

[KIB] COMPETITION

NÚKIB 

CCEA MOBA

NATIONAL CYBER AND INFORMATION SECURITY AGENCY: **BLACK FIELDS**

National Cyber and Information Security Agency,

in accordance with the Public Procurement Act, the Code of Competition of the Czech Chamber of Architects, the Construction Act, the Act on Exercising Occupation, and taking into account the relevant provisions of the Civil Code, **is announcing an international open two-phase architectural design contest for a project „BLACK FIELDS“** and is issuing these competition conditions

In Brno 3 April 2019.

COMPETITION

Compliance with legislation:

- Public Procurement Act: No. 134/2016 coll. - hereinafter “Act”
- **Code of Competition** of the Czech Chamber of Architects of 24 April 1993, as amended
- **Building Act:** No. 183/2006 coll., On Spatial Planning and Building Regulations, as amended
- **Practice of the Profession Act:** No. 360/1992 Coll., On the Practice of the Profession of Chartered Engineers and Technicians Active in Construction, as amended
- Relevant provisions of the **Civil Code:** Section 1772 to Section 1779 Act No. 89/2012 coll.

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1/ Contracting authority, organizer, jury and its subsidiary bodies, invited experts

1.1 Contracting authority

National Cyber and Information Security Agency
Mučednická 1125/31, 616 00 Brno
IČO 05800226
Representative: Dušan Navrátil, director
nukib.cz

1.2 Competition organizer

CCEA MOBA: MOBA studio
U Půjčovny 4, 110 00 Praha
IČO 61459712
Representative: Igor Kovačević, managing director
cceamoba.cz
and
Karo, Lašmanský & Partners s.r.o., law office
Klimentská 2062/6
Nové Město, 110 00 Praha 1
karolas.cz

1.3 Jury

1.3.1 Regular dependent members

Vladimír Petera, National Cyber Security Center, NÚKIB

Věra Vojáčková, deputy director of Operation and Legal Section, NÚKIB

Martin Maleček, Mayor of Brno-sever

1.3.2 Alternate dependent members

Václav Borovička, Cyber Security Policies Department, NÚKIB

Pavel Vintr, Development and Investment Unit, NÚKIB

Olga Strublová, territorial development of Brno-sever

1.3.3 Regular independent members

Mark Kelly, PLP Architecture

Matyáš Sedlák, m4 architekti

Radek Kolařík, RKA

Antonín Novák, DRNH

1.3.4 Alternate independent members

Janica Šipulová, consequence forma

1.4 Auxiliary bodies of the jury

1.4.1 Competition secretary

Karin Grohmannová
karin@cceamoba.cz

1.4.2 Inspector of proposals

Yvette Vašourková
cceamoba@cceamoba.cz

1.5 Invited experts

1.5.1 Invited experts at the moment of competition launch

Daniel Peder Bagge – cyber security
Pavel Dvořák – operation and legal department
Zuzana Vyoralová – energy efficiency
Vladimír Pokorný – physical security

1.5.2 Other invited experts

The jury may ask the contracting authority to invite experts during the competition.

2/ Type and purpose of the competition, subject of the competition, competition tasks, language of the competition

2.1 Type of competition

2.1.1 According to the subject of the competition

The competition is announced as architectural.

2.1.2 By group of participants

The competition is announced as open.

2.1.3 Depending on the number of phases announced

The competition is announced as two-phase.

2.1.4 According to the intent of the solution

The competition is announced as leading to a project.

2.2 Purpose of the competition

The purpose of the competition is to find the most appropriate solution of the subject of the competition, which meets to the highest extent the requirements of the contracting authority contained in these competition conditions and its annexes, and to select the participants, with whom in the Negotiated Procedure Without Prior Publication in compliance with the provisions of Section 143(2) and Section 65 of the Act (hereinafter "NPWPP") the contracting authority will negotiate the award of a subsequent contract according to Item 3 of these competition conditions.

The purpose of the competition is therefore to select the best-quality team that has made the most suitable competition proposal based on an evaluation in the competition of the submitted proposals for further cooperation on the subject of the competition. With such a participant, the contracting authority will negotiate in the NPWPP on the subsequent commission.

