

COMPETITION TERMS

LANDSCAPE AND
ARCHITECTURAL
OPEN INTERNATIONAL
TWO-ROUND
COMPETITION FOR
A PROPOSAL "LETY
U PÍSKU, MEMORIAL TO
THE HOLOCAUST OF
THE ROMA AND SINTI
IN BOHEMIA"

THE MUSEUM OF ROMANI CULTURE, A STATE CONTRIBUTORY ORGANISATION, ANNOUNCES

in accordance with act No. 134/2016 Coll. on public procurement (hereafter only "Act"), as later amended,

and in accordance with the Competition Code of the Czech Chamber of Architects of April 24, 1993, as later amended (hereafter only "Competition Code"), as later amended,

in accordance with act No. 183/2006 Coll on zoning and the building code (hereafter only the "Building Act"), as later amended,

in accordance with act No. 360/1992 Coll. on the performance of the profession of chartered architects, chartered civil engineers and construction engineers, as later amended (hereafter only the "Profession Performance Act"),

v in accordance with act No. 121/2000 Coll. on copyrights, rights related to copyrights and the change of some acts (the Copyright Act)

and with a view to sections 1772 to 1779 of act No. 89/2012 Coll., of the Civil Code, as later amended,

a Landscape and Architectural Open International Two-Round Competition for "Lety u Písku. The Memorial to the Holocaust of the Roma and Sinti"

and issues these Competition Terms.

In Brno, dated

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1. CONTRACTING ENTITY, JURY, INVITED EXPERTS AND SUPPORTING BODIES OF THE JURY

1.1. CONTRACTING ENTITY

Museum of Romani Culture, a state contributory organisation,

Bratislavská 67, 602 00 Brno

ID 712 39 812

Represented by: PhDr. Jana Horváthová, Director of the Museum

Phone: +420 545 581 206

E-mail: sekretariat@rommuz.cz

1.2. COMPETITION ORGANISER AND AUTHOR OF COMPETITION TERMS

ONplan lab, s. r. o.

Františka Křížka 362/1, Praha 7, 170 00, Czech Republic

Executive Director: Ing. Petr Návrat, MSc.

Contact: Ing. Karolína Koupalová

Phone: (+420) 608 694 929

E-mail: koupalova@onplanlab.com

1.3. JURY

PROPER DEPENDENT MEMBERS

PhDr. Jana Horváthová, Director of the Museum of Romani Culture

Čeněk Růžička, Chairman of the Committee for the Roma Holocaust compensation

Martin Martínek, M.A., representative of the Ministry of Culture of the Czech Republic

PROPER INDEPENDENT MEMBERS

Ing. arch. Josef Pleskot, architect

Ing. Vladimír Sitta, landscape designer

Mgr. art. Emílie Rigová, ArtD., visual artist

Mgr. Rostislav Koryčánek, curator of Moravian Gallery in Brno

DEPENDENT BACK-UPS

Mgr. Anna Mišková, Museum of Romani Culture

Rudolf Murka, representative of camp survivors

INDEPENDENT BACK-UPS

Ing. arch. Regina Loukotová, architect

Ing. arch. Igor Marko, architect

1.4. INVITED EXPERTS

LIST OF INVITED EXPERTS

Jan Hauer, representative of camp survivors
Antonín Lagryn, representative of camp survivors
Mgr. Helena Sadílková, M.A., Ph.D., romist
doc. PhDr. Pavel Vařeka, Ph.D., archeologist
Mgr. Pavel Herman, public procurement expert
Blanka Hlavínová, Mayor of the municipality Lety
construction budget expert
investment technician of the Museum of Romani Culture

The Jury can ask the Contracting Entity to invite more experts.

1.5. SECRETARY FOR THE COMPETITION

First name: Ing. Karolína Koupalová, ONplan lab, s.r.o.
Phone: (+420) 608 694 929
E-mail: koupalova@onplanlab.com

1.6. REVIEWER OF COMPETITION PROPOSALS

First name: Ing. Petr Návrát, MSc., ONplan lab, s.r.o.
Phone: (+420) 608 705 405
E-mail: navrat@onplanlab.com

2. TYPE OF COMPETITION, SUBJECT MATTER, PURPOSE, MISSION AND LANGUAGE

2.1. TYPE OF COMPETITION

The competition is announced as Landscape and architectural competition in accordance with the competition subject.

The competition is announced as an open competition, as the circle of participant's shows.

This is a two-round competition.

The competition will be anonymous in both rounds.

According to the intention of the solution, the competition is announced as project competition.

2.2. COMPETITION PURPOSE AND MISSION

The purpose and mission of the competition is:

- to find and evaluate a solution that best fits and meets the requirements of the Contracting Entity contained in these Competition Terms and competition inputs,
- to select a participant (participants) with which the Contracting Entity will negotiate the assignment of a design project in subsequent non-public negotiation proceedings in accordance with the provisions of section 143 par. 2 and section 65 of the act (hereafter only "JŘBU") in accordance with par. 4.1 of these Competition Terms.

2.3. COMPETITION SUBJECT

CPV codes: 71220000-6 Architectural solutions, 71240000-2 – Architectural, technical and planning services and 71420000-8 Landscape architecture

The competition subject is to find an optimum architectural, landscape and artistic design of the Memorial to the Holocaust of the Roma and Sinti in Bohemia.

The solution will respect the basic mission of the Memorial, especially:

- To commemorate the victims – The Memorial is and should continue to be a place where the victims of the camp in Lety, victims of the Holocaust of the Roma and Sinti, will be remembered and where visitors will silently contemplate. It must be an authentic reminder of the suffering.
- To Inform – The Memorial will be an authentic place where the suffering was taking place. It will provide information, explain, mediate information about the town history and the Holocaust to the Roma and Sinti and bring light to facts and myths.
- To educate – The Lety Memorial will educate and guide violence against the site of suffering / holocaust in general, bring up democracy and explain the roots of hate and discrimination.
- To stimulate discussion – The Memorial will become a place that will stimulate discussion not only about the evaluation of the past but will also reflect the current social situation. It will raise interest in issues such as discrimination against minorities and social exclusion, Holocaust denial, and human rights, freedom and coexistence in general.

