

THE CITY OF OSTRAVA

hereby announces

in accordance with Act no. 134/2016 Sb. on Public Procurement,
in accordance with the Code of Competition of the Czech Chamber of Architects, issued 24
April 1993, as amended,
in accordance with Act no. 183/2006 Sb. on Spatial Planning and the Building Code (the
Building Act), as amended,
in accordance with Act no. 360/1992 Sb. on the Professional Practice of Authorized
Architects and on the Professional Practice of Authorized Construction Engineers and
Technicians, as amended,
and in accordance with the provisions of Section 1772 to Section 1779, Act no. 89/2012 Sb.,
the Civil Code

A COMPETITION FOR A PROPOSAL FOR

**THE RECONSTRUCTION OF THE HISTORIC BUILDING OF THE FORMER
SLAUGHTERHOUSE TO SERVE AS PREMISES FOR THE PLATO GALLERY, OSTRAVA**

(hereinafter “the competition”)

and publishes the following terms and conditions of the competition

Ostrava, 3 February 2017

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1. CONTRACTING AUTHORITY, JURY, INVITED EXPERTS AND AUXILIARY BODIES OF THE JURY

1.1 Contracting authority

Name: City of Ostrava (Statutární město Ostrava)

Address: Prokešovo náměstí 8, 729 30 Ostrava

Organization identification number (IČ): 00845451

Tax identification number (DIČ): CZ00845451

Data box ID: 5zubv7w

Authorized representative of the contracting authority: Ing. Tomáš Macura, MBA, Mayor of Ostrava

Tel/fax: +420 599 442 291

E-mail: tmacura@ostrava.cz

1.2 Competition organizer

Name: Ing. arch. Ludvík Grym

Address: CZ - 616 00 Brno, Pod kaštany 2295/21

Organization identification number (IČ): 16312376

Tax identification number (DIČ): CZ611196851

Contact person: Ing. arch. Ludvík Grym

Tel/fax: +420 606 782 220

E-mail: grym@paw.cz

1.3 Person responsible for drafting the competition terms and conditions

Name: Ing. arch. Ludvík Grym

Address: CZ - 616 00 Brno, Pod kaštany 2295/21

Tel/fax: +420 606 782 220

E-mail: grym@paw.cz

1.4 Jury

The contracting authority appoints the following members of the competition jury:

1.4.1 Regular members (non-independent)

Ing. Tomáš Macura, MBA

Mayor, City of Ostrava

JUDr. Lukáš Semerák

Member of Ostrava City Council

Marek Pokorný

Director, Plato Gallery, Ostrava

1.4.2 Regular members (independent)

Ing. arch. Pavla Melková

independent architect, Prague

Prof. Ing. arch. Zdeněk Fránek

independent architect, Brno

Ing. arch. Pavol Paňák

independent architect, Bratislava

Dipl.-Ing. Ivan Reimann

independent architect, Berlin

1.4.3 Substitute members (non-independent)

Ing. Petra Bernfeldová	Mayor, Municipal District of Moravská Ostrava
Ing. Zbyněk Pražák, Ph.D.	Deputy Mayor, City of Ostrava

1.4.4 Substitute members (independent)

Ing. arch. Milena Vitoulová	independent architect, Ostrava
Ing. arch. Václav Filandr	independent architect, Ostrava

1.5 Invited experts

Mgr. Michal Zezula	Director, National Heritage Institute (Národní památkový ústav), Ostrava
Ing. arch. Cyril Vltavský	Head, Office of the Head Architect, Ostrava City Authority (Magistrát města Ostravy)
Ing. Petr Žák	lighting expert, Prague
JUDr., Ph.Dr. Jiří Plos	lawyer, Prague

The jury may request that the contracting authority invite additional experts during the course of the competition.

1.6 Competition secretary

Name: Ludvík Grym
Address: Pod kaštany 2295/21, 616 00 Brno
Tel/fax: +420 606 782 220
E-mail: grym@paw.cz

1.7 Verifier of competition proposals

Name: Hana Paclová
Address: Ostrava City Authority (Magistrát města Ostravy), Office of the Head Architect, Prokešovo náměstí 8, 729 30 Ostrava
Tel/fax: +420 599 443 468
E-mail: hpaclova@ostrava.cz

2. SUBJECT OF THE COMPETITION, COMPETITION INSTRUCTIONS

2.1. Subject of the competition

The subject of the competition is an architectural design proposal for the reconstruction/conversion of the former slaughterhouse complex (hereinafter “the site”), including any extensions, to serve as premises for a gallery.

2.2. Competition instructions

- 2.2.1. The contracting authority requires competition proposals to comply with the following requirements:
- a) The proposal must be in compliance with supporting document P01 Competition instructions – building program, which forms Appendix no. 1 of these competition terms and conditions;
 - b) The implementation cost of the competition proposal must not exceed CZK 150 million (excluding VAT).
 - c) The binding statement of the heritage management authority as per Appendix no. 3 of these competition terms and conditions, which forms supporting document P14 of these competition terms and conditions.
- 2.2.2. The contracting authority recommends that competition entrants take into consideration the following requirements:
- a) Supporting document P02 History of the site and the complex; heritage management considerations for the planned architectural competition;
 - b) Supporting document P10 Requirements for lighting.
- 2.2.3. Any aspects of the subject of the competition not mentioned above are left to the discretion of the entrants.

2.3. Consequences of failure to comply with the requirements stipulated by the contracting authority

- 2.3.1. Failure to comply with the requirements stipulated in paragraphs 2.2.1 a) and 2.2.2 may be deemed to be sufficient grounds for the disqualification of a competition proposal and the exclusion of the entrant from the competition. Among the criteria for evaluation of proposals that will be assessed by the jury are the quality and degree to which these requirements are incorporated into the individual competition proposals. Any failure to comply with the requirements stipulated in paragraph 2.2.1 must be justified by the entrant as part of the competition proposal.
- 2.3.2. Entrants who fail to comply with the requirement stipulated in paragraph 2.2.1 b) shall be excluded from the competition.

