

**RULES AND REGULATIONS OF A SINGLE-STAGE
ARCHITECTURAL AND URBAN DESIGN CONTEST
for an architectural and landscaping concept
for the project titled
“Construction of a Służewiec Campus Student Dormitory”
implemented within the framework of the
“University of Warsaw 2016-2025” Multi-Year Program**

CONTRACTING AUTHORITY:

**University of Warsaw
ul. Krakowskie Przedmieście 26/28
00-927 Warszawa
website: www.uw.edu.pl**

CPV CODE:

Service groups

712 00000-0 architectural and related services

713 00000-1 engineering services

714 00000-2 urban planning and architectural landscape services

Service classes

7122 0000-6 architectural design services

7132 0000-7 engineering design services

7142 0000-8 landscape architectural services

Service categories

71322 000-1 engineering design services for the construction of civil engineering works

71420 000-8 landscape architectural services

The procedure is conducted in Polish. The English version of the Rules and Regulation is only an auxiliary material.

Warsaw, 22 August 2018

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DEFINITIONS

The individual expressions and abbreviations used in these Rules and Regulations shall have the following meaning:

“Winning Design Author” – shall be understood as a contest Participant who will receive the first prize and who will be invited to negotiate a direct agreement contract for the performance of the subject of contract in compliance with the programming requirements and guidelines set forth in detail in these Rules and Regulations.

“Distinguished Design Authors” – shall be understood as Contest Participants (at least 2 Participants) who will receive the first, second and third prize and who will be invited to negotiate, without a contract notice, the performance of the subject of contract in compliance with the programming requirements and guidelines set forth in detail in the contest Rules and Regulations.

“Documentation” – shall be understood as: Conceptual design, Building permit design along with the landscaping design and utility connections design – in a form to be agreed upon, Detailed designs, interior design, detailed specification of premises, fire scenario, CFD fire simulation and control matrix compliant with the fire scenario, fire manual, operating manual, technical specifications applicable to the performance and acceptance of construction works, bill of quantities, investor’s cost estimate, information on safety and protection of health, energy characteristics design.

“Business Day” and/or “Business Days” – shall mean any days from Monday to Friday, with the exception of bank holidays.

“Project” – shall be understood as “Construction of a Służewiec Campus Student Dormitory” within the framework of the “University of Warsaw 2016-2025” Multi-Year Program.

“Contracting Authority’s Manager” – shall be understood as a person who is authorized to manage the Contracting Authority.

“Multi-trade Concept” – shall be understood as determination of preliminary architectural, structural, installations-related, infrastructural, technological and maintenance-related solutions and standards that should serve as a basis for further design work.

“Contest” – shall be understood as a contest held pursuant to the provisions of Art. 110-127 of the Act and pursuant to the present Rules and Regulations.

“Contest Materials” – should be understood as a set of materials constituting Exhibit 9 to the Rules and Regulations, constituting a detailed description of the subject of contract. Contest Materials shall comprise the following:

1. Student Dormitory. Functional guidelines. “University of Warsaw 2016-2025” Multi-Year Program, project: Construction of a Służewiec Campus Student Dormitory.
2. Ground survey documentation.
3. Ground contamination survey report.
4. INNOGY’s letter concerning elimination of interference points.
5. General map.
6. Contest submission map (electronic version).

“Contest Submission” – shall be understood as the materials submitted in the contest.

“Organizer”, also referred to as the “Contracting Authority” – shall be understood as the University of Warsaw, ul. Krakowskie Przedmieście 26/28, 00-927 Warszawa.

“Multi-Year Program” – should be understood as the “University of Warsaw 2016-2025” multi-year program adopted by means of Resolution 209 of the Council of Ministers dated 3 November

2015 on the adoption of the “University of Warsaw 2016-2025” Multi-Year Program (Official Gazette of 2015, item 1124, Official Gazette item 58; resolution No. 101 dated 19.08.2018).

“Building Permit Design” – shall be understood as a “building permit design” within the meaning of Art. 33 and 34 of the Construction Law Act dated 7 July 1994 (Journal of Acts of 2017, item 1332) and within the meaning of secondary legislation to that Act, in particular of the Regulation of the Minister of Transport, Construction and Maritime Economy on the detailed scope of building permit designs, dated 25 April 2012 (Journal of Acts of 2012, item 462, as amended).

“Detailed Design” – shall be understood as a set of documents, based on the Building Permit Design, providing more detailed and specific information, with the degree of precision thereof required to draw up the bill of quantities, the investor’s cost estimate, enabling the economic operator to prepare the bid and to perform the construction work. The Detailed Design should contain detailed drawings and descriptions referred to in the Regulation of the Minister of Infrastructure on the Detailed Scope and Forms of Design Documentation, Technical Specifications Applicable to the Performance and Acceptance of Construction Works, as well as Functional Programs, dated 2 September 2004 (Journal of Acts of 2013, item 1129).

“Rules and Regulations” – shall be understood as the Rules and Regulations of an architectural and urban planning contest for the design of a multi-trade architectural and landscaping concept for the project titled “Construction of a Służewiec Campus Student Dormitory”, performed within the framework of the “University of Warsaw 2016-2025” Multi-year Program.

“Jury Regulations” – shall mean the Regulations adopted by means of Disposition No. 90 of the Rector of the University of Warsaw dated 21 August 2018.

“Jury” – shall mean a team appointed to assess whether the Contest Participants comply with the requirements set forth in the Rules and Regulations, to assess the contest submissions and to select the best contest submission.

“Contest Submission Area” – shall mean the area the contest is concerned with, i.e. a property located within the Warsaw University’s Służewiec Campus in Warsaw, constituting a part of a plot of land No. 29 and a plot of land No. 28/9 located within precinct 1-04-13 in Warsaw, as described in detail in Exhibit 9 to the Contest Rules and Regulations - Contest Materials.

“Participant” or “Contest Participant” – shall be understood as a natural person, a legal person or an organizational unit without legal personality, meeting the requirements set forth in the Contest Rules and Regulations.

“Act” – shall be understood as the Public Procurement Act dated 29 January 2004 (Journal of Acts of 2017, item 1579, as amended).

–“Direct agreement contract” – shall be understood as a public contract award procedure conducted once the present Contest has been concluded, pursuant to Art. 67(1)(2) of the Act.

“Negotiations without a contract notice” – shall be understood as a public contract award procedure conducted once the present Contest has been concluded, pursuant to Art. 62(1)(2) of the Act.

I. General information

1.1. Name and address of Contracting Authority

Uniwersytet Warszawski

ul. Krakowskie Przedmieście 26/28

00-927 Warszawa

website: www.uw.edu.pl

1.2. The contest is organized in cooperation with the Headquarter of the Association of Polish Architects (Stowarzyszenie Architektów Polskich - SARP) and with the Warsaw Branch of SARP, based at ul. Foksal 2, 00-366 Warszawa.

II. Contract award procedure

1. The contest is conducted pursuant to the provisions of the Act and its secondary legislation, and pursuant to:
 - 1.1. Directive 2014/24/EU of the European Parliament and of the Council on public procurement and repealing directive 2004/18/EC (OJ L 94 of 28.03.2014, page 65, as amended);
 - 1.2. Civil Code Act of 23 April 1964 (Journal of Acts of 2017, item 459, 933 and 1132);
 - 1.3. Act on Copyright and Related Rights of 4 February 1994 (Journal of Acts of 2017, item 880 and 1089);
 - 1.4. Construction Law Act dated 7 July 1994 (Journal of Acts of 2017, item 1332) and secondary legislation to that Act, in particular of the Regulation of the Minister of Transport, Construction and Maritime Economy on the detailed scope of building permit designs, dated 25 April 2012 (Journal of Acts of 2012, item 462, as amended);
 - 1.5. These Rules and Regulations;
 - 1.6. Provisions and standards applicable to urban planning, construction and protection of historic monuments, to the extent these apply to Contest submissions.
2. The estimated value of the Contest exceeds the amount set forth in regulations issued pursuant to Art. 11(8) of the Act.

III. Description of the subject of Contest

1. Subject of Contest:

- 1.1. The task consists in drawing up a contest submission concerned with the Project's concept, with the programming requirements and guidelines of the Contracting Authority stated in the Contest Materials taken into consideration.
- 1.2. The Contest is of the open, single-stage and execution-oriented variety, meaning that the submission selected in the course of the assessment procedure will serve as a basis for ordering the preparation of Documentation.
- 1.3. The solutions proposed in the Contest should unconditionally meet the budget assigned, and should comply, to the full extent and in the most favorable manner, with the description of the subject of the Contest provided in Exhibit 9 to these Rules and Regulations - Contest Materials.
- 1.4. Functional, space arrangement and thematic concepts proposed must meet, in an optimized manner, the Organizer's expectations as to the spatial, architectural, programming and functional solutions, and as to the economic solutions set forth in the Rules and Regulations and in the Contest Materials, and must comply with the binding administrative decisions specified in the Contest Materials.
- 1.5. The awards referred to under clause XIII.1 shall be assigned in the contest.

2. Objective of the Contest

The contest aims to serve as a platform for a wide-scale confrontation of creative designs, and is expected to enable the selection of those architectural and urban planning, as well as landscaping concepts that offer the best functional and spatial arrangement opportunities. The concepts presented should provide for future-oriented solutions that will be feasible both in terms of economic effectiveness of the construction process, low operating costs over the building's life cycle, as well as positive impact on humans and on the natural environment.

