

SOUTĚŽNÍCH PODMÍNKY
VÝTVARNÉ
SOUTĚŽE O NÁVRH

pro potřeby zadavatelů veřejných zakázek
podle zákona č. 137/2006 Sb., o veřejných zakázkách

THE TOWN OF NEPOMUK

hereby declares

in accordance with Act No. 137/2006 Coll., on Public Contracts,
in accordance with the provisions of Act No. 183/2006 Coll., on Land-Use Planning and the
Building Rules (Building Act), as amended,
taking into account provisions §1772 and §1779 of Act No. 89/2012 in the Civil Code,
in accordance with the Competition Code of the Czech Chamber of Architects adopted on 24 April
1993, as amended

A DESIGN COMPETITION

ARTWORK ON THE THEME OF ST JOHN OF NEPOMUK
FOR THE ROUNDABOUT IN NEPOMUK

and publishes these competition terms and conditions

in Nepomuk on 31.5.2016

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1. COMPETITION PROMOTER

1.1. Promoter

Name: The Town of Nepomuk

Location: Nám. Aug. Němejce 63, 335 01 Nepomuk

Promoter's Representative: PhDr. Pavel Kroupa, Deputy Mayor

Tel/fax: 725 872 961/ 371 519 713

E-mail: pavel.kroupa@urad-nepomuk.cz

IČ: 00256986

DIČ: CZ00256986

1.2. Administrator

Name: The Town of Nepomuk

Location: Nám. Aug. Němejce 63, 335 01 Nepomuk

Tel/fax: 725 872 961/ 371 519 712

E-mail: posta@urad-nepomuk.cz

1.3. Competition Secretary

Náze: Mgr. Monika Bechná

Address: Nám. Aug. Němejce 63, 335 01 Nepomuk

Tel/fax: 602 120 796

E-mail: monika.bechna@urad-nepomuk.cz

2. COMPETITION FOCUS AND PURPOSE

2.1. Competition Focus

This competition focuses on the design of the new roundabout on main road I/20 in Nepomuk. The design is to utilise the theme of St John of Nepomuk. The contracting authority has neither specified precisely what form the design should take nor is its exact location, which is not limited to the roundabout. The final design must include the development of a central point which is to represent a gate into the city. Traffic will be slowed down significantly at this point. It should be noted that the original proposal was to develop the roundabout only. Other design solutions will be considered but must be explained in detail.

The proposed design must commemorate St John of Nepomuk, who was the most outstanding native citizen of Nepomuk, a popular Baroque saint, and perhaps even the most famous Czech person in the world.

According to legends, St John of Nepomuk was the first martyr of the Seal of the Confessional. Historical evidence shows he was a martyr for the freedom of the Church. He is a patron saint of priests, bridges, Bohemia and Bavaria, and is a protector from floods and drowning. In Catholic iconography, St John of Nepomuk is often depicted canonized and wearing a biret. His halo is usually decorated with five stars. In his hand, he usually holds a cross and a palm tree branch, sometimes also a book. The palm tree is a symbol of martyrdom, while the stars represent the legend according to which fishermen found the body of St John of Nepomuk on the surface of Vltava River. Non-disclosure of confessional secrets is symbolised by a finger held up to the mouth. The stars around the head of St John of Nepomuk are a special attribute, and are uncommon among saints, as the only other saint to have stars around her head is the Virgin Mary. Another special attribute is St John of Nepomuk's tongue, said to be incorruptible, which is said to have been discovered intact inside the saint's skull in the 18th century.

Statues of St John of Nepomuk are typical of the Czech Baroque period and adorn bridges, town squares and other public places. They can also be found in other Central European

countries (St John of Nepomuk was the patron saint of the Habsburgs), Southern and Western Europe, and overseas (South America, the Phillipines, etc.).

The design proposal should take these factors into account in order to remind all those passing through Nepomuk that it is the birthplace of the legend of St John of Nepomuk. The artistic quality and architectonic design of the building should subtly invite the viewer to visit the saint's birthplace, Nepomuk.

Given that it is necessary to respect existing transport and construction parameters, the proposal should incorporate not only the personal creativity of the artist but also the architectonic design of the roundabout itself. The work of art is to be interpreted freely, not just as a figural sculpture but as an artefact reflecting the phenomenon of St John of Nepomuk and should take into consideration his attributes and symbolism. The design proposal must respect the financial constraints of the Promoter (see 9.1 Evaluation Criteria) and should include a description of maintenance and operation if the proposal is implemented. Unveiling of the sculpture is expected to occur during the Nepomuk Fair in May 2017.

2.2. Competition Purpose

The purpose of this competition is to identify and evaluate the most suitable design solution for the roundabout in Nepomuk while fulfilling the requirements stated in these terms and conditions, and to award a contract for the realization of the project and its implementation under negotiated procedures pursuant to §23 (4a) Act No. 137/2006 Coll., on Public Contracts.

3. TYPE OF COMPETITION AND MANNER OF ANNOUNCEMENT

3.1. Type of Competition

- 3.1.1 With regards to design intent, this is a project competition.
- 3.1.2 With regards to design subject, this is an architectonic-art competition.
- 3.1.3 This is an open public competition.
- 3.1.4 This is a single-round competition.