3. TYPE AND PURPOSE OF THE COMPETITION, SPECIFICATION OF THE SUBSEQUENT CONTRACT

3.1. Type of competition

- 3.1.1. In accordance with the subject of the competition, this competition is classified as an architectural competition.
- 3.1.2. In accordance with the list of entrants, this competition is classified as a competition with a restricted and anonymous range of entrants.
- 3.1.3. In accordance with the number of phases (rounds), this competition is classified as a competition in two phases (rounds). Subject to the consent of the contracting authority, the jury may, if justified grounds are given, decide to omit the second phase (round) and to decide on the final placings and prizes on the basis of the results of the first phase (round) of the competition.
- 3.1.4. In accordance with the purpose of the competition, the competition is classified as a planning competition.

3.2. Purpose and function of the competition

- 3.2.1. The purpose and function of the competition is to identify and reward the most suitable proposals for the subject of the competition which meet the requirements stipulated by the contracting authority in these terms and conditions, and to select those entrants with whom the contracting authority will enter into non-public negotiations (in accordance with the provisions of Section 143, Subsection 2 and Section 65 of Act no. 134/2016 Sb. on Public Procurement, as amended) concerning a subsequent contract as specified in paragraph 3.3 of these terms and conditions.
- 3.2.2. The contracting authority shall invite all entrants whose proposals are selected (i.e. whose proposals are deemed suitable for the receipt of prizes) to participate in non-public negotiations.

3.3. Specification of the subsequent contract

- 3.3.1. The contracting authority intends, based on the results of the competition, to conclude a contract for the complete planning of the reconstruction/conversion of the site to serve as premises for a gallery.

The contract will cover all basic service phases in the compilation of planning documentation, i.e.

Service phase 1 – Completion of structural design (structural study)

Service phase 2 – Project documentation for the building approval process

Service phase 3 – Engineering planning and issuing of valid building approval

Service phase 4 – Project documentation for implementation

Service phase 5 – List of jobs and materials

Service phase 6 – Architectural supervision and monitoring

3.3.2. The fee for the subsequent contract as specified in paragraph 3.3.1 of these terms and conditions will be set in accordance with the recommended fees specified at www.cka.cz/cs/pro-architekty/kalkulacky; the maximum fee will be CZK 15 million (excluding VAT). By submitting a competition proposal, the entrant declares that it will, if selected for participation in non-public negotiations and invited to submit a cost quote, calculate said cost quote according to the methodology specified above.

4. COMPETITION ENTRANTS

4.1. Conditions for participation in the competition

The conditions for participation in the competition shall be deemed to have been met by natural persons or legal entities (or groups of natural persons) provided that their application for participation in the competition demonstrates that:

- a) they are citizens of the Czech Republic or a member state of the European Economic Area (EEA) or the Swiss Confederation, or that their registered office is located in the Czech Republic or a member state of the European Economic Area (EEA) or the Swiss Confederation;
- b) none of the future authors (or co-authors) of the competition proposal and their collaborators identified in the list inserted into the envelope marked "AUTHOR", and (in the case of legal entities) none of the authorized representatives:
 - b.1) has been directly involved in the preparation of the competition instructions and/or in the announcement of the competition;
 - b.2) is a regular member or substitute member of the jury, or the competition secretary, or the verifier of competition proposals, or an invited expert for the competition;
 - b.3) is the spouse, next-of-kin, permanent associate, immediate superior or direct collaborator of the persons listed in b.1 and b.2 (provided that these persons are listed in these competition terms and conditions);
 - b.4) is a member of the local government bodies of the contracting authority or is an employee of the offices of the contracting authority or of legal entities constituted by the contracting authority which participated in the discussion and approval of the competition terms and conditions and/or the competition instructions or which will participate in the discussion and approval of the competition results, or the discussion and approval of the results of the process concerning the conclusion of the contract subsequent to the competition, or the discussion and approval of the results of the contract concluded subsequent to the competition;
- c) they meet the basic criteria for suitability in accordance with the provisions of Section 74, Act no. 134/2016 Sb. on Public Procurement;
- d) they are registered in the commercial register or a similar register of legal entities (not applicable to natural persons and groups of natural persons, and not applicable to legal entities officially based in states which do not require such registration);
- e) they are entitled to conduct business activities in the field of structural design (not applicable to persons practicing architecture as a liberal profession, and not applicable to natural persons and legal entities officially based in states which do not require such entitlement);

- f) they are authorized persons in accordance with Act no. 360/1992 Sb. on the Professional Practice of Authorized Architects and on the Professional Practice of Authorized Construction Engineers and Technicians, as amended, or they are authorized architects in accordance with the legislation of the state of which they are citizens or in which they are officially based.

4.2. Proof of compliance with the conditions for participation in the competition

- 4.2.1. Entrants prove their compliance with the conditions for participation in the competition (as stipulated in paragraph 4.1) by means of a sworn declaration (affirmation) inserted into the envelope marked "AUTHOR" (see paragraph 6.5 of these competition terms and conditions).
- 4.2.2. If two or more natural persons jointly submit a single application for participation in this competition, each of these natural persons must comply with the conditions stipulated in paragraph 4.1 a), b) and c). Proof of compliance with the remaining conditions is provided for all the natural persons jointly.
- 4.2.3. If two or more legal entities jointly submit a single application for participation in this competition, each of these legal entities must comply with the conditions stipulated in paragraph 4.1 a), b), c) and d). Proof of compliance with the remaining conditions is provided for all the legal entities jointly. Compliance with the basic criteria for suitability is proved by legal entities in accordance with the provisions of Section 74, Act no. 134/2016 Sb. on Public Procurement.
- 4.2.4. Entrants are entitled to prove their compliance with the conditions stipulated in paragraph 4.1 e) and f) via another person.
- 4.2.5. The person proving compliance with the conditions stipulated in paragraph 4.1 f) must be a future author or co-author of the proposal.
- 4.2.6. Foreign (non-Czech) entrants prove their compliance with the conditions for participation in the competition to an extent corresponding with the legislation of the state in which the entrant is officially based.
- 4.2.7. Entrants who are invited to conclude a contract on the basis of the results of non-public negotiations must submit to the contracting authority the original documents (or officially certified copies of the original documents) proving compliance with the conditions for participation in the competition stipulated in paragraph 4.1.