2.3 Subject of the competition

The subject of the competition is the design of the new headquarters for the National Cyber and Information Security Agency (NÚKIB) that would fulfill the high demands for the effective work of its employees, support innovation and top technology demands, and create a pleasant competitive, yet secured workplace. It will be located on the plots of Czech Army in Brno

neighborhood Černá Pole (translation: Black Fields). The new headquarters should be a modern workplace attracting experts and offering the best possible conditions for work and innovative thinking.

The aim of the competition is to find a partner for NÚKIB to create a headquarters representing quality and sustainable architecture and work environment competitive in the IT sector.

Estimated building costs for realization are 350 Mill. CZK excl. VAT. This competition will verify these costs and will serve as an indicator for their eventual update.

2.4 Competition tasks - brief

The requirements for solving the subject of the competition are defined by annex P.01 – Brief and are set as recommended. The solution to aspects of the subject of the competition not listed in Annex P.01 is left to the participants' invention. The requirements are issued as optimal with the current knowledge of a problem and they are not immutable.

2.5 Competition language

The competition is announced and will be held in Czech and English. All parts of the competition proposal must therefore be drafted in one of the languages mentioned above, it may be permitted for them to be drawn up in Slovak. The jury's working language will be Czech and English.

Documents processed in the course of the competition (e.g. the protocol, decision and selection announcement) will again be drawn up in Czech and English. In case of conflict, the Czech language is always decisive, especially in the case of the conditions and other documents and documents issued within the competition.

3/ Specification of subsequent negotiation and commission

3.1 Negotiated procedure without prior publication (NPWPP)

In accordance with the provisions of Section 143(2) and Section 65 of the Act, the contracting authority will negotiate only with the participants, who will receive a prize in the competition, on the awarding of a subsequent commission according to Item 3.3 of these conditions. The bids will then be submitted by the participants in order of placement in the competition.

3.1.1 Submitting a bid by the participant in the highest-awarded ranking

The contracting authority will first invite to submit a bid the participant whose proposal is placed in the highest-awarded ranking and end the negotiations if a contract is concluded with him.

3.1.2 Submitting a bid by the participant in the second highest-awarded ranking

In the event that there is no agreement on the conclusion of a contract under Item 3.1.1, the contracting authority will invite the participant whose proposal is placed in the second highest-awarded ranking and, if a contract is concluded, end the negotiations.

3.1.3 Submitting a bid by the participant in the third highest-awarded ranking

In the event that there is no agreement on the conclusion of a contract under Item 3.1.2, the contracting authority will invite the participant whose proposal is placed in the third highest-awarded ranking and, if a contract is concluded, end the negotiations.

3.2 3.2 Conditions for concluding a contract for the commission

3.2.1 Parties

The participant acts in the subsequent negotiation and as a contractual party as they entered the competition, i.e. as they themselves stated in the form PP.01 Identification.

3.2.2 Proof of fulfilment of the conditions for participation in the competition

The participant, who will be asked to conclude the contract on the basis of the results of the NPWPP, submits originals or officially certified copies of the documents proving fulfilment of the conditions for participation in the competition in Item 4.1.

3.2.3 Concluding a contract with a participant who is not a citizen of the Czech Republic

A participant who is not a citizen of the Czech Republic or has no registered office in the Czech Republic proves on conclusion of the contract that he is a person authorized to carry out selected activities in the course of construction pursuant to Section 7(1)(b) and Section 30a Practice of the Profession Act, or he proves the contractual relationship with another person who has the right to carry out the selected activities in the course of construction in the Czech Republic.

3.3 Scope of the subsequent commission

On the basis of the results of the competition, the contracting authority intends to award a commission for the processing of the basic phases of the services (PS) according to the currently valid implementing decrees and in accordance with the new standards of architects' services, i.e.:

PS 2 – Building design; PS 4 – Project for building permit; PS 5 – Construction project; PS 6 – List of works and supplies; PS 7 – Creative supervision + documentation of the actual construction.

The contracting authority assumes that the documentation for the land-use permit (PS 3) will not be needed, if the project does not exceed the given height limit. The commission also includes processing of above-standard services and specialty services related to the fulfillment of a commission such as engineering, carrying out the necessary surveys (depending on the type and scope, some surveys may be procured by the contracting authority), project of the interior, cooperation with the contracting authority in rectifying defects and faults and putting the building in use. From the level of construction project, the documentation will be required to be carried out in BIM.

