



REGULATIONS OF THE COMPETITION ON DEVELOPMENT OF ARCHITECTURAL CONCEPTION FOR SEAT OF THE MUSICAL THEATRE IN POZNAN

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The City of Poznań Plac Kolegiacki 17 61-841 Poznań

# REGULATIONS OF THE COMPETITION ON DEVELOPMENT OF ARCHITECTURAL CONCEPTION FOR SEAT OF THE MUSICAL THEATRE IN POZNAN

with value over EUR 221,000 prepared in accordance with Art. 116 of the Act of 29 January 2004 Public Procurement Law (Dz.U. (Polish Journal of Laws) 2017.1579 u.t. as amended)

Poznań, SEPTEMBER 2018



#### 1. ORGANIZER

1.1 The Competition Organizer (also referred to as the Organizer or Ordering Party) is the City of Poznań, pl. Kolegiacki 17, 61-841 Poznań.

1.2 Activities reserved for the Ordering Party's Manager shall be performed by the Deputy Manager of the Procurement and Support Department of the City Hall Ms. Katarzyna Woźniak.

1.3 All correspondence should be addressed to:

Wydział Zamówień i Obsługi Urzędu (ZOU) Urząd Miasta Poznania pl. Kolegiacki 17 61-841 Poznań Sekretariat, pokój 152 fax +48 61 878 50 85, zp@um.poznan.pl

Office hours: 7.30 a.m. – 3.30 p.m., on Mondays until 5 p.m. (excluding Sundays, holidays and public holidays).

1.4 All correspondence concerning this Competition should be marked with the title:

# COMPETITION ON DEVELOPING ARCHITECTURAL CONCEPTION FOR SEAT OF THE MUSICAL THEATRE IN POZNAN NR: ZOU-XII.271.138.2018.MA

1.5 Persons authorized to provide information about the Competition and to communicate with the Participants are the Secretaries of the Competition Jury Ms. Katarzyna Andrzejewska and Ms. Dorota Wróbel, e-mail: zp@um.poznan.pl

1.6 The only allowed forms of contact with the Competition Secretary are:

- electronic correspondence sent to the e-mail address zp@um.poznan.pl;
- correspondence sent by fax to the number +48 61 878 50 85 (with added inscription: Konkurs na Teatr Muzyczny [Musical Theatre Competition);
- mail correspondence sent to the address indicated in Item 1.3.

1.7 A Competition Participant shall mean any person who submits application for participation in the Competition compliant with Appendix No 1.

1.8 The Regulations shall be available on the website www.poznan.pl/konkurs\_tm, whereby access to the substantive appendixes No 13-17 shall be provided to the Participants invited to submit competition works in Stage II.

1.9 The Regulations together with the Appendixes shall be also made available on the Participant's request:

- in ZOU Secretary's Office, in accordance with Item 1.3.
- by mailing them to the address indicated by the Participant (the Ordering Party shall not bear any liability for timely operation of the mail).

1.10 Information on the Competition, changes to the Regulations and other communications for the Competition Participants shall be posted on the websites: www.poznan.pl/ konkurs\_tm and www.bip.poznan.pl, in the "informacje bieżące" tab. The responses, clarifications and information communicated in this way shall be binding for all Competition Participants.

1.11 The Competition shall be conducted in Polish.

1.12 The grounds for dispute resolution shall be the Regulations in Polish. The Regulations in English made available on the website shall only represent ancillary material.

1.13 Correspondence concerning invitation to submit competition works and calls (if any), that the Ordering Party may issue in connection with Art. 26 Para 3, 3 a, 4 of the Act of 29 January 2004 Public Procurement Law (uniform text Dz. U. (Polish Journal of Laws) of 2017 Item 1579, as amended), as well as the invitations referred to in Item 18.3.1, shall be sent via electronic mail or fax, with written form allowed if necessary.

1.14 Personal data contained in the tables and lists submitted by a Participant in the course of Competition shall only be used for conducting the competition procedure, and their processing shall take place on the principles disclosed at the address: https://www.um.poznan.pl/klauzulainformacyjna/

# 2. INFORMATION ON MANNER OF THE ORDERING PARTY'S COMMUNICATION WITH PARTICIPANTS AND OF DELIVERY OF DECLARATIONS AND DOCUMENTS W

2.1 Under the considered Competition, the Participants shall deliver declarations, applications, notifications and information in writing, by mail or by hand, to the address given in Item 1.3.

2.2 The Ordering Party shall provide clarifications regarding the Competition Regulations contents in response to questions addressed to zp@um.poznan.pl, within the time specified in Section 4.

2.3 The Ordering Party shall provide clarifications immediately, but not later than 6 days prior to expiration of the date for submitting the applications for admission to participation in the Competition, without disclosing the question source, by publishing responses to the questions in the Public Information Bulletin of the City of Poznań http://bip.poznan.pl/ in the "informacje bieżące" (current information) tab and on the competition website http:// poznan.pl/konkurs\_tm.

2.4 If an application for clarifying the Regulations contents arrive after expiration of the date for submitting an application for clarifying the Regulations contents or concerns already provided clarifications, the Ordering Party shall leave the application unexamined. Any extension of the deadline for submitting Applications for admission to participation in the Competition shall have no impact on the date for submitting an application for clarification of the Regulations contents.

#### 3. COMPETITION FORM AND CONTRACT AWARD PROCEDURE

3.1 The Competition shall be carried out on the principles specified in these Regulations, based on:

3.1.1 Provisions of the Act of 29 January 2004 Public Procurement Law (i.e. Dz. U.2017 Item1579 as amended) – the PPL Act;