4.3. Consequences of failure to comply with the conditions for participation in the competition

- 4.3.1. If the entrant fails to submit (in the envelope marked "AUTHOR") the required documentation proving compliance with the conditions for participation in the competition as stipulated in paragraph 4.2.1, the contracting authority shall discuss with the jury the option of instructing the entrant to supply the missing documentation. If the jury decides in favour of this option, the contracting authority shall immediately write to the entrant and instruct the entrant to supply the missing documentation within 10 (ten) working days. Within this 10-day period, the contracting authority shall suspend the session of the jury convened in order to assess the portfolios submitted by applicants for participation in the competition. If the jury does not decide in favour of the option of instructing the entrant to supply the missing documentation, or if the entrant fails to supply the missing

documentation within the stipulated 10-day period, the contracting authority shall exclude the entrant from the competition.

4.3.2. If the entrant fails to comply with the conditions for participation in the competition, the contracting authority shall exclude the entrant from the competition.

4.4. Invited entrants

The contracting authority invites the following entrants to participate in the competition:

- a) Akad. arch. Petr Hájek; Prague
- b) Ing. arch. Robert Konieczny; KWK PROMES, Katowice, Poland
- c) Arch. DI Arkan Zeytinoglu, Vienna, Austria
- d) Ing. arch. Irakli Eristavi, Zerozero s.r.o., Prešov, Slovakia
- e) Wenink Holtkamp Architecten, Eindhoven, The Netherlands

4.5. Shortlisting of applicants

4.5.1. Applicants for participation in the competition submit to the contracting authority an application for participation; this application shall include a portfolio. The contracting authority assesses applicants' compliance with the conditions for participation in the competition, and the jury assesses the portfolios according to the criteria stipulated below. Based on the results of this assessment and the opinion of the jury, the contracting authority shall invite a maximum of 5 (five) applicants to submit competition proposals. If the total number of applicants is less than 5 (five), the contracting authority shall invite all applicants to submit competition proposals.

4.5.2. The application for participation shall include:

- a) documentation proving compliance with the conditions for participation in the competition as stipulated in paragraph 4.2 of these competition terms and conditions;
- b) a portfolio of the applicant's previous work for purposes of reference.

4.5.3. The portfolio of the applicant's previous work for purposes of reference (hereinafter "the portfolio") shall be submitted 1x in printed form, bound in A3 format, and 1x in electronic form on a CD, in pdf format (maximum 10 MB).

4.5.4. The portfolio shall include at least one example of a previous implemented project by the applicant dated no earlier than 20 (twenty) years before the announcement of this competition; the project must be similar in scope (extent) and type to the subject of this competition. The portfolio must also incorporate a written reference from a client of the applicant for at least one example of a previous implemented project. Each example of a previous implemented project must state the author of the project, the location of the project, the cost of the construction, the year of implementation, and contact details of the investor. Each example must further state the gross floor area, the enclosed volume, and a brief text report characterizing the project. The supplier of the project must be identical to the applicant for participation in the competition. In cases of joint participation by more than one applicant as a single entrant, the portfolio must include at least one example of a previous implemented project by each of the applicants.

4.5.5. The application for participation shall be delivered to the following address: Magistrát města Ostravy, Útvar hlavního architekta a stavebního řádu, Prokešovo náměstí 8, 729

30 Ostrava, Czech Republic, no later than 24 February 2017. The application for participation shall be delivered in a properly sealed non-transparent envelope marked with the inscription: "DO NOT OPEN – APPLICATION FOR PARTICIPATION – PLATO OSTRAVA" / "NEOTEVÍRAT – ŽÁDOST O ÚČAST – PLATO OSTRAVA".

4.5.6. The verifier of competition proposals shall verify compliance with the conditions for participation as stipulated in paragraph 4.1 of these competition terms and conditions, and shall submit the proposals to the jury, which shall proceed in accordance with paragraph 4.5.7.

4.5.7. The jury named in paragraph 1.4 of these competition terms and conditions shall assess the submitted portfolios to determine

a) the overall urbanistic/architectural quality of the examples of previous implemented projects, and their integration into the structure of the respective site and surrounding area;

b) the architectural quality of the examples of previous implemented projects, and their approach to the existing historical material at the respective site.

The jury shall compile a report setting out its opinions arrived at as a result of this assessment; the report shall describe the strengths and weaknesses of the submitted portfolios, and shall recommend to the contracting authority a shortlist comprising a maximum of 5 (five) of the applicants who should be invited to submit competition proposals.

4.5.8. Based on the opinion of the jury, the contracting authority shall decide within 10 (ten) days on a shortlist of applicants; the contracting authority shall invite these shortlisted applicants to submit competition proposals, and it shall send notifications to the remaining applicants informing them that they have not been selected to submit competition proposals. The contracting authority shall send all applicants the report on the assessment of the application for participation.

5. AVAILABILITY OF COMPETITION DOCUMENTATION, COMPETITION SUPPORTING DOCUMENTS, INSPECTION VISIT TO THE COMPETITION SITE, EXPLANATION OF COMPETITION TERMS AND CONDITIONS

5.1. Availability of competition documentation

- 5.1.1. The competition terms and conditions and the competition supporting documents are published at the profile of the contracting authority <https://verejnezakazky.ostrava.cz/detail/11554>) from the date of the announcement of the competition to the final deadline for the submission of applications.
- 5.1.2. An explanation of the competition terms and conditions shall be published at the profile of the contracting authority <https://verejnezakazky.ostrava.cz/detail/11554>) no later than 5 (five) working days from the receipt of the request for explanation. All explanations of the competition terms and conditions shall remain published until the final deadline for the submission of applications.

