

# Terms and Conditions

## OF ARCHITECTURAL-ARTISTIC COMPETITION FOR THE DESIGN OF THE MONUMENT TO JAN PALACH IN VŠETATY

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NÁRODNÍ  
MUZEUM

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<b>Name of the public contract:</b>	Architectural-Artistic Competition for the Design of the Monument to Jan Palach in Všetaty
<b>Type of procedure:</b>	Competition for proposals
<b>Contracting public authority</b>	The National Museum
<b>NM reference number</b>	2015/3204/NM
<b>NM number of the public contract</b>	VZ 150178
<b>Date:</b>	In Prague on 9. October 2015

# THE NATIONAL MUSEUM

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## ANNOUNCES

TAKING ACCOUNT OF THE PROVISIONS OF ACT NO. 137/2006 COLL. ON PUBLIC PROCUREMENT, AS AMENDED BY LATER REGULATIONS (HEREINAFTER REFERRED TO AS "ZVZ"),

IN ACCORDANCE WITH THE PROVISIONS OF ACT NO. 183/2006 COLL. ON LAND-USE PLANNING AND THE BUILDING CODE (CONSTRUCTION ACT) AS AMENDED BY LATER REGULATIONS,

IN ACCORDANCE WITH ACT NO. 360/1992 COLL. ON EXERCISING THE PROFESSION OF AUTHORIZED ENGINEERS AND TECHNICIANS ACTIVE IN THE CONSTRUCTION INDUSTRY, AS AMENDED BY LATER REGULATIONS,

TAKING ACCOUNT OF PROVISIONS FROM § 1772 TO § 1779 OF ACT NO. 89/2012 COLL., THE CIVIL CODE,

AND IN ACCORDANCE WITH THE COMPETITION REGULATIONS OF THE CZECH CHAMBER OF ARCHITECTS OF APRIL 24th, 1993, AS AMENDED,

## ONE-ROUND

ARCHITECTURAL-ARTISTIC COMPETITION FOR THE DESIGN OF THE MONUMENT TO JAN PALACH IN VŠETATY

AND ISSUES THESE CONDITIONS OF COMPETITION (hereinafter referred to as "SP").

## THE CONTENTS OF THE DOCUMENT

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1 Announcer of the competition .....	4
2 The purpose and mission of the competition .....	6
3 The method of announcement of the competition and its results .....	6
4 The competition participants .....	8
5 Competition documentation .....	9
6 Mandatory parts of the proposal, their contents and binding graphical and other adjustments .....	9
7 Common provisions on the mandatory aspects of the proposal adjustments .....	11
8 The method of the submission of proposals .....	12
9 Meeting the criteria for participation, qualifications evaluation and evaluation criteria .....	13
10 The jury and certified experts .....	15
11 Prizes and rewards .....	16
12 The major terms of the competition .....	17
13 Dispute resolution .....	18
14 Clause on acceptance of competition terms and conditions .....	19
15 Clause on the copyright and publication of competition proposals .....	19
16 Provisions on the legal regulations of the competition and economic parameters of the competition .....	20
17 Approval of the terms and conditions .....	21
18 List of abbreviations .....	22
19 Annexes .....	23

# 1 THE ANNOUNCER OF THE COMPETITION

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## 1.1 THE ANNOUNCER

**Name:** The National Museum  
**Headquarters:** Václavské náměstí 68, 115 79 Praha 1  
**Represented by:** PhDr. Michal Lukeš, Ph.D., The National Museum General Director  
**Phone/Fax:** +420 224 497 309 / + 420 224 226 488  
**E-mail:** [sekretariat@nm.cz](mailto:sekretariat@nm.cz)  
**ID-Number:** 00023272  
**Tax-ID Number:** CZ-00023272

## 1.2 PROCESSOR OF THE TERMS AND CONDITIONS

**Name:** Mgr. Dagmar Fialová  
**Position:** Chief manager of the NM expositions  
**Institution:** The National Museum  
**Phone/GSM:** +420 224 497 474 / +420 712 412 271  
**E-mail:** [dagmar\\_fialova@nm.cz](mailto:dagmar_fialova@nm.cz)

## 1.3 THE SECRETARY OF THE COMPETITION

**Name:** Mgr. Dagmar Fialová  
**Position:** Chief manager of the NM expositions  
**Institution:** The National Museum  
**Phone/GSM:** +420 224 497 175  
**E-mail:** [architekt\\_soutez@nm.cz](mailto:architekt_soutez@nm.cz)

## 1.4 THE ADMINISTRATOR OF THE COMPETITION

**Name:** Bursik & Co., law firm  
**Headquarters:** Belgická 38, 120 00 Praha 2  
**Contact person:** Mgr. Jakub Grafnetter  
**Phone:** +420 226 223 611  
**E-mail:** [zakazky@bursikapol.cz](mailto:zakazky@bursikapol.cz)

The competition Administrator is a person representing the Announcer in terms of § 151 of the ZVZ and is bound by an obligation of confidentiality in respect of the members of the jury, the Secretary and the evaluators of competition proposals in regard to the identity of the competition participants, if he/she gets acquainted with them in the context of the necessary paperwork.

## 2 THE SUBJECT AND PURPOSE OF THE COMPETITION

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### 2.1 THE SUBJECT OF THE COMPETITION

The subject of this one-round public competition is preparation of architectural and artistic design of the Monument to Jan Palach in Všetaty as a specific and symbolic place where the power of experience can launch internal transformation and creation of a special relationship of an individual to the history of the 20th century.