The Memorial shall become a place of reflection and self-reflection, repentance, a place where memories become an active part of life and its discourse.

2.4. ASSIGNMENT

The assignment of the competition and assignment details are an integral part of these Competition Terms.

In the assignment requirements are placed regarding the competition subject and the following requirements are binding:

- The concept of the Memorial will address the location of the so-called Gypsy camp, the cemetery of the victims and the visitor centre, the interconnection of these places, the transport service of the Memorial and the placement of the Memorial in the surrounding landscape, to allow the fulfilment of the requirements set by the construction program, which is part of the competition assignment, in the subsequent stages of project documentation.
- The design of the building of the visitor centre must be situated on land owned by the Museum of Romani Culture (i.e. the pig farm and adjacent land) and allows development.
- The proposal must respect the legal restrictions of the site – protection of Lety Cultural Heritage Memorial (i.e. the cemetery of the victims of the camp with the preservation of the existing Memorial), protection of natural elements (i.e. forests, water surfaces and wetlands, trees and agricultural land).

If any participant in the competition fails to meet these binding competition requirements, the Jury will exclude such a proposal from the assessment and the Contracting Entity will exclude this participant from the competition.

Further requirements laid down in the assignment regarding the subject matter of the competition are of recommendatory nature and failure to follow them shall not constitute a reason for exclusion of the proposal from the assessment and for exclusion of the participant from the competition. The quality and complexity of the integration of these requirements into the competition proposal will be evaluated by the Jury according to the criteria laid down in par. 9.

2.5. LANGUAGE OF THE COMPETITION

The competition is announced and will proceed in Czech and English. Therefore, all parts of the competition proposal in the 1st round must be assessed in one of the given languages.

In the 2nd round, it is required to submit the text part of the proposal in Czech and English.

The Competition Terms and all appendices and assignment details were prepared in Czech and in English and both versions are valid.

3. ORDER SPECIFICATION AND AUTHOR SELECTION

3.1. ORDER SPECIFICATION

The contracting entity expects the result of the non-public negotiation proceedings to be the contract award for all subsequent phases of the service (Service Phases – SP) – preparation of the design for Phase One of the Memorial in line with new standards of the architect (see <https://www.cka.cz/cs/cka/lide-v-cka/pracovni-skupiny/ps-honorare/2017-standard-sluzeb-architekta>), i.e.:

- SP1—design development
- SP2—construction design proposal
- SP3—planning permit design
- SP4—building permit design
- SP5—construction project
- SP6—list of works and supplies
- SP7—architect's supervision

The subsequent contract will also involve professional services necessary for compliance such as engineering for the award of the planning permit and building permit, cooperation with the Contracting Entity in the selection of the building contractor, cooperation with the Contracting Entity with the elimination of defects and unfinished things (punch list) and putting the building into use.

All design phases will be prepared in close cooperation with the authors of the Memorial exposition.

3.2. EXPECTED SUBSEQUENT ORDER VALUE

The fee for the subsequent award will be defined as part of the non-public negotiation proceedings in accordance with the rates recommended in www.cka.cz/cs/pro-architekty/kalkulacky. The Contracting Entity points out that it will not sign the contract if the fee exceeds the recommendations in the table.

3.3. EXPECTED TIME SCHEDULE OF THE SUBSEQUENT ORDER

- 2020—construction design proposal
 - planning permit design (and/or design for joint planning and building proceedings)
 - start of pig farm demolition
- 2021—filing of planning permit design application (and/or application for a joint permit)
 - award of the planning permit (and/or joint permit)
 - building permit design
 - filing of the building permit application
 - award of the building permit
 - detailed design, list of works and supplies
- 2022—start of tender for general contractor
 - start of construction execution
- 2023—construction completion

The time schedule is indicative and the dates may change with regards to the progress of the competition, the design work, selection of general contractor, etc.

3.4. HOW THE DESIGN AUTHOR WILL BE SELECTED FOR THE SUBSEQUENT AWARD

The author(s) of the winning proposal(s) will be invited by the announcing entity into non-public negotiation proceedings in accordance with the provisions of section 143 par. 2 and section 65 of the Act.

3.5. TERMS AND CONDITIONS OF THE CONTRACT FOR THE SUBSEQUENT ORDER

The participant who will be invited, based on the results of the negotiation proceedings, to sign the contract shall provide to the Contracting Entity original or legally verified copies of documents being evidence that the competition participation Terms and conditions stated in part. 4.1, items b), c), d), and e) were complied with.

Any participant who is not a Czech citizen or is not based in the Czech Republic shall provide evidence when signing the contract that he/she is a person authorised to perform certain activities in the building industry in accordance with section 7 par. 1 lit. b) and section 30a of the Act on the performance of a profession, or bring evidence of a joint venture with another person who is authorised to performing certain activities in the building industry in the Czech Republic.

4. PARTICIPANTS IN THE COMPETITION

4.1. TERMS AND CONDITIONS OF PARTICIPATION

The terms and conditions of participation in the competition are met by natural persons or legal entities and/or their companies that:

- a) show evidence that none of the authors and/or co-authors of the competition proposal and their co-workers and none of the statutory bodies in legal entities:
 - a.1) has directly participated in the preparation of the competition proposal and competition announcement;
 - a.2) is a due member or back-up of the Jury, Jury secretary, reviewer of the competition proposals and/or expert invited to the Jury of this competition;
 - a.3) is the husband, direct relative, permanent project manager, direct manager or direct co-worker of the persons stated in points a.1 and a.2 if these persons are stated in the Competition Terms.
 - a.4) is the member of self-government bodies of the Contracting Entity or employees of Contracting Entity's bodies which were involved in the negotiation and approval of the competition terms, the competition brief and/or which will participate in the negotiation and approval of the competition result, result of the procurement process based on the competition and results of the order assigned based on the competition;
- b) meet basic eligibility in accordance with section 74 of the Act;
- c) are registered in the Commercial Registry or another registry (does not apply to natural persons and their companies and to legal entities based in the country where such evidence is not required);
- d) hold a trade licence for design work in the building industry (does not apply to persons acting as architects as a free profession and to natural persons and legal entities based in a country where such a licence is not required);
- e) are authorized persons in the field of architecture and landscape architecture pursuant the Act on the Pursuit of the Profession, or by persons authorized to pursue such activities under the law of the State where they carry out such activities

4.2. SHOWING EVIDENCE OF COMPLIANCE WITH THE TERMS OF PARTICIPATION

The participant shall prove the fulfilment of the conditions of participation in the competition according to paragraph 4.1 by an affidavit according to the model that forms the basis of PF2 of the competition.