5.2. Competition supporting documents

- 5.2.1. The contracting authority provides applicants with the following supporting documents in digital form in the following formats:
- P01 Competition instructions – building program (*.docx, *.pdf);
 - P02 History of the site and the complex (*.docx, *.pdf), heritage management considerations for the planned architectural competition (*.docx), historical photographic documentation (*.jpg), historical building survey (*.pdf);
 - P03 Extract from the cadastral map showing the boundary of the site (*.dwg, *.dxf, *.pdf); orthophotomap (*.pdf);
 - P04 Extract from the technical map 1:500 (*.dwg, *.dxf);
 - P05 Cartographic base – planimetry, hypsography (*.dgn, *.dwg, *.dxf);
 - P06 Digital 3D model of the site (*.dxf);
 - P07 Structural-technical survey (*.docx, *.pdf); photograph of the current situation at the site (*.jpg);
 - P08 Basic information on foundation conditions at the site (*.pdf);
 - P09 Basic information on transport/traffic access (*.docx, *.pdf);
 - P10 Requirements for lighting (*.docx, *.pdf);
 - P11 Panel template (*.indd, *.pdf);
 - P12 Template of data table for key geometric properties and quantities (*.xls, *.pdf);
 - P13 Portfolio template (*.indd, *.pdf).
 - P14 Binding statement issued by the heritage management authority
- 5.2.2. Competition entrants undertake to use these supporting documents solely for the purpose of deciding whether to participate in the competition and for producing the competition proposal.

5.3. Inspection visit to the competition site

The contracting authority shall organize a guided inspection visit to the competition site for competition entrants. During the inspection visit it is not permitted to ask or answer any questions concerning organizational matters related to the competition or concerning the subject of the competition.

5.4. Explanation of competition terms and conditions (questions)

5.4.1. Entrants may request explanation of competition terms and conditions; such a request must be submitted in writing to the e-mail address of the competition secretary grym@paw.cz.

5.4.2. Any explanations of the competition terms and conditions shall be published (together with the text of the request for explanation, without identification of the entrant submitting the request) together with the competition terms and conditions and the competition supporting documents. The deadlines for the submission of requests for explanation are given in paragraph 9.4.

6. COMPETITION PROPOSALS

6.1. Content of competition proposals

A competition proposal must contain:

- a) 3 panels of dimensions 700 x 1000 mm ("portrait" format) made of lightweight material for display purposes (hereinafter "panels") showing the proposal in graphic form (see paragraph 6.2); each panel is required only once (i.e. no copies are required);
- b) the text part of the proposal in a single bound volume (A4 format) submitted in three identical versions (in triplicate) (see paragraph 6.3);
- c) the digital version of the proposal on a solid data medium (CD ROM or DVD ROM) in a sealed envelope (see paragraph 6.5);
- d) an envelope marked "AUTHOR" (see paragraph 6.5);
- e) an envelope marked "CONTACT ADDRESS" (see paragraph 6.6).

6.2. Graphic part

6.2.1. Panel 01 must contain the following information in graphic form:

- a) A situation plan of the site at scale 1:500; the site is bounded by four streets: Stodolní, Porážková, Janáčkova and the dead-end extension of Masná;
- b) A situation plan of the wider area at scale 1:2000 showing the connections between the site and the wider area;
- c) An axonometric projection of the proposal at scale 1:500.

6.2.2. Panel 02 must contain the following information in graphic form:

- a) Ground plans at scale 1:200;
- b) Sections at scale 1:200;
- c) Elevations at scale 1:200.

- 6.2.3. Panel 03 must contain the following information in graphic form:
- a) Perspective depiction of the exterior – minimum 1x main entrance, 1x another depiction selected by the entrant;
 - b) Perspective depiction of the interior – minimum 1x main exhibition space, 1x lobby/foyer.
- 6.2.4. The layout of the panels is left to the entrant's discretion.

6.3. Text part

- 6.3.1. The text part of the proposal must contain:
- a) the title page;
 - b) a list of the parts of the competition proposal, each part marked with its identifying number and title (see paragraph 6.8 b) of these competition terms and conditions);
 - c) a text description of the proposal (i.e. an accompanying report) consisting of 5 (five) standard A4 pages;
 - d) data on key geometric properties and quantities; the data must be presented using the table template P12;
 - e) reduced-size printouts (A4 format) of the panels from the graphic part of the proposal.
- 6.3.2. The text part must further contain supplementary information and technical specifications of the proposal in the form of text, sketches or diagrams specifying the design principles and technical specifications of the proposal (maximum 5 pages, A4 format).

6.4. Digital version of the proposal

- 6.4.1. Entrants must submit the proposal in digital form on a solid data medium (CD ROM / DVD ROM) with the following content and in the following formats:
- a) the panels of the graphic part must be supplied in *.pdf format with resolution suitable for publication of the proposal on the internet or in a competition catalogue;
 - b) a text description of the proposal – format *.doc or *.docx,
 - c) a data table for key geometric properties and quantities – format *.doc or *.docx, or *.xls or *.xlsx.
- 6.4.2. The data medium must be marked with the text “PLATO OSTRAVA” and protected from potential damage.
- 6.4.3. Entrants must insert the data medium into the envelope marked “AUTHOR”.

6.5. Envelope marked “AUTHOR”

- 6.5.1. This envelope must contain the following documents:
- a) information on the competition entrant – information on the author(s) of the proposal and their collaborators, i.e. names, addresses, the agreed percentage of any prize or remuneration to be received by each author, telephone/fax number(s) and e-mail address(es);
 - b) the name and address of the contact person for purposes of communication with the competition secretary, the bank account number for payment of any prize or remuneration, the data box ID;
 - c) the data medium containing the digital version of the competition proposal.