The proposal shall demonstrate the author's vision of a complex solution for the Monument site and the plot on which it is located. The proposal shall be able to demonstrate the power of a creative person, his/her respect and perception of the significance of the remarkable human victim of Jan Palach in the context of the 20th century history and the fight for democracy and human rights, and also the knowledge of the complexity of requirements for modern education and museum exhibitions.

The proposal shall respect economic possibilities of the Announcer and his requirements for the minimization of future operational costs (see chapter 9.2.7 of this document and chapter 10.2 of Annex A).

Announcer's binding requirement for the solution of the Monument is the proposal of:

- a) artistic re-designing of the original house to the Monument to Jan Palach in Všetaty, whereas the Announcer expects the semantic structure of the Monument in three areas:
  - i. **symbolic** – artistic transformation of the house being a symbol of the victim of Jan Palach with the objective to give the house a new quality by means of a new architectural value and strong atmosphere, and the final impression on the visitors of the Monument;
  - ii. **contemplative** – garden and field treatment (including demolition of unfit farm and other adjacent building) and their re-design to a meditation garden for personal contemplations of the visitors;
  - iii. **educative** – construction of the exhibition pavilion and the spatial-visual disposition of the exposition in there.
- b) construction and technical solutions for the revitalization of the land and the house, including solutions for the demolition of technical buildings and for the construction of new buildings on the respective plot for the purpose of their entry into public use as a museum; the proposal shall take account of the requirements for a high-quality service to the visitors /clients of the new public facility.

The parameters of the competition subject are provided by the Announcer as part of the Competition Documentation (see Chapter 5 hereto).

## 2.2 THE PURPOSE AND MISSION OF THE COMPETITION

- 2.2.1 The purpose and the mission of this architectural competition, based on the submitted proposals, is **to find and award the best proposal for solutions for the competition subject**, which shall meet Announcer's requirements contained in these competition terms and conditions and the competition documentation, and **subsequently in the negotiation procedure without publication** pursuant to provisions § 23.6 of Act No. 137/2006 Coll. on Public Procurement as amended (hereinafter referred to as „ZVZ“) **award a contract for preparation of a works plan for the project**, carrying out the supervision and bringing the Monument to Jan Palach into public operation. (for the scope of works see Annex No. 4 hereto). The participant (-s) with the best score (hereinafter referred to as “selected participant”) shall be invited for the negotiation procedure.
- 2.2.2 To ensure transparency of the subsequent procurement procedure – a negotiation procedure without publication – the competition Announcer publishes the framework terms and conditions for the conclusion of the future work contract. A mandatory sample of the contract shall be provided by the Announcer as part of the procurement terms and conditions for the subsequent negotiation procedure without publication.

## 3 THE METHOD OF ANNOUNCEMENT OF THE COMPETITION AND ITS RESULTS

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### 3.1 TYPE OF COMPETITION

- 3.1.1 According to the intent the competition is announced as project-oriented.
- 3.1.2 According to the subject the competition is announced as architectural-artistic.
- 3.1.3 According to participants the competition is announced as public (open).
- 3.1.4 According to the number of rounds the competition is announced as a one-round competition.

### 3.2 THE METHOD OF ANNOUNCEMENT OF THE COMPETITION

The competition for proposals shall be launched by its publication on the Announcer's profile (<http://www.egordion.cz/nabidkaGORDION/profilNM>) and on the websites of the Czech Chamber of Architects (<http://www.cka.cz>).

### 3.3 THE LANGUAGE OF THE COMPETITION

The competition is announced and will be carried out in the Czech language. All parts of the competition proposals must therefore be drawn up in the Czech language. The Announcer, guided by the intention to facilitate the access to foreign participants, publishes these SP also in English language. In case of uncertainties or disputes, the SP in the Czech language shall be decisive.

### **3.4 THE PROTOCOL ON THE COURSE OF THE COMPETITION**

- 3.4.1 Of all meetings of the jury, the Secretary, or other responsible person determined by the Chairman of the jury, will take a protocol on the course of the competition (hereinafter referred to as the Protocol) and its accuracy shall be verified by all members of the jury and confirmed by the person drawing up the document.
- 3.4.2 The Protocol shall contain in particular the minutes of the meetings of the jury including the vote, the decision to exclude proposals from the competition, a list of all competing proposals, assessment of all competing proposals, the decision on the selection of the most suitable proposal and the determination of their order, the decision on the allocation of prizes and awards including its rationale, and the presence list of each jury meeting. The Protocol shall be signed by all regular jury members and handed out to the Announcer.
- 3.4.3 Different opinions of the jury members may be documented in the Protocol if these members expressly request so.
- 3.4.4 In the course of the competition, the jury may include in the Protocol additional questions and recommendations on certain aspects of some of the proposals.
- 3.4.5 The jury submits the Protocol to the Announcer. After the Protocol submission, the Announcer prompts the competition participants to participate at the public reading of the results of the proposals evaluation with at least a 5-day notice. After the publication of the evaluation results, the jury members are entitled to discuss additional questions with the participants in accordance with paragraph 3.4.4. Based on the outcomes of the discussion about additional questions the Announcer is entitled to determine a deadline for providing an additional answer or a document. The jury may change the order of the proposals listed in the Protocol only if the answers to the additional questions or provided documents bring about the need for a major change in the evaluation of proposals according to the evaluation criteria as per these terms and conditions.
- 3.4.6 In accordance with the ZVZ provisions, the Announcer shall publish a copy of the Protocol along with the decision on the best proposal, send a copy to all competition participants (by hand) and notify the Czech Chamber of Architects.