The competition is anonymous.

3.2. Announcement of Competition

The competition will be announced in the Journal of Public Contracts (<http://www.isvzus.cz>), on the website of the Czech Chamber of Architects (<http://www.cka.cc>) and on the website of the Town of Nepomuk (<http://www.nepomuk.cz>).

3.3. Announcement of Results and Winning Design

- 3.3.1. The Promoter will announce in writing the selection of the winning design and this announcement will be sent via registered post to all contestants;
- 3.3.2. The results of the competition will be announced by the Promoter in the same way as in para. 3.2.

3.4. Competition Language

The competition will be announced in Czech and English, and will proceed in these two languages. Therefore, all parts of the competition proposal must be drawn up in Czech and/or English.

4. CONTESTANTS

4.1. Terms of Participation and Skill Requirements

The competition is open to natural persons and juridical persons that meet the following conditions:

- a) did not participate in competition preparation or announcement;
- b) are not regular or temporary members of the jury, and are not jury secretaries, competition design examiners or invited guests who know the jury;
- c) are not spouses, relatives, permanent project partners, immediate superiors or colleagues of contestants or announcers, and are not regular or temporary members of the jury, and are not jury secretaries, competition design examiners or invited guests who know the jury, if jury members are stated in the competition terms and conditions; this requirement applies to members of local representative and administrative bodies;
- d) meet the basic qualification criteria pursuant to §53 Act No. 137/2006 Coll., on Public Contracts (liquidation, bankruptcy, tax arrears, conviction for a criminal offence or disciplinary measures);
- e) have permission (authorisation) to design; or agree to cooperate with an authorised person should their design proposal be successful.

4.2. Terms and Conditions of Licence Requirements

- 1. Contestants comply with terms and conditions set out in para. 4.1 by way of a solemn declaration placed into an envelope labelled "Author" (see para. 6.5).
- 2. If proposals are submitted individually by members in an association, each individual must meet the terms and conditions set out in para. 4.1 (a) to (e).

5. COMPETITION REQUIREMENTS

5.1. Competition Materials

5.1.1. Competition materials in digital format (PDF) can be downloaded free of charge from www.nepomuk.cz or can be provided on CD.

5.1.2. List of provided materials:

- P.01 Cadastral map
- P.02 Situational map
- P.03 Project documentation (roundabout plan)
- P.03b Project documentation (roundabout cross section)
- P.04 Orthophoto
- P.05 Photo-documentation
- P.06 St John of Nepomuk - legend and history

5.2. Competition Terms and Materials

Competition terms and materials are available on www.nepomuk.cz

5.3 Guided Tour

As Promoter, the Town of Nepomuk will conduct two guided tours of the roundabout location for competition contestants in June. Tour dates will be posted on the website www.nepomuk.cz

6. MANDATORY DESIGN COMPONENTS AND THEIR CONTENT, CHANGES TO GRAPHICS AND OTHER COMPONENTS

6.1 Graphics Component

6.1.1 The graphic component of the competition will be submitted on a single sheet with dimensions 68 x 98 cm and will include:

- a) a sketch or visualisation;
- b) a draft showing the design solution applied to the roundabout, preferred scale 1:500 (can be drafted at a different scale);
- b) an axonometric projection of the whole design or the main parts of the design at an appropriate scale;
- c) a sketch of the design solution into the two photographs provided (F1.jpg and F2.jpg), and an additional sketch into one of these photos of the complete architectonic and artistic design solution;
- d) perspective and ground plan drawings at preferred scale 1:20 (can be drafted at different scales). The scale must be marked on each drawing.

6.2 Model

A model of the proposed design solution at the preferred scale of 1:20 (can be done at a different scale). This model is an optional part of the submission.

6.3 Rationale

6.3.1 This written rationale will contain a summary of the main parts of the proposed design solution with focus on the following:

- a) the reason behind the placement of the design and/or its components, e.g. sculptures;
- b) the reason behind the chosen architectonic-artistic design solution;
- c) the reason behind the chosen materials, technology and construction;
- d) a comprehensive list of costs associated with the installation and/or running of the proposed design solution.

6. 2. 2 This written rationale will be submitted on two printed A4 pages and must not exceed a total length of 3600 characters. The rationale will be labelled as per para. 7.1.

6. 3 Digital Component

6. 3. 1 Each contestant will submit 1 × CD/DVD containing:

- a) Graphics in PDF format (300 DPI resolution),
- b) Rationale in .doc/.docx format

6. 3. 2 The CD/DVD should be marked “CD/DVD” and placed into an envelope labelled “Author”.

6. 4 Envelope Labelled “Author”

6. 4. 1 The envelope should contain the following documents:

- a) Details about the contestant/s: who is the contestant/author of the design proposal, names, addresses, mutually agreed prices or remuneration, bank account number, telephone and fax numbers, e-mail addresses;
- b) A solemn declaration by the contestant/s (see para. 4.2);
- c) A contact person and postal address, or data box ID, for communicating with the Competition Secretary;
- d) The names of individuals co-operating on the design proposal provided they are not already listed as contestants;
- e) A signed declaration is to be attached if the contestant is a juridicial person or is not the author of the design proposal;
- f) A solemn