6.5.2. The envelope must be sealed, undamaged and entirely non-transparent.

6.6. Envelope marked “CONTACT ADDRESS”

6.6.1. The envelope must contain the name and address, and (if applicable) the data box ID of the person to whom the invitation to participate in the second phase (round) of the competition (plus other information and supporting documents) should be sent if the entrant is selected for the second phase (round).

6.6.2. The envelope must be sealed, undamaged and entirely non-transparent.

6.7. Content of competition proposals in the second phase (round) of the competition

The content of competition proposals in the second phase (round) of the project will be specified on the basis of the results and assessment of the first phase (round); this information will be sent to entrants selected for the second phase (round) of the competition, together with the invitation to participate in the second phase (round) and any other supporting documents, to the address given in the envelope marked “CONTACT ADDRESS”.

6.8. Labelling of the proposal and its parts

6.8.1. All parts of the competition proposal stipulated in paragraphs 6.1 – 6.7 of these competition terms and conditions (the panels, the bound text part, the envelope marked “AUTHOR”, the container with the solid data medium, the envelope marked “CONTACT ADDRESS”) must be marked as follows:

- a) in the lower right corner, with a blank box (frame) of dimensions 3×3 cm, into which the competition secretary will write the identifying number of the proposal;
- b) in the lower left corner, with a box (frame) of dimensions 3×3 cm, into which the entrant must enter the identifying number of the part according to the list of the parts of the competition proposal contained within the text part;
- c) in the lower central part, the text “PLATO OSTRAVA”.

6.9. Sealing of competition proposals

All parts of the competition proposal (the panels, the bound text part, the model, the digital version of the competition proposal, the envelope marked “AUTHOR”, the envelope marked “CONTACT ADDRESS”) must be inserted into a strong, sealed envelope protected against damage and marked with the inscription “**DO NOT OPEN – COMPETITION PROPOSAL – PLATO OSTRAVA**” / “**NEOTEVÍRAT – SOUTĚŽNÍ NÁVRH – PLATO OSTRAVA**”.

6.10. Specification of requirements for competition proposals for the second phase (round) of the competition

The specification of requirements for the competition proposal for the purposes of the second phase (round) of the competition will be sent to entrants selected for the second phase (round) of the competition, together with the invitation to participate in the second

phase (round) and any other supporting documents, to the address given in the envelope marked "CONTACT ADDRESS".

6.11. Conditions for the anonymity of competition proposals

6.11.1. Competition proposals will be presented anonymously. No part of the competition proposal (with the exception of those parts expressly stated in these competition terms and conditions) may contain the name or signature of the competition entrant, or any other textual or graphic marking which could potentially enable the entrant to be identified and thus the condition of anonymity to be breached.

6.11.2. In view of the need to maintain the anonymity of persons sending competition proposals, all competition proposals sent by post must be marked with the following sender address (the address of the Czech Chamber of Architects):

**Česká komora architektů
CZ 118 00 Praha 1 - Malá Strana, Josefská 6**

6.11.3. If a competition proposal is sent by post or by another carrier from outside the territory of the Czech Republic, the sender details stated by the entrant must (in view of the need to maintain the anonymity of persons sending competition proposals) be given as the name and address of the professional association of which the entrant is a member under the valid legislation of the given state, or the name and address of another public organization (if so agreed by the entrant and said organization).

6.11.4. The contracting authority shall exclude an entrant from the competition if the verifier of competition proposals and the competition secretary, during the assessment of the competition proposals, discover that the conditions for the anonymity of competition proposals have been breached.

6.12. Consequences of failure to comply with the requirements for competition proposals

6.12.1. Competition proposals which do not contain one or more of the parts stipulated in paragraph 6.1 shall be disqualified from the competition by the jury. If a competition proposal contains all stipulated parts but one or more of these parts fails to comply with the stipulated requirements, the jury shall proceed in accordance with paragraph 6.12.3.

6.12.2. Competition proposals which breach the conditions for anonymity shall be disqualified from the competition by the jury. Breaches of the conditions for anonymity include failure to comply with the conditions for the envelope marked "AUTHOR" stipulated in paragraph 6.5.2 and the conditions for the envelope marked "CONTACT ADDRESS" stipulated in paragraph 6.6.2.

6.12.3. If the competition proposals breach formal aspects of the competition terms and conditions, especially

- a) if the panels are of a different size than the size stipulated in paragraph 6.1 a);
- b) if the proposal includes a different number of copies (identical versions) of the text part of the proposal than the number stipulated in paragraph 6.1 b);
- c) if the format of the text part of the proposal is different than the format stipulated in paragraph 6.1 b);
- d) if any of the required elements of the graphic part of the proposal stipulated in paragraph 6.2 are missing;

- e) if any of the required elements of the text part of the proposal stipulated in paragraph 6.3.1 are missing;
- f) if the text part of the proposal exceeds the extent (length) stipulated in paragraph 6.3.1;
- g) if the labelling of the competition proposal is different than stipulated in paragraph 6.8;

the jury shall decide on an individual basis whether such formal breaches reduce the comprehensibility or quality of the competition proposal and/or lead to a breach of anonymity. On the basis of this assessment, the jury shall decide whether or not to disqualify the proposal from the competition; a decision not to disqualify the proposal from the competition requires a four-fifths majority in favour of the decision.

6.12.4. Entrants whose proposals are disqualified from the competition by the jury shall be excluded from the competition by the contracting authority.

7. CRITERIA FOR THE EVALUATION OF THE COMPETITION PROPOSALS

7.1. Criteria for evaluation

The criteria for the evaluation of the competition proposals are as follows (the order of the listing does not reflect any order of importance):

- a) The overall urbanistic/architectural quality of the proposal, its integration into the structure of the site and the surrounding area;
- b) The architectural quality of the proposal; the quality of the proposal with regard to its approach to the existing historical material at the site;
- c) Compliance with the competition instructions and requirements;
- d) The economic viability of the proposal in terms of investment and operating costs.