3.4 Estimated value of the subsequent commission

The fee for the commission in the scope of Item 3.3 will be set within the framework of NPWPP. The prize money will be included in the PS 2.

4/ Competition participants

4.1 Requirements for participation

The requirements for participating in the competition are fulfilled by private individuals and legal entities (or their companies) that:

- a) demonstrate that they themselves and the members of their team are not included in the application for participation, in the event of legal entities also their statutory bodies:
 - a1) did not directly participate in the preparation of the competition award and the announcement of the competition;
 - a2) they are not an organizer, a jury member, a secretary, a design inspector, or an invited expert of that competition;
 - a3) they are not a spouse of a permanent project partner, an immediate superior or a direct co-worker of the persons referred to in item a1) and a2), if these persons are included in the competition conditions;
 - a4) are not a member of the contracting authority's self-governing bodies or an employee of the contracting authority or legal entities established by the contracting authority that participated in the negotiation and approval of the competitive conditions, the competition tender or participate in the negotiation and approval of the results of the competition, the results of the award procedure following the competition and the results of the contract awarded following a competition;
- b) they meet the basic qualification according to **Section 74** of the Act (detailed in Annex PP.02);
- c) they fulfill the professional qualification pursuant to **Section 77(1)** of the Act, i.e. they are entered in the commercial register, or similarly according to the law of the state of which they are citizens or in which they have their registered office;
- d) they are authorized persons under the Occupational Law or authorized architects under the law of the state of which they are citizens or in which they have their registered office.

4.2 Demonstration of fulfilment of the conditions for participation in the competition

4.2.1 Sworn statement

The participant demonstrates that fulfils the conditions for participation in the competition under Item 4.1 with the signed sworn statement, a template of it is included as Annex PP.02.

4.2.2 Demonstration of compliance with the conditions of participation for several private individuals in the company

When submitting a competition proposal as a participant of several private individuals together, each of these persons shall meet the requirements specified in Item 4.1(a) and (b). Each of the private individuals shall prove this by signing the relevant part of the sworn statement in accordance with the template in Annex PP.02. The other conditions of participation are met by the persons together - that is, with the signing of the whole sworn statement by at least one of the private individuals.

4.2.3 Demonstration of fulfilment of the conditions of participation for multiple legal entities in the company

When submitting a competition proposal as a participant of several legal entities together, each of these entities shall meet the requirements specified in Item 4.1(a) to (c). The other conditions of participation are fulfilled by these persons together. The fulfilment of the basic eligibility conditions is demonstrated by the legal entities pursuant to the provisions of Section 74(2) of the Act.

4.2.4 Demonstration of fulfilment of the conditions of participation through other person

The condition specified in Item 4.1(a) can be demonstrated via other person than the participant. This person, however, must be the author or co-author of the design.

4.2.5 Demonstration of fulfilment of the conditions of participation by a foreigner

Foreign participant demonstrate fulfilment of the conditions under the law of the state of which they are citizens or in which they have their registered office.

5/ Competition conditions, competition documentation, availability and explanation, visit of the competition site

5.1 Availability of competition conditions and documentation

The competition conditions and documentation (annexes) are published at the profile of the contracting authority in the National Electronic Tool (NEN) <https://nen.nipez.cz/profil/nukib> and on the competition web www.cceamoba.cz/kib since the competition announcement until the deadline for submission of the proposals.

5.2 Competition documentation

5.2.1 Documentation for carrying out the design

The contracting authority provides the applicants with the following documents in digital form in the following formats:

- P.01 Competition Brief (pdf)
- P.02 Map with the competition area, altitude, technical infrastructure and recommended area entrance (dwg)
- P.03 Orto photomap (jpg)
- P.04 Digital 3D model (dwg)
- P.05 Balance sheet (xls)
- P.06 Indicative building program (xls)

5.2.2 Documentation for identification, sworn statement and unbinding price offer

- PP.01 Identification data – template (doc)
- PP.02 Sworn statement – template (doc)
- PP.03 Unbinding price offer – template (xls) – statistic data for orientation in the prices; in the NPWPP a new bid will be submitted.