### **3.5 ANNOUNCEMENT OF THE COMPETITION RESULTS AND NOTIFICATION OF THE DECISION ON THE SELECTION OF THE BEST PROPOSALS**

- 3.5.1 Publication of the results of proposals evaluation shall be done as set out in paragraph 3.4.5 after the competition closure.
- 3.5.2 The results of the competition shall be published by the Announcer similarly to the competition announcement (see paragraph 3.2).

## 4 THE COMPETITION PARTICIPANTS

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### 4.1 CONDITIONS FOR THE PARTICIPATION IN THE COMPETITION AND THE QUALIFICATION OF THE COMPETITION PARTICIPANTS

The competition is open to natural persons and legal entities, and, where appropriate, associations thereof which comply with the following terms and conditions (hereinafter referred to as "Participant"):

- 4.1.1 They are citizens of the Czech Republic or any other EEA country or the Swiss Confederation and they have their registered office in the Czech Republic or any other EEA country or the Swiss Confederation.
- 4.1.2 They were not directly engaged in the preparation and announcement of the competition.
- 4.1.3 They are not full members or alternates to the jury, the secretary or an expert guest of the jury.
- 4.1.4 They are not legal partners, relatives, related in the first instance, permanent project partners, immediate superiors or co-workers, persons who were engaged in preparation of the competition subject and in competition announcement, or ordinary members or alternate members of the jury, the secretary or an expert guest of the competition jury, provided that they are listed in these SP. This requirement also applies to a representative of the founder of the Announcer.
- 4.1.5 Provided that they are, or have in their team, persons who are certified architects or certified engineers for building construction according to Act No. 360/1992 Coll. on the Professional Practice of Certified Architects and on the Professional Practice of Certified Engineers and Technicians Active in Construction, as amended, or architects certified according to the regulations of another EEA member state of which he/she is a citizen or in which his/her office is registered.
- 4.1.6 Meet the qualifications referred to in § 50 et seq. ZVZ (also see Annex No. 3 hereto).

### 4.2 PROOF OF COMPLIANCE WITH THE TERMS AND CONDITIONS FOR COMPETITION PARTICIPATION AND THE QUALIFICATIONS

- 4.2.1 The competition participant proves its compliance with the conditions for participation referred to in paragraphs 4.1.1–4.1.4 by an affidavit. A sample of an affidavit on compliance with the competition conditions is attached hereto as Annex 2.
- 4.2.2 The competition participant proves its authorization and compliance with the qualifications criteria referred to in § 50 et seq. under the terms of ZVZ and through documents set out by the List of Qualification Documents which is attached hereto as Annex 3.
- 4.2.3 Documents referred to in paragraphs 4.2.1 a 4.2.2 shall be inserted in the envelope marked "AUTOR" (Author) – see Article 6.3 hereto.



- 4.2.4 If there are more natural persons or legal entities organized in an association to submit a proposal, each of the participants must comply with the conditions for participation in the competition referred to in paragraphs 4.1.1–4.1.4 and 4.1.6 separately.
- 4.2.5 If a legal person willing to participate in the competition submits a proposal, it must comply with the conditions explicitly set out in Act No. 360/1992 Coll. on the Professional Practice of Certified Architects and on the Professional Practice of Certified Engineers and Technicians Engaged in Construction, as amended, in the third chapter of this act regarding participation of authorized persons in these companies in professional fields as referred to in paragraph 4.1.5 hereto. In this case they must prove their professional qualifications as referred to in paragraph 4.1.5 hereto, authorized persons engaged in statutory bodies according to Act No. 360/1992 Coll., as amended.

## 5 COMPETITION DOCUMENTATION

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### 5.1 DOCUMENTS TO BE SUBMITTED BY COMPETITION PARTICIPANTS

5.1.1 The competition documents are provided to the participants free of charge. The documents are prepared in digital form (in formats \*.docx; \*.xlsx; \*.pdf; \*.dwg; \*.jpf; \*.tiff, etc.) and are available on the Announcer’s profile (<http://www.egordion.cz/nabidkaGORDION/profilNM>).

5.1.2 The list of provided competition documents:

Part A	Competition documentation - the textual part
Part B	Images for drawing the perspective
Part C	Ground plans
Part D	Photo-documentation of the facility – current conditions
Part E	Maps and aerial photographs
Part F	The history of the house
Part G	Jan Palach - photographs

### 5.2 REQUESTING THE COMPETITION DOCUMENTATION

The competition terms and conditions and documents shall be requested from the Secretary (see Article 1.3 hereto).

## 6 MANDATORY PARTS OF THE PROPOSAL, THEIR CONTENTS AND BINDING GRAPHICAL AND OTHER ADJUSTMENTS

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### 6.1 ENVELOPE LABELLED WITH “NÁVRH” (PROPOSAL) GRAPHICAL AND TEXTUAL PART OF THE PROPOSAL

6.1.1 **The graphical part of the proposal** shall contain:

- a) Baseline situation (roofs, surfaces) containing overall disposition of the land and buildings on a scale of 1:100;

- b) Architectural floor plans on a scale of 1:100;
- c) Orthogonal views of the building facades on a scale of 1:100
- d) Two higher-perspective 3D visualizations within the overall situation;
- e) Drawings onto the provided photographs (the photographs are to be found in Part B of the Competition Documentation)
- f) Conceptual schema of the Monument's operation;
- g) A concept of the permanent exposition – floor plan, axonometry (at least two views from the visitor's perspective) and the selected prominent show piece on a scale of 1:100;
- h) Other drawings and schemes according to participant's consideration.

The graphical part shall be prepared on 3 panels of B1 format (700 x 1000 mm) in standing position and shall be glued or printed on panels of a light material made for exhibition purposes with the thickness of a maximum of 5 mm (e.g. Kapa-line, Kapa-plast or Forex). Each panel will be marked as set out in Article 7.1 hereto.