7.2. Criteria for evaluation in the second phase (round) of the competition

The criteria for the evaluation (assessment) of the competition proposals in the second phase (round) of the competition will be the same as those applicable to the first phase (round) of the competition, plus the additional evaluation of the development of the competition proposal and the entrant's ability to respond to the newly specified requirements announced on the basis of the results of the first phase (round) of the competition.

8. PRIZES, REMUNERATION AND REIMBURSEMENT OF EXPENSES INCURRED THROUGH PARTICIPATION IN THE COMPETITION

8.1. Total sum for prizes, remuneration and reimbursement of expenses incurred through participation in the competition

The total sum for prizes, remuneration and reimbursement of expenses incurred through participation in the competition (the prize money) is **CZK 1,900,000** (one million nine hundred thousand Czech crowns).

8.2. Prizes

8.2.1. The sum awarded as the first prize is CZK 700,000 (seven hundred thousand Czech crowns).

8.2.2. The sum awarded as the second prize is CZK 350,000 (three hundred and fifty thousand Czech crowns).

8.2.3. The sum awarded as the third prize is CZK 250,000 (two hundred and fifty thousand Czech crowns).

8.3. Remuneration

The contracting authority shall not provide any remuneration. The calculation of the remuneration and other reimbursements to members of the jury (including maximum sums) is given in Appendix no. 2 of these competition terms and conditions.

8.4. Reimbursement of expenses incurred through participation in the competition

The sum of CZK 600,000 (six hundred thousand Czech crowns) shall be divided among those competition entrants whose proposal is not excluded from the competition by the contracting authority during the course of the assessment; the maximum sum allocated for any one competition proposal shall be CZK 100,000 (one hundred thousand Czech crowns).

8.5. Conditions for the decision to distribute the competition prize money and remuneration in a different manner (or not to award some of the prizes and/or remuneration)

Under the conditions stipulated in Section 10, Subsection 8 and Section 12, Subsection 2 of the Code of Competition issued by the Czech Chamber of Architects, issued 24 April 1993, as amended, the jury may, in special circumstances, decide not to award some of the prizes and/or remuneration, and to distribute the sum originally allocated for said prizes and/or remuneration in a different manner (or not at all). In special circumstances, the jury may decide to distribute the prize money in a different manner among the individual prizes. In such cases the jury must give a detailed justification of its decision as part of the report on the competition proceedings, including minutes of the vote by regular members of the jury.

8.6. Taxation of competition prizes and remuneration

- 8.6.1. In accordance with Section 36, Subsection 2 l), Act no. 586/1992 Sb. on Income Tax, as amended, a deduction of 15% will be made from the prizes and remuneration paid to natural persons exceeding the sum of CZK 10,000 (ten thousand Czech crowns); in accordance with Act no. 280/2009 Sb., the Tax Code, this deducted sum will be paid by the contracting authority to the appropriate tax authority.
- 8.6.2. In accordance with Act no. 586/1992 Sb. on Income Tax, as amended, prizes and remuneration paid to legal entities will be paid in full (without deducting tax); the legal entity is responsible for declaring said prizes and remuneration as taxable income and for paying tax on said prizes and remuneration.

9. COMPETITION PROCEEDINGS

9.1. Discussion and approval of competition terms and conditions prior to the announcement of the competition

- 9.1.1. The competition terms and conditions were approved by the competition jury at its constituting session on 20 January 2017. Written confirmation of this approval is held by the contracting authority.
- 9.1.2. The competition terms and conditions were approved by Ostrava City Assembly on 25 January 2017.
- 9.1.3. The Czech Chamber of Architects has issued a written declaration confirming the regularity of the competition terms and conditions in a letter dated 30 January 2017, reference no. 149–2017/Šp/Ze.

9.2. Commencement of the competition

- 9.2.1. The competition commences on 3 February 2017. This is the starting date of the period for the submission of applications for participation in the competition.
- 9.2.2. Notification of the commencement of the competition has been given on the Czech Republic's official information portal for public procurement (<http://www.isvzus.cz>) and in the Official Journal of the European Union.
- 9.2.3. Applications for participation in the competition are to be submitted in a sealed envelope marked in accordance with paragraph 4.5.5 to the Ostrava City Authority at the address: Magistrát města Ostravy, Prokešovo náměstí 8, 729 30 Ostrava, Czech Republic; the deadline for submission of applications for participation is 10:00 a.m. on 24 February 2017.
- 9.2.4. The contracting authority shall assess and evaluate the applications for participation in the competition to verify compliance with the conditions for participation stipulated in paragraph 4.1 of these competition terms and conditions by 1 March 2017.
- 9.2.5. The jury shall assess and evaluate the portfolios in accordance with paragraphs 4.5.2, 4.5.3 and 4.5.7 of these competition terms and conditions by 2 March 2017.
- 9.2.6. The contracting authority shall invite selected applicants to submit proposals (and shall inform those applicants not selected to submit proposals) by 7 March 2017.

9.2.7. The competition terms and conditions and the supporting documents shall be made available at the profile of the contracting authority on the day of the announcement of the competition.

9.3. Inspection visit to the competition site

The inspection visit to the competition site (with a guided tour provided by the contracting authority) shall take place on 6 February 2017 and 7 February 2017. Participants in the inspection visit meet at 13:00 (1 p.m.) outside the site.

A further inspection visit shall take place on 9 March 2017 for entrants selected for participation in the first phase (round) of the competition.

9.4. Competition documentation

9.4.1. In accordance with the conditions stipulated in paragraph 5.4, entrants may request explanation of the competition documentation; such a request must be submitted no later than 9:00 a.m. on 15 March 2017.

9.4.2. The meeting of the contracting authority and representatives of the competition jury to discuss requests for explanation shall take place on 15 March 2017.

9.4.3. The contracting authority shall publish the responses to such requests no later than 20 March 2017.

9.5. Submission of competition proposals – first phase (round)

9.5.1. Competition proposals may be submitted on any working day (weekday) between 8:30 a.m. and 15:00 (3 p.m.), and on the final day of the period for the submission of competition proposals from 8:30 a.m. and 15:00 (3 p.m.), to Ostrava City Authority at the address: Magistrát města Ostravy, Prokešovo náměstí 8, 729 30 Ostrava, Czech Republic.