3.1.2 Act of 4 February 1994 on copyright and related rights (i.e., Dz. U.2018 Item 1191)

3.1.3 Order No 734/2016/P of 18 October 2016 r. of the Mayor of the City of Poznań on implementation of the tasks concerning carrying out public procurements by the Poznań City Hall, amended by Order No 110/2017/P of the Mayor of the City of Poznań of 21 February 2017. 3.2 This Competition shall be a two-stage implementing competition, in which all interested parties meeting the requirements specified in the Competition Regulations submit applications for admission to participation in the Competition (Appendixes No 1, 2 2a to the Regulations) and in an electronic version - Uniform European Procurement Document (UEPD) in accordance with the description representing Appendix No 8 to the Regulations, together with a portfolio containing up to three developed, but not necessarily implemented designs (whereby the highest evaluation is given to theatres, operas, philharmonics, entertainment auditoria, concert halls, and buildings containing an auditorium and expanded, multifunctional stage). After evaluating fulfilment of the conditions for participation in the Competition, the Ordering Party shall invite the Participants to participate in the first stage of the Competition, whose subject matter shall be preparation of a study - vision description, presenting the future appearance of the Musical Theatre building in Poznań (hereafter: vision description). Submission of the vision description, as well as the later submission of the competition work, shall take place observing the anonymity principle. In the first stage of the Competition, the Competition Jury shall evaluate, based on the criteria specified by these Regulations, the portfolios (submitted together with the application for admission to participation in the Competition) and anonymously submitted vision descriptions. No more than six Participants of the first stage of the Competition (in accordance with the provisions of Items 14.4 and 14.5) that have obtained the highest total score after summing up the scores from the portfolio and vision description evaluations (detailed principles for evaluating the portfolio and the vision description are given further on in the Regulations) shall be admitted to the second stage of the Competition, whose subject matter shall be preparation and submission of competition works. Participants of the Competition shall be awarded no more than three prizes and up to three distinctions. The author of the winning work shall be invited to negotiate award of the public procurement under a single-source procedure. The subject matter of procurement shall be a detailed development of the competition work, which shall consist in preparing on its basis the design documentation (construction plans and working design together with specification) that will enable construction of a new seat for the Musical Theatre, together with the land development.

3.3 Submission of an application for admission to the Competition shall be tantamount to acceptance of the Regulations and of the Participant's obligations contained therein.

3.4 Participants of the Competition may be natural persons, legal persons and organizational entities without legal personality. Participants can participate in the Competition jointly, appearing as a single entity – a Participant. The provisions concerning a Participant shall correspondingly apply to the Participants participating in the Competition jointly. 3.5 The Ordering Party shall carry out with the Participant that receives the 1st prize in the Competition negotiations on awarding the contract for a service consisting in development of design documentation in the scope detailed in Appendix No 7. The contract shall be awarded through a single-source procurement procedure - Art. 67 Para1 Pt. 2 of the PPL Act with a value over EUR 221,000.

3.6 The maximum planned costs of completing the works performed based on the competition work (implementation of the Construction Project: construction works and finishing works covering built-in elements, and in particular all building management systems, together with the stage technology system) should not exceed the sum of PLN 170,000, 000 gross (in words: one hundred seventy million gross Polish złotys). The Competition Participant's Declaration concerning initial calculation of costs for performing the works carried out under the competition work represents Appendix No 10 to the Regulations. The scope of works carried out under the selected competition work (implementation scope of the Construction Project) shall be derived from the conception proposed by the Competition Participant.

3.7 The Organizer assumes that the maximum total cost of performing the subject matter of procurement that after conducting out this Competition shall be awarded through a single--source procurement procedure to the Competition Participant whose competition work has been recognized as the best one should not exceed the sum of PLN 7,300,000 gross (in words: seven million three hundred thousand Polish złotys gross). The subject matter of the procurement implemented in the form of a single-source procedure has been described in detail in the essential terms of agreement (Appendix No 7 to the Regulations) and concerns in particular in performance of the works required for detailing the competition work, which consist in developing the design documentation to the extent necessary for implementing the Construction Project and providing other services connected with preparation and implementation of the Construction Project

3.8 Common Procurement Vocabulary (CPV codes):

71.22.00.00-6	architectural design services
71.32.00.00-7	engineering services regarding design
71.42.00.00-8	architectural land development services
71 24 80 00-8	supervision over design and documentati

71.24.80.00-8 supervision over design and documentation

## 4. COMPETITION TIME SCHEDULE

#### 4.1 Planned time schedule

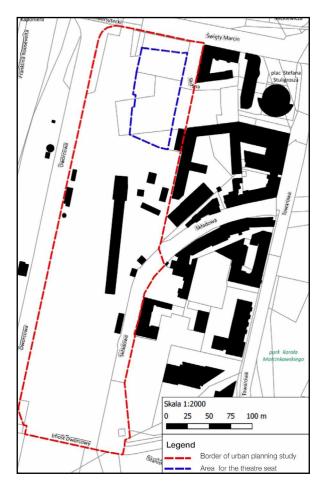
No.	Activities	Date
1	Competition announcement	14.09.2018
2	Deadline for submitting questions concerning the Regulations	01.10.2018
3	Deadline for giving responses concerning the Regulations	11.10.2018
4	Application submission deadline	18.10.2018
5	Information about qualifying to further participation in the Competition	By 9.11.2018
6	Deadline for submission of questions by Stage I Participants	20.11.2018
7	Deadline for giving responses concerning the Regulations	23.11.2018
8	Deadline for submitting vision descriptions in Stage I	30.11.2018
9	Adjudication of Stage I, together with inviting selected Parti- cipants to Stage II of the Competition	21.12.2018
10	Meeting of Participants of Stage II of the Competition with the Competition Jury and the Organizer	11.01.2019
11	Deadline for submitting the competition works in Stage II	21.02.2019
12	Announcement of the Competition results (adjudication of Stage II), discussion and opening of the exhibition of compe- tition works	06.03.2019

4.2 The dates indicated above may be subject to change. The Organizer shall immediately advise Competition Participants of the change, and shall post the relevant information on the Competition website indicated in Item 1.10

#### 5. SUBJECT MATTER AND AIM OF THE COMPETITION

5.1 The aim of the Competition is to select the architectural and city planning solution for the new seat of the Musical Theatre in Poznań that is best from the architectural, utility, visual, acoustic, ecological and economic viewpoints, together with a proposal for developing the adjoining area. The Ordering Party expects a contemporary architectural form of the highest quality, meeting high functional requirements and capable of becoming the showpiece of Poznań.

5.2 The subject matter of the Competition is development, based on these Regulations and the substantive Appendixes, of an architectural conception for the building of a new seat for the Musical Theatre in Poznań (plot No 25 part, 27/10, 26/2 part, 27/11 part, Sheet 44, Poznań precinct – in Św. Marcina Street corner of Skośna Street, being the property of the City of Poznań), together with the city planning conception for the adjoined area (PKP S.A. land and Składowa Street), according to the borders specified in the figure below.



The conception should take into account the location conditions, i.e. the conservation protection zone, size of the investment project area, neighbourhood of the tram and railway tracks, flight pass zone for the Ławica airport, transport service from the Skośna and Św. Marcina Streets side, as well as the development, functional and acoustic needs of the Theatre specified in the Ordering Party's recommendations, which represent Appendix No 12 to the Regulations.