Names and codes related to the subject of the contract, in accordance with the Common Procurement Vocabulary (CPV):

CPV code	description (name)
712 00000-0	Architectural and related services
713 00000-1	Engineering services
714 00000-2	Urban planning and architectural landscape services

service classes

CPV code	description (name)
7122 0000-6	Architectural design services
7132 0000-7	Engineering design services
7142 0000-8	Landscape architectural services

service categories

CPV code	description (name)
71322 000-1	Engineering design services for the construction of civil engineering works
71420 000-8	Landscape architectural services

IV. Detailed information

1. Acceptance to participate in the Contest

- 1.1 The Contest is of an open variety. The Participants shall submit, to the Organizer, their Applications to Participate in the Contest. The Jury shall accept those Participants to take part in the Contest and to submit their contest submissions who meet the participation conditions set forth in Chapter VI of the Rules and Regulations.
- 1.2 Participants who fail to meet the participation conditions set forth in the Rules and Regulations shall be excluded from further proceedings.
- 1.3 The language of the Contest shall be Polish. Any documents and representations drawn up in a different language shall be submitted along with their sworn translation into Polish.

2. Cost of the Project:

- 2.1 The maximum overall cost of the work to be performed based on the Contest Submission selected (the cost of the Project) must not exceed the amount of **PLN 46,674,280.00** gross (say: forty six million six hundred seventy four thousand two hundred eighty zlotys 00/100

gross). Representation of the Contest Participant concerning the estimated cost of the works performed based on the Contest Submission is included under item 10 and 11 of the Application to Participate in the Contest.

- 2.2 The maximum net cost of the contract related to the work required in order to prepare a more detailed documentation based on the Contest Submission, with the scope of such documentation provided for in the Material Contract Provisions constituting Exhibit 3 to the Contest Rules and Regulations, and of transferring copyright in that documentation, as well as amending such documentation, providing answers to questions related to such documentation during the procedure of awarding a public contract for “Construction of a Służewiec Campus Student Dormitory”, and for exercising author’s supervision during the implementation of the project must not exceed the amount of **PLN 2,839,663.20** gross (say: two million eight hundred thirty nine thousand six hundred sixty three zlotys 20/100 gross).
- 2.3 The subject of the contract that the procedure having the form of a direct agreement contract or of negotiations without a contract notice is concerned with has been described in the Material Contract Provisions in Exhibit 3 to the Contest Rules and Regulations.

3. Contest Time Schedule

Item	Activity/location	Deadline
1.	Providing the Contest notice to the Publications Office of the European Union	22 August 2018
2.	Publishing the present Rules and Regulations and the Contest Materials on the website	After publication of the notice in the OJ EU
3	Accepting questions requiring explanations to the Contest Rules and Regulations	4 September 2018
4	Publishing, on the website, answers to questions concerning Contest participation terms and conditions	On an on-going basis, pursuant to Art. 38 of the Act
5	Expiry of the deadline to submit Applications to Participate in the Contest	13 September 2018
6	Providing information on the results of the qualification procedure to participate in the Contest, conducted based on Applications to Participate in the Contest	Immediately following the completion of assessment of Applications and following the completion of the qualification procedure
7	Accepting requests for explanations regarding those provisions of the Rules and Regulations that are concerned with the drawing up and the submission of Contest Submissions	5 November 2018
8	Providing Participants with answers to their questions concerning the drawing up and the submission of Contest Submissions	On an on-going basis, pursuant to Art. 38 of the Act
9	Submission of Contest Submissions	17 December 2018

10	Official, public announcement of Contest results	29 January 2019
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V. Submission of information, representation and documents related to the Contest.

1. Contest Participants may request the Contracting Authority to explain the provisions of the Rules and Regulations. The Contracting Authority and the Participants may communicate through:
 - a. Postal operator - within the meaning of the Postal Services Act dated 23 November 2012 (Journal of Acts of 2017, item 1481);
 - b. In person;
 - c. Via a messenger;
 - d. By fax;
 - e. With the use of electronic means of communication, within the meaning of the Act on the Provision of Electronic Services dated 18 July 2002;
 with the requirements concerning the form of communication stated below taken into consideration.

2. If the Contracting Authority or a Contest Participant are providing representations, applications, notices and information by fax or with the use of electronic means of communication, each party shall immediately confirm their receipt upon request of the other party.
 The form of a written instrument is reserved for the submission of the Application to Participate in the Contest, as well as to its amendment or withdrawal. Detailed information concerning the form of the documents and representations to be submitted is provided in Chapter VII of these Rules and Regulations titled "List of representations and documents confirming compliance with the procedure participation conditions and the lack of reasons for exclusion".
3. The procedure is conducted in Polish.
4. Questions and answers concerning the wording of the Rules and Regulations shall be published at <http://dzp.uw.edu.pl>
 - 4.1. During the stage at which Applications to Participate in the Contest are submitted, questions should only concern the conditions related to the participation in the Contest. The Contracting Authority shall not provide answers, at this stage, to questions concerning drawing up of Contest Submissions.
 - 4.2. The Contracting Authority shall provide answers to questions concerning drawing up of Contest Submissions after completion of the Application submission stage.
5. Where the Contest Participant has failed confirm the receipt of the relevant information or notice, the Contracting Authority shall deem the letter sent by the Contracting Authority to the e-mail address or fax number stated by the Contest Participant delivered in a manner enabling its content to be read and understood.
6. The following shall be authorized to contact the Contest Participants directly:

Marek Szeniański
Secretary of the Jury,
SARP

Rafał Mroczkowski - Assistant
to the Secretary of the Jury
SARP
7. Where the Contest Participant provides representations, applications, notices and information concerning other documents submitted in the course of the Contest, these shall be deemed submitted, depending on the form of their submission, on the date on which they were received.

The Contracting Authority shall be authorized to set deadlines with the accuracy to one hour, especially as far as setting the deadline for supplementing the documents under Art. 26(3) of the Act is concerned.

8. Contest Participants may get in touch with the Contracting Authority during the business hours of the Association of Polish Architects, i.e. from Monday to Friday, between 9:00 am and 4:00 pm.

VI. Contest participation terms and conditions and grounds for being excluded from the Contest.

1. Those Contest Participants may seek to be accepted to participate in the Contest who do not meet the Contest exclusion criteria set forth in Art. 24(1) and Art. 24(5)(1), Art. 24(5)(3)(c) and Art. 24(5)(5)-(8) of the Act.
2. Those Contest Participants may seek to be accepted to participate in the Contest who meet the conditions set forth by the Contracting Authority and pertaining to:
 - 2.1. know-how or licenses required to perform specific types of professional authority, if required under separate regulations;
 - 2.2. economic or financial standing;
 - 2.3. technical or professional capabilities;

The Contest Participant must prove that they have or will have at their disposal the personnel assigned to perform the contract:

- 2.3.1. at least one person holding an unlimited architect's license and being a member of a relevant professional association and having experience in drawing up, within the period of the past three years preceding the publication of the contest notice, of at least one building permission design of an office, office and commercial or hotel building, or a building serving public authorities, justice, culture, education or science bodies, with the area of at least 5,000 square meters,
- 2.3.2. at least one person holding an unlimited structural and construction designer's license and being a member of a relevant professional association and having experience in drawing up, within the period of the past three years preceding the publication of the contest notice, of at least one building permission design of an office, office and commercial or hotel building, or a building serving public authorities, justice, culture, education or science bodies, with the area of at least 5,000 square meters,

2.3.3. at least one person with a higher education degree in architectural landscaping; When determining the requirements concerning the licenses held, the Contracting Authority accepts equivalent licenses issued based on previously binding regulations, as well as equivalent licenses issued to the citizens of the European Economic Area and the Swiss Confederation, under reserve of Art. 12a and other provisions of the Construction Law Act dated 7 July 1994, and of the Act on Recognition of Professional Qualifications Acquired in the European Union Member States dated 22 December 2015 (Journal of Acts of 2016, item 65).

3. In order to confirm the fulfillment of Contest participation conditions referred to under item 2, the Contest Participant may rely on the resources of other entities, regardless of the nature of the legal relationships between them. In such a situation the Contest Participant shall be required to prove to the Contracting Authority that he will have at his disposal, while performing the contract, the required resources of those entities, in particular by submitting a representation issued by those entities in which they undertake to release, to the Contest Participant, the resources required to perform the contract. The wording of such a

representation or of other documents confirming the release of resources must unconditionally and unequivocally state, in particular, the following:

