the investment costs

The level of meeting the criteria that cannot be expressed quantitatively shall be assessed by the Jury based on the experience and knowledge of its individual members. Such an evaluation will therefore be professional, but subjective opinion of the Jury. This evaluation method is standard in the Contests in general and the Contestants express their consent with such an evaluation method through their participation in the Contest.

8 PRIZES, REWARDS AND REIMBURSEMENTS ASSOCIATED WITH EXPENSES OF PARTICIPATING IN CONTEST

8.1 Total amount of Contest prizes, rewards and expenses

The total amount of prizes, rewards and expenses in the Contest has been set to CZK 1,200,000 (in words: One Million Two Hundred Thousand Czech Crowns).

8.2 Prizes

- 8.2.1 The first prize has been set to CZK 500,000 (in words: Five Hundred Thousand Czech Crowns).
- 8.2.2 The second prize has been set to CZK 300,000 (in words: Three Hundred Thousand Czech Crowns).
- 8.2.3 The third prize has been set to CZK 200,000 (in words: Two Hundred Thousand Czech Crowns).

8.3 Rewards

The Contest Proposals with no prize granted, but having brought remarkable partial stimuli and solutions, can be rewarded with a total reward up to CZK 200,000 (in words: Two Hundred Thousand Czech Crowns).

8.4 Conditions of possible decision on a different distribution of prizes and rewards, or the non-granting of certain prizes and rewards

Under the terms and conditions laid down in §10 par. 8 and §12 par. 2 of the Contesting Rules of the Czech Chamber of Architects of April 24, 1993, as amended, the Jury shall be entitled to decide, in exceptional cases, that some of the prizes and/or rewards shall not be awarded and the amounts allocated to them shall not be distributed or shall be distributed in a different way. In special cases, the Jury shall be entitled to decide to allocate the total amount to individual prizes in a different way. The jury shall duly substantiate this decision in the Contest Report, together with the record of the voting of the full Jury members.

8.5 Requirements for taxation of prizes and rewards distributed in Contest

- 8.5.1 The prizes and rewards granted in the Contest to individuals and exceeding the amount of CZK 10,000 shall be, pursuant to §36 par. 2 point I) of Act No. 586/1992 Coll., on Income Tax, as amended and supplemented, reduced by the income tax of 15%, which shall be levied to the tax administrator in accordance with Act No. 280/2009 Coll., the Tax Code, as amended and supplemented.
- 8.5.2 The prizes and rewards granted in the Contest to legal entities shall be paid in full and taxed by a legal entity itself under the regular tax return, pursuant to Act No. 586/1992 Coll., On Income Tax, as amended.

9 COURSE OF THE CONTEST

9.1 Discussing the Contest Terms and Conditions prior to the issuing of the Contest

- 9.1.1 The Contest Terms and Conditions were approved by the Jury of the Contest at its constituent meeting on September 6, 2017. A written confirmation is available to the Promoter.
- 9.1.2 The Contest Terms and Conditions were approved by the City Council of Ostrava on January 9, 2018.
- 9.1.3 The Czech Chamber of Architects issued the confirmation of regularity for the Contest Terms and Conditions of on December 11, 2017 by a letter ref.no. 2085-2017/Šp/Ze.

9.2 Contest opening

- 9.2.1 The Contest starts on the day of sending the notice of the Contest opening in accordance with § 212 of the Public Procurement Act. The period for submitting Contest Proposals begins to lapse on the next day.
- 9.2.2 The launch of the Contest was announced in the Public Procurement Bulletin (<https://www.isvzus.cz>) and in the Official Journal of the EU.
- 9.2.3 The Contest Terms and Conditions and the Contest Documents are available at the Promoter's profile <https://verejnezakazky.ostrava.cz/detail/11811>

9.3 Explanation of Contest Terms and Conditions

- 9.3.1 Under the conditions referred to in par. 5.4, the Contestants shall be entitled to request an explanation of the Contest Terms and Conditions and Documents by **January 26, 2018, until 1 p.m.**
- 9.3.2 The Promoter shall publish the explanations of the Contest Terms and Conditions at the Promoter's profile at least 14 days before the deadline for submission of Contest Proposals.