5.2.3 Documentation for using NEN

- X.01 Encryption certificate - public encryption key

5.2.4 Use of the documentation

The participants undertake to use the materials only for the decision to participate in the competition and to draw up a competition proposal.

5.3 Explanation of competition conditions (questions)- for 1st and 2nd phase of the competition

5.3.1 Explanation via electronic tool

The participants may ask for explanation of the competition conditions in writing via the National Electronic Tool (NEN).

5.3.2 Explanation via email

The participants may ask – optionally - for explanation of the competition conditions in writing via email of the competition secretary (Karin Grohmannová, karin@cceamoba.cz) with the subject of the email "KIB QUESTION".

5.3.3 Deadline for asking for explanation

The explanation may be asked at latest 17 days before the deadline of the design submission.

5.3.4 Giving the explanation

The explanations will be published with the text of the question at the contracting authority's profile at NEN and at the competition web in 3 workdays. The contracting authority may issue an explanation also without the prior question.

5.4 Visit of the competition site

Visit of the competition site will not be organized.

6/ Competition proposal – 1st phase

6.1 Requirements for a competition proposal and its submission

6.1.1 Mandatory requirements

Mandatory requirements are:

- a) a) submission of a complete competition proposal under Item 6.2.1;
- b) b) timely submission of the competition proposal according to Items 10.4.2 a 10.4.3;
- c) anonymity of the proposal under Item 6.6.

Failure to do so will lead to disqualification and exclusion from the competition.

6.1.2 Recommended requirements

Requirements not listed in Item 6.1.1 are set as a recommendation and their non-observance is not a reason to disqualify a proposal from the assessment and to exclude a participant from the competition.

6.2 Form of the competition proposal

6.2.1 Parts of proposal:

- a) graphical part – file “Panels” (6.3);
- b) text part – file “Booklet” (6.4);
- c) Identification documents – file “Author” (6.5).

6.2.2 Space for marking the proposal by the inspector

Each panel and title page of the booklet will leave out in lower right corner a space of a real size 3x3 cm for the inspector to mark it by a randomly issued number, under which it will be known to the jury. The same number will be given to the file “Author”, which will not be presented to the jury until the final decision in the competition.

6.3 Graphical part – file “Panels”

6.3.1 Layout and properties

The graphic part will be on 2 pages of a pdf file, size B1 vertically, resolution at least 150 dpi. The scheme of recommended layout is in the Annex P.01.

6.3.2 Recommended content

- a) first floor plan in broader situation with marked entrances, 1:500
- b) all other floor plans without detailed interior depicting the operational units with basic dimensions, 1:500

- c) 2 sections depicting the design in the best way with basic dimensions, 1:500
- d) overhead axonometry or perspective clearly depicting the whole complex

6.3.3 Further content

The panels may include other information beyond the scope of Item 6.3.2.

6.4 Text part – file “Booklet”

6.4.1 Layout and properties

The text part will be on multiple pages in a pdf file, size A4 vertically, resolution at least 150 dpi. The presumed number of pages is 8.

6.4.2 Recommended content

- a) title page
- b) abstract (approx. 250 words) describing the key principles of the proposal
- c) short description of the building placement on the site and transport principles
- d) short description of the structure and facade
- e) short description of the design's relation to investment and running costs – sustainable principles
- f) scheme of a possible extension
- g) balance of surfaces and calculations (Annex P.05)

6.4.3 Further content

The booklet may include other information beyond the scope of Item 6.3.2.

6.5 Identification documents – file “Author”

6.5.1 Layout and properties

Filled-in and signed documents based on the templates issued as Annexes (5.2.2) in one separate file “Author”, not be presented to jury:

- a) ID – template PP.01
- b) sworn statement – template PP.02
- c) unbinding price offer – template PP.03

6.6 Mandatory conditions of anonymity of the proposal

The jury will evaluate the proposals anonymously. No part of the proposal (with the exception explicitly stated in these conditions and later in the invitation the 2nd phase) can include name, address or any graphic mark that would lead to breach of anonymity. Proposals that breach anonymity will be excluded from the competition.