9.5.2. The final day of the period for the submission of competition proposals (the competition deadline) is 21 April 2017 at 13:00 (1 p.m.).

9.5.3. Entrants submitting competition proposals after this deadline shall be excluded from the competition by the contracting authority. If the competition proposal is submitted by hand, the contracting authority reserves the right to refuse to accept a proposal submitted after the deadline stipulated in paragraph 9.5.2.

9.5.4. If the competition proposal is sent by post or by another public carrier, the sender must (in their own interest) ensure that the proposal is delivered to the above address no later than the deadline stipulated in paragraph 9.5.2.

9.5.5. The person taking delivery of the proposals shall mark each proposal with the date and time of delivery. If the competition proposal is submitted by hand, the person taking delivery of the proposal shall issue a document confirming receipt of the proposal, stating the date and time of receipt.

9.6. Verification of competition proposals

- 9.6.1. Verification of competition proposals is conducted by the competition secretary and the verifier of competition proposals immediately after the deadline for the submission of competition proposals has elapsed.
- 9.6.2. After opening the competition proposals, the competition secretary shall mark the individual parts of the proposals with numbers which will be used for reference purposes when verifying and assessing (evaluating) the proposals. The numbering of the proposals may be changed if so decided by the jury or the contracting authority; such a change must be made before the commencement of the assessment (evaluation) of the proposals.
- 9.6.3. The verifier and the competition secretary shall compile a report on the verification of the competition proposals; this report shall be submitted to the jury and shall form an appendix to the report on the competition proceedings.

9.7. Session of the jury for purposes of assessment of the competition proposals

The session of the jury for purposes of assessment of the competition proposals is scheduled on a preliminary basis for 25–26 April 2017. The precise date of this session shall be specified during the course of the competition.

9.8. Invitation for selected entrants to participate in the second phase (round) of the competition

- 9.8.1. Based on the jury's decision, the contracting authority shall issue invitations for selected entrants to participate in the second phase (round) of the competition.
- 9.8.2. This invitation shall be issued by a person authorized by the contracting authority, who shall open the envelopes marked "CONTACT ADDRESS". The names of the selected entrants shall not be communicated to the members of the jury, the competition secretary, the verifier of competition proposals or the invited experts.

9.9. Proceedings of the second phase (round) of the competition

- 9.9.1. The proceedings of the second phase (round) of the competition shall be specified and sent (together with the invitation and other documents) to the entrants selected for participation in the second phase (round).

9.10. Report on the competition proceedings

- 9.10.1. Based on all sessions of the jury, the secretary (or another person appointed by the chairperson of the jury) shall compile a report on the competition proceedings; the accuracy of this report shall be confirmed by the signatures of all members of the jury and the report shall be signed by the minute-taker.

9.10.2. The report on the competition proceedings shall contain the following elements:

- a) minutes from all sessions of the jury, including a record of voting;
- b) a report on any explanations of the competition documentation given during the competition period;
- c) a report on the receipt of the competition proposals and the verification of the proposals;
- d) any recommendations for the contracting authority to exclude entrants from the competition;
- e) a list of all the competition proposals assessed;
- f) a record of the assessment of the competition proposals, including a record of voting;
- g) written assessments of all competition proposals;
- h) the jury's decision on the selection of proposals for the second phase (round) of the competition and/or the specification of conditions for the second phase (round) of the competition;
- i) information on the opening of the envelopes marked "AUTHOR" and the names of the competition entrants allocated to the proposal numbers;
- j) the jury's opinion on the selection of the most suitable competition proposals, the ordering of the proposals, the allocation of prizes and the payment of remuneration, including justification (grounds) and further recommendations by the jury;
- k) the records of attendance from the individual sessions of the jury.

9.10.3. The report on the competition proceedings may include a record of differences of opinion among members of the jury (if these members expressly request).

9.11. Decision on the selection of the most suitable competition proposal and notification of the decision

9.11.1. In selecting the most suitable competition proposal, the contracting authority is bound by the opinion of the jury.

9.11.2. The contracting authority shall decide on the selection of the most suitable competition proposal within 90 (ninety) days of the issuing of the jury's opinion.

9.11.3. The contracting authority may decide that the competition proposals should be re-assessed (re-evaluated) on the grounds given in Section 148, Subsection 7, Act no. 134/2016 Sb. on Public Procurement and in Section 11, Subsection 1 of the Code of Competition issued by the Czech Chamber of Architects, issued 24 April 1993, as amended.

9.11.4. The contracting authority shall send notification of the selection of the most suitable competition proposal, including the report on the competition proceedings, to all competition entrants

- a) by post (with signed-for delivery direct to the addressee) or
- b) to the entrant's data box (for entrants who list details of their data box in the envelope marked "AUTHOR")

within 10 (ten) days of the decision on the selection of the most suitable competition proposal.

9.11.5. Public notification of the result of the competition shall be given by the contracting authority after sending the decision on the selection of the most suitable competition proposal; the notification shall be given on the profile of the contracting authority and in the other forms via which the competition was announced.

9.12. Public access to competition proposals

The period during which competition proposals are made publicly accessible begins on the day on which the report on the competition proceedings is sent to entrants. This period ends 15 (fifteen) days after the delivery of the report on the competition proceedings to the last of the entrants.

9.13. Termination of the competition, cancellation of the competition

9.13.1. The competition is terminated:

- a) on the date of expiry of the period during which all entrants may submit objections against the selection of competition proposals in accordance with Sections 241–244 of Act no. 134/2016 Sb. on Public Procurement and Section 13 of the Code of Competition issued by the Czech Chamber of Architects, issued 24 April 1993, as amended, if no such objections have been submitted by this date;
- b) if objections are submitted, on the date of expiry of the period for the submission of proposals for the review of the actions of the contracting authority to the Office for the Protection of Competition in accordance with Section 251, Subsections 2 and 3 of Act no. 134/2016 Sb. on Public Procurement, if no such proposals have been submitted by this date;
- c) if a proposal has been submitted in accordance with Section 251 of Act no. 134/2016 Sb. on Public Procurement, on the date on which the decision on the suspension of the administrative proceedings or the rejection of the proposal enters into legal force.