If more than one natural person submits a competition proposal as a participant, each of these persons must meet the conditions set out in paragraph 4.3. and (b). The fulfilment of the other conditions of participation shall be demonstrated jointly by these persons.

If more than one legal entity submits a contest proposal as a participant together, each of these persons must meet the conditions set out in paragraph 4.3. (a), (b) and (c). The fulfilment of the other conditions of participation shall be demonstrated jointly by these persons.

The Participant is entitled to prove the fulfilment of the conditions specified in paragraph 4.3 letter d), e) through another person. However, this person must be the author or co-author of the proposal.

A foreign participant shall prove that the conditions for participation in the competition are fulfilled by documents corresponding to the legal order of the country in which it has its registered office (see § 45 par. 3 of the Act).

4.3. CONSEQUENCES OF NON-COMPLIANCE WITH THE TERMS OF PARTICIPATION

If any participant fails to provide the documents required as evidence of compliance with the Terms of participation in the competition in accordance with par. 4.1, the Contracting Entity can invite him/her in writing to provide the required documents within a defined period of time. The Contracting Entity may make such a request repeatedly and may also extend or set aside the deadline. If the participant fails to deliver the required documents by this deadline, the Contracting Entity excludes the participant from the competition.

The Contracting Entity excludes any participant about whom it finds out through checking the facts stated in the declaration on word of honour that this participant failed to meet the terms of participation in the competition.

5. COMPETITION TERMS, COMPETITION ASSIGNMENT DETAILS, THEIR AVAILABILITY AND CLARIFICATION, INSPECTION OF THE COMPETITION VENUE

5.1. AVAILABILITY OF COMPETITION TERMS AND INPUTS

The Competition Terms and competition assignment details are published on Contracting Entity's portal in the National Electronic Tool NEN <https://nen.nipez.cz/> as well as at Contracting Entity's website www.newmemoriallety.com from the competition start date until the proposals submission deadline. In case of discrepancies, the information published in the National Electronic Tool shall prevail over that published at Contracting Entity's website.

5.2. COMPETITION ASSIGNMENT DETAILS

5.2.1. ASSIGNMENT DETAILS FOR THE PREPARATION OF THE COMPETITION PROPOSAL

The Contracting Entity provides these digital assignment details to the participants in these formats:

- P.01—assignment (pdf)
- P.02—map background (dwg)
- P.03—orthophotomap (jpg)
- P.04—selected parts of pig farm demolition project (pdf)
- P.05—project of existing modifications of the reverent site (pdf)

5.2.2. USE OF INPUTS FOR THE PREPARATION OF THE COMPETITION PROPOSAL

Competition assignment details No. P.02, P.03 will be made accessible upon participant's registration in the competition after concluding an agreement with the ordering party on compliance with the conditions of protection of rights to these documents.

The request for access to the competition documents will be sent to the competition secretary: koupalova@onplanlab.com.

Participants of the competition undertake to use the documents only to decide on participation in the competition and to draw up the competition proposal.

You can find all historical resources used in the creation of this assignment and the photo-documentation of the site's current state under the following link: www.newmemoriallety.com.

5.2.3. ASSIGNMENT DETAILS FOR PARTICIPANT IDENTIFICATION, EVIDENCE OF COMPLIANCE WITH THE TERMS OF PARTICIPATION IN THE COMPETITION

- PF1—contact details form – template to the completed (.doc)
- PF2—declaration on word of honour form – template to the completed (.doc)

5.3. CLARIFICATION OF COMPETITION TERMS (QUERIES)

The participants can raise requests for clarification only in writing and in a digital format. The participant can use the National Electronic Tool of the Contracting Entity, the data box or e-mail address of the filing site of the competition. The deadlines for submitting the application are set out in paragraphs 6.4 and 6.10.

6. COMPETITION PROGRESS

6.1. THE COMPETITION TERMS WILL BE NEGOTIATED BEFORE THE COMPETITION IS ANNOUNCED.

The Competition Terms were approved by the Jury of the competition at its setting-up meeting held on September 24, 2019. The written confirmation of the agreement can be requested from the ordering party.

The Competition Terms were approved by the Director of the Museum of Romani Culture on October 8, 2019.

The Czech Chamber of Architects published a compliance confirmation on October 10, 2019 in its letter with ref. No. 710-2019/Fa/Ze.

6.2. START OF COMPETITION

This open competition for a proposal was started with a Notice of commencement of a competition for a proposal in accordance with section 212 of the Act. The proposal submission period also starts with this date.

6.3. REGISTRATION IN NEN (NATIONAL ELECTRONIC TOOL)

To participate in the competition, it is necessary to register in advance as a supplier in the National Electronic Tool (NEN) <https://nen.nipez.cz/>.

6.4. TOUR OF THE AREA CONCERNED

The tour of the area concerned with the interpretation of the Contracting Entity will take place on November 18, 2019. Information on the organization of the tour and the tour program will be announced additionally on the profile of the Contracting Entity in NEN and published on the website of the competition www.newmemoriallety.com

Please register for the tour by sending an e-mail to the secretary of the competition at: koupalova@onplanlab.com.

An explanation of the competition site may be required during the tour of the area concerned. If the Contracting Entity provides an explanation on the site, it shall ensure that the full transcript of the application and the explanation is published together with further explanations of the terms of competition as per paragraph 6.5.

The area concerned is freely accessible with the exception of the pig farm, but it is possible to walk around the fence and view it from all sides.

6.5. EXPLANATION OF COMPETITION TERMS IN THE FIRST ROUND OF COMPETITION

Subject to the conditions set out in paragraph 5.3, participants may request an explanation of the competition Terms and Conditions concerning the organizational aspects of the competition by December 27, 2019, and the subject of the competition until November, 11, 2019.