7/ Competition proposal – 2nd phase

7.1 All requirements for the 2nd phase

Requirements and recommendations concerning the proposal for the 2nd phase will be specified in the invitation the 2nd phase of the competition. Preliminarily, these will include 6 panels of size B1, booklet and ID file. The scale of detail would be 1:200.

7.2 Mandatory requirements of anonymity for the 2nd phase

The 2nd phase will be also held anonymously. These requirements will also be specified in the invitation.

8/ Assessment criteria and assessment of the proposals by the jury

8.1 Assessment criteria - 1st phase

The criteria according to which the competition proposals will be assessed without the order of significance:

- a) the potential to achieve high architectural quality, including functional-operational solutions;
- b) the potential to achieve high energy efficiency and economical operation, including a chosen structure and technological solution;
- c) the potential of land use and the achievement of quality transport solutions, with a view to possible future expansion.

8.2 Assessment criteria - 2nd phase

The criteria according to which the competition proposals will be assessed shall be determined without the order of significance preliminarily as follows:

- a) architectural quality;
- b) functional-operational solutions, orientation, logical links and users' comfort;
- c) land use with a view to possible future expansion;
- d) transport solution, entrances, parking;
- e) energy efficiency;
- f) structural solution, facades;
- g) technological solutions.

8.3 Assessment of the proposals by the jury

The jury will assess the proposals based on the knowledge and experience of its members. Such an assessment will therefore be a professional, but subjective, opinion of the jury. This assessment method is generally standard in the design contests, and competition participants agree to this assessment method by participating in the competition.

9/ Prizes, honorable mentions and refunds of costs associated with participation in the competition (sketching fee)

9.1 Total amount of prizes, honorable mentions and costs associated with participation in the competition

The total amount for prizes, premiums and refunds in the competition is set at 3,500,000 CZK.

9.2 Prizes

9.2.1 First prize

The first prize is set at 1,500,000 CZK.

9.2.2 Second prize

The second prize is set at 1,000,000 CZK.

9.2.3 Third prize

The third prize is set at 500,000 CZK.

9.3 Honorable mentions

Honorable mentions will not be awarded.

9.4 Costs associated with participation in the competition (sketching fees)

Among the participants of the 2nd phase that will not get any prize and whose proposal will not get excluded, the total amount of 500,000 CZK will be distributed as a sketching fee.

9.5 Conditions allowing for a different division of prizes, or non-awarding of certain prizes

Under the conditions stipulated by Article 10, paragraph 8 and Article 12, paragraph 2 of the Competition Guidelines of the Czech Chamber of Architects, the jury may in exceptional instances decide that some of the stated prizes will not be awarded, and that the sums for it are not provided, or are divided in a different manner. In exceptional cases, the jury may decide on a different division of the entire sum among individual prizes. Such a decision by the jury must be justified in detail in the protocol on the course of the competition, along with a register of the votes of the regular jury members.

9.6 Essentials of taxation of the prizes and sketching fees

9.6.1 Income tax for private individuals paying taxes in the Czech Republic

The prizes and sketching fees awarded in the competition to private individuals and exceeding the amount of CZK 10,000 shall be in accordance with Section 36(2)(i) Act No. 586/1992 coll., on Income Tax, as amended, shall be reduced by 15% income tax, which will be paid by the contracting authority pursuant to Act No. 280/2009 coll., Tax Code, as amended, to the tax authorities.

9.6.2 Income tax for legal entities paying taxes in the Czech Republic

The prizes and sketching fees awarded in the competition to legal entities shall be paid in full according to Act No. 586/1992 coll., On Income Tax, as amended, and paid by the legal entity itself within the framework of a proper tax return.

9.6.3 Income tax for participants paying taxes outside the Czech Republic

The prizes and sketching fees awarded in the competition to participants no paying tax in the Czech Republic shall be paid in full. Income taxes paid according to the laws at the place of their tax domicile (but they must provide it).

10/ Course of the competition

10.1 Discussion of the competition conditions prior to the announcement of the competition

10.1.1 Approval by the jury

The competition conditions were approved by the jury, after its constitutive meeting on 20. 3. 2019, via voting per rollam issued on 1. 4. 2019. Written confirmation of approval is available at the contracting authority.

10.1.2 Approval of the contracting authority

The competition conditions were approved by the contracting authority NÚKIB on 3. 4. 2109.