9.4 Submission of Contest Proposals

- 9.4.1 Contest Proposals may be submitted (at office hours of the Promoter's Filing Room) at the following address: **Magistrát města Ostravy, Prokešovo nám. 8, 729 30 Ostrava, Filing Room (attn. Head of the Department of Chief Architect and Building Regulations at Ostrava City Authority, (ÚHA and SŘ))** .
- 9.4.2 The deadline for the Contest Proposal submission is **March 7, 2018 at 5 p.m.**
- 9.4.3 Should a Contest Proposal not be delivered within the deadline or manner specified in the Contest Terms and Conditions, it shall not be deemed to have been filed and will be ignored during the Contest.
- 9.4.4 Where a Contest Proposal is dispatched by post or other public transport of consignments, the sender shall ensure in their own interest that the Contest Proposal is delivered to the above address within the term set forth in par. 9.4.2.
- 9.4.5 A person receiving the Contest Proposals shall mark them with the date and time of the receipt. In the case of a personal submission, the Contestant shall receive a confirmation of the Contest Proposal receipt with the date and time of the receipt.

9.5 Examination of Contest Proposals

- 9.5.1 The Contest Proposals shall be examined by the Secretary and Examiner immediately after the deadline for submission of Proposals.
- 9.5.2 After unpacking the Contest Proposals, the Secretary shall mark each part of the Proposal with a number, under which the proposals shall be examined and evaluated.
- 9.5.3 The Examiner and Secretary shall prepare a report of the Contest Proposal examination to be submitted to the Jury, and attach it to the Contest Record.

9.6 Evaluation meeting of the Jury

The date of Jury meeting to evaluate the Contest Proposals has been set tentatively to **March 28 – 29, 2018**. The exact date of the evaluation meeting shall be determined during the Contest.

9.7 Contest Record

- 9.7.1 The Secretary or another person authorized by the chairman of the Jury shall prepare the Contest Record from all Jury meetings during the Contest that shall be validated by signatures of all Jury members and confirmed by a clerk.
- 9.7.2 The Contest Record shall include in particular
- minutes of all Jury meetings, including a voting record;
 - report on the explanation of Contest Documentation during the contest period;
 - report on receipt and examination of the Contest Proposals;
 - recommendations to the Promoter to exclude Contestants from the Contest;
 - List all of Contest Proposals;
 - record of the Contest Proposal examination, including a voting record;
 - report on the evaluation of the Contest Proposals, stating ranking of Contest Proposals drawn up based on the criteria set out in the notice of initiation of the Contest
 - information on opening of the Author envelopes and Contestant names assigned to the numbers of Contest Proposals;
 - Jury's opinion of the Proposal selection to determine the order for the distribution of prizes and awards, including the rationale, and other recommendations of the Jury;
 - attendance lists from the Jury meetings.
- 9.7.3 Different views of the Jury members may be recorded in the Contest Record, if the respective members expressly require it.

9.8 Decision to select a Contest Proposal and its notification

- 9.8.1 When selecting the most appropriate Contest Proposal, the Promoter shall be bound by the Jury's opinion.
- 9.8.2 The Promoter shall select the Proposal within 90 days of the submission of the Report on the Evaluation of Contest Proposals to the Promoter.
- 9.8.3 The Promoter shall be entitled to decide on a new assessment of the Proposals for the reasons specified in §148 par. 7 of the Public Procurement Act and §11 par. 1 of the Competition Rules of the Czech Chamber of Architects of April 24, 1993, as amended.
- 9.8.4 The Promoter shall distribute a notice of Proposal Selection and Proposal Evaluation Report to all Contestants
- within ten working days of receipt of the decision on selecting the best Proposal.

9.8.5 The Promoter shall send, within 30 days of cancellation or completion of the Contest, a notification of the Contest results for publication in the manner pursuant to §212 of the Public Procurement Act.

9.9 Access to Contest Proposals

The period to make the Contest Proposals accessible shall start to lapse on the date of sending the notice on the Proposal selection. The period shall end fifteen days after delivering the notice to the last Contestant.

9.10 Completion and cancellation of Contest

9.10.1 The Contest shall end on the date:

- a) when the deadline to raise objections against Proposal selection expires to all Contestants under § 241-244 of the Public Procurement Act and §13 of the Contesting Rules of the Czech Chamber of Architects of April 24, 1993, as amended, unless objections are filed;
- b) when, providing objections are raised, a period to submit a proposal to review of the Promoter's actions to the Office for Protection of Competition under § 251 par. 2 and 3 of the Public Procurement Act lapses, unless the proposal is submitted;
- c) when, providing a proposal is submitted under §251 of the Public Procurement Act, a decision to cancel the administrative proceedings enters into force or the proposal is rejected.

9.10.2 The Promoter shall have the right to cancel the Contest until the Jury's decision.

9.10.3 Should the Contest be cancelled, the Promoter shall pay to the Contestants who shall demonstrate that they have elaborated or developed a Contest Proposal the compensation amounting to a portion from CZK 600,000.