- 3.1. definition of the resources of another entity available to the Contest Participant;
 - 3.2. the manner in which the resources of another entity will be used by the Contest Participant while performing the contract;
 - 3.3. the scope of and the duration of involvement of another entity in the performance of the contract;
 - 3.4. whether the entity on whose capabilities the Contest Participant is relying to meet the Contest participation criteria and pertaining to professional qualifications or experience, will perform the services that the capabilities specified pertain to;
 - 3.5. The Contracting Authority requires the Contest Participant to prove the manner in which the resources made available will be relied upon while performing the contract. The above aims to guarantee due performance of the contract and to guarantee access to the resources made available by a third party.
4. Procedure participation conditions applicable to Contest Participants acting jointly:
 - 4.1. Contest Participants taking part in the Contest jointly are required to appoint a proxy authorized to represent them in the Contest, or to represent them in the Contest and to conclude the public procurement contract;
 - 4.2. Contest Participants taking part in the Contest jointly shall include, in particular, partners in a civil company and consortia (teams of authors should be considered to form a consortium too);
 - 4.3. Contest Participants referred to under clause 4.1 shall submit a joint Application to Participate in the Contest.
 5. The Contracting Authority shall exclude from the procedure those Contest Participants who:
 - 5.1. fail to demonstrate that they meet the procedure participation conditions referred to under clause 2;
 - 5.2. fail to demonstrate that Contest exclusion criteria set forth in Art. 24(1) and Art. 24(5)(1), Art. 24(5)(3)(c) and Art. 24(5)(5)-(8) of the Act do not apply to them;
 - 5.3. A Contest Participant who is subject to exclusion pursuant to Art. 24(1)(13) and (14) and Art. 24(1)(13)(16)-(20) and Art. 24(5)(1), Art. 24(5)(3)(c) and Art. 24(5)(5)-(8) of the Act, may submit evidence that the measures he has taken are satisfactory to prove his reliability, and may in particular prove that the damage inflicted as a result of a crime or a fiscal crime has been remedied, that a monetary compensation for the damage suffered has been paid or that the loss has been remedied, by providing exhaustive explanations of the state of affairs, by proving cooperation with law enforcement authorities and by proving that relevant technical, organizational and staff-related measures have been taken to prevent further crimes or fiscal crimes from being committed, or preventing improper conduct of the Economic Operator. The provision of sentence once shall not apply if a legally court verdict has been issued against a Contest Participant being a collective entity, in which they are banned from seeking the award of the contract, and where the validity period of the ban specified in that verdict has not expired.

VII. List of representations and documents confirming fulfillment of Contest participation terms and conditions and confirming lack of grounds for being excluded from the Contest.

1. Contest Participants shall be required to attach, to their Applications to Participate in the Contest, a representation - valid on the date on which the Application is submitted - concerning the issues defined by the Contracting Authority in these Rules and Regulations. Such a representation shall be submitted with the use of the European Single Procurement Document

(ESPD), drawn up in compliance with the standard form specified in the implementing act of the European Commission issued pursuant to Art. 59(2) of directive 2014/24/EU and Art. 80(3) of directive 2014/25/EU. Information contained in the representation shall serve as a preliminary confirmation that the Economic Operator is not subject to exclusion and meets the Contest participation criteria.

2. The Participant should download, from the website of the Contracting Authority, an XML file titled "JEDZ" ("ESPD"). Then, they should enter the following website: <https://ec.europa.eu/growth/tools-databases/espdc/filter?lang=pl> and should import the ESPD file downloaded.
3. The instructions to be followed to submit the ESPD file with the use of electronic means of communication have been provided under clause 9 of this chapter.
4. While filling out the ESPD form, the Participant may rely on the instructions published by the Public Procurement Office, on its website, at: https://www.uzp.gov.pl/_data/assets/pdf_file/0015/32415/Instrukcja-wypelniania-JEDZ-ESPD.pdf
5. The Contracting Authority allows the Participants to fill out only part IV of ESPD: "Selection criteria", and only item a) thereof: "Global indication for all selection criteria" and does not require them to fill out sections A, B, C and D.
6. A Contents Participant who relies on the use of other entities' resources, shall also submit ESPD for such entities to indicate that no grounds exist to exclude them from the procedure and that they meet the Contest participation criteria to the extent to which the use of their resources is claimed by the Participant.
7. In the case of Participants taking part in the Contest jointly, ESPD shall be submitted by each of the Participants who participate in the Contest jointly. The document confirms the fulfillment of Contest participation criteria and the lack of grounds for exclusion, to the extent to which each of the Participant proves the fulfillment of the Contest participation criteria and the lack of ground for exclusion from the Contest.
8. ESPD needs to be submitted electronically, with a qualified electronic signature. Representations of entities filing a joint submission and of entities making their resources available, submitted with the use of the ESPD form, should have the form of an electronic document, bearing a qualified electronic signature of each of such entities, to the extent to which they confirm the circumstances referred to under Art. 22(1) of the Act.

E-mail shall be the means of electronic communication relied upon by the Participants to submit ESPD.

NOTE! *Submission of ESPD along with the Contest Submission on a data medium (e.g. CD, pendrive) is not acceptable, as it does not constitute a submission with the use of electronic means of communication within the meaning of the Act on the Provision of Electronic Services dated 18 July 2002.*

9. ESPD needs to be submitted exclusively to the following e-mail address: konkursy@sarp.org.pl;
 - 1) The Contracting Authority accepts data to be submitted in the .PDF format.
 - 2) The Contest Participant fills out ESPD, thus creating an electronic document. In doing so, they may rely on the ESPD tool or on other tools or software available, making it possible to fill out ESPD and to create an electronic document, in particular in the .pdf format.
 - 3) Once the electronic ESPD version has been created or generated by the Participant, he shall sign the aforementioned document using a qualified electronic signature issued by a provider of a qualified trust service being an entity rendering electronic signature certification services complying with the security requirements set forth in

- the Act on Trust Services and Electronic Identification dated 5 September 2016 (Journal of Acts of 2016, item 1579).
- 4) Once signed, the electronic ESPD document should be encrypted, i.e. protected with the use of a password. To do that, the Economic Operator may use tools available in the software used to fill out the form (e.g. Adobe Acrobat), or may rely on open-source tools available on the market (e.g.: AES Crypt, 7-Zip and Smart Sign).
 - 5) The Participant shall include the password to the ESPD file in the Application to Participate in the Contest which is submitted in writing. The wording of the application may also include, where necessary, other information required to access the document properly, especially information on the encryption software used or on the procedure to be applied to decrypt the data contained in ESPD.
 - 6) The Participant shall send the encrypted ESPD document signed with a qualified electronic signature, to the Contracting Authority, to the following e-mail address konkursy@sarp.org.pl, in a manner ensuring that the said document reaches the Contracting Authority before the expiry of the deadline for filing submissions. The title of the e-mail message should contain the reference number of the procedure, and its body - the reference number and name of the procedure that ESPD is concerned with, as well as the name of the Economic Operator or any designation enabling the Participant to be identified.
 - 7) When submitting ESPD, the Participant shall require a confirmation of receipt of the message containing ESPD.
 - 8) ESPD shall be deemed submitted on the date on which the confirmation of receipt of the message containing ESPD has been issued from the Contracting Authority's mail server.
 - 9) The requirement to submit ESPD in an electronic form with a qualified electronic signature, in the manner referred to above, shall also apply to ESPD submitted under Art. 26(3) of the Act; in such a case, the Contracting Authority does not require the document to be encrypted.
10. Pursuant to § 3(3) of the Regulation of the President of the Council of Ministers on the Use of Electronic Means of Communication in Public Contract Award Procedures and on Providing Access to and Storing Electronic Documents (Journal of Acts of 2017, item 1320), hereinafter referred to as the Regulation, the Contracting Authority shall define the equipment and application-related requirements that need to be fulfilled to access the Contracting Authority's electronic mail:
- 1) Permanent Internet access with a guaranteed data transfer capacity of at least 512 kb/s.
 - 2) A PC or MAC computer, with the following configuration: at least 2 GB of RAM, i3 processor, operating system, e.g. Windows 7 or OSx10.4.
 - 3) Any software allowing to send e-mail messages, e.g. Outlook or Thunderbird, installed.
 - 4) Acrobat Reader or another program supporting .pdf files.
 - 5) Software enabling the document to be encrypted, e.g. 7-Zip.
11. Pursuant to Art. 2(1) of the aforementioned Regulation, the Contracting Authority determined the permitted formats of the data transferred: files of up to 50 Mb, in .pdf format.
12. The Application to Participate in the Contest must also contain a list of persons appointed by the Contest Participant to perform the public procurement contract, and in particular responsible for the provision of services, along with information on their professional qualifications, licenses and experience required to perform the public procurement contract, and the scope of the tasks they perform, and with information on the grounds on which such persons are at the Contest Participant's disposal.

13. The Contest Participant who is invited to negotiate a direct agreement contract or Contest Participants who are invited to hold negotiations without the publication of a contract notice shall submit, upon the Contracting Authority's request, the following documents which shall be current on the date of their submission:
- 13.1. information from the National Penal Register, with the scope of thereof complying with Art. 24(1)(13), (14) and (21) of the Act, pertaining to misdemeanor convictions concluded with the penalty of an arrest, to the extent defined by the Contracting Authority pursuant to Art. 24(5)(5) and (6) of the Act - issued not earlier than 6 months prior to the expiry of the deadline for filing submissions,
 - 13.2. certificate issued by the head of the relevant tax office, confirming that the Economic Operator is not in arrears with the payment of taxes, issued not earlier than 3 months prior to the expiry of the deadline for filing submissions, or another document confirming that the Economic Operator has concluded an agreement with the relevant tax authority pertaining to the repayment of any amounts due, including any default interest or penalties, has obtained an exemption, a waiver or a deferral provided for by law, or that the overdue payments have been divided into installments or that the enforcement of a decision of a competent authority has been suspended in its entirety,
 - 13.3. certificate issued by the relevant branch of the Social Insurance Institution (Zakład Ubezpieczeń Społecznych or Kasa Rolniczego Ubezpieczenia Społecznego) or another document confirming that the Economic Operator is not in arrears with the payment of social or health insurance premiums, issued not earlier than 3 months prior to the expiry of the deadline for filing submissions, or another document confirming that the Economic Operator has concluded an agreement with the relevant authority pertaining to the repayment of any amounts due, including any default interest or penalties, has obtained an exemption, a waiver or a deferral provided for by law, or that the overdue payments have been divided into installments or that the enforcement of a decision of a competent authority has been suspended in its entirety,
 - 13.4. copy of the entry into a relevant register, or into the business activity central registry and information, if separate regulations require an entry into such a register, in order to confirm that no grounds exist for exclusion pursuant to Art. 25(5)(1) of the Act,
 - 13.5. representation of the Economic Operator stating that no legally binding court verdict or a final administrative decision concerning his failure to pay, in a timely manner, taxes and social or health insurance premiums has been issued against him - and if such a verdict or decision has been issued - documents confirming that the relevant payments due have been made along with potential interest or penalties, or that a binding agreement has been concluded in relation to the payment of such amounts due,
 - 13.6. representation of the Economic Operator stating that no injunction order has been issued against him preventing him from seeking the award of public contracts,
 - 13.7. representation of the Economic Operator stating that no legally binding court verdict has been issued against him convicting him, due to a misdemeanor, for a penalty of limitation of liberty or monetary penalty, within the scope determined by the Contracting Authority pursuant to Art. 24(5)(5) and (6) of the Act,
 - 13.8. representation of the Economic Operator stating that no final administrative decision related to his failure to comply with obligations under labor law, environmental protection or social security regulations has been issued against