5.3 The subject matter of public procurement awarded under a single-source procedure to the Competition winner shall include development of a complete design documentation based on the architectural conception selected in the Competition announced by the Ordering Party, taking in consideration post-competition recommendations of the Competition Court and recommendations of the Ordering Party and in consultation with the latter, as well as fulfilment of other obligations, in accordance with the scope specified in essential provisions of the agreement on design works, which represents Appendix No 7 to the Regulations.

5.4 The detailed description of the subject matter of the Competition, assumptions of the architectural conception, Ordering Party's recommendations and expectations, as well as the ground conditions, are included in Appendix No 12 to the Regulations.

#### 6. COMPETITION JURY AND PRIZES

6.1 Composition of the Competition Jury:

To conduct the Competition, a Competition Jury has been appointed, in the following composition<sup>1</sup>:

- Joanna Bielawska-Pałczyńska, Municipal Heritage Conservation Officer
- Wojciech Grabianowski, architect
- Przemysław Kieliszewski, Musical Theatre Director
- Janusz Lichocki, co-owner of the Epstein design company
- Mariusz Napierała, stage designer
- Piotr Sobczak, architect, Architect of the City of Poznań
- Stefan Scholz, architect,
- Competition Secretary: Katarzyna Andrzejewska Urban Planning and Architecture Department, Poznań City Hall, Dorota Wróbel - Urban Planning and Architecture Department, Poznań City Hall Competition Secretary

6.2 At the Competition Jury's request, the Ordering Party may appoint for participation in the Competition Jury debates additional persons who will perform the functions of experts or consultants with an advisory vote, but will not participate in the final evaluation of the competition works.

6.3 Regulations for Competition Jury's work are given in Appendix No 2 to Order No 110/2017/P of the Mayor of the City of Poznań of 21.02.2017, amending the order on performance of tasks concerning conducting public procurement procedures by the Poznań City Hall.

• Refrain from using personal data and other information obtained in connection with performing the function of a jury member.

<sup>1</sup> The persons being members of the Competition Jury have been authorized to access and process personal data of Competition Participants, which is managed by the Administrator – Mayor of the City of Poznań. The said persons have been obligated to:

<sup>•</sup> Preserve the secrecy of personal data and of other information protected under the provisions of law or internal regulations of the City Hall, as well as the secrecy of the ways of their protecting, also after completion of the Competition,

6.2 Prize types and amounts:

The Ordering Party provides for a pool of monetary prizes in the amount of PLN 220,000.00 gross, divided as follows:

1st prize in the amount of	PLN 80,000.00
2nd prize in the amount of	PLN 50,000.00
3rd prize in the amount of	PLN 30,000.00.
equal distinction	PLN 20,000.00
equal distinction	PLN 20,000.00
equal distinction	PLN 20,000.00

The prize amount includes remuneration in the amount of PLN 10.000,00 for transfer of the copyright referred to in the agreement which represents Appendix 6b to the Regulations.

The amounts listed above shall be subject to taxation in accordance with the regulations in force. The Competition participant shall be paid the amount reduced by the abovementioned tax.

6.3 The Competition Organizer reserves the right to modify, at the Competition Jury's request, the number and values of prizes, or to not grant any prize, if in the Competition Jury's opinion the submitted competition works do not meet the evaluation criteria for competition works to a degree that allows for granting of the prizes, i.e. the proposed Works do not allow for implementing the main assumption of the Competition. In this case, Participants of Stage II of the Competition shall be guaranteed a distinction in the amount of PLN 20,000.00 gross.

6.4 Payment of a prize / distinction, except for the 1st Prize, shall take place within 30 days from the announcement date of the Competition results, but not earlier than after expiration of 15 days from the establishment date of the Competition results. Payment of the 1st Prize shall take place within 15 days from signature of the agreement representing Appendix No 6b to the Regulations.

6.5 The Organizer does not provide for refunding the expenses of participation in the Competition, including in particular the expenses of preparing the vision description and the competition work. 6.6 The Participant who receives the 1st Prize shall be additionally invited to negotiations under a single-source procurement procedure on development of the design and budget documentation for construction of a new seat of the Musical Theatre in accordance with the contents of Item 5.3 of the Regulations.

6.7 Invitation of the competition work author who has received the 1st Prize to negotiations under a single-source procurement procedure shall take place within 30 days from the announcement date of the Competition results.

6.8 Should, for reasons attributable to the Competition Participant who has received the 1st Prize, signature of the agreement on performing the procurement referred to in Item 6.5 with that Participant become impossible, the provision of Item 20.6 shall apply.

6.9 The reasons attributable to the Competition Participant referred to in Item 6.8. and resulting in the impossibility of procurement award shall be deemed to include in particular the following:

- Failure to submit the documents required in accordance with Item 19 Regulations;
- Failure to commence negotiations on procurement under a single-source procedure by the date indicated in the invitation;
- Declaration on resignation from the right to obtain procurement under a single -source procedure;
- Conducting of negotiations in a manner indicating unwillingness to conclude the agreement on the terms following from the contents of these Regulations, in particular the contents of Appendix No 7, including demanding for procurement performance an amount higher than that following from the information, attached to the competition work, on the planned total costs of performing design works based on the competition work;

6.10 The Ordering Party may refrain from concluding the agreement in case of occurrence of a material change in the circumstances, as a result of which implementation of the construction project will not be in public interest, if this could not have been foreseen before initiation of the procurement award procedure. The Ordering Party may also refrain from concluding the agreement if negotiations conducted under a single-source procurement procedure cause the occurrence of any premise resulting in the necessity of invalidating the procedure in accordance with Art. 93 Para 1 Items 6) and 7) of the Act Public Procurement Law. The Competition Participant shall not be entitled to any claims in the case of the Ordering Party's resignation from concluding the agreement.

#### 7. CONDITIONS FOR PARTICIPATION IN THE COMPETITION

7.1 Participants of the Competition can be:

- natural persons, legal persons and organizational entities without legal personality (meeting the conditions of the Regulations, in particular possessing the human resources potential referred to in Item 7.4 – regardless of the form of those persons' employment),
- natural persons, legal persons and organizational entities without legal personality that appear jointly as a design team (meeting jointly the conditions of the Regulations, in particular possessing the human resources potential referred to in Item 7.4 – regardless of the form of those persons' employment). For the needs of conducting the competition procedure, a design team shall be treated as a single Participant.