When working on the graphical part of the proposal, the participant shall be mindful of the free edges of the panel which shall be approximately 1 cm wide for the exhibition adjustments. Marking the panels as referred to in Article 7.1 hereto shall be done outside of the edges, i.e. inside of the space for drafting the proposal.

6.1.2 **The textual part of the proposal** shall contain a brief clarification of the basic principles of proposed solution, more specifically it shall contain the following:

- a) Syllabus – explanation of the chosen solution in light of the competition subject and its main concept. The syllabus shall be on the first page of the textual part of the proposal or inserted just next after the front page. The scope of the text shall not exceed 500 characters.
- b) Text information – a detailed description of the complex architectural solution for the competition subject divided into its individual parts (see Article 2.1 hereto). The text information shall also contain a description of other specific parts of the chosen solution according participant's needs. The scope of the text shall not exceed 5,400 characters.
- c) The offered price of the proposal as referred to in Article 16.2 hereto. The form for the submission of the offered price is part of Annex 5 hereto.
- d) Calculation of investment costs. A sample balance table to fill the key construction parameters is part of Annex 6 hereto.
- e) The view print-outs of all competition panels in A3 format (folded to A4 format).

All textual parts of the proposal shall be printed or folded to A4 format and bound together. The format orientation and the binding shall be decided by the participant. The textual part of the proposal shall be submitted in two copies. The first page of the proposal's textual part shall be designed as referred to in Article 7.1 hereto.

6.1.3 The graphical and the textual part of the proposal shall be put in a common folder that shall be marked as referred to in Article 7.1 hereto and with the word „NÁVRH“ (proposal) (hereinafter only **envelope “NÁVRH”**).

## 6.2 THE DIGITAL PART OF THE PROPOSAL

- 6.2.1 The competition participant shall insert a data carrier (CD, DVD, etc. – see Article 6.3) into an envelope labelled “AUTOR” (the author) with the heading “**Architektonicko-umělecká soutěž o návrh Památníku Jana Palacha ve Všetatech**” (Architectural-artistic competition for design of the Monument to Jan Palach in Všetaty) and add the name of competition participant. It shall contain the digital parts of the proposal, namely:
- a) The graphical parts of the proposal in the PDF format (7016 x 9921 pixels at 600 dpi quality) for the purpose of the publication of the proposal in the competition catalogue if issued;
  - b) The textual part of the graphic panels, referred to in paragraph 6.1.2 in a separate file in the .doc format for the purpose of the publication of the proposal in the competition catalogue if issued.

## 6.3 ENVELOPE LABELLED WITH “AUTOR” (THE AUTHOR)

- 6.3.1 The envelope shall contain the following documents:
- a) Completed form of the cover letter to the proposal which is attached hereto as Annex 1.
  - b) Participant’s affidavit as referred to in paragraph 4.2.1 (see Annex 2 hereto).
  - c) Documents proving meeting the qualification requirements according to the Qualification Documents (see Annex 3 hereto).
  - d) The digital part of the proposal pursuant to paragraph 6.2.1.
- 6.3.2 The envelope shall be closed, intact and completely opaque, and marked as referred to in paragraph 7.1 hereto.

# 7 COMMON PROVISIONS ON THE MANDATORY ASPECTS OF PROPOSAL ADJUSTMENTS

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## 7.1 MANDATORY LABELLING OF THE PROPOSAL AND ITS PARTS

- 7.1.1 All parts of the proposal as referred to in Article 6 hereto (envelope “NÁVRH” (the Proposal), individual panels of the graphical part, the textual part of the proposal and envelope “AUTOR” (the Author)) shall have a frame of 3 by 3 cm in the lower right corner into which the Secretary shall indicate the identification number of the proposal.
- 7.1.2 All parts of the proposal referred to in Article 6 hereto (envelope “NÁVRH”, the individual panels of the graphical part, the textual part of the proposal and envelope “AUTOR”) shall be marked in the middle of the bottom part by “**Architektonicko-umělecká soutěž o návrh Památníku Jana Palacha ve Všetatech**” (Architectural-Artistic Competition for the Design of the Monument to Jan Palach in Všetaty).

## 7.2 CONDITIONS OF PROPOSAL'S ANONYMITY

7.2.1 The proposals shall be assessed by the jury anonymously. Therefore, no part of the proposal (with the exceptions expressly set out in these SP) must contain a signature, password or other graphical markings which could lead to breach of anonymity.

7.2.2 Due to the need for keeping sender's anonymity there shall be the following uniform address used:

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

7.2.3 If the proposal is sent by post or any other public forwarder out of the territory of the Czech Republic, in view of sender's anonymity, the competition participant shall indicate the name and the address of a professional association in which he is registered in accordance with the valid regulations in the sender's country, or of any other public organization with which he will agree on this.

## 7.3 THE OUTER COVER OF THE PROPOSAL

7.3.1 All parts of the proposal as referred to in Article 6.1 (envelope "NÁVRH") and parts set out in Article 6.3 (envelop "AUTOR") shall be inserted into a common hard cover file folder that will comply with the anonymity conditions as referred to in Article 7.2. On the closed and intact cover there will be the heading "**Architektonicko-umělecká soutěž o návrh Památníku Jana Palacha ve Všetatech**" (Architectural-Artistic Competition for the Design of the Monument to Jan Palach in Všetaty).

# 8 THE METHOD OF THE SUBMISSION OF PROPOSALS

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## 8.1 PERMISSIBLE WAYS OF THE SUBMISSION OF PROPOSALS

8.1.1 Each participant is entitled to submission of only one proposal. Similarly, the Announcer shall not allow more than one variant of the proposal.