- him, within the scope determined by the Contracting Authority pursuant to Art. 24(5)(7) of the Act,
- 13.9. representation of the Economic Operator stating that his is not in arrears with the payment of local taxes and fees referred to in the Act on Taxes and fees dated 12 January 1991 (Journal of Acts of 2017, item 1785).
- 13.10. If the Economic Operator is based or domiciled outside the territory of the Republic of Poland, instead of the documents referred to under:
- 1) clause 13.1 - he shall submit information from the relevant register or, if no such register exists, another equivalent document issued by a competent court or administrative authority of the country in which the Economic Operator is based or domiciled, or in which the person who the information in question pertains to is based, or a document whose scope is determined in Art. 24(1)(13), (14) and (21) of the Act and in Art. 24(5)(5) and (6) of the Act,
 - 2) clause 13.2-13.4 - he shall submit a document or documents issued in the country in the which the Economic Operator is based or domiciled, confirming, as the case may be, that:
 - a) he is not in arrears with the payment of taxes, feed, social or health insurance premiums, or that has concluded an agreement with the relevant authority pertaining to the repayment of any amounts due, including any default interest or penalties, or has obtained an exemption, a waiver or a deferral provided for by law, or that the overdue payments have been divided into installments or that the enforcement of a decision of a competent authority has been suspended in its entirety,
 - b) no liquidation or bankruptcy proceedings have been instigated against him.
- 13.11. The documents referred to under clause 13.10(1) and (2)(b) should be issued not earlier than 6 months prior to the expiry of the deadline for filing submissions. The document referred to under clause 13.10(2)(a) should be issued not earlier than 3 months prior to the expiry of the same deadline.
- 13.12. If no documents referred to under clause 13.10 are issued in the country in which the Economic Operator is based or domiciled, or in which the person to which the document pertains is domiciled, they shall be replaced by a document containing, as the case may be, a representation of the Economic Operator, identifying the person or persons authorized to represent the Economic Operator, or a representation of the person to which the document was to pertain, made before a notary public or a court or administrative authority, or a professional or economic association body relevant due to the place at which the Economic Operator is based or domiciled, or the place at which the person concerned is domiciled. The provision of clause 13.11 shall apply. Where any doubts exist as to the wording of the document submitted by the Economic Operator, the Contracting Authority may apply to the competent authorities of the country in which the Economic Operator is based or domiciled, or of the country in which the person to which the document pertains is domiciled, as the case may be, to provide the necessary information related to such a document.
- 13.13. An Economic Operator based within the territory of the Republic of Poland, shall submit, in relation to a person domiciled outside the territory of Poland to which the document identified under clause 13.1 pertains, a document referred to under clause 13.10(1), with the scope thereof referred to under Art. 24(1)(14) and (21) and Art. 24(5)(6) of the Act. If no documents such documents are issued in the country in which the person to which the document was to pertain is domiciled, it

shall be replaced by a document containing a representation of such a person, made before a notary public or a court or administrative authority, or a professional or economic association body relevant due to the place at which the person concerned is domiciled. The provision of clause 13.11 sentence one shall apply.

13.14. Where any doubts exist as to the wording of the document submitted by the Economic Operator, the Contracting Authority may apply to the competent authorities of the country in which the person to which the document pertains is domiciled, to provide the necessary information related to such a document.

13.15. The representations referred to in the Regulation of the Minister of Development on the Types of Documents that the Contracting Authority May Demand from Economic Operators in Public Award Proceedings dated 26 July 2016 (Journal of Acts of 2016, item 1126), concerning the Economic Operator and other entities on whose capabilities or resources the Economic Operator is relying pursuant to Art. 22a of the Act and concerning subcontractors, are submitted as originals.

VIII. Requirements applicable to Applications to Participate in the Contest, as well as to representations and documents

1. The Application to Participate in the Contest must meet the following requirements:
 - 1.1. The Application to Participate in the Contest must be drawn up in Polish, in the form of a written instrument, with the use of a computer or another durable and legible technique;
 - 1.2. The Application to Participate in the Contest must be signed; it shall be deemed signed if bearing a handwritten signature (enabling the signatory to be identified) of the Contest Participant or of the person/persons authorized to represent the Contest Participant;
 - 1.3. Any amendments to or modifications of the Application to Participate in the Contest must be introduced legibly, must be initialed personally by the person signing the Application, or by other persons holding relevant authorizations to sign the Application.
2. In order to meet the Contest participation conditions set forth in these Rules and Regulations, the Contest Participant must submit a filled out Application to Participate in the Contest, drawn up in accordance with Exhibit 1 hereto, along with representations confirming fulfillment of the conditions concerned with participation in the proceedings, or on the lack of grounds to be excluded from the proceedings, in the form of the European single Procurement Document (ESPD).
3. All pages of the Application to Participate in the Contest are recommended to be numbered. It is also recommended to bind/staple all pages in a manner preventing them from separation.
4. Each Contest Participant shall have the right to submit one Application to Participate in the Contest only.
5. Where Application to Participate in the Contest is submitted by several entities seeking the award of the contract jointly (including by a partnership), and the Application to Participate in the Contest is not signed by all partners, the Contest Participant shall be required to attach a relevant power of attorney granted by the remaining partners (original or copy authenticated by a notary public), stating the rules of representation binding upon the partners.

The power of attorney must unequivocally be provided for in an agreement or in another legal transaction, must be in writing, and its wording must refer to the specific contract award procedure concerned. The power of attorney must be attached in its original and must be signed by the representatives of the Participant authorized to place such signatures in his incorporation documents, or may have the form of a notarial deed or a copy authenticated by a notary public. Any correspondence shall be exchanged with the proxy.

Participants taking part in the Contest jointly shall attach the aforementioned power of attorney or an authenticated copy of the consortium agreement establishing such a power of attorney. A partnership shall attach the aforementioned power of attorney or a document providing for

such a power of attorney, and an authenticated copy of the articles of association or a relevant resolution.

6. Prior to the expiry of the deadline to submit Applications to Participate in the Contest, the Contest Participant may amend the Application to Participate in the Contest they have submitted. The amendments should be delivered to the Contracting Authority in writing, under pain of nullity, in the form of a document signed by a person authorized to act for and on behalf of the Contest Participant, prior to the expiry of the application submission deadline. Modifications concerning the content of the Application should be drawn up, packed and addresses in the manner provided for in the Rules and Regulations and should bear an inscription reading "ZMIANA" ("AMENDMENT").
7. The Contest Participant may withdraw the Application to Participate in the Contest they have submitted, by submitting a written statement to the Contracting Authority, prior to the expiry of the deadline for submitting Applications to Participate in the Contest. The withdrawal statement should be drawn up, packed and addresses in the manner provided for in the Rules and Regulations and should bear an inscription reading "WYCOFANIE" ("WITHDRAWAL").
8. The Contest Participant shall be obliged to submit, along with the Application to Participate in the Contest, the following representations and documents:
 - 8.1. where the Contest Participant is represented by a proxy - a power of attorney, with the scope thereof defined, signed by the Contest Participant or by persons authorized to represent the Contest Participant;
 - 8.2. where the Application to Participate in the Contest is submitted by Contest Participants seeking the award of the contract jointly, a power of attorney document needs to be attached, stating the scope of the power of attorney of the proxy authorized to represent them in the proceedings, pursuant to Art. 23(2) of the Act.
9. The representations and documents required should be submitted in their originals or copies authenticated by the Contest Participant, under reserve that:
 - 9.1. the power of attorney needs to be attached to the Application to Participate in the Contest in its original, or in the form of its copy authenticated by a notary public,
 - 9.2. representations - in their originals
 - 9.2.1. Application to Participate in the Contest - in its original,
 - 9.2.2. undertaking of a third party, as referred to in Chapter VII – if the Contest Participant relied on the resources of a third party – in its original,
 - 9.2.3. ESPD - pursuant to the provisions of Chapter VII of these Rules and Regulations.
10. Those listed in the applicable register of power of attorney shall be deemed to be persons duly authorized to represent the Contest Participant.
11. Where the representations or documents have been drawn up in a foreign language (including documents submitted by a Contest Participant based outside the territory of the Republic of Poland), the Contracting Authority requires that their translation into Polish be submitted as well.
12. Where the xerox copies of the representations or documents submitted are illegible or raise any doubts as to their truthfulness, the Contracting Authority may demand that their originals or copies authenticated by a notary public be submitted.
13. Where information contained in the Application to Participate in the Contest or in the attached representations and documents constituted a company secret within the meaning of the provisions of the Act on Combating Unfair Competition dated 16 April 1993 (Journal of Acts of 2018, item 419), the Contest Participant should clearly note that in the submission and should prove that proprietary information constitutes his secret and should label them accordingly. It is recommended that documents containing proprietary information be submitted separately (permanently bound and separated from the remaining part of the

application). The Contest Participant must not label as confidential information referred to under Art. 86(4) of the Act.