We shall assume that whenever these Regulations refer to a Participant, the latter shall be understood to mean either an independent Competition Participant or a design team.

7.2 If a Competition Participant is a design team:

- The design team shall appoint out of its composition a person who will represent the team in the Competition (proxy), and shall grant that person the appropriate powers of proxy (including authorization to collect the prize / distinction). The powers of proxy should be submitted in the form of the original documents or their copies, certified for being a true copy of the original by a notary public,
- All declarations in the team's name shall be submitted by the proxy; the Participant shall be obliged to notify each change in the proxy to the Ordering Party immediately, but not later than within 7 days from the occurrence of that change, under the penalty of disregarding actions performed by a person that has not been revealed as the proxy.

7.3 Participants of the Competition may not be employees, collaborators, representatives of the Ordering Party or the Musical Theatre, persons participating in organizing and conducting the Competition, persons elaborating the initial materials used for developing the Regulations, including members of the Competition Jury, as well as the close relatives of those persons. By a close relative we shall mean: the spouse, antecedents, descendants, siblings, relatives by affinity in the same line or degree, persons remaining in an adoption--like relationship and their spouses, as well as persons remaining in common cohabitation or in a legal or actual relationship that can give rise to justified doubts as to their indepen-dence or possible relations with the City of Poznań or the Musical Theatre, in the context of preparing or organizing the competition procedure. The limitation referred to in this Item shall also apply to persons whose help the Participant actually employs in creating the competition work (authors).

7.4 The Participant must have at disposal, in accordance with the Appendixes No 2

and 2a presented by the Participant, persons capable of preparing the competition work. The condition shall be deemed met if the Competition Participant shows that the project team contains at least:

- one person with unlimited builder's license for design in the architectural specialty in accordance with the law of the state where that person has obtained the license or where he/she is pursuing design activity, with proven experience in providing during 20 years prior to expiry of the date for submitting the Applications, and if the period of pursuing design activity is shorter – during the latter period, at least one service that consisted in designing a new, or converting an existing, theatre, opera or concert building or an entertainment hall;
- one person with experience in building acoustics, interior acoustics or environment acoustics, confirmed by a list of at least 2 designs of an acoustic model of a theatre, concert or opera building with the main hall auditorium for minimum 700 seats, completed during 20 years prior to expiry of the date for submitting the Applications, and if the period of pursuing design activity is shorter – during that period.
- one person with experience in design and implementation of stage technologies and technological devices for theatre buildings or entertainment halls, confirmed by a list of at least 2 stage technology designs for a theatre or opera building, or an entertainment hall with the main hall auditorium for minimum 700 seats, completed during 20 years prior to expiry of the date for submitting the Applications, and if the period of pursuing design activity is shorter – during that period.

# 8. DESCRIPTION OF THE MANNER OF PREPARING APPLICATION FOR ADMISSION TO PARTICIPATION IN THE COMPETITION

8.1 In order to be admitted to participation in Competition on the principles specified w these Regulations, a Participant should submit an application for admission to participation in the Competition, prepared with regard to contents in compliance with Appendix No 1 to the Regulations. 8.2 Together with the application for admission, the Participant should submit the following documents:

- Electronic declaration in the form of a Uniform European Procurement Document (UEPD/ ESPD);
- In order to enable preparation of a Uniform European Procurement Document, the Ordering Party shall attach Description of Completing UEPD Appendix No 8 to the Competition Regulations, and the Instruction for its compression and encryption, which represents Appendix No 8a to the Regulations.
- Information from the National Criminal Register with the range specified in Art. 24 Para 1 Items 13, 14 and 21 of the PPL Act, issued not earlier than 6 months before expiry of the application submission date;
- If the contractor has their registered office or place of residence outside the territory of the Republic of Poland, then, instead of the document referred to in Item VI.4 b) of the Essential Terms of Contract, the Contractor shall submit information from the appropriate register or, in case of absence of such a register, other equivalent document, with the range specified in Art. 24 Para 1 Items 13, 14 and 21 of the Act, issued by a competent judicial or administrative authority of the country where the contractor has their registered office or place of residence, or the person that the information or document concerns has their place of residence. The document referred to above should be issued not earlier than 6 months before expiry of the submission date for bids or applications for admission to participation in the procedure. If in the country where the contractor has their registered office or place of residence, or the person that the information or document concerns has their place of residence, no such document is issued, it shall be substituted by a document containing, respectively, contractor's declaration, indicating the person or persons authorized to represent the contractor, or declaration of the person that the document was to concern, submitted in front of a notary public or before a judicial or administrative authority, or a professional or economic self-government authority competent for the contractor's registered office or place of residence, or the place of residence of the said person. The time period is counted as above.
- Contractor's declaration on absence of issuance against the contractor of a valid court sentence or final administrative decision on being in arrears with payment of taxes, charges or social security or health insurance contributions, or – in case of issuance of such

a sentence or decision – documents confirming payment of those dues together with interest or fines, if any, or signature of a binding agreement on payment of those dues;

- Contractor's declaration on absence of issuance against the contractor, as a preventive measure, of a ban on applying for public procurement contracts.
- 8.3 In case of submission of applications for admission to participation in the Competition by Participants applying for admission jointly, each of the Participants should submit the document referred to Item 8.2 separately.

8.4 If a Competition Participant relies on the skills or condition of other entities, then the said Participant must prove to the Ordering Party that when performing the procurement the Participant will have at disposal the necessary resources of those entities, in particular by presenting a commitment of the said entities in writing to give the Participant at disposal the necessary resources for the needs of performing the procurement, in accordance with Appendix No 2a to the Regulations.

Then those entities shall participate in performance of the procurement as subcontractors, and shall be obliged to submit UEPD, in accordance with Item 8.2.a).

#### 9. DECLARATIONS AND DOCUMENTS SUBMITTED BY A COMPETITION PARTICIPANT

9.1 To confirm fulfilment of the requirements referred to in Item 7.4., the Participant shall submit the following documents or their copies certified by the Participant

to be true copies of the original: a filled-in list of persons together with information on their professional qualifications, licenses, experience and education necessary for performing the public procurement according to Appendix No 2, and proofs confirming the proper performance of the services mentioned in the relevant List. The proofs referred to shall be references or other documents issued by the entity on behalf of which the services were performed, and if for a justified reason of an objective character the contractor is unable to obtain those documents – declaration of the contractor.