The explanation will be published with the text of the application (inquiry) without the participant identification on the Contracting Entity's profile in the NEN and on the Contracting Entity's website by issuing additional information to explain the organizational aspects of the competition within 3 working days of delivering the request. The Contracting Entity shall publish an explanation on the issues of the subject of the competition within 10 working days of delivering the request application. The Contracting Entity may also submit an explanation of the competition conditions without submitted application.

6.6. SUBMISSION OF COMPETITION PROPOSALS IN THE FIRST ROUND OF THE COMPETITION

6.6.1. METHOD OF SUBMITTING THE PAPER PART OF THE PROPOSAL

In paper form, the participants shall deliver:

1. competition design on the competition panels (par. 7.3),
2. Envelope "Contact Details" (par 7.4)

The part of the competition proposal delivered to the Contracting Entity in paper form can be delivered in person or by sending it to the address of the competition organizer to the following address:

ONplan lab, s.r.o.
Františka Křížka 362/1,
Praha 7, 170 00, Czech Republic

any working day of the week from 10 am to 5 pm and on the last day of submission from 10 am to 3 pm.

The Contracting Entity points out that if a part of the proposal submitted in paper form is submitted in another way, it will not be considered as submitted.

6.6.2. METHOD OF SUBMITTING ELECTRONICALLY SUBMITTED PART OF THE PROPOSAL

The documents proving the fulfilment of the conditions in the competition (par 4.2) shall be submitted through the electronic tool of the Contracting Entity.

The Participant is obliged to protect the submitted offer electronically from unauthorized reading by encrypting its content. For the purposes of encryption, the Participant shall use the public key certificate, which is specified in the details of the relevant tender procedure of this competition in the National Electronic Instrument NEN in the section Tender Documentation.

The Contracting Entity points out that if part of the proposal is submitted electronically in another way or encrypted by another certificate, it will not be considered as submitted

6.6.3. DEADLINE FOR SUBMISSION OF PROPOSALS

The deadline for submitting a competition proposal, is January 17, 2020 at 3 pm Central European Time.

In case of sending a part of the competition proposal in paper form by post or other public delivery of consignments, the sender is in his own interest obliged to ensure that the proposal is delivered to the address above within the deadline for submission of proposals.

The actual presence of the competition proposal submitted in paper form at the place of destination is crucial.

The person taking over the parts of the competition proposals submitted in paper form shall mark them with the date and time of receipt. In case of a personal handover, he/she shall issue a confirmation of receipt of the proposal with the date and time of receipt to the participant upon request.

6.7. PROPOSAL EXAMINATION

In the first round of the competition, the examination of proposals will be carried out by the secretary and examiner after the deadline for submitting the proposal in the 1st round of the competition.

After unpacking the proposals, the secretary will mark each part of the proposal with a number under which the proposals will be examined and evaluated.

The examiner and the secretary shall draw up a report from the examination of the proposals, which shall be submitted to the Jury and attached to the report on the progress of the competition.

6.8. JURY EVALUATION SESSION IN THE FIRST ROUND OF THE COMPETITION

The date of the Jury meeting for the evaluation of the competition proposals will be provisionally between January and February 2020. The exact date of the evaluation meeting will be set during the competition and published on the competition website.

6.9. NUMBER OF SELECTED PARTICIPANTS TO THE SECOND ROUND OF THE COMPETITION

In the second round of the competition, 7 best designers selected according to the criteria set out in point 9.1 will be invited.

6.10. INVITING SELECTED PARTICIPANTS TO PARTICIPATE IN THE SECOND ROUND OF THE COMPETITION

The invitation shall be carried out by the person authorized by the Contracting Entity, who shall open the envelopes "Contact data". The Jury, competition secretary, examiner and invited experts will not be informed of the names of the invited participants.

The call will include recommendations of the Jury to complete the individual proposals and specify the Competition Terms and Conditions for the second round of the competition.

6.11. EXPLANATION OF THE COMPETITION TERMS IN THE 2ND ROUND OF THE COMPETITION

Subject to the conditions set out in paragraph 5.3, participants may request an explanation of the competition terms in the field of organizational aspects of the competition by April 1, 2020 and in the subject of the competition by March 15, 2020.

6.12. SUBMISSION OF COMPETITION PROPOSALS IN THE SECOND ROUND OF THE COMPETITION

The same rules apply to the submission and evaluation of proposals in the second round of the competition as to the submission of proposals in the 1st round of the competition (paragraphs 6.6.1 and 6.6.2).

Requirements and recommendations for competition proposals in the 2nd round of the competition will be specified in the call for participation in the 2nd round of the competition sent to the participants whose proposals for the 2nd round will be selected by the Jury.

6.12.1. DEADLINE FOR SUBMISSION OF PROPOSALS

The deadline for submitting a competition proposal is April 21, 2020 at 3 pm Central European Time.

Participants who submitted the competition proposal – the part submitted in physical form (in paper form) and the part submitted electronically after this deadline will be excluded from the competition by the Contracting Entity.

In case of sending a part of the competition proposal in paper form by post or other public transport of consignments, the sender is in his own interest obliged to ensure that the proposal is delivered to the address above within the deadline for proposal. The actual presence of the competition proposal at the place of destination is crucial.

The person taking over the parts of the competition proposals personally submitted in paper form shall mark them with the date and time of receipt. In the case of personal handover, he/she shall issue to the participant upon request a confirmation of receipt of the proposal, stating the date and time of receipt.

6.13. PROPOSAL EXAMINATION

The examination of competition proposals in the second round of the competition will be carried out similarly as in the first round of the competition (par. 6.7).

6.14. JURY EVALUATION SESSION IN THE SECOND ROUND OF THE COMPETITION

The date for the Jury to evaluate the competition proposals in the second round of the competition is provisionally set for April to May 2020.

The exact date of the evaluation session will be determined during the competition and published on the competition website.

6.15. COMPETITION REPORT

From all meetings of the Jury, the secretary or another person authorized by the chairman of the Jury shall draw up a report on the course of the competition.