14. The Contracting Authority shall examine grounds behind the reservation referred to under clause 13, and should it be decided that such a reservation is justified, it shall not disclose the information constituting a company secret of the Contest Participant, within the meaning of the regulations on combating unfair competition, provided that the Contest Participant has reserved, within the deadline for submitting applications, that such information cannot be made available.
15. The Application to Participate in the Contest needs to be placed in a packaging that prevents the content thereof from being read without damaging such packaging.
16. The Application to Participate in the Contest, along with all documents required under the present Rules and Regulations, should be labeled with the name and address of the Contest Participant and should be addressed to:

Stowarzyszenie Architektów Polskich
ul. Foksal 2
00-366 Warszawa

It should also bear the following inscription:

**Wniosek o dopuszczenie do udziału w konkursie
architektoniczno-urbanistycznym na opracowanie koncepcji architektonicznej wraz z
zagospodarowaniem terenu dla inwestycji pn.
„Budowa domu studenckiego na Kampusie Służewiec”
realizowanej w ramach Programu Wieloletniego
pn. „Uniwersytet Warszawski 2016-2025”**

nie otwierać do dnia 13 września 2018r. do godz. 15.00 (do not open by 3:00 pm on 11
September 2018)

IX. Deadline and place for submitting Applications to Participate in the Tender

1. Applications will be accepted until **3:00 pm on 13 September 2018** at the headquarters of Stowarzyszenie Architektów Polskich, ul. Foksal 2, 00-366 Warszawa.
2. The Contracting Authority shall be held liable for opening the Application to Participate in the Contest prior to the deadline referred to under clause 1 or for refusing to open it after the aforementioned deadline where the envelope with the Application is not labeled correctly.

X. Assessment of Applications to Participate in the Contest

1. The Organizer, acting on behalf of the Contracting Authority, shall assess the Applications to Participate in the Contest, immediately after expiry of the deadline for their submission, for their compliance with the requirements set forth in the Rules and Regulations, shall request the Participant to introduce amendment to or to provide explanations to the Applications, if necessary, and based thereon shall decide if the Contest Participants meet the Contest participation conditions set forth in the Rules and Regulations and in the provisions of the Act, based on the “meets - does not meet” approach.
2. In order to ensure anonymity of the Contest Participants towards members of the Jury, those acting in the capacity of jurors will not be participating in the assessment of Applications to Participate in the Contest. The list of Contest Participants qualified to participate in the Contest will not be made public as well.
3. Any activities undertaken by a Contest Participant that may lead to that Contest Participant being no longer anonymous for members of the Jury shall result in excluding the Participant

- form the Contest.
4. Once the assessment of fulfillment of the Contest participation requirements has been conducted, the Organizer shall invite Contest Participants meeting the Contest participation criteria to file their Contest Submissions.

XI. Preparation and filing of Contest Submissions

1. General information concerning the preparation of a Contest Submission:

- 1.1. A Contest Submission must clearly present the idea behind the architectural, programming and functional solutions adopted by the Contest Participant, and their relationship with the surroundings.
- 1.2. The Contest Submission must be characterized by clearly legible graphic information (this applies both to text and drawings).
- 1.3. While drawing up a Contest Submission, the Contest Participant should comply with the provisions and guidelines presented in the Contest Materials (Exhibit 9 to these Rules and Regulations), and with other provisions of the Rules and Regulations.
- 1.4. The Contest Submission must not infringe any third party copyright, both in terms of its content, and of the tools relied upon to draw it up.
- 1.5. Contest Submissions that have been drawn upon in a manner enabling identification of their authors shall not be taken into consideration.

2. Content and form of a Contest Submission.

2.1. The Contest Submission must comprise the following:

- 2.1.1. graphic part - boards, maximum 6, glued onto a rigid, light substrate, 100x70 cm, vertical orientation - **1 copy**,
- 2.1.2. descriptive part - a notebook with the description of the Contest Submission, and with graphic boards reduced in size to A3 format and with the programming table (Exhibit 8 to the Rules and Regulations), land use specification (Exhibit 8a to the Rules and Regulations) and environmental requirements (Exhibit 8b to the Rules and Regulations), as well as with pricing information drawn up in accordance with Exhibit 7 to the Rules and Regulations - **2 copies**,
- 2.1.3. a sealed envelope with an identification card (Exhibit 5 to Rules and Regulations),
- 2.1.4. a sealed envelope with an electronic data medium containing the electronic version of the Contest Submission.

2.2. The graphic part (boards) must comprise the following:

- 2.2.1. a detailed landscaping concept concerning the area constituting the subject of the Contest Submission, including layouts of the ± 0.00 story of the building, with entrances, arcades, driveways, etc. marked, scale 1:500, imposed on the 1:500 map supplied,
- 2.2.2. 1:200 layouts of all building stories (with surface areas and names of individual premises included in the layouts), with the functional requirements and trade-specific solutions provided for in Exhibit 9 to the Rules and Regulations taken into consideration,
- 2.2.3. description of individual premises, on the layouts, with numbers (in the case of premises proposed additionally by the Contest Participants, their names and designations should be included as well),
- 2.2.4. 1:200 scale characteristic cross-sections,
- 2.2.5. 1:200 scale facades (all),
- 2.2.6. perspective views and visualizations required to present the concept, with the spot from which the shot was taken marked in the landscaping board. Two visualizations are mandatory:

- view from the west - the future square
 - view from the east / south
- 2.2.7. more significant architectural and structural details in a scale enabling the material and technical solution to be easily identified, to be freely selected by the Contest Participant;
- note:
- the boards will be presented horizontally, 2 at a time, one on top of the other,
 - expected board content:
 - board 1 – urban planning concept, 1:500 situational view, landscaping, visualizations,
 - board 2 - ground floor layout, building functional layouts,
 - board 3 - 1:200 floor layouts,
 - board 4 - 1:200 cross-sections, facades, facade and roof details (cross-sections),
 - board 5 - layouts of examples of rooms and other premises, visualizations,
 - board 6 - technical and environmental solutions, miscellaneous.
- 2.3. Descriptive part - a notebook with the description of the Contest Submission and graphic boards reduced in size to A3 format, programming tables and pricing information. The descriptive part must contain the following:
- 2.3.1. description of the concept, along with material solutions adopted, the programming table (Exhibit 8 to the Rules and Regulations), land use specification (Exhibit 8a to the Rules and Regulations) and environmental requirements (Exhibit 8b to the Rules and Regulations),
 - 2.3.2. cost-related information (Exhibit 7 to Rules and Regulations).
- 2.4. A sealed envelope with an identification card.
- 2.4.1. The envelope must contain an identification card filled out in accordance with Exhibit 5 to the Rules and Regulations. The envelope must bear the following inscription: "KARTA IDENTYFIKACYJNA" ("IDENTIFICATION CARD").
 - 2.4.2. The name of the Contest Participant(s) stated in the identification card must be the same as that provided in the Application to Participate in the Contest.
- 2.5. A sealed envelope with the electronic medium containing the Contest Submission.
- 2.5.1. The envelope must contain an electronic medium with the entire Contest Submission (drawings and text) in an electronic form. The envelope must bear the following inscription: "NOŚNIK ELEKTRONICZNY" ("ELECTRONIC MEDIUM").
 - 2.5.2. In order to enable the use of the works provided, the Contest Participants are required, pursuant to the Rules and Regulations, to provide the Contracting Authority with the entire submission in the form of a reproducible electronic recording, on electronic media, in the following formats:
 - 2.5.3. For drawings (*.jpg), (*.pdf) or (*.tif) with the resolution of 300 dpi.
 - 2.5.4. For text (*.pdf).
- 2.6. The medium needs to be placed in a sealed envelope. It needs to be ensured that the files are deprived of any features enabling the Authors to be identified. Documents on the electronic medium must not be protected by a password or protected, in any other manner, from being used by the Contracting Authority. In their electronic version, the files must not contain a 6-digit encryption code. The files must be deprived of any meta data enabling the author to be identified. Contest Participants should in particular take care to save graphic files without layers and without layer descriptions.
- 2.7. Contest Submissions must be labeled solely with the 6-digit reference number. The same number must be placed on all elements of the submission, such as:
- 2.6.1. graphic part (boards),
 - 2.6.2. descriptive part – 2 note books it is recommended that only the first page of the descriptive part be labeled with the reference number),

- 2.6.3. sealed envelope with an identification card,
- 2.6.4. sealed envelope with the electronic medium containing the electronic version of the Contest Submission,
- 2.6.5. packaging.

It is recommended that the reference number be placed in the upper right corner of the description, boards, envelope with the identification card and envelope with the electronic medium. Font height - approx. 1 cm. It is recommended that the reference number be placed in the upper right corner of the cover page (first page) of the note book containing the descriptive part.