9.2 If the documents referred to in Item 9.1 have been issued outside the territory of the Republic of Poland in a language other than Polish, they should be submitted together with translation to Polish in accordance with Item 1.11 of the Regulations.

9.3 A Competition Participant shall be excluded from participation in the Competition in the case described in Art. 24 Para 1 Items 12-23 and Para 5 Items 1, 3, 4 of the PPL Act,

and in case of not fulfilling the conditions specified in the Regulations and not observing anonymity, in accordance with the principles specified in the Regulations. The participants excluded from participation in the Competition shall be notified about that fact by electronic means without undue delay.

# 10. MANNER OF SUBMITTING APPLICATIONS FOR ADMISSION TO PARTICIPATION IN THE COMPETITION AND THE PORTFOLIO

10.1 To the application for admission to participation in Competition, Competition Participants should attach a portfolio of their own or of the architect referred to in Item 7.4.a). The portfolio should contain at least one, but no more than three, designs for public utility buildings close to the subject matter of the Competition (theatre, opera, philharmonics, entertainment hall, concert hall, etc.). The designs need not be implemented. Presentation of photos/visualization of views from the auditorium to the stage and from the stage to the auditorium is recommended

10.2 The portfolio should be submitted in the form of a Power Point presentation (containing signed photos-visualization of designs with captions) and design description in the .pdf format. The presentation should be without special effects, max. 13 slides (4 slides per design + 1 slide for Participant's name/logo). The description of designs should be placed on maximally 1 page of A4 format, in Arial 10 font. The portfolio (Power Point presentation and description in the PDF format) with maximum total size of 50 MB should be submitted recorded on a CD/DVD or USB.

10.3 The portfolio shall be subject to a score-based evaluation during the first stage of the Competition, as an element of Participants' prequalification to the second stage of the Competition. The portfolio shall be an open element of the Competition. Absence of its submission amounts to impossibility of granting a score for the portfolio, but does not disqualify a participant from participation in the Competition.

10.4 Applications for admission to participation in the Competition together with declarations, documents for confirming fulfilment of conditions for participation in the procedure and the portfolio should be sent to the Ordering Party's address or placed at the Ordering Party's seat in accordance with the data in Item 1.3 by 18.10.2018, by 3 p.m.

10.5 The application needs to be submitted in a packaging which makes its reading before opening the packaging impossible, marked with the title:

## COMPETITION ON DEVELOPMENT OF ARCHITECTURAL CONCEPTION FOR SEAT OF THE MUSICAL THEATRE IN POZNAŃ NR: ZOU-XII.271.138.2018.MA

Application for admission to participation in the Competition

10.6 Applications submitted after the above deadline shall be returned on the principles specified by the provisions of the PPL Act.

# 11. CLASSIFICATION OF COMPETITION PARTICIPANTS AND EVALUATION CRITERIA FOR THE PORTFOLIO, VISION DESCRIPTION AND COMPETITION WORK

11.1 In the discussed Competition, experience of the Participants is not an obligatory element, so failure to submit the portfolio does not disqualify Participants from participation in the Competition. Evaluation of the portfolios submitted by the Competition Participants has no influence on the evaluation of fulfilment of the conditions for participation in the procedure. The aim is individual and substantive evaluation of the Participants' experience and skills, carried out by the Competition Jury based on the portfolio. The aspects subject to evaluation shall be adequate selection of buildings in the portfolio and architectural values of the presented buildings.

11.2 The first element of the evaluation carried out by the Competition Jury shall be the evaluation of the portfolios of all Participants admitted to participation in the Competition according to equal criteria for all of them. As a result of that evaluation, the Participants shall be granted scores on the principles specified w Item 11.3. This element is open by its very nature (open part of the Competition), and has a secondary (additional, ancillary) character – hence it has been assigned a lower weight (40%) in adjudication of the first stage of the Competition. The decisive weight (60%) has been assigned to description of the vision of the future seat for the Musical Theatre, which constitutes the anonymous part of the first stage of the Competition.

11. 3 Evaluation of the portfolio shall be subject to the criteria indicated below. Its results shall be published on the website of the Public Information Bulletin of the Poznań City Hall at http://bip.poznan.pl/, in the: "informacje bieżące" [current information] tab and on the Competition website www.poznan.pl/konkurs\_tm immediately after conducting evaluation of the portfolios of all Participants, and before announcing the results of evaluation of vision descriptions and their decoding.

CRIT	ERIA FOR EVALUATION OF THE PRESENTED PORTFOLIO	
If between 1 and 3 designs are presented in the portfolio, all designs shall be subject to evaluation. The final score shall be the arithmetic mean of scores for the individual projects. If the Participant places more than three designs in the portfolio, only the first three of them, contained in the presentation re- ferred to in Item 10.2, shall be subject to evaluation.		max. 100 points 40 % evaluation of Stage I
1	Adequacy of buildings selection (the highest score is assigned to the- atres, operas, philharmonics, entertainment halls, concert halls, bu- ildings with an auditorium and an expanded, multi-functional stage	25
2	Architectural and technical values of the buildings (originality and appeal of architectural solutions, functionality of the solutions applied /proposed inside the building)	75

# 12. PRACTICAL SCOPE AND FORM OF THE STUDY AND THE MANNER OF PRESEN-TING THE VISION DESCRIPTION – STAGE I

12.1 In order to make better use of the potentials and labour outlays of the Competition Participant, the Ordering Party has decided to conduct the Competition in two stages, limiting the scope of study in the first stage of the Competition to vision description, and admitting to the second stage maximum six Participants who have obtained the highest scores after summing up the scores obtained as a result of evaluating the portfolio (open part of the Competition) and vision description (anonymous part).

12.2 Description of the vision of the seat for the Musical Theatre in Poznań (from now on: vision description). All Participants that have been qualified to the first stage of the Competition (meeting the conditions for participation in the Competition) should submit by the date indicated in these Regulations a study that presents in a compact way their ideas for design of the building for a new seat of the Musical Theatre. The vision should be illustrated by examples of a building /phenomenon, architectonic solution, stage and auditorium that can constitute inspiration for the planned design and reflect the designers' intentions. Between 2 and 8 illustrations/ examples can be used (with short captions allowed), which MUST NOT identify authors of the vision. The descriptive part must be prepared in Polish and should not contain more than 6,000 characters (with spaces) in the Arial 11 font. An exemplary structure and contents of the vision are given in Appendix No 12a to the Regulations (the Appendix represents an example, not a model to be followed). The designs presented in the vision shall be exemplary good designs from the world of architecture authored by other architectural studios (good design practice directory). If a Participant wants to present his/her own designs as examples, he/she can do it solely with help of the portfolio - in the vision, anonymity must be preserved. The whole vision should be placed on 2 pages of the A4 format.