9.10.4 The Promoter shall send, within 30 days of the Contest cancellation or completion, a notice of the Contest cancellation or its results for publication in the Bulletin of Public Procurement and in the EU Official Journal.

9.11 Payment of prizes and rewards, or reimbursements associated with the expenses of participating in the Contest

Prizes, awards and other payments shall be paid no later than 50 days from the decision on the selection of the best Proposal or within one week of the arbitration award, if arbitration occurs.

9.12 Public exhibition of Contest Proposals

A public exhibition of Contest Proposals shall be opened within three months of notification of the decision on selecting the best Proposal.

10 DISPUTES

10.1 Objections

- 10.1.1 Each Contestant shall have the right to lodge justified objections against the formal procedures of the Jury or the Promoter within fifteen (15) days of receipt of the Promoter's decision on the choice of the best Contest Proposal.
- 10.1.2 The Contestant shall lodge objections (hereinafter referred to as the "Complainant") in writing and shall state therein which procedure the objections are directed against, where they perceive the breach of the Contest Terms and Conditions and what claim the Complainant is seeking
- 10.1.3 The Promoter shall review the lodged objections in full and, within ten (10) days of receipt of the objections, shall send to the Complainant a written decision on whether or not they will accommodate the objection, stating the reason. Should the Promoter meet the objections, the Promoter shall state in the decision the manner of redress and notify all Contestants. Should the Promoter reject the objections, the Promoter shall inform the Complainant in a written decision of the option to file for arbitration to the chairman of the Professional Court and the proposal to initiate proceedings to review the Promoter's conduct to the Office for Protection of Competition.

10.2 Petition to initiate proceedings to review the Promoter's conduct

- 10.2.1 The petition shall be submitted to the Office for Protection of Competition, along with a copy to the Promoter, within 10 days from the day when the Complainant received the decision to reject objections, or within 25 days after the objections were sent by the Complainant, unless the Promoter decides on the objections within the period under §245 par. 1 of the Public Procurement Act.
- 10.2.2 Particulars of the Petition to initiate proceedings to review the Promoter's conduct and the Complainant's further procedure shall be governed by the provisions of §249 et seq. of the Public Procurement Act.

11 COPYRIGHT

11.1 Contest Proposal copyright protection in terms of Contestant - author relation

The Contestants shall demonstrate that copyright to the Contest Proposal is properly protected through providing the following:

- d) a declaration that the Contestant is also the author in cases where the Contest Proposal is submitted by an individual who is both a Contestant and author, or legal entity whose statutory body is the person who is the author of the Contest Proposal;
- e) a license agreement governing the copyright between authors - individuals jointly submitting a Contest Proposal as one Contestant;
- f) a license agreement governing the copyright of legal entities submitting a Contest Proposal jointly a one Contestant, if the legal entity's statutory body or employee is the author of the Contest Proposal;
- g) a license agreement between the Contestant and the author if the Contestant's subcontractor is the author of the Contest Proposal.

11.2 Contest Proposal copyright protection in terms of Contestant - Promoter relation

11.2.1 The authors of Contest Proposals shall keep their copyright, having the right to publish their Contest Proposals and reuse them in other cases.

11.2.2 By submission of a Contest Proposal, the Contestants agree with free reproduction and exhibition of the Contest Proposals in order to promote the Contests and its results.

11.2.3 Awarded Contest Proposals shall become the Promoter's property. The authors of these Contest Proposals grant their consent to the Promoter to use their copyrighted work for the purposes stipulated by these Contest Terms and Conditions. The use of copyrighted work for purposes other than those listed in these Contest Terms and Conditions shall be subject to the authors' express permission.

11.2.4 Once the exhibition has ended, non-winning Contest Proposals will be deposited with the promoter, who will enable the Contestants to collect them upon request.

12 OTHER TERMS

12.1 Contest Language

The Contest is announced and will take place in Czech and English. All of the Contest Proposal entries may therefore be drafted either in Czech or English.

12.2 Governing laws

The Contest shall be held in compliance with the Czech law.

12.3 Consent of the Contestants with the Contest Terms and Conditions

12.3.1 By participating in the Contest the Promoter, Contest secretary, Jury members and invited experts confirm to become familiar with all the Contest conditions and agree to follow these Contest Terms and Conditions as an agreement.

12.3.2 By submitting Contest Proposals the Contestants express their consent to agree to all the Contest Terms and Conditions as a covenant, with the decisions of jury and the decision of the Promoter, made thereunder and in accordance with them.