- 2.8. None of the aforementioned elements of the Contest Submission may be labeled with the name of the Contest Participant filing the submission, or with other information enabling the author of the submission to be identified prior to the final decision about the winner of the Contest being made by the Jury. Where the Contest Submission is filed via a postal operator or a messenger, the address and name stated on the envelope must not be the address and name of the Contest Participant.
- 2.9. Materials not falling within the scope of the Contest shall not be assessed.
- 2.10. The scope and the level of detail of the concept presented should be sufficient to enable a building permit design to be drawn up.

3. **Method, location and deadline for filing Contest Submissions**

3.1 Contest Submissions must be filed, in their graphic and descriptive form, by the final deadline falling at **3:00 pm on 17 December 2018**, with the confirmation of receipt requested (Exhibit 6 to the Rules and Regulations), to the following address:

**Stowarzyszenie Architektów Polskich
ul. Foksal 2
00-366 Warszawa**

3.2. Contest Submissions need to be filed in packaging preventing their traceless opening and reading the contents thereof. The packaging must be labeled in the following manner:

OPRACOWANIE KONKURSOWE SKŁADANE W KONKURSIE architektoniczno-urbanistycznym na opracowanie koncepcji architektonicznej wraz z zagospodarowaniem terenu dla inwestycji

**pn. „Budowa domu studenckiego na Kampusie Służewiec”
realizowanej w ramach Programu Wieloletniego**

pn. „Uniwersytet Warszawski 2016-2025”

nie otwierać do dnia 17 grudnia 2018r. do godz. 15.00 (do not open by 3:00 pm on 17 December 2018)

and must be labeled with the NUMBER assigned to all elements of the Contest Submission.

- 3.3. Contest Submissions may only be filed by those Participants who have been selected to participate in the Contest and have been invited to file their Contest Submissions.
- 3.4. Contest Submissions sent via a postal operator, messenger or in any other manner must be received by the Organizer within the deadline referred to under clause 3.1 (the date of receipt shall be decisive).

note:

Where the Contest Submission is filed in any manner other than in person (e.g. via a postal operator or a messenger), the address and name stated on the envelope must not be the address and name of the Contest Participant. Furthermore, the confirmation of receipt of

the Contest Submission (Exhibit 6 to the Rules and Regulations) must be attached to the Contest Submission, in an open envelope addressed to the address that is not the address of the Contest Participant. This address shall be used to send a confirmation of receipt of the Contest Submission.

- 3.5. The Contest Submission filed by the Participant may only be withdrawn prior to the expiry of the deadline for submitting Contest Submissions. The submission may be withdrawn after an original confirmation of receipt of the Contest Submission, issued by the Organizer or a person or entity appointed thereby has been presented.
- 3.6. The Contest Submission may only be amended or supplemented prior to the expiry of the deadline for submitting Contest Submissions. Amendments to or supplements of the Contest Submission must be made in accordance with the requirements applicable to Contest Submission, under reserve that the packaging (envelopes) will be labeled with an additional inscription reading "ZMIANA / UZUPEŁNIENIE" ("AMENDMENT / SUPPLEMENT").
- 3.7. Contest Submissions filed via a postal operator, a messenger or delivered in any other manner, received by the Contracting Authority after expiry of the deadline for filing Contest Submissions, as confirmed by means of a protocol to be drawn up, shall not be deemed to have been submitted and may be collected by the Participant until the results of the contest have been announced, at the Participant's cost only.
- 3.8. Contest Submissions shall be encrypted by the Jury Secretary who will assign an individual, 3-digit number to each Submission. A protocol will be drawn up documenting this activity and will be handed over to the Contracting Authority's Manager.

XII. Evaluation of Contest Submissions

1. Methodology applied to assess Contest Submissions.

- 1.1. Contest Submissions shall be assessed by the Jury, during non-public meetings where to the compliance of the Submissions with the material formal and content-related requirements set forth in the Rules and Regulations will be evaluated, and where the Contest Submissions will be assessed based on the criteria provided for in clause 2 of the present Chapter.
- 1.2. The Jury shall select the best Contest Submission or the best Contest Submissions.
- 1.3. The Jury shall, in particular:
 - 1.3.1. identify those Submissions that should be provided with an award, specifying the type and the value of the award, or shall state that no specific reward or rewards have been assigned if the Contest Submissions fail, to a considerable degree, meet the requirements set forth in the Regulations,
 - 1.3.2. draw up information on Contest Submissions assigned with awards and distinctions,
 - 1.3.3. draw up a justification to the Contest results,
 - 1.3.4. come up with post-contest recommendations for the Contest Submission that has received the 1st Prize - if the award has the form of an invitation to participate in negotiations of a direct agreement contract - or for Contest Submissions that have received awards in the form of invitations to participate in negotiations without the publication of a contract notice,
 - 1.3.5. submit the Contest results to the Contracting Authority's Manager, for approval,
 - 1.3.6. draw up a justification to the decision not to select Contest winners.

2. Criteria applied while assessing Contest Submissions.

2.1. Contest Submissions shall be assessed based on the following criteria:

2.1.1. Attractiveness of the architectural solutions proposed and of the spatial relationship with the surroundings - 35%

The highest rating will be assigned to that Contest Submission that will propose the best match between the architectural solutions and materials proposed on the one hand, and the landscape and nature around the project on the other. Furthermore, those Submissions that ensure stimulation of the campus premises, at the ground floor level of the proposed building, will receive a better rating. The maximum number of points to be awarded: 35.

2.1.2. Functional and spatial solutions of the building - 35%

Those solutions that ensure the best functionality of the building, the highest level of usage comfort and that facilitate movement within the buildings will be considered to be the best functional and spatial solutions of the building. The maximum number of points to be awarded: 35.

2.1.3. Cost-effectiveness of the solutions while operating the building - 30%

Those solutions will be considered the best - as far as this criterion is concerned - that ensure the lowest heating and electrical energy costs borne during regular operation of the building, that require the lowest building maintenance and on-going servicing expenses and that require the least frequent replacement of equipment elements. The maximum number of points to be awarded: 30.

2.2. Each of the Contest Submissions shall be assessed by the Jury based on the aforementioned criteria, and based on their compliance with the crucial provisions of the Rules and Regulations. The Jury shall assess the Contest Submission in their entirety, in compliance with the aforementioned criteria and with the requirements of the Contest Rules and Regulations, by awarding between 1 and 100 points. A protocol from the Jury's meeting containing a description of its activities, and a justification of the decisions made with regard to the Submission, as well as their ranking, shall be drawn up.

2.3. The Jury may seek the opinion of experts and appraisers, especially with regard to functional solutions, under reserve that they must not participate in the assessment of the Contest Submission and that their opinions will be of a consulting character only.

2.4. The Contest Submission that will be awarded the highest number of points will be considered to be the winning Contest Submission.

2.5. The Contest Submission that will be ranked second in the points ranking, based on the contest terms and conditions, will be considered to be second-ranked Contest Submission and will be eligible to receive the award for the second-ranked Contest Submission.

2.6. The Contest Submission that will be ranked third in the points ranking, based on the contest terms and conditions, will be considered to be third-ranked Contest Submission and will be eligible to receive the award for the third-ranked Contest Submission.

XIII. Awards and announcement of Contest results

1. The following awards may be assigned in the Contest:

1.1. Monetary awards:

- (1) first award – PLN 30,000 net (thirty thousand zlotys);**
- (2) second award – PLN 20,000 net (twenty thousand zlotys);**
- (3) third award – PLN 15,000 net (fifteen thousand zlotys);**

and

- 1.2. An award in the form of an invitation to participate in negotiations of a direct agreement contract for drawing up a detailed Contest Submission
or
- 1.3. An award in the form of an invitation to participate in negotiations without publication of a contract notice for drawing up a detailed Contest Submission
and
- 1.4. Monetary distinction awards for not more than two Contest Submissions, with the value of PLN 10,000 net each
- 1.5. The proposals of awards and distinctions listed under clause XIII.1.1 to 1.4 shall be drawn up by the Jury and approved by the Contracting Authority's Manager.
- 1.6. The Jury must not propose a greater number of monetary awards and greater a number of monetary distinctions, but may propose different values of the individual monetary awards and monetary distinctions, under reserve that the total value of those awards and distinctions does not exceed the amount of PLN 85,000 net.
- 1.7. The Jury may propose not to assign any awards and monetary distinctions.
- 1.8. The Jury may propose that fewer than three monetary awards and fewer than two monetary distinctions be awarded.
- 1.9. The Jury must not propose that an award be assigned in the form of an invitation to participate in negotiations for the direct agreement of a contract for drawing up a detailed Contest Submission for one of the Participants, and in the form of an invitation to participate in negotiations for the direct agreement of a contract for drawing up detailed Contest Submissions for the subsequent Participants, if the agreement with the first Participant is not signed.
- 1.10. The Jury may propose to assign the first monetary prize only to that Participant whose Contest Submission will receive the highest number of points.
- 1.11. The Jury may propose to assign the second monetary prize only to that Participant whose Contest Submission will receive the second highest number of points.
- 1.12. The Jury may propose to assign the third monetary prize only to that Participant whose Contest Submission will receive the third highest number of points.
- 1.13. The Jury may propose to assign an award in the form of an invitation to participate in negotiations without publication of a contract notice for drawing up a detailed Contest Submission only to those participants whose submissions will receive the first, second or third highest number of points.
- 1.14. When proposing the award in the form of an invitation to participate in negotiations without publication of a contract notice for drawing up a detailed Contest Submission, the Jury must not leave out a Participant with a higher number of points and invite a Participant with a lower number of points.
- 1.15. The Jury may propose to assign monetary distinctions only, without assigning any awards.
- 1.16. The Jury may propose that monetary distinctions be awarded only to those Participant to whom no award has been assigned, regardless of the number of points awarded to their Contest Submissions.
- 1.17. The Jury may propose monetary distinctions to those Participants whose Contest Submissions will contain elements deserving such a distinction.
- 1.18. Once the Contest has been concluded and the monetary awards have been paid out, the Organizer shall become the owner of the copies of awarded Contest Submissions.
- 1.19. Those Contest Submissions to which no awards have been assigned will be available for collection following the end of the post-contest exhibition, upon return of the confirmation of filing the Submission. The Submissions will be returned at the time and

location specified by the Organizer, following the Participant's submission of a written request.