8.1.2 The time period for the submission of proposals shall expire on the date set out under Article 12.5 hereto. The participant shall deliver the proposal in person, by a courier service or through a holder of postal licence so that it is delivered to the Registry of the National Museum, Vinohradská 1, 110 00 Praha 1 by the end of the set period. The proposals shall be delivered to the registry of the National Museum in person from Monday to Thursday from 8 a.m. to 3 p.m. and on Friday from 8 a.m. to 2 p.m. The registry shall register the proposals anonymously under order numbers.

8.1.3 In case of using a courier service or other holder of postal licence under a special legal regulation, decisive shall be the moment of proposal's delivery to the Announcer's registry and not the moment of handing the proposal out to the courier or the holder of postal licence under special legal regulation. Proposals shall not be delivered by e-mail.

## 8.2 9.2 OPENING OF THE FOLDERS WITH PROPOSALS

- 8.2.1 The Announcer shall open the file folders with proposals in accordance with Article 7.3 hereto immediately after the expiry of the time period for the submission of proposals.
- 8.2.2 The folders shall be open at the presence of the Secretary and the Administrator. The Secretary shall mark the envelopes with “NÁVRH” and “AUTOR” with an identification number in accordance with paragraph 7.1.1.
- 8.2.3 Envelopes labelled with “NÁVRH” shall be taken over by the Secretary who will prepare the proposals for the evaluation by the jury. Envelopes labelled with “AUTOR” shall be deposited in Administrator’s office until the jury completes their work.

## 9 MEETING THE CRITERIA FOR PARTICIPATION, QUALIFICATIONS EVALUATION AND EVALUATION CRITERIA

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### 9.1 MEETING THE CRITERIA FOR PARTICIPATION AND QUALIFICATIONS EVALUATION

- 9.1.1 Meeting the conditions for participation in the competition according to Article 4.1 hereto and the qualification requirements set out in Annex 3 hereto (hereinafter referred to as “evaluation of the qualification”) shall be, in accordance with § 59 ZVZ assessed by a committee for evaluation of the qualification set up by the Announcer, whereas its members must be neither members of the expert jury, nor the Secretary and invited certified experts. The members of this committee shall be bound by an obligation of confidentiality towards the members of the expert jury, the Secretary and the invited certified experts. The evaluation of the qualification shall be carried out at the presence of a notary who shall certify the opening, depositing and re-sealing of the envelopes labelled with “AUTOR” which shall contain documents to prove compliance with qualification requirements.
- 9.1.2 For evaluation of the qualification preconditions, the Announcer shall proceed in accordance with § 104.3, § 59 and 60 of ZVZ. In respect to the evaluation of qualification preconditions, the committee shall prepare a protocol on the evaluation of the qualification in which the competition participants will be labelled only with the proposal number that was attributed to the proposal by the Secretary as referred to in paragraph 7.1.1. The Secretary shall present this protocol at the jury meeting before the start of the evaluation procedure.
- 9.1.3 After completion of the evaluation procedure the committee shall re-seal the envelopes labelled with “AUTOR” and store them until the jury completes its work. Any communication with the competition participants related to the evaluation procedure shall be administered by the Administrator who is bound by an obligation of confidentiality towards the members of the expert jury, the Secretary and the invited certified experts in regard to the identity of the participants.

## 9.2 EVALUATION CRITERIA FOR PROPOSALS

- 9.2.1 Evaluation criteria for proposals in order of importance are:
- a) Complex ideological, architectural and artistic quality of the proposal (80%);
  - b) The total offered price – as referred to in Paragraph 16.2 (20%).
- 9.2.2 Due to the fact that the evaluation criterion “complex ideological and architectural quality of the proposal” cannot be expressed numerically, the jury shall work out an order of proposals from the most suitable to the least suitable and give a verbal evaluation of the proposal.
- 9.2.3 The Secretary shall give the proposals a point value corresponding with the order of proposals and calculated as a multiplication by a factor of 100 and the ratio of the value of the most suitable proposal to the proposal being evaluated.
- 9.2.4 In the context of the numerically explicable criterion “total offered price” for which the most suitable proposal gets the minimum value, the evaluated proposal gets a point value that is calculated as a multiplication by 100 and the ratio of the value of the most favourable offer to the offer being evaluated.
- 9.2.5 The individual criteria are determined by the weight given by the Announcer in percentage terms according to their importance so that the sum of the resulting percentage points is a maximum of total of 100. The points awarded for individual criteria are, after the conversion, added together; the jury shall evaluate the best proposal which, on the basis of the above, will get the highest number of points.
- 9.2.6 At the same time, the Announcer states that before the evaluation of the proposals according to the evaluation criterion „total offer price“, the offer prices of the competition participants shall be assessed in accordance with § 77 of ZVZ, i. e. whether the proposals do not contain an extremely low offer price.
- 9.2.7 At the same time, the proposals shall respect economic possibilities of the Announcer not only in the amount of the investment costs of 12 (twelve) million Czech crowns excluding VAT for creation of the Monument but also appropriate future expenses for the energy consumption and cleaning and maintenance of proposed operation. By submitting the proposal the participant declares that with normal prices for construction works and supply of equipment the proposal can be implemented for the above price. It is expected that the competition participants search for solutions that will lead to the costs stated in the proposal or lower, especially to the most economical structure of the solution proposed. The expected amount of investment costs shall be indicated in the balance table form (Annex 6 hereto).