10.1.3 Regularity according to ČKA

The Czech Chamber of Architects confirmed the regularity on 3. 4. 2019 by letter no. 310-2019/Fa/Ze.

10.2 Launch of the competition

The launch of the competition was announced in the Public Procurement Notice (<https://www.vestnikverejnychzakazek.cz/>) and in the Official Journal of the EU. The competition starts on the day of its announcement in the Public Procurement Notice. This is the starting date for the submission of participation applications.

10.3 Use of National Electronic Tool (NEN) for communication between the contracting authority and the participant

10.3.1 Registration inNEN

The contracting authority points out that a "supplier registration" in NEN is necessary to submit the proposal. Registration is not immediate and is subject to approval by the system operator who has 2 business days to accept or refuse registration if the registration application does not contain all the required particulars.

10.3.2 Use of encryption key for submission of proposal

The contracting authority warns that all parts of the proposal are to be encrypted with a key when they are submitted - the public part of the key, which is intended for encryption of competition designs, is attached to the following competition

conditions: X.01 Encryption certificate - public encryption key.

10.3.3 Possible complications with the use of NEN

In connection with the fact that the timely submission of the proposal is the responsibility of the participants, the contracting authority points out that NEN may be affected by a failure of functionality for which the contracting authority is not responsible. We therefore recommend that the participants submit the proposal well in advance.

Detailed information on the NEN electronic tool can be found in the documents available at <https://nen.nipez.cz/>, especially in the "User Information" section of the "Operating Rules" and "User Guides" subsections.

10.4 Submission of proposals - 1st phase

10.4.1 Designation of the parts of proposal

Parts of the proposal – individual files – (panels, booklet and identification documents) will be named after Items 6.3, 6.4 a 6.5, i.e.:

- KIB Panels
- KIB Booklet
- KIB Author

10.4.2 Submission method

The proposal is submitted electronically via NEN.

10.4.3 Deadline for submission

The end of the submission deadline is 7 June 2019 at 14:00, when the time of receipt by the electronic tool is decisive.

10.4.4 Late submission

If a design has not been delivered to the contracting authority within the time limit or in the manner set out in these conditions, it shall not be deemed to have been filed at all and shall not be taken into account in the course of these proceedings.

10.5 Inspection of proposals - 1st phase

The inspector shall carry out a basic inspection of the proposals immediately after the closing date for the submission of proposals. From the inspection of proposals, he shall prepare a report, which will be submitted to the jury and attached to the protocol on the course of the competition.

10.6 Preparation of proposals for the jury – 1st phase

The inspector of proposals, bound by the confidentiality of their authors' identities, together with the competition secretary, prints the Panels and Booklet files at a resolution of 150 dpi to the appropriate format (with a 6-8 mm margin) and marks them with a randomly issued number under which it will be known to the jury. The same number will be provided to the Author file.

10.7 Evaluation jury meeting – 1st phase

The date of the jury meeting is provisionally set for June 2019. The exact date of the jury meeting will be specified in the course of the competition.

10.8 Invitation to the 2nd phase of the competition

10.8.1 Number of participants in the 2nd phase

For the 2nd phase it is assumed that 5 participants will be selected by the jury.

10.8.2 Invitation

Based on the decision of the jury, the organizer will ensure that the selected participants are invited to participate in the 2nd stage of the competition while maintaining their anonymity. The invitation will include recommendations of the jury for the completion of individual proposals and specification of the competition conditions for the 2nd stage of the competition. Sending out the invitation is provisionally set for 24. 6. 2019.

10.9 Submission of proposals – 2nd phase

10.9.1 Designation of the parts of proposal

Parts of the proposal – individual files – (panels, booklet and identification documents) will be named after Items 6.3, 6.4 a 6.5, i.e.:

- KIB Panels 2
- KIB Booklet 2
- KIB Author 2

10.9.2 Submission method

The proposal is submitted electronically via NEN. In case that the tool NEN would not support such functionality, other method of electronic submission will be specified. More details on the method of submission will be included in the invitation to the phase 2 of the competition.

10.9.3 Deadline for submission

The end of the submission deadline is 2 August 2019 at 14:00, when the time of receipt by the electronic tool is decisive, or the time of receipt by other means of electronic submission, see 10.9.2.