- 1.20. Monetary awards shall be paid out within 30 days from the results of the Contest becoming valid at the latest, and if an appeal is filed with the President of the National Appeals Chamber, an appeal is filed with court or a cassation appeal is filed, within 14 days from a valid verdict or decision being issued, or from such a verdict or decision becoming valid. Prior to their payment, the monetary awards shall be reduced by the amount of the tax due, if the obligation to impose such a tax results from separate legal regulations.
- 1.21. The monetary awards shall be paid by means of a wire transfer, to the bank account specified in the Contest Submission's identification card (Exhibit 5 to the Contest Rules and Regulations).
- 1.22. Where the Author of the winning Submission is assigned with an award in the form of an invitation to participate in negotiations for the direct agreement of a contract for drawing up a detailed Contest Submission, the Contracting Authority shall send the invitation to the selected Participant within 30 days from the results of the Contest becoming valid at the latest, and if an appeal is filed with the President of the National Appeals Chamber, an appeal is filed with court or a cassation appeal is filed, within 30 days from valid verdict or decision being issued, or from such a verdict or decision becoming valid.
- 1.23. Where the Authors of winning Submissions are assigned with an award in the form of an invitation to participate in negotiations without the publication of a contract notice (for at least 2 Participants) for drawing up a detailed Contest Submission, the Contracting Authority shall send the invitation to the selected Participants within 30 days from the results of the Contest becoming valid at the latest, and if an appeal is filed with the President of the National Appeals Chamber, an appeal is filed with court or a cassation appeal is filed, within 30 days from valid verdict or decision being issued, or from such a verdict or decision becoming valid.

2. Announcement of Contest results:

- 2.1. The results of the Contest shall be announced publicly on **29 January 2019**. Information about the location and date shall be provided to the Contest Participants in a separate letter or notice.
- 2.2. Once the results of the Contest have been officially announced, the Organizer shall reveal publicly and identify all Contest Submissions, by assigning them to the individual Participants, based on the NUMBER placed on the identification cards attached to the Contest Submissions.
- 2.3. Where it has been determined, following identification of the Contest Submissions, that:
 - 2.3.1. a Contest Submission was filed by a Participant who was not invited to file a Contest Submission,
 - 2.3.2. a Contest Participant plays a role in more than one Contest Submission,
 - 2.3.3. a Contest Participant does not meet the requirements set forth in the Regulations and/or in the Application to Participate in the Contest;- then such a Submission or such Submissions shall be rejected, the Participant concerned shall be excluded from participation in the Contest and shall not have the right to have any award assigned.

If the situation referred to under clause 2.3 of the present Chapter concerns a Contest Participant whose Contest Submission has been selected to be the best Contest

Submission, and the Jury has proposed to assign, to that Participant, an award in the form of an invitation to participate in negotiations for the direct agreement of a contract for drawing up design documentation being a detailed version of the Contest Submission, the Contracting Authority shall have the right to consider the next Contest Submission listed in the protocol of the Jury to be the best Contest Submission, and to assign, to such a Contest Submission, an invitation to participate in negotiations for the direct agreement of a contract for drawing up design documentation being a detailed version of the Contest Submission.

If the situation referred to under clause 2.3 of the present Chapter concerns a Contest Participant whose Contest Submission received the first, second or third award, and the Jury has proposed to assign, to that Participant, an award in the form of an invitation to participate in negotiations without publication of a contract notice for drawing up design documentation being a detailed version of the Contest Submission, the Contracting Authority shall have the right to consider the next Contest Submission listed in the protocol of the Jury to be the best Contest Submission, and to assign, to such a Contest Submission, an invitation to participate in negotiations without publication of a contract notice for drawing up design documentation being a detailed version of the Contest Submission.

- 2.4. The Organizer shall communicate the Contest results to all Contest Participants who have filed Contest Submissions, and shall publish the results of the Contest on his website.
- 2.5. Once the Contest has been concluded, the Contest Submissions shall be presented during a post-contest exhibition, during which a post-contest discussion will be held. Information about the foregoing will be provided by the Organizer separately.
- 2.6. An announcement with the Contest results will be published on the Organizer's website. The Organizer shall also notify, directly, the Contest Participants who have filed their Contest Submissions, simultaneously informing them about the dates of the post-contest exhibition, about the date of the public post-contest discussion and about the date after which the Contest Submission will be available for collection, after their public presentation has been completed. The Organizer shall provide the announcement of the Contest results, immediately after the Contest has been concluded, to the Office for Official Publications of the European Communities.
- 2.7. The Contest Submissions to which no awards have been assigned will be returned to the Contest Participants upon their request and expense, following the submission of a confirmation of their submission, not earlier than two months after announcement of the Contest results. Contest Submissions to which no awards have been assigned and whose authors fail to submit a request for their return within 3 months, shall be destroyed after expiry of the storage period required under the Act.
- 2.8. The Contest Organizer shall organize a post-contest discussion, a post-contest exhibition of the Contest Submissions and shall plan to release a post-contest publication in the form of a leaflet or catalog.
- 2.9. The Contracting Authority does not plan to reimburse the cost of drawing up Contest Submissions.

XIV. The Jury

1. The Jury appointed by means of Disposition No. 90 of the Rector of the University of Warsaw dated 21 August 2018 shall be made up of the following:
Jury Chairman: Wojciech Kotecki, architect, SARP representative,
Deputy Jury Chairman: Andrzej Alinkiewicz, architect, University of Warsaw representative,
Chief Juror: Dorota Sawicka, architect, SARP representative,
Juror: prof. Anna Giza – Poleszczuk, University of Warsaw representative,

Juror: Kazimierz Łatak, architect, SARP representative,
Juror: Jerzy Pieszczyrkow, MSc, Eng., University of Warsaw representative,
Juror: Ewa Rudnicka, University of Warsaw representative,
Juror: Michał Sikorski, University of Warsaw representative,
Juror: Mariusz Tenczyński, SARP representative.

2. The Contest Organizer has appointed the following Substitute Jurors:
Marcin Kwietowicz, architect - assistant, SARP representative (holding no voting right),
Maria Dobrzyńska – Jaromin, MSc – University of Warsaw representative (holding no voting right).
3. The Contest Organizer has appointed the following Jury Secretary:
Marek Szeniawski, landscape architect, SARP representative
4. The Jury's tasks shall include, in particular, the following:
 - 4.1. preparing information about Contest Submissions,
 - 4.2. evaluation of Contest Submissions,
 - 4.3. identifying those Contest Submissions that should be assigned with awards and distinctions, and specifying the type and value of such awards,
 - 4.4. selecting the best Contest Submission,
 - 4.5. drawing up a justification to the Contest results,
 - 4.6. coming up with recommendations for the Contest Submission to which an award in the form of an invitation to negotiations of a direct agreement of the contract, or for Contest Submissions to which an award in the form of an invitation to negotiations without publication of a contract notice has been assigned, and assessing the fulfillment of such recommendations,
 - 4.7. recommending, to the Contracting Authority's Manager, the approach to be followed (direct agreement of a contract or negotiations without publication of a contract notice), along with a justification of its selection,
 - 4.8. submitting the results for approval by the Contracting Authority's Manager,
 - 4.9. other tasks referred to in the Jury Regulations and in Art. 113 of the Act.
5. Assessment of the Contest Submissions will be performed by the Jury appointed pursuant to Disposition No. 90 of the Rector of the University of Warsaw dated 21 August 2018. The Jury shall work in accordance with the Jury Regulations.
6. The tasks of the Jury Secretary shall include, in particular, the following:
 - 6.1. assessment of Applications to Participate in the Contest;
 - 6.2. ensuring anonymity of information about the Contest Participants and Contest Submissions; the Contest Submissions filed shall remain fully anonymous until the Contest has is finished;
 - 6.3. supervising, on behalf of the Contest Organizer, the conformity of the Contest with the Rules and Regulations and with other requirements stemming from legal regulations, in particular from the Act;
 - 6.4. other tasks referred to in the Jury Regulations.

XV. Negotiations of direct agreement contract or negotiations without publication of a contract notice

1. The Contest Participant who has received an award in the form of an invitation to negotiate a direct agreement contract or Contest Participants who have been invited to hold negotiations without the publication of a contract notice, to draw up Design Documentation being a detailed version of the contest Submission, shall be required to commence the negotiations and the time and location identified by the Organizer.