12. 3 Breaking of the anonymity principle by violation to the provisions of Items 12.2, 13.3,13.5, 13.6, 15.6, 15.8 committed by a Competition Participant disqualifies that Participant from further participation in the Competition.

12.4 Evaluation will cover relevance and accuracy of the description, which should intrigue the Competition Jury and encourage them to invite a given design team /designer to develop an architectural-urban planning design. The vision description is to be an analytic response which presents intentions of the given designer in his/her approach to the design task, taking into account the broadest possible spectrum of issues presented in the documents delivered by the City and concerning that topic.

#### **13. MANNER OF SUBMITTING THE VISION DESCRIPTION**

13.1 Each Participant admitted to participation in the Competition shall have the right to submit under the first stage of the Competition a single study, representing a description of the future vision of the new seat for the Musical Theatre w Poznan, which the Participant sall send to the Ordering Party's address or place at the Ordering Party's seat (Urząd Miasta Poznania, plac Kolegiacki 17, 61 – 841 Poznań, room 152) by 30.11.2018, by 3 p.m.

13.2 room 152) by 30.11.2018, by 3 p.m..

The vision description should be submitted in a hardcopy version and in an electronic version on a CD/DVD carrier or pen drive. The file should be in the .pdf w format.

13.3 The vision description should be placed in a non-transparent, closed packaging, marked with an eight character identification code, created by the Participant and consisting of 5 digits and 3 letters, arranged in an order non-compliant with the order of digits and with the alphabetical order (e.g. 021P35KA), the same that has been placed on the submitted study – vision description and electronic carrier.

ATTENTION! Materials/files recorded in an electronic version (PDF file) must not contain the identification code.

The packaging should be described as:

COMPETITION ON DEVELOPMENT OF ARCHITECTURAL CONCEPTION FOR SEAT OF THE MUSICAL THEATRE IN POZNAN VISION DESCRIPTION – STAGE I NR: ZOU-XII.271.138.2018.MA The vision description should be accompanied by a sealed, unsigned envelope marked with the same individualising label and containing a filled-in identification card, which represents Appendix No 4 to the Regulations. The envelope should be described as:

# COMPETITION ON DEVELOPMENT OF ARCHITECTURAL CONCEPTION FOR SEAT OF THE MUSICAL THEATRE IN POZNAN IDENTIFICATION CARD – STAGE I NR: ZOU-XII.271.138.2018.MA

The envelope must be non-transparent so that reading the author's data is impossible.

13.4 Materials not covered by the Competition scope shall not be evaluated.

13.5 In case of submission of the vision description by hand, the person submitting the work must not be the Competition Participant, to preserve the anonymity.

13.6 In case of sending the Competition work by mail or a courier company, the envelope must not bear the name or address of the Competition Participant.

# 14. EVALUATION OF THE VISION DESCRIPTION AND ANNOUNCEMENT OF THE RE-SULTS OF STAGE I OF THE COMPETITION

14.1 Evaluation of the vision description shall be anonymous, and shall be conducted according to the criteria below.

EVALUATION OF THE PRESENTED DESCRIPTION OF THE FUTURE VISION OF THE MUSICAL THEATRE		max 100 pt. 60 % evaluation of Stage I
1	Directions and strategies of solutions presenting the way of the given design team's thinking about the design task in accordance with Item 12.4	50
2	Compliance of the presented way of thinking about the building's body with Ordering Party's expectations described in Ordering Par- ty's guidelines – Appendix No 12 to the Regulations	25
3	Approach to the functional aspects connected with designing inte- riors of this type of buildings (stage, auditorium) described in Orde- ring Party's guidelines – Appendix No 12 to the Regulations	25

14.2 Evaluation results for descriptions of the vision of a new seat for the Musical Theatre will be published on the website of the Public Information Bulletin of Poznan City Hall http://bip.poznan.pl/ in the "information bieżące" [current information] tab and on the www.poznan.pl/konkurs\_tm website, by the time indicated in Section 4. 14.3 After publication of the evaluation results for descriptions of the vision of a new seat for the Musical Theatre, the studies will be decoded.

14.4 The final adjudication of the first stage of the Competition shall consist in summing up the scores obtained from both the portfolio evaluation and the vision description evaluation. Up to six (6) Participants who have obtained the highest scores shall be qualified to the second stage of the Competition.

Final score = score for portfolio x 0.4 + score for vision description x 0.6.

Punkty za portfolio x 0,4 + punkty za opis wizji x 0,6 = ostateczna liczba punktów.

14.5 In exceptional circumstances, in particular, but not only, when two Participants placed on the sixth position in the ranking have obtained the same score, the Ordering Party allows the possibility of selecting five Participants only for the second stage of the Competition. Such a situation shall not pose an obligation for the Ordering Party but just the Ordering Party's right. The decision in this matter shall be taken by the Competition Jury through voting.

# 15. PRACTICAL SCOPE AND FORM OF THE STUDY AND THE MANNER OF PRESEN-TING COMPETITION WORKS – STAGE II

15.1 The work submitted in Stage II of the Competition should consist of:

- Graphical part five 100x70 cm display boards in a vertical layout, on a rigid ground;
- Descriptive part maximum 15 A3 pages of text, Arial 11 font, with the Competition work text prepared in Polish, and with filled in Appendixes No 9, 10 and 11 2 copies each;
- filmu przedstawiającego widok na budynek teatru z perspektywy pieszego od Mostu Dworcowego przez ul. Roosevelta, Rondo Kaponiera, ul. Św. Marcin do skrzyżowania z al. Niepodległości.
- The work recorded in an electronic version on a CD/DVD carried or pen drive. Graphical files in the .pdf and .jpg formats, in two resolutions: up to 20MB and up to 2 MB, text files in.pdf and .doc. versions, site analyses in .xl and .pdf spreadsheets, film in the.avi, .mpg, .mp4 format up to maximum FULL HD resolution. Electronic version, except for the film, shall be used for archiving purposes and shall not be subject to the Competition Jury's evaluation.

- Mock-up model for the mother mock-up in the 1:250 scale according to the insert sample delivered by the Ordering Party;
- Closed, non-transparent envelope with an identification card compliant with Appendix No 4 to the Regulations and a signed declaration compliant with Appendixes No 6 and 6a to the Regulations.