The protocol on the course of the competition includes in particular:

- a) the minutes of all meetings of the Jury, including the voting record;
- b) a report explaining the tender dossier during the submission deadline;
- c) a report on receipt of proposals and examination of proposals;
- d) recommendations to the Contracting Entity to exclude participants from the competition;
- e) a list of all contest proposals considered;
- f) a record of the evaluation of the competition proposals, including a vote;
- g) a written evaluation of all proposals;
- h) the Jury's decision on the selection of proposals for the second round of the competition; specification of conditions for the second round of the competition;
- i) information on participants and authors and the fulfilment of the conditions for participation by participants assigned to the competition design numbers;
- j) the Jury's opinion on the selection of the most appropriate proposal(s), their ranking, prize allocation and award, including the Jury's reasoning and other recommendations;
- k) attendance lists from individual Jury meetings.

The opinions of the Jury members will be recorded in the report on the course of the competition.

6.16. DECISION ON THE SELECTION OF THE PROPOSAL (S) AND ITS NOTIFICATION

The Contracting Entity is bound by the Jury's opinion when selecting the proposal(s).

The Contracting Entity shall take a decision on the selection of the proposal (s) within 90 days of the Jury's opinion being issued.

The Contracting Entity may decide to re-evaluate the proposals for reasons stated in § 148 (7) of the Act and § 11 (1) of the Competition Rules.

The Contracting Entity shall send the results of the competition to all participants and shall announce the outcome of the competition and the selection of the proposal(s) on the Contracting Entity's profile within ten days of the decision on the selection of the most suitable proposal (s). It shall be accompanied by a report on the progress of the competition.

After submitting the decision on the selection of the most suitable proposal, the Contracting Entity shall publish the result of the competition in other ways by which it published the competition notice.

6.17. ACCESS TO COMPETITION PROPOSALS

On the day of publication of the announcement of the results of the competition and the protocols, the 15-day period for opening the competition proposals to the participants of the competition begins. Proposals will be made available on request by the organizer.

6.18. END OF COMPETITION, CANCELLATION OF COMPETITION

The contest ends on the day when:

- a) all participants expire the time limit for filing an objection to the selection of a petition pursuant to Section 242 (2) of the Act, if the objections are not raised;
- b) in the case of filing an objection, the deadline for filing a petition for review of the Contracting Entity's acts to the OPC expires pursuant to Section 251 (2) and (3) of the Act, if the petition is not filed;
- c) in the case of filing a petition pursuant to Section 251 of the Act, the decision to stop administrative proceedings or reject the petition shall become final.

The Contracting Entity has the right to cancel the competition. In case of cancellation of the competition, the Contracting Entity is obliged to pay to each participant, who proves that it has elaborated or processed the competition proposal before the competition was cancelled, adequate compensation, which is considered a proportional share of the total amount of prizes and rewards. The amount of the proportional share will be decided by the Contracting Entity with the Jury, but for one participant it will be a maximum of CZK 40,000.

6.19. REIMBURSEMENT OF PRIZES AND REIMBURSEMENT OF COSTS ASSOCIATED WITH PARTICIPATION IN THE COMPETITION

Prizes and refunds shall be paid no later than 50 days after the decision on the selection of the most appropriate proposal, or within one week after the decision of the Office for the Protection of Competition comes into force, if proceedings before the Office were conducted. The maturity of the compensation in case of cancellation of the competition is set at 50 days from the date of cancellation of the competition.

6.20. PUBLIC EXHIBITION OF COMPETITION DESIGNS

The public exhibition of the competition designs will start no later than three months after the announcement of the decision on the selection of the most suitable design.

7. COMPETITION PROPOSAL – 1ST ROUND OF THE COMPETITION

7.1. REQUIREMENTS FOR THE PREPARATION OF THE COMPETITION PROPOSAL

7.1.1. BINDING REQUIREMENTS

These binding requirements for the submission of competition proposals apply:

- a) submission of all parts of the competition proposal in accordance with item 7.2.1
- b) timely submission of the competition proposal by the deadline in accordance with item 6.5.3
- c) anonymity of the competition proposal in accordance with item 7.6

7.1.2. RECOMMENDED REQUIREMENTS

Requirements regarding the preparation and structure of the competition proposal not stated in item 7.1.1 are of recommendatory nature and failure to follow them shall not constitute a reason for exclusion of the proposal from the assessment and for exclusion of the participant from the competition.

7.2. REQUIREMENTS AND STRUCTURE OF THE COMPETITION PROPOSAL

7.2.1. PARTS OF THE COMPETITION PROPOSAL

parts of the competition proposal submitted as hard copies

- a) graphic and text part of the proposal – “Panels” according to item 7.3
- b) envelope “Contact details” according to item 7.4

parts of the competition proposal submitted through the National Electronic Tool

- c) documents serving as evidence of compliance with the Competition Terms – according to item 7.5

7.2.2. REQUIREMENTS FOR MARKING THE PROPOSAL AND ITS PARTS

The parts of the competition proposal submitted as hard copies – “Panels” shall be marked as follows:

- a) a frame of 3 × 3 cm shall be placed in the top right corner where the secretary of the competition will write the ID number of the proposal;
- b) text “LETY U PÍSKU. PAMÁTNÍK HOLOKAUSTU ROMŮ A SINTŮ V ČECHÁCH” (LETY U PÍSKU. MEMORIAL TO THE HOLOCAUST OF THE ROMA AND SINTI IN BOHEMIA) shall be written in the bottom part in the middle.

7.2.3. REQUIREMENTS AND STRUCTURE OF THE PROPOSAL CASING

It is the participant’s own interest to place the parts of the competition proposal submitted as hard copies (on paper) into a hard and sealed case protecting the proposal from damage and identify it as “NEOTEVÍRAT – SOUTĚŽNÍ NÁVRH – LETY U PÍSKU. PAMÁTNÍK HOLOKAUSTU ROMŮ A SINTŮ V ČECHÁCH”(DO NOT OPEN – COMPETITION PROPOSAL – LETY U PÍSKU. MEMORIAL TO THE HOLOCAUST OF THE ROMA AND SINTI IN BOHEMIA).

Packaging requirements are advisory, but the Contracting Entity is not responsible for ensuring that designs without proper labelling are not delivered for examination and evaluation, and that the jury will not be able to evaluate damaged designs.