## 9.3 REASONS FOR EXCLUSION FROM THE COMPETITION

- 9.3.1 The jury shall exclude:
- a) from the competition, all proposals submitted after the expiry of the period set for submitting proposal,
  - b) from the competition, all proposals where there was a breach of proposal’s anonymity;
  - c) from the competition, all proposals that do not comply with other provisions of these binding competition conditions unless they are partial formal derogations that do not impede the

understandability of the proposal, do not endanger anonymity and do not favorize any particular proposal; in such case the jury may decide by a 4/5 majority of its regular members whether the proposal will be kept in the competition;

- d) From evaluation of those parts of proposals that were not required by the competition terms and conditions and whose evaluation along with the mandatory parts is expressly excluded by the competition terms and conditions.

9.3.2 Participants understand that all proposals failing to comply with the prescribed formal requirements set out by these SP shall be excluded from the regular evaluation procedure in accordance with § 10.6 of the ČKA Competition Order. Such proposals may be evaluated only outside of the competition and cannot be awarded.

9.3.3 The Announcer shall exclude, without undue delay, those participants whose proposal was by the jury excluded from the evaluation procedure in accordance with paragraph 9.3.1, letters a)-c).

## 10 THE JURY AND CERTIFIED EXPERTS

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### 10.1 MEMBERS OF THE JURY

#### 10.1.1 Dependent members of the jury

- 1st member Ing. arch. Josef Pleskot, member of the consultative group for building the Monument to Jan Palach in Všetaty – Chairman  
2nd member PhDr. Petr Blažek, Ph.D., historian – Vice-Chairman  
3rd member Miroslav Baloun, mayor of Všetaty

#### 10.1.2 Independent members of the jury

- 4th member prof. Ing. arch. Zdeněk Fránek, Dean of the Faculty of Arts and Architecture, Technical University in Liberec  
5th member Prof. ThDr. Ing. Jakub S. Trojan, Protestant Theological Faculty, Charles University  
6th member Vladimír 518, rapper, artist and scenographer  
7th member akad. mal. Jiří Sozanský, sculptor, painter, graphic artist, creator of multimedia projects and environment

#### 10.1.3 Dependent alternate members of the jury

- 1st alternate prof. Ing. arch. Ladislav Lábus, Hon. FAIA, Dean of the Faculty of Architecture, CTU in Prague  
2nd alternate Mgr. Marek Junek, Ph.D., director of the Historical Museum of the National Museum  
3rd alternate Jan Poukar, civic association Národ pohasl

#### 10.1.4 Independent alternate members of the jury

- 4th alternate Pavel Štingl, documentarist  
5th alternate doc. PhDr. Jiří T. Kotalík CSc., Department of Theory and History of Arts, Academy of Fine Arts in Prague  
6th alternate PhDr. Richard Biegel CSc., director of the Institute for History of Arts, Faculty of Arts, Charles University  
7th alternate Mgr. Ing. Kristina Vlachová, film director and scenarist

## 10.2 GUEST EXPERTS

The guest experts are:

- PhDr. Jiří Suk, Ph.D., Institute for Contemporary History, Czech Academy of Sciences, member of the consultative group for building the Monument of Jan Palach in Všetaty
- Bc. Michal Ježek, member of the consultative group for building the Monument of Jan Palach in Všetaty

In the course of the competition, the jury may suggest inviting other experts only with explicit consent of the Announcer.

## 11 PRIZES AND REWARDS

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### 11.1 PRIZES

The competition prizes shall be as follows:

<b>1st prize</b>	100.000 CZK	In words: <i>One hundred thousand Czech crowns</i>
<b>2nd prize</b>	70.000 CZK	In words: <i>Seventy thousand Czech crowns</i>
<b>3rd prize</b>	40.000 CZK	In words: <i>Forty thousand Czech crowns</i>

### 11.2 REWARDS

For proposals which were not awarded but which brought remarkable partial suggestions and solutions, there is a sum of 30 000 CZK (in words: *Thirty thousand Czech crowns*) for allocation of rewards. The method of the sum allocation shall be identified by the jury.

### 11.3 REIMBURSEMENT OF EXPENSES

The Announcer will not reimburse any expenses of the participants.

### 11.4 THE CONDITIONS FOR POSSIBLE DECISION ON DIFFERENT ALLOCATION OF PRIZES AND REWARDS OR NON-ALLOCATION OF SOME PRIZES AND REWARDS

Under the terms and conditions set out in § 10.8 and § 12.2 of the ČKA Competition Rules, the jury may decide on different allocation or non-allocation of prizes or on different allocation or non-allocation of rewards to the full extent. The jury must such decision justify in detail in the Protocol.

### 11.5 CONDITIONS FOR THE TAXATION OF PRIZES AND REWARDS ALLOCATED IN THE COMPETITION

11.5.1 Prizes and rewards granted in the competition to natural persons and in excess of the amount of CZK 10,000 shall be according to the section 36. 2 I) Act No. 586/1992 Coll. on Income Tax, as amended, reduced by income tax at the rate of 15 % which will be pursuant to Act No. 280/2009 Coll., the Tax Code, as amended, paid to the tax administrator.



11.5.2 Prizes and rewards granted in competition to legal persons will be pursuant to Act No. 586/1992 Coll. on Income Tax, in the wording of later regulations, paid in full, and taxed by the same legal person under the ordinary tax report.

11.5.3 Prizes and rewards granted in the competition are subject to VAT. Prizes and rewards referred to in paragraphs 11.1 and 11.2 are without VAT.

## 12 THE MAJOR TERMS OF THE COMPETITION

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### 12.1 THE DATE OF THE CONSTITUENT MEETING OF THE JURY

The constituent meeting of the Panel was held on **May 15, 2015** in the New Building of the National Museum.