15.2 The graphical part submitted in Stage II of the Competition (display boards) should contain:

- 1. Display board No 1, containing:
- Urban planning design for areas A and B on the 1:1000 scale;
- Development plan for the theatre plot (area A), together with a simplified projection of the ground floor on the 1:500 scale,
- 3 views from the pedestrian's perspective: from the Dworcowy Bridge, from the Bukowska Street opening, from the Kaponiera Roundabout,
- Axonometric view from the crossing of Św. Marcina and Dworcowa Streets on the 1:500 scale.
- 2. Display board No 2, containing floor projections on the 1:200 scale;
- 3. Display board No 3, containing:
- Characteristic cross-section of the building, including obligatorily the entrance part, on the 1:200 scale,
- Cross-section through the stage and the auditorium, and through the chamber stage of the building, on the 1:200 scale,
- Major architectural details of the theatre interior, décor of the main hall, chamber hall and foyer,
- Floor projections on the 1:200 scale continuation of display board No
- 4. Display board No 4, containing:
- View from the auditorium to the stage,
- View from the stage to the auditorium.

- 5. Display board No 5, containing:
- facade No 1 on the 1:200 scale,
- facade No 2 on the 1:200 scale,
- facade No 3 on the 1:200 scale,
- facade No 4 on the 1:200 scale,
- major architectural details on a scale which enables reading of the adopted material and technical solution.

15.3 The descriptive part submitted in Stage II of the Competition should contain:

- Competition work description, prepared in Polish and explaining the idea of the presented conception, as well as material description and description taking into account conception elements that are difficult to show in drawings;
- table with collective site analysis and urban planning indicators- Appendix No 9 do the Regulations;
- table with detailed area data, containing the list of the areas of all rooms and halls, grouped by topic – Appendix No 11 to the Regulations;
- description of technological solutions of the stage and acoustic solutions;
- description of facilities for disabled persons, together with evacuation route schema;
- price information concerning initial calculation of the costs of performing the works carried out based on the competition work and costs of performing the subject matter of procurement for design documentation, being a detailed version of the competition work in accordance with Appendix No 10 to the Regulations;
- schemas important for clarification of the conception, including:
- a. functional schema of the building, showing the main functional dispositions by floors,
- b. schemas showing theatre technology, including visibility diagram (from the viewer's perspective) with justification,
- c. analysis of properties of acoustic solution,

d. internal communication schema of the theatre team/personnel,

e. schema of information elements connected with external development.

15.4The competition work should be marked with identification code. This shall be an individual eight character code created by the Participant, other than in Stage I, consisting of 5 digits and 3 letters, arranged in an order non-compliant with the order of digits and with the alphabetical order (e.g. 021P35KA), with characters of ca 1 cm height.

# ATTENTION: Under the penalty of disqualification without the right to claim the costs of preparing the competition work, the identification code of the competition work may not be the identification code used by any Competition Participant in Stage I of the Competition for encoding the vision description.

All elements of the work should be placed in a non-transparent, closed packaging, marked by the Participant with the same identification code that has been placed on the study– competition work- being submitted.

The identification code should be placed in the right upper corner of the display boards and on the bottom of the mock-up. In case of a copy book with the descriptive part, the identification code should be placed on its cover/first page only.

The identification code should be placed on all elements of the work, except for the electronic version. ATTENTION! Materials/files recorded in an electronic version (text, graphical files) may not contain the identification code.

15.5 A closed envelope with the identification card must contain the identification card filled in according to Appendix No 4 to the Regulations. The envelope should be described as:

# COMPETITION ON DEVELOPMENT OF ARCHITECTURAL CONCEPTION FOR SEAT OF THE MUSICAL THEATRE IN POZNAŃ IDENTIFICATION CARD – STAGE II NR: ZOU-XII.271.138.2018.MA

The envelope must be non-transparent, so that reading of the author's data is impossible.

15.6 None of the above elements of the competition work can bear the name of the Competition Participant submitting the work, or other information enabling identification of the work's author before adjudication of the Competition by the Competition Jury. Care should be taken to remove features that enable identification of authors from the files. Documents on an electronic carrier may not be protected with a password or in another way against their use by the Ordering Party.15.7 15.7 Materials not covered by the Competition scope shall not be evaluated

15.8 In case of sending the Competition work by mail or a courier company, the envelope must not bear the name or address of the Competition Participant.

#### 16. EVALUATION OF THE COMPETITION WORKS SUBMITTED IN STAGE II

16.1 Competition Jury shall adjudicate the Competition by selecting from the submitted designs the best competition works and establishing their ranking.

16.2 The evaluation criteria for the competition works shall be as follows:

	COMPETITION WORK EVALUATION CRITERION	Weight
1	Design's appeal (originality and relevance of the project, architec- tural and urban planning values, quality of architectural and urban planning forms and compositions, spatial context)	40%
2	Quality of proposed solutions (functionality and aesthetics, spatial arrangement of internal functions, communication and logistic solu- tions, way of taking into account the Theatre's needs, openness and universality of the design taking into consideration the needs of all users – disabled persons, the elderly and children	40%
3	Financial feasibility (evaluation of the feasibility of assumed outlays compared to the proposed solutions, innovative, ecological and energy-saving solutions reducing the cost of building utilization)	20%
	TOTAL	100%

#### 17. PLACE AND TIME OF SUBMITTING COMPETITION WORKS

17.1 Competition works should be sent to the Ordering Party's address or placed at the Ordering Party's seat, in accordance with the data in Item 1.3., by 21.02.2019, between 8:00 and 3 p.m.

17.2 If a competition work arrives to the Ordering Party by mail or in another way, e.g. by courier mail, the work submission date shall be determined solely by the date of the work's delivery to the Ordering Party.

17.3 A work submitted after the deadline shall be immediately returned.

# 18. COMPETITION ADJUDICATION AND MANNER OF PUBLISHING THE COMPETI-TION RESUL

After establishing the results of Stage II of the Competition, the Competition Jury shall deliver to the Organizer minutes of the Competition Jury work with identification codes of the works, the scores assigned to works, and indication of the manner of prize assignment, in order to obtain acceptance of the Competition results. The Competition Jury shall attach to the protocol justification of the adjudication and opinions about all works.

After acceptance of the protocol of Competition Jury's work, the Organizer shall deliver to the Competition Jury envelopes with identification cards for the purpose of public opening of the envelopes and announcing the Competition results.