10.9.4 Late submission

If a design has not been delivered to the contracting authority within the time limit or in the manner set out in these conditions, it shall not be deemed to have been filed at all and shall not be taken into account in the course of these proceedings.

10.10 Inspection of proposals – 2nd phase

The inspector shall carry out a basic inspection of the proposals immediately after the closing date for the submission of proposals. From the inspection of proposals, he shall prepare a report, which will be submitted to the jury and attached to the protocol on the course of the competition.

10.11 Preparation of proposals for the jury – 2nd phase

The inspector of proposals, bound by the confidentiality of their authors' identities, together with the competition secretary, prints the Panels and Booklet files at a resolution of 150 dpi to the appropriate format (with a 6-8 mm margin) and marks them with a randomly issued number under which it will be known to the jury. The same number will be provided to the Author file.

10.12 Evaluation jury meeting – 2nd phase

The date of the jury meeting is provisionally set for August 2019. The exact date of the jury meeting will be specified in the course of the competition.

10.13 Protocol on the course of the competition

- a) From all jury meetings, the secretary or other person appointed by the jury chairman shall make a record on the course of the competition, the accuracy of which shall be verified by the signature of all members of the jury who attended in the meeting, and shall be confirmed by the person writing. The record on the course of the competition contains in particular:
 - b) commitment to work and sworn statements of the jurors
 - c) minutes of all meetings of the jury including a voting record;

- d) a report explaining the competition documentation during the submission deadline;
- e) a report on the acceptance of the proposals and their inspection;
- f) any recommendation by the contracting authority to exclude participants from the competition;
- g) a list of all competition proposals considered;
- h) a record of the assessment of the competition proposals, including the voting record;
- i) details of the participants and authors;
- j) a written assessment of all proposals, the jury's opinion on the selection of the most appropriate proposals, their ranking, and other jury recommendations;
- k) attendance papers from individual jury meetings;
- l) any divergent views of the members of the jury, if so explicitly requested by the members.

10.14 Decision to select a proposal and announcement of the result of the competition

10.14.1 Decision to select a proposal

The contracting authority is bound by the jury's opinion when selecting a proposal. The contracting authority shall take a decision on the selection of the proposal within 90 days of the opinion of the panel. The contracting authority may decide to re-assess the proposals for the reasons stated in Section 148(7) of the Act and Section 11(1) of the Code of Competition.

10.14.2 Announcement of the result of the competition

The contracting authority shall announce the result of the competition and the selection of the proposal on the contracting authority's profile within ten days of the decision to select the most appropriate proposal. The announcement shall be accompanied by the record on the course of the competition. The result of the competition shall be published by the contracting authority after delivery of the decision on the selection of the most appropriate proposal by the other means by which it published the competition announcement.

10.15 Accessing the competition proposals

As of the date of publication of the announcement of competition and records, a 15-

day deadline for accessing the competition proposals shall begin.

10.16 End of the competition, cancellation of the competition

10.16.1 End of the competition

- a) The competition shall end on the day when:
- b) all participants meet the deadline for filing objections against the selection of the proposal pursuant to sections 241-244 of the Act and Section 13 Code of Competition, if objections are not filed;
- c) in the event of an objection, the deadline for submitting an application for revision of the acts of the contracting authority to ÚOHS pursuant to Section 251 (2) and (3) of the Act shall expire, if no application is filed;
- d) in the event of an application pursuant to Section 251 of the Act, the decision to terminate the administrative procedure or the rejection of the application shall become legally effective.

10.16.2 Cancellation of the competition

The contracting authority has the right to cancel the competition. In event of a cancellation of the competition, the contracting authority shall be obligated to pay to each participant, who proves that he developed or prepared a competition proposal prior to the cancellation of the competition, a reasonable compensation (i.e. proportional share of the total amount of 3,500,000 CZK. The amount of the reasonable compensation shall be decided by the contracting authority and the jury, but for one participant it shall be a maximum of 250,000 CZK.

10.17 Reimbursement of prizes and sketching fees

Prizes and sketching fees shall be paid no later than 50 days after the decision on the selection of the most appropriate proposal or within one week of the date of the arbitration award, if arbitration proceedings were held.