### 12.2 THE DATE OF ANNOUNCEMENT OF THE COMPETITION

The competition is announced on the day of publication of a notice of competition for proposals according to sections 146 and 147 of the ZVZ, which is **October 9, 2015**.

### 12.3 A TOUR OF THE SITE

A visit to the house of Jan Palach in Všetaty will take place on **November 2, 2015** at **11.30 a.m.** The interested persons will meet at 11.30 a.m. in front of the office “Úřad městyse” in Všetaty, T. G. Masaryka 69, ZIP: 277 16, Všetaty. During the visit, there will be a presentation of the concept of the Monument and the permanent exhibition. To confirm your interest, please contact the **Secretary** Mgr. Dagmar Fialova (e-mail: architekt\_soutez@nm.cz) until **October 29, 2015**. The Announcer is not organizing the transport of the participants to the site.

### 12.4 QUESTIONS

12.4.1 Request for additional information regarding the competition terms and conditions must be delivered to the Announcer no later than 6 working days before the expiry of the deadline for the submission of proposals. The questions must be addressed to the Secretary of the competition, as referred to in article 1.3.

12.4.2 Additional information to the terms and conditions including the exact wording of the questions will be sent within 4 working days from the date of receipt of the query.

12.4.3 Additional information to the terms and conditions including the exact wording of the questions will always be posted in the same way like the Announcer published the textual part of the terms and conditions.

12.4.4 With regards to the ČKA competition rules, the Announcer allows submission of queries that will be answered by the jury. The queries must be made latest on **November 9, 2015**, the meeting of the jury for answering the question will be held on **November 11, 2015** and the answers to the queries will be published by **November 13, 2015**. The query must be clearly identified as a query addressed to the jury. This provision does not affect the ability to

request additional information on an ongoing basis in the ZVZ mode (see paragraphs 12.4.1 – 12.4.3).

## 12.5 DATE AND PLACE OF DELIVERY OF THE PROPOSALS

The closing date for the submission of proposals is set to **Friday, January 15, 2016 by noon**. Place for the submission of proposals is Announcer's registry at the New Building of the National Museum, Vinohradská 1, Prague 1, 110 00 (see Article 8.1 of the SP).

## 12.6 DATE OF THE EVALUATION MEETING OF THE JURY

The date of the meeting of the jury for the evaluation of proposals shall be determined provisionally on days **February 1 – 5, 2016**. The exact date of the meeting of the jury shall be set in the course of the competition.

## 12.7 DATE OF THE PUBLICATION OF EVALUATION RESULTS AND THE TIME PERIOD FOR MAKING THE PROPOSALS AVAILABLE FOR INSPECTION BY COMPETITION PARTICIPANTS

The exact date of the publication of evaluation results shall be set in the course of the competition, latest by **February 29, 2016**. The time period for making the proposals available for inspection by competition participant starts by sending out the Protocol and ends on the 15th day after the last delivery of the Protocol to competition participants.

## 12.8 TIME LIMITS FOR PAYMENT OF PRIZES AND REWARDS ALLOCATED IN THE COMPETITION

Awards and rewards shall be paid no later than 50 days from the date of the decision on the selection of the best proposal.

## 12.9 PERIOD FOR PUBLIC EXHIBITION

Start date for the public exhibition of the proposals shall be set not later than within three months from the notification of the decision on the selection of the best proposal.

# 13 DISPUTE RESOLUTION

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## 13.1 OBJECTIONS

13.1.1 For submission of objections, provisions of § 110 and § 111 of ZVZ shall apply.

13.1.2 If the Announcer does not accept the claims of the complainant, he shall notify the complainant in a written decision on the possibility to file a proposal for initiation of the arbitration procedure to the Chairman of the Arbitration Court of ČKA and a proposal for initiation of a review of Announcer's acts to the Competition Protection Office.

## **13.2 PROPOSAL FOR INITIATION OF AN REVIEW OF ANNOUNCER'S ACTS**

13.2.1 The proposal is to be delivered to the Competition Protection Office and to the Announcer within 10 days after the delivery of Announcer's decision on objections, or by 25 days from sending the claim unless the Announcer has already decided on the objections.

13.2.2 Elements of the proposal for initiation of a review of Announcer's acts and the next steps of the complainant shall be governed by provisions of § 113 et seq. of the ZVZ.

## **14 CLAUSE ON ACCEPTANCE OF COMPETITION TERMS AND CONDITIONS**

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### **14.1 THE CONSENT OF THE ANNOUNCER, SECRETARY, MEMBERS OF THE JURY AND PROFESSIONAL EXPERTS WITH THE TERMS AND CONDITIONS**

The participation in the competition shall be confirmed by the Announcer, Secretary, members of the jury and professional experts that they are familiar with all the terms and conditions and they undertake to comply with and respect the SP as an agreement.

### **14.2 CONSENT OF THE PARTICIPANTS WITH THE TERMS AND CONDITIONS**

By submission of proposals the participants agree with all competition terms and conditions as an agreement and with the decisions of the jury, made in their context and in accordance with them.

## **15 CLAUSE ON THE COPYRIGHT AND PUBLICATION OF COMPETITION PROPOSALS**

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### **15.1 THE COPYRIGHT OF THE ANNOUNCER**

15.1.1 In the framework of the competition documentation, the Announcer hands over to the participants scientific and technical texts, images and design elements that are considered to be an employment-related work or a copyright work of other persons, and the participants undertake to fully respect such rights in terms of Act No. 121/2000 Coll. on Copyright, as amended, and to use the supporting documents provided by the Announcer only for the purpose of drawing up a proposal.

15.1.2 The Announcer states that expositions and exhibitions of the National Museum are a collective work pursuant to section 59 of Act No. 121/2000 Coll. on Copyright (the Copyright Act) and the competition participants accept that.