Information on adjudication of the Competition shall be made public as follows:

- Public reading of the Competition Jury's verdict at a ceremonial post-competition exhibition, to which Participants of Stage II of the Competition shall be invited.
- Posting of the Competition results on the website of the Public Information Bulletin of Poznan City Hall http://bip.poznan.pl/ in the "informacje bieżące" [current information] tab and on the www.poznan.pl/konkurs\_tm website

After end of the Competition, as well after payment of the prizes and distinctions, the Competition Organizer shall be become the owner of the awarded and distinguished competition works together with vision descriptions.

The prizes and distinctions referred to in Item 6.2 shall represent at the same time remuneration for making use of the work in the fields of use referred to in Section 20.

# 19. INFORMATION ON FORMALITIES TO BE COMPLETED AFTER SELECTION OF THE COMPETITION WORK IN ORDER TO COMMENCE NEGOTIATIONS

19.1. The Competition Participant who has been awarded the 1st prize shall, before being invited to negotiations under a single source procurement procedure, be called under Art.26 Para 2f of the PPL Act to submit the following declarations and documents, valid as at the submission date:

• Civil liability policy for the sum of at least PLN 6,000,000, securing possible claims on account of the subject matter of agreement;

• Cooperation agreements with the persons described in Item 7.4.

#### 20. COPYRIGHT

20.1 The Author (author team) of the competition work shall be entitled to the copyright to the competition work and vision description they have developed.

Competition Participants, through the fact of joining the Competition, allow the Ordering Party to use, free of charge, the presented vision description for the purposes of adjudication of the Competition and for archiving purposes (the sent documents referred to in w 20.1 are not subject to returning).

Competition Participants, through the fact of joining the Competition, allow the Ordering Party to use, free of charge, the conception presented in the competition work, regardless of its form and arrangement, in the following fields of use:

- public presentation during announcement of the Competition results and at the post--competition exhibition;
- presentation in mass media and computer networks;
- presentation in publications, information, advertising and promotions materials;
- publication and reproduction, in the whole or in part, for the needs of the course, promotion and archiving of the Competition, and for the needs of promoting construction of a new seat for the Musical Theatre.

The Participant submitting a competition work that has been awarded a prize or distinction shall transfer to the Ordering Party the proprietary copyright to the competition work and to the works accompanying the latter detailed in Section 15 of the Regulations, including in particular the propietary copyright to the display boards and the mock-up, to the extent and on the terms specified in detail in the declarations representing Appendixes No 6 and 6a to the Regulations.

Carriers of all works in the form of CD/DVD and USB shall become Ordering Party's property through charge-free transfer for the purpose of post-competition archiving.

The Competition Participant, who has received an award in the form of invitation to negotiations under a single source procurement procedure shall, at the stage of awarding prizes in the Competition and after signature of the agreement representing Appendix No 6b to the Regulations, transfer to the Organizer, upon payment of the prize, property copyright to the awarded work:

- Rights for developing the work, which consist in preparing dependent works, in particular construction designs and working designs; however, entrusting development of the competition work, which represents an award in the Competition, to a person different from the author of the awarded work may only take place if the agreement on public procurement is not concluded for the reasons referred to in Item 6.9;
- Rights to carry out construction works according to designs prepared based on the work and rights to use those designs in all other fields of use listed in the Act on copyright and related rights.

Upon payment by the Ordering Party of prizes and distinctions, the authors of works shall transfer to the Ordering Party property copyright unlimited in time and territorial scope in the following fields of use:

- With respect to recording and multiplication of the competition work in the whole or in parts, regardless of the material and with an arbitrary technique, including printing, reprographic technique, magnetic recording and digital technique, for the purpose of carrying out Ordering Party's tasks related to the subject matter of the Competition,
- With respect to dissemination of the competition work by public presentation, exhibition, displaying, playing, broadcasting and re-emission, as well as making the work publicly available at a place and time chose on the Ordering Party's discretion,
- With respect to entering into a computer memory (temporary or permanent record, copy of records, archiving of records),

without Participant's right to separate remuneration on that account other than payment of the prize/distinction.

# 21. INFORMATION ON LEGAL PROTECTION MEASURES GRANTED TO THE CONTRAC-TOR IN THE COURSE OF PUBLIC PROCUREMENT PROCEDURE

Competition Participants, the Contractor or other entity that had or has interest in obtaining a given procurement contract and has incurred or might incur damage as a result of violation to provisions of the Act by the Ordering Party shall be entitled to legal protection measures as specified in Section VI of the PPL Act.

#### 22. OTHER PROVISIONS

The Competition Jury shall reserve the right to introduce recommendations to the work that has won the first prize, and the author (authors) of the work undertake to introduce those changes in case of further use of the competition work by the Ordering Party, including in particular performance of design works.

In matters not regulated by these Competition Regulations, provisions of the PPL shall apply. All information presented w these Competition Regulations is intended solely for preparation of a bid.

Appendixes to the Competition Regulations:

- App. No 1 Application for admission to participation in Competition.
- App. No 2 List of persons.
- App. No 2a Declaration on making resources available.
- App. No 3 Application receipt confirmation.
- App. No 4 Identification card of the submitted vision description/competition work.
- App. No 5 Confirmation for receipt of vision description/competition work.
- App. No 6 Declaration on transfer of rights to the competition work.
- App. No 6a Co-author's declaration confirming transfer of rights to the competition work.
- App. No 6b Agreement on copyright transfer.
- App. No 7 Essential provisions of the agreement on design works.
- App. No 8 Description of completing UEPD.
- App. No 8a Instruction for compressing and encrypting UEPD.
- App. No 9 Site analysis and urban planning indices.
- App. No 10 Participant's declaration concerning initial calculation of the costs for performing the works carried out based on the competition work.
- App. No 11 Breakdown of room/hall areas.
- App. No 12 Ordering Party's guidelines and functional guidelines.
- App. No 12a Exemplary vision description.

Appendixes made available to Participants qualified to Stage II of the Competition

- App. No 13 Master map in a digital version from ZGiKM resources: Geopoz .dxf.
- App. No 14 Master map in a digital version from PKP resources: KODGiK .dwg.
- App. No 15 Orthophotomap.
- App. No 16 Geotechnical opinion.
- App. No 17 Greenery Inventory.
- App. No 18 Digital 3D model.
- App. No 19 Insert to master mock-up.