10.18 Public exhibition of competition proposals

A public exhibition of competition proposals shall be launched in three months after the notification of the decision to select the most appropriate proposal.

11/ Resolution of disputes

11.1 Objections

11.1.1 Legal framework

Participants may object to the contracting authority's procedures in a design contest in accordance with part thirteen of the Public Procurement Act.

11.1.2 Submission method

Each participant may, within 15 days of the date of delivery of the decision to reduce the number of participants and within 15 days of the date of service of the notice of the decision to select the most appropriate proposal, submit a reasoned objection to the formal proceedings of the jury. Objections are filed by a participant (hereinafter the complainant) in writing and must state who is submitting them, against which proceedings of the jury or the contracting authority the objections are directed, what the violation of the competition requirements is and what the complainant is seeking.

11.1.3 Settlement

The contracting authority shall examine the objections in full and, within 15 days of receipt of the objections, send the complainant a written decision on whether or not the objections are accepted, stating the reasons. If the contracting authority accepts the objections, it shall state in the decision the manner of rectification and shall notify this fact to all competition participants. If the contracting authority does not accept the objections, it shall inform the complainant in a written decision about the possibility of filing an application for arbitration, to the President of the Professional Court (in case of a decision on the selection of the most appropriate proposal) and to initiate the procedure for reviewing the acts of the contracting authority with the Office for the Protection of Competition.

11.2 Proposal to initiate the procedure for reviewing the acts of the contracting authority

11.2.1 Legal framework

The essentials of an application to initiate the procedure for reviewing the acts of the contracting authority and the further procedure of the complainant shall be governed by the provisions of sections 249 et seq. Public Procurement Act.

11.2.2 Submission method

The application must be delivered to the Office for the Protection of Competition and to the contracting authority within 10 days of receipt of the decision of the contracting authority on objections or within 25 days of dispatch of the objections, unless the contracting authority has decided on the objections.

12/ Copyright, legal order and acceptance of the competition terms

12.1 Copyright

12.1.1 Ensuring copyright protection of the proposal in the relationship between the participant and the author

Ensuring copyright protection for the proposal is demonstrated by the participant within the framework of the NPWPP:

- a) a statement that the participant is at the same time the author in the case when the competition proposal is translated by a private individual who is also a participant and the author or a legal entity whose statutory body is the person who is the author of the proposal;
- b) a license agreement that governs the settlement of copyrights between natural persons submitting the proposal in company
- c) a license agreement that governs the settlement of copyrights between legal persons submitting the proposal in company, if the author is the statutory body or employee of the legal person
- d) a license agreement that governs the settlement of copyrights between participant and author, if the author is subcontractor of the participant

12.1.2 Ensuring copyright protection of the proposal in the relationship between the participant and the contracting authority

Authors of the competition proposals will retain their copyrights (unless otherwise agreed by the NPWPP), they may publish their competition proposals and use them again in another case.

12.1.3 Reproduction and drafting of proposals with the framework of the competition.

By submitting the competition proposals, the participants agree to free reproduction and to submit their competition proposals as part of the promotion of the competition and its results.

12.1.4 Ownership of the competition proposals

Competition proposals (panels, notebooks, digital design, and identification documents) shall

become the property of the contracting authority and the participants explicitly agree to that. By submitting competition proposals, the participants give their consent to the use of their author's works for the purposes of this competition.

12.2 Jurisdiction

The competition shall be conducted in accordance with the Czech law.

12.3 Clause on acceptance of competition conditions

12.3.1 Acceptance by the contracting authority, organizer, jury, its auxiliary bodies and invited experts

By participating in the contest, the contracting authority, the competition secretary, the inspector of proposals, the jurors and the invited experts confirm that they have read and understood the conditions of the contest, and undertake to respect conditions.

12.3.2 Acceptance by the participants

By submitting competition proposals, participants agree to all competition conditions. In accordance with Article 8.3, the Participant acknowledges and agrees that the Jury will evaluate the entries based on the expertise and experience of its members. Such an assessment will therefore be a highly professional, but to some extent subjective, jury opinion. This method of evaluation is standard in design contests, and participants in the contest agree with this method of evaluation.