### **15.2 COPYRIGHTS OF THE COMPETITION PARTICIPANTS**

15.2.1 The authors of proposals will retain their copyright, they can publish their proposals and may use them again at another occasion. The Announcer draws attention to the fact that due to

the anonymity of the competition the proposals can be published only after the announcement of the competition results.

### **15.3 PERMISSION TO USE COPYRIGHT WORKS FOR THE PURPOSES OF THIS COMPETITION**

Award-winning and rewarded proposals become property of the Announcer. Authors of these proposals shall grant the Announcer permission to use their copyright works for the purposes of the competition. The use of copyright works for purposes other than those listed in these SP is subject to the explicit consent of the authors.

### **15.4 DOCUMENTATION OF THE COURSE OF THE COMPETITION**

In terms of provisions of section 109 of the ZVZ, the Announcer is obliged to acquire appropriate documentation of the proposals that have been submitted in the framework of the competition, and keep this documentation according to § 155 ZVZ. For this purpose he shall keep the textual and the digital part of all proposals. The graphical part (panels) of the unawarded proposals will be returned to the authors upon request after the exhibition. The Announcer is aware of the copyright related to all copyright works.

### **15.5 CONSENT OF THE PARTICIPANTS WITH THE PUBLICATION AND DISPLAY OF PROPOSALS**

By submission of proposals the participants express their consent with a free-of-charge reproduction in the competition catalogue if issued, and with issuance and publishing of proposals for promotion of the competition and its results on the Internet and in the media.

### **15.6 THE COMMITMENT OF THE ANNOUNCER TO ORGANIZE AN EXHIBITION OF THE PROPOSALS**

The Announcer undertakes to arrange, within three months after the announcement of the competition results, for a public exhibition of all competition proposals in the scope set out in these SP.

## **16 PROVISIONS ON THE LEGAL REGULATIONS OF THE COMPETITION AND ECONOMIC PARAMETERS OF THE COMPETITION**

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### **16.1 LEGAL REGULATIONS IN TERMS OF WHICH THE COMPETITION TAKES PLACE**

The architectural competition shall be published in light of Act No. 137/2006 Coll. on Public Procurement, as amended, taking account of provisions of § 1772-1779 of Act No. 89/2012, the Civil Code, in accordance with the ČKA Competition Rules of 24th September 1993, as amended.

### **16.2 FUTURE REMUNERATION OF THE ARCHITECT - THE TOTAL OFFERED PRICE**

The estimated value of the complete project and engineering works and author's supervising services (see chapter 5 of this document) may not exceed 1,500,000 CZK without VAT (in words: One million five hundred thousand Czech crowns). This price is set by the Announcer because of budgetary reasons as unexceedable and proposals suggesting higher price of the project shall be excluded from the competition in terms of paragraph 9.3 hereto.

At the same time, the offered price shall not be lower than the “safe” price that is set out in these terms and conditions as a minimum of 1,000,000 CZK without VAT (in words: One million Czech crowns). The offered price lower than the price set by the Announcer in the first sentence of this paragraph shall be considered extremely low in terms of the provisions of § 77 of ZVZ.

Remuneration for complete architectural and engineering works, including all related works (i. e. architectural study building in all objections after the competition, project for townplanning and construction authorisations, ensuring issuance of the townplanning and construction permit including ensuring all related engineering works, project implementation documents and documents for the selection of the contractor, author’s supervision and cooperation for the purpose of completion of the construction) shall be defined in regard to the recommendations as in the Standards for Works, Documentation and Remuneration of Architects, Engineers and Technicians Engaged in Construction ([www.stavebnistandardy.cz](http://www.stavebnistandardy.cz)).

By submission of proposals the participants declare that, in the event that based on the outcome of the architectural competition he is invited to submit a proposal in the negotiation procedure without publication, his offered price will be set as mentioned above.

### **16.3 ESTIMATED VALUE OF THE COMPETITION ACCORDING TO ZVZ**

The estimated value of this competition for proposals in terms of section 103, paragraph 5, letter c) of ZVZ shall be fixed at 1,740,000 CZK (in words: One million seven hundred and forty thousand Czech Crowns) without VAT.

## **17 APPROVAL OF THE TERMS AND CONDITIONS**

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17.1.1 These terms and conditions were discussed and approved by the jury at the meeting held on October 5, 2015 in the New Building of the National Museum.

17.1.2 These terms and conditions in their final reading were approved by the Announcer on October 9, 2015.

17.1.3 These terms and conditions were found to be regular and were approved by The Czech Chamber of Architects dated October 8, 2015 under the reference number 1210-2015/Šp/Ze.

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PhDr. Michal Lukeš, Ph.D.  
The National Museum General Director

## 18 LIST OF ABBREVIATIONS

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<b>Abbreviation</b>	<b>Full text</b>
SP	Terms and Conditions (this document)
ZVZ	ACT NO. 137/2006 COLL. ON PUBLIC PROCUREMENT, AS AMENDED
NM	The National Museum
ČKA	The Czech Chamber of Architects
MK ČR	The Ministry of Culture of the Czech Republic
VAT	Value Added Tax

## 19 ANNEXES

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<b>Designation</b>	<b>Contents</b>
Annex 1	Cover letter to competition proposal
Annex 2	Affidavit of Participant's Compliance with the Terms and Conditions of the Competition
Annex 3	Qualification Documentation
Annex 4	The scope and subject of the future contract – the works schedule and terms and conditions of the future work contract
Annex 5	Offered price
Annex 6	A sample balance table to fill the key construction parameters
Annex 7	Fairness clause to competition