7.3. GRAPHIC AND TEXTUAL PART OF THE PROPOSAL – “PANELS”

7.3.1. REQUIREMENTS FOR THE CONTENT

THE GRAPHIC PART OF THE COMPETITION PROPOSAL WILL BE SUBMITTED TO THE CONTRACTING ENTITY IN PAPER FORM

The graphic part of the competition design will in the first round be processed on one, at most two A1-format panels made of light, solid material for exhibition purposes. The textual part will be displayed on the competition panels together with the graphic part and will be executed in Czech or English.

Recommended content:

- situation of the monument area at a scale of 1: 1 000, and/or a perspective from above in a similar scale showing the overall concept of the monument's solution
- floor plans, elevations, sections or visualizations, or other forms of depiction of individual parts of the Memorial demonstrating their overall architectural and artistic design and setting into the landscape in a comprehensible way
- scheme of construction phases
- brief description of the individual aspects of the chosen solution that supplements and clarifies the different parts of the graphic part of the design
- expert investment cost estimate for the construction of the proposal including a distinction between the first and subsequent phases of construction.

7.3.2. PANELS IN DIGITAL FORM TO BE SUPPLIED BY THE PARTICIPANT AFTER ASSESSMENT END

The participant will submit the competition proposal in digital form through the National Electronic Tool or via e-mail after the end of the Jury assessment meeting. The digital format of the proposal will contain: panels of the graphic part in *.pdf format in a resolution suitable for publishing the competition proposal on the website and/or in the printed materials of the competition (minimum quality 150dpi.)

THE PARTICIPANT SHALL SEND THE PROPOSAL IN DIGITAL FORM AT THE CONTRACTING ENTITY'S REQUEST ONLY AFTER THE END OF THE ASSESSMENT MEETING AND AFTER THE JURY HAS ISSUED ITS STATEMENT.

If the participant fails to deliver the digital part meeting the requirements stated above, the participant risks his/her proposal not being presented on the Contracting Entity's website, in the catalogue or on the website of the Czech Chamber of Architects.

7.4. THE “CONTACT DETAILS” ENVELOPE

The envelope “Contact data” will contain a filled-in and signed form (competition document PF1).

THAT SHALL BE SUBMITTED IN A SEALED, INTACT ENVELOPE IDENTIFIED AS “CONTACT DETAILS” ON PAPER TOGETHER WITH THE PANELS.

The envelopes will not be presented to the Jury.

7.5. DOCUMENTS SERVING AS EVIDENCE OF COMPLIANCE WITH THE TERMS OF PARTICIPATION

The filled-in and signed document proving the fulfilment of the conditions in the competition – filled in and signed declaration of honour according to the model, see competition document PF2 WILL BE SUBMITTED ELECTRONICALLY THROUGH THE NATIONAL ELECTRONIC TOOL WITH THE LABEL “DECLARATION” AND WILL NOT BE SUBMITTED TO THE JURY.

We recommend submitting these documents in the pdf format.

7.6. TERMS OF ANONYMITY OF THE COMPETITION PROPOSAL

The proposals will be presented and assessed on anonymously

No part of the competition proposal (except for those expressly stated in these Competition Terms – par. 7.4 and 7.5) must contain the name and signature of the participant or the slogan or any other graphic mark that might identify the participant and hence breach anonymity.

Given the need for anonymity of the sender, this uniform address of the sender must be stated on all competition proposals sent via the post:

Česká komora architektů
Josefská 6
118 00 Praha 1 – Malá Strana, Czech Republic

If any competition proposal is sent via post or another public carrier from outside the Czech Republic, the participant must – for the sake of maintaining the sender’s anonymity – state the name and address of the professional union where the participant is registered or another public organisation, if previously agreed upon, in his/her country and under the local law.

The Contracting Entity will exclude any participant from the competition in whose proposal the reviewer and the filing site found a breach of the anonymity conditions during a check of the competition proposals or in whose proposal the Jury found a breach during of the anonymity conditions the assessment of the competition proposals.

8. COMPETITION PROPOSAL – 2ND ROUND OF THE COMPETITION

8.1. REQUIREMENTS FOR COMPETITION PROPOSAL PREPARATION

8.1.1. BINDING REQUIREMENTS

These binding requirements for the submission of competition proposals apply:

- a) submission of all parts of the competition proposal in accordance with item 8.2.1
- b) timely submission of the competition proposal by the deadline in accordance with item 6.12.1
- c) anonymity of the competition proposal in accordance with item 8.6

8.1.2. RECOMMENDED REQUIREMENTS

Requirements regarding the preparation and structure of the competition proposal not stated in item 8.1.1 are of recommendatory nature and failure to follow them shall not constitute a reason for exclusion of the proposal from the assessment and for exclusion of the participant from the competition.

8.2. REQUIREMENTS AND STRUCTURE OF THE COMPETITION PROPOSAL

8.2.1. PARTS OF THE COMPETITION PROPOSAL

parts of the competition proposal submitted as hard copies

- a) graphic part of the proposal – “Panels” according to item 8.3
- b) envelope “Contact details” according to item 8.5

parts of the competition proposal submitted through the National Electronic Tool

- c) textual part of the competition proposal in accordance with item 8.4

8.2.2. REQUIREMENTS FOR LABELLING THE PROPOSAL AND ITS PARTS

The parts of the competition proposal submitted as hard copies – “Panels” shall be marked as follows:

- a) a frame of 3 × 3 cm shall be placed in the bottom right corner where the secretary of the competition will write the ID number of the proposal;
- b) text “LETY U PÍSKU. MEMORIAL TO THE HOLOCAUST OF THE ROMA AND SINTI IN BOHEMIA – 2nd round” shall be written in the bottom middle part.

8.2.3. REQUIREMENTS AND STRUCTURE OF THE PROPOSAL CASING

It is in the participant’s own interest to place the parts of the competition proposal submitted as hard copies (on paper) into a hard and sealed casing protecting the proposal from damage and identify it as “DO NOT OPEN – COMPETITION PROPOSAL – LETY U PÍSKU. MEMORIAL TO THE HOLOCAUST OF THE ROMA AND SINTI IN BOHEMIA”.

Packaging requirements are advisory, but the Contracting Entity is not responsible for ensuring that designs without proper labelling and casing are not delivered for examination and evaluation, and that the jury will not be able to evaluate damaged designs.