2. The negotiations will be considered with arrangements of importance for the parties, that will be included in the wording of the agreement to be concluded, in accordance with the Material Contract Provisions constituting Exhibit 3 to the Rules and Regulations, i.e. concerning remuneration, copyright and date of performance of the Subject of Agreement, enabling the Subject of Agreement to be completed within the deadline specified by the Organized in the Material Contract Provisions.
3. The Organizer shall also require the Author/Authors of the awarded Contest Submissions to take into consideration, while drawing up the Design Documentation being a detailed version of the Contest Submission, the post-contest recommendations of the Jury, applicable to the selected Contest Submission. In such circumstances, the post-contest recommendations of the Jury, applicable to the selected Contest Submission(s), shall constitute an integral part of the description of the subject of contract.
4. The Organizer may refuse to conclude the Contract for the drawing up of Design Documentation being a detailed version of the Contest Submission if any premises resulting in the need to invalidate the proceedings pursuant to Art. 93(1)(6) and (7) of the Act have been met.
5. The subject of the contract has been described in the Material Contract Provisions constituting Exhibit 3 to the Rules and Regulations.

XVI. Arrangements concerning copyright

1. Fields of use of Contest Submissions and provisions concerning the transfer of economic copyright in the winning Contest Submission.
 - 1.1. The Contest Submissions must not be made available publicly, in part or in whole, and distributed in any other manner prior to the date of public announcement of the Contest results.
 - 1.2. The Organizer, regardless of the date of payment of monetary awards and distinctions and without additional remuneration for the Contest Participants, reserves the right to present and make publicly available, for the first time, all or selected Contest Submissions during a public post-contest exhibition, the right to their reproduction and publication with the use of any technique (including by printing, reprographic or digital recording techniques), to make them available, to produce - in the manner referred to above - copies of the work and to distribute them in the form of an exhibition catalog (printed or digital), also in the Internet. All Participants grant, to the Organizer, a free, non-exclusive license permitting him to do the above, with the said license not being subject to any time- and territory-related restrictions and coming into effect upon approval of the Contest results by the Contracting Authority's Manager. Furthermore, the Participants express their consent to the necessary modifications (e.g. change of the format) that need to be introduced in relation to the publication of Contest Submissions. The representation on granting the license pursuant to the terms referred to above has been included in the Application to Participate in the Contest.
 - 1.3. The provisions of clauses 1.1 and 1.2 of the present Chapter shall be without prejudice to the personal copyright of the submissions' authors.
 - 1.4. The Contest Participant whose Contest Submission has been ranked the best and who has received an award in the form of an invitation to negotiate a direct agreement contract, or Contest Participants who have received awards in the form of invitations to hold negotiations without the publication of a contract notice, to draw up Design Documentation being a detailed version of the Contest Submission, undertake to transfer, to the Organizer, the economic copyright in the Contest Submission upon the payment of the monetary award, with the said copyright pertaining to the following fields of use:

- 1.4.1. recording and copying, with the use of any technique, on any medium, in any scale, for the needs of any media, especially in the form of printed publications, boards, photosensitive tape, magnetic tape, computer discs and all types of media used for digital recording,
 - 1.4.2. placing and using, in any scale or part, in any materials published in relation to the promotion of the Organizer or of an entity identified by the Organizer,
 - 1.4.3. introducing, in any part, to the Internet or to computer memory, placing in and using as part of online publications,
 - 1.4.4. using in multimedia works,
 - 1.4.5. displaying, screening, playing, broadcasting and rebroadcasting in public, with the use of wired or wireless video technologies, through ground stations, as well as broadcasting with the use of satellites and the Internet,
 - 1.4.6. using, any part, for advertising and promotional purposes, for naming or identifying the Organizer, his programs, shows and publications,
 - 1.4.7. creating foreign language versions.
 - 1.5. The Contest Participant referred to under clause 1.4 shall be bound by the principles applicable to transferring and exercising copyright referred to in the Material Contract Provisions (Exhibit 3).
2. The Contest Participant shall represent and warrant that the Organizer's use of the work will not violate any third party rights, including economic and personal copyright of third parties.

XVII. Legal remedies available to Contest Participants

1. The Contest Participants, as well as other entities - is the award of a given contract was in their interest and they have borne or may bear a loss as a result of the Contracting Authority's violation of the Act, shall have the right to legal remedies pursuant to the principles set forth under section VI of the Act.
2. Appeals may only be filed against an activity of the Contracting Authority that violates the provisions of the Act, taken in the course of the Contest, or against a failure to perform an activity that the Contracting Authority is obliged to perform pursuant to the Act.
3. The appeal should identify the activity of or the failure to perform an activity by the Contracting Authority, which is deemed to be in violation of the provisions of the Act, should contain a brief presentation of the accusations made, should identify the demands and should list the factual and legal circumstances justifying the appeal.
4. The appeal shall be lodged with the President of the National Appeals Chamber, in writing or in an electronic form. It shall bear a handwritten signature or an electronic signature, as the case may be.
5. The appealing party shall submit a copy of the appeal to the Contracting Authority prior to the expiry of the deadline for submitting appeals, so that it may become acquainted with its wording prior to the expiry of that deadline.
6. The appeal shall be submitted within 10 days from the date of providing information about the Contracting Authority's activity that serves as a basis for the submission of the appeal - if the said information is provided in the manner referred to in Art. 180(5) sentence two of the Act, or within 15 days - if provided otherwise.
7. An appeal concerned with the wording of the Contest notice and with the wording of the Contest Rules and Regulations shall be submitted within 10 days from the date of publication of the notice in the Official Journal of the European Union or from the publication of the Contest Rules and Regulations on the website.
8. An appeal concerned with activities other than those referred to above shall be submitted within 10 days from the date on which information about the circumstances serving as a

basis for lodging the appeal became or could become - with due diligence displayed - known.

9. The appeal shall be reviewed if:
 - 1) it does not contain any formal errors;
 - 2) the fee has been paid.
10. The fee is payable by the appeal deadline at the latest, with the payment receipt attached to the appeal.

XVIII. Information clause required under Art. 13 GDPR.

Pursuant to Art. 13(1) and (2) of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1), hereinafter "GDPR", I hereby inform you that:

- your personal data are controlled by the University of Warsaw, ul. Krakowskie Przedmieście 26/28, 00-927 Warszawa;
- Mr. Dominik Ferenc is the Data Protection Officer of the University of Warsaw, and may be contacted at: iod@adm.uw.edu.pl tel.: 22 55 22 042;
- your personal data will be processed pursuant to Art. 6(1)(c) GDPR, for purposes related to the Contest and to the procedure concerned with the award of a public contract, commenced once the Contest has been concluded: SARP Contest No. 981, conducted pursuant to the provisions of the Public Procurement Act;
- the recipients of your personal data shall include persons or entities to which the Contest documentation and the procedure documentation will be made available pursuant to Art. 8 and Art. 96(3) of the Act;
- your personal data will be stored, pursuant to Art. 127(1) and Art. 97(1) of the Act, over the period of 4 years from the completion of the Contest and of the procedure for the award of the contract, initiated once the Contest has been concluded, and if the term of the contract is longer than 4 years, the storage period shall cover the entire term of the contract;
- your obligation to provide personal data you are the direct subject of is a statutory requirements set forth in the Public Procurement Act, stemming from your participation in the Contest and in the procedure for the award of the contract, initiated once the Contest has been concluded; the consequences of a failure to provide the specified data are set forth in the Public Procurement Act;
- no automated decisions shall be made in connection to your personal data, pursuant to Art. 22 GDPR;
- you shall have:
 - pursuant to Art. 15 GDPR, the right to access your personal data;
 - pursuant to Art. 16 GDPR, the right to rectify your personal data¹;

¹ *exercising the right to rectification must not result in a change to the result of the proceedings for the award of the public contract, nor in an amendment to the provisions of the contract, to the extent that violates the Public Procurement Act, and must not violate the integrity of the protocols and appendices thereto.*

- pursuant to Art. 18 GDPR, the right to obtain from the controller restriction of processing, under reserve of situations referred to under Art. 18(2) GDPR²;
- the right to lodge a complaint with the President of the Personal Data Protection Office, should you decide that the processing of your personal data violates the provisions of GDPR;
- you shall not have:
 - in relation to Art. 17(3)(b), (d) or (e) GDPR - the right to erasure of personal data;
 - the right to portability of personal data, as referred to under Art. 20 GDPR;
 - **pursuant to Art. 21 GDPR, the right to object to processing of personal data, as your personal data are processed based on Art. 6(1)(c) GDPR.**

EXHIBITS:

Exhibit 1	Template of the Application to Participate in the Contest.
Exhibit 2	European Single Procurement Document.
Exhibit 3	Material Contract Provisions applicable to the drawing up of design documentation being a detailed version of the Contest Submission, constituting the subject of a contract awarded in the direct agreement of contract procedure, including information about the planned cost of the works performed based on the Contest Submission and on the cost of performing the subject of the contract.
Exhibit 4	Templates of powers of attorney to represent the Participant/Participants
Exhibit 5	Identification card.
Exhibit 6	Confirmation of filing the Contest Submission.
Exhibit 7	Representation concerning costs.
Exhibit 8	Programming table.
Exhibit 8a	Land use specification.
Exhibit 8b	Environmental requirements.
Exhibit 9	Contest Materials.

The Exhibits to the Rules and Regulations referred to above may be used by the Contests Participant solely for purposes related to the present Contest.

² *the right to restriction of processing does not apply to storage for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.*