9.13.2. The contracting authority reserves the right to cancel the competition at any time prior to the decision of the jury.

9.13.3. If the competition is cancelled, the contracting authority is obliged to reimburse competition entrants their share of CZK 600,000 (six hundred thousand Czech crowns) if said entrants demonstrate that they have fully or partially produced a competition proposal.

9.13.4. Within 30 (thirty) days of the cancellation or termination of the competition, the contracting authority shall send notification of the cancellation or result of the competition for publication on the Czech Republic's official information portal for public procurement and in the Official Journal of the European Union.

9.14. Payment of prize money, remuneration and (if applicable) reimbursement of expenses incurred through participation in the competition

Prizes, remuneration and other payments shall be paid no later than 50 (fifty) days following the decision on the selection of the most suitable competition proposal.

9.15. Public exhibition of competition proposals

A public exhibition of competition proposals shall be opened no later than three weeks following notification of the decision on the selection of the most suitable competition proposal.

10. RESOLUTION OF DISPUTES

10.1. Objections

- 10.1.1. Each competition entrant may submit an objection (including grounds for the objection) against the formal proceedings of the jury to the contracting authority within 15 (fifteen) days of the delivery of the notification of the decision on the selection of the most suitable competition proposal.
- 10.1.2. Such an objection must be submitted by the entrant in writing; the objection must state who is submitting the objection, against which proceeding(s) of the jury or the contracting authority the objection is directed, in what manner the competition terms and conditions are considered to have been breached, and what rectification is sought by the entrant submitting the objection.
- 10.1.3. The contracting authority shall review any objections to their full extent, and within 15 (fifteen) days of receiving the objection, the contracting authority shall send to the entrant that submitted the objection a written decision stating whether the contracting authority accepts or rejects the objection, including grounds for the decision. If the contracting authority accepts the objection, it shall issue a decision stating the manner in which rectification is to be made, and the contracting authority shall inform all competition entrants of this fact. If the contracting authority rejects the objection, it shall issue a decision informing the entrant that submitted the objection of the option of submitting a proposal for the commencement of arbitration proceedings to the chairperson of the Professional Court (Stavovský soud) of the Czech Chamber of Architects and a proposal for the commencement of a review of the actions of the contracting authority to the Office for the Protection of Competition.

10.2. Proposals for the commencement of a review of the actions of the contracting authority

- 10.2.1. Such a proposal must be delivered to the Office for the Protection of Competition (Úřad pro ochranu hospodářské soutěže) and to the contracting authority within 10 (ten) days of the delivery of the contracting authority's decision on an objection, or within 25 (twenty-five) days of sending the objection (if the contracting authority has failed to issue a decision on the objection).
- 10.2.2. The content and form of a proposal for the commencement of a review of the actions of the contracting authority, and the subsequent steps to be taken by the party submitting such a proposal, are governed by the provisions of Section 249 et seq., Act no. 134/2016 Sb. on Public Procurement.

11. COPYRIGHT

11.1. Protection of copyright to competition proposals with regard to the relation between entrants and authors

An entrant asserts the protection of copyright to a competition proposal

- a) by means of a declaration stating that the entrant is also the author, if the competition proposal is submitted by a natural person who is simultaneously the entrant and the author, or by a legal entity whose authorized representative is the author of the competition proposal;
- b) by means of a licensing agreement governing the copyrights of authors (natural persons) submitting a competition proposal jointly as a single entrant;
- c) by means of a licensing agreement governing the copyrights of legal entities submitting a competition proposal jointly as a single entrant, if the author of the proposal is the authorized representative or employee of the legal entity;
- d) by means of a licensing agreement between the entrant and the author (if the author is a subcontractor for the entrant).

11.2. Protection of copyright to competition proposals with regard to the relation between entrants and the contracting authority

11.2.1. Authors of competition proposals retain their copyright to the proposals; they may publish their proposals and re-use them for a different purpose.

11.2.2. By submitting a competition proposal, the entrant grants consent to the unpaid reproduction and display of the proposal for purposes of promoting the competition and its results.

11.2.3. Proposals deemed suitable for the receipt of prizes and remuneration become the property of the contracting authority. The authors of these proposals grant their consent for the contracting authority to use their copyrights for the purposes of the competition. The use of a competition proposal for purposes other than those stated in these competition terms and conditions is subject to the express consent of the author of the proposal.

11.2.4. Proposals not deemed suitable for the receipt of prizes and remuneration shall be returned to their authors after the termination of the exhibition.

12. OTHER TERMS AND CONDITIONS

12.1. Language of the competition

The competition is announced in Czech and English and proceedings will be in Czech and English. All parts of a competition proposal must therefore be in one of the above-mentioned languages. If there is a discrepancy between the content of Czech and English versions of the same document, the Czech version shall be deemed to be the decisive version.

12.2. Legal framework

The competition will be conducted in accordance with Czech law.

12.3. Clause on the acceptance of the competition terms and conditions

12.3.1. By their participation in the competition, the contracting authority, the competition secretary, the verifier of competition proposals, the jury members and the invited experts confirm that they are acquainted with all terms and conditions of the competition and undertake to respect and comply with these terms and conditions in the sense of a binding contract.

12.3.2. By their submission of competition proposals, competition participants express their agreement with all terms and conditions of the competition and with the decisions made by the jury as part of the competition and in accordance with these terms and conditions.

Place, date and signature of the authorized representative of the contracting authority

Appendix no. 1. Competition instructions – building program

Appendix no. 2: Calculation of remuneration and other reimbursements to members of the jury

Appendix no. 3: Binding statement issued by the heritage management authority