8.3. GRAPHIC PART OF THE PROPOSAL – “PANELS”

8.3.1. REQUIRED CONTENTS

THE GRAPHIC PART OF THE COMPETITION PROPOSAL WILL BE SUBMITTED TO THE CONTRACTING ENTITY IN PAPER FORM

We assume that the graphic part will be submitted on 4 panels in A1 vertical format made of light material for exhibition purposes. The graphic layout of the panels will be specified in the call for participation in the second round of the competition.

We assume that the graphic part will have the following contents:

- a) the general site layout in scale 1:1000 and/or a general site view in similar scale showing the space arrangement and layout, functions of the different parts of the site, operating connections, parking and site connection to utilities, documenting the general placement of memorial elements in the surrounding landscape, interaction of the memorial with the surroundings and the surrounding landscape design
- b) layouts, elevations, sections and/or other forms of rendering of the sub-sections of the memorial, showing their general architecture, design and integration into the landscape, in a clear way
- c) visualisations depicting the design and giving the overall impression the memorial shall make in the site
- d) visualisation showing the interior of the visitor area and the author's general idea about the expositions of the memorial
- e) general context scheme showing the space arrangement and functions of the Memorial site as such and its connections to its surroundings, to adjacent landscape, connection to places connected with the history of the camp, connections to road and walkways, and the authors' idea about the final condition of the connecting landscape
- f) scheme showing authors' idea of construction staging, with maximum respect paid to the investor's finances
- g) scheme and/or description evidencing the principles of sustainability of the site, including maintenance and care of the connecting landscape, water management, waste management, etc. with regards to keeping all operating costs at a minimum.

The visualizations do not necessarily have to be 3D graphic visualizations, also other graphic design solutions are possible, as long as they ensure that the proposed solution is comprehensible to the Jury and the general public during the subsequent presentation.

It is permissible to supplement the individual images with explanatory texts, provided that the texts are in English and Czech in the 2nd round.

8.3.2. DIGITAL PANELS TO BE SUPPLIED BY THE PARTICIPANT AFTER ASSESSMENT END

THE PARTICIPANT SHALL SEND THE PROPOSAL IN THE DIGITAL FORMAT AT CONTRACTING ENTITY'S REQUEST ONLY AFTER THE END OF THE ASSESSMENT MEETING AND AFTER THE JURY HAS ISSUED ITS STATEMENT.

The digital version of the design will include: panels of the graphic part and text part in *.pdf format in resolution for publishing the competition design on the web, eventually in prints of the competition (quality at least 150 dpi)

Participants of the 2nd round of the competition who do not supply the digital version of the submitted graphic and textual part within 21 days of the invitation, the cost or reimbursement of expenses will be reduced by 30 %.

Participants whose designs have not been selected for the 2nd round and who do not supply a digital version of the submitted graphic part at risk of exposing them will not be able to be presented on the contracting authority's website, in the catalogue or on the ČKA website.

8.4. THE TEXT PART OF THE PROPOSAL

8.4.1. REQUIRED CONTENTS

The textual part will be submitted in Czech and English.

We assume that the text part will contain:

- a) brief annotation of the proposal with a max. the length of 500 characters including spaces
- b) detailed description of the proposal and its individual aspects, with a maximum length of 4000 characters, including spaces
- c) expert estimate of investment costs according to the model, which will be part of the call for participation in the 2nd round of the competition
- e) answers to the questions specified by the Jury in the call for participation in the 2nd round of the competition
- f) it is permissible to complete the text part with diagrams, sketches, etc.

8.4.2. ARRANGEMENT AND FORM OF THE TEXTUAL PART

The textual part will be prepared on maximum ten 10 sheets of A4 format.

The text part WILL BE SUBMITTED ELECTRONICALLY USING THE NATIONAL ELECTRONIC TOOL AS A PDF FILE IDENTIFIED AS "TEXTOVÁ ČÁST" (TEXT PART).

8.5. THE "CONTACT DETAILS" ENVELOPE

The envelope "Contact Information" will contain a filled-in and signed form (which will be part of the call for participation in the 2nd round of the competition).

THAT SHALL BE SUBMITTED IN A SEALED, INTACT ENVELOPE IDENTIFIED AS "KONTAKTNÍ ÚDAJE" – 2nd ROUND.

The envelopes will not be presented to the Jury.

8.6. TERMS OF ANONYMITY OF THE COMPETITION PROPOSAL

The proposals on 2nd round of the competition will be presented and assessed on an anonymous basis

No part of the competition proposal (except for those expressly stated in these Competition Terms – par. 8.5) must contain the name and signature of the participant or the slogan or any other graphic mark that might identify the participant and hence breach anonymity.

The other anonymity conditions are identical as those of 1st round (see item 7.6).

8.7. SPECIFICATION OF REQUIREMENTS AND STRUCTURE OF THE PROPOSAL IN 2ND ROUND OF THE COMPETITION

The requirements and recommendations regarding the competition proposals in 2nd round, as provided in these Competition Terms, will be specified in the call for participation 2nd round of the competition and sent to the participants whose proposals will be selected by the jury for the 2nd round.

9. PROPOSAL ASSESSMENT CRITERIA

9.1. ASSESSMENT CRITERIA FOR 2ND ROUND OF THE COMPETITION

The criteria according to which the competition proposals will be assessed in 1st round of the competition are defined as follows in an order that is not important:

- architectural and artistic quality of the design
- extent of expression of memorial's mission, artistic design of the topics the memorial shall represent
- extent of respect of the culture of Czech Roma and Sinti
- quality of integration of the memorial site in the landscape

9.2. ASSESSMENT CRITERIA FOR 2ND ROUND OF THE COMPETITION

The criteria according to which the competition proposals will be assessed in 2nd round of the competition

- architectural and artistic quality of the design
- extent of expression of the mission of the Memorial, visual design of the topics of the Memorial and quality of the design of exposition areas
- extent of respect of the culture of Czech Roma and Sinti
- quality of integration of the memorial site in the landscape
- economically reasonable investment and operating costs of the proposal and its ability to be realised in stages s considering the financial means of the investor and the requirements for the stages of construction as mentioned in the competition assignment.

9.3. HOW THE JURY ASSESSES THE PROPOSALS

Criteria that cannot be expressed with numbers will be assessed by the Jury based on the knowledge and experience of the Jury members. Such an assessment will therefore be professional, but still the subjective opinion of the Jury.

10. AWARDS, FEES AND COMPENSATION OF EXPENSES CONNECTED WITH PARTICIPATION IN THE COMPETITION

10.1. TOTAL AMOUNT FOR FEES, AWARDS AND COMPENSATION OF EXPENSES FOR THE COMPETITION

The total amount for fees, awards and compensation of expenses of the competition is CZK 520,000 (in words: five hundred and twenty thousand Czech koruna).

10.2. AWARDS

1st award will be remunerated with CZK 150 000 (in words: one hundred and fifty thousand Czech koruna)

2nd award will be remunerated with CZK 120 000 (in words: one hundred and twenty thousand Czech koruna)

3rd award will be remunerated with CZK 90 000 (in words: ninety thousand Czech koruna)

10.3. FEES

The Contracting Entity will not pay any fees.

10.4. COMPENSATION OF EXPENSES CONNECTED WITH PARTICIPATION IN THE COMPETITION

An amount of CZK 160,000 (in words: one hundred and sixty thousand Czech koruna), will be distributed among other participants who were not awarded in 2nd round and who were not excluded from the competition, maximum, however, CZK 40 000 (in words: forty thousand Czech koruna) per one competition proposal.

10.5. TERMS AND CONDITIONS FOR THE POTENTIAL DECISION ON AWARDS AMENDMENTS AND/OR REFRAINMENT FROM SOME AWARDS

The Jury can decide in exceptional cases under the Terms and Conditions stated in section 10 par. 8 and section 12 par. 2 of the Competition Code of the Czech Chamber of Architects that it will not give any of the awards, will not distribute the designated amounts or will distribute them in another manner.

The Jury can decide under the Terms and Conditions stated in section 12 par. 2 of the Competition Code of the Czech Chamber of Architects about another division of the total award amount. The Jury must justify its decision in detail in the competition progress report and append records how proper Jury members voted.

10.6. REQUIREMENTS REGARDING THE TAXING OF AWARDS

The awards and compensation in the competition to natural persons who are not registered as entrepreneurs will be reduced in accordance with section 36 par. 2 lit. i) of act No. 586/199 Coll. on the income tax, as later amended, by an income tax amounting to 15 %, which the Contracting Entity will pay to the tax administrator in accordance with act No. 280/2009 Coll. of the tax code, as later amended.

Awards in the competition awarded to legal entities and individual persons registered as entrepreneurs will be paid in accordance with act No. 586/1992 Coll. on the income tax, as later amended, in the full amount and taxed by the legal entity and/or natural person registered as an entrepreneur as part of the regular tax return.

Awards and compensation of expenses in the competition to participants who do not have their tax domicile in the Czech Republic will be paid in the full amount. These participants will pay their income tax in accordance with the laws of their tax domicile.

10.7. INCORPORATING THE AWARD INTO THE SUBSEQUENT CONTRACT

The award paid will be incorporated into the total fee if the participant and the Contracting Entity subsequently sign a contract for work.

11. DISPUTE SOLVING

11.1. OBJECTIONS

Participants can raise objections to Contracting Entity's conduct in the competition in accordance with section 13 of the Act.

11.2. REQUEST FOR REVIEW OF CONTRACTING ENTITY'S CONDUCT

If the Contracting Entity does not accommodate the objections, a request can be filed with the Office for the Protection of Competition. The requirements regarding the request for review of Contracting Entity's conduct and the next steps of the complainant are governed by the provisions of section 249 and subs. provisions of the Act.

12. COPYRIGHT

12.1. PROTECTION OF COPYRIGHT TO THE PROPOSAL IN THE PARTICIPANT – AUTHOR RELATIONSHIP

The participant shall show evidence of the protection of copyright to the proposal within the non-public negotiation proceedings

- a) through a declaration where the participant says that he/she is also the author if the proposal is submitted by an individual person who is also the participant and author, or a by legal entity whose statutory body is the person who is the author of the proposal;
- b) a licence agreement governing the settlement of copyright between authors – individual persons submitting the proposal jointly as one participant;
- c) a licence agreement governing the settlement of copyright between the legal entities submitting the proposal jointly as one participant if the statutory body or employee of the legal entity is the author;
- d) a licence agreement between the participant and the author if the author is a sub-contractor of the participant.

12.2. PROTECTION OF COPYRIGHT TO THE PROPOSAL IN THE PARTICIPANT – CONTRACTING ENTITY RELATIONSHIP

The authors of the proposals will keep their copyright, can publish their proposals and use them again elsewhere. The possibility of using the proposal elsewhere shall not apply to proposals refined into a design based on a contract signed after closing the non-public negotiation proceedings.

By submitting the proposals, the participants represent that they agree that reproduction and display of their proposals will be free of charge as part of the promotion of the competition and presentation of results.

Proposals submitted in the 2nd round of the competition become the assets of the Contracting Entity. By submitting these proposals, their authors grant the Contracting Entity their consents with using their author work for the purposes of this competition. Any other use of the author work or its parts for any other purposes but those defined in these Competition Terms is subject to the express consent of the authors.

13. OTHER TERMS AND CONDITIONS

13.1. LEGAL CODE

The competition will take place in accordance with the Czech legal code.

13.2. COMPETITION TERMS ACCEPTANCE CLAUSE

The Contracting Entity, filing site of the competition, the reviewer, jurors and invited experts confirm through their participation in the competition that they have made themselves familiar with all Competition Terms and commit to keep and respect these terms.

The participants in the competition acknowledge that the proposals must be prepared in accordance with all Competition Terms and that they will respect the jury's decision in accordance with these terms and conditions.

used shortcuts:

NEN—National Electronic Tool

JŘBÚ—Negotiated procurement without publication

ČKA—Czech Chamber of Architects

FS—Phase of services (according to the Standard of services of the architect ČKA)

DPH—Value added tax

ÚOHS—Office for the Protection of Competition

ZZVZ—Public Procurement Act

Place, date and signature of Contracting Entity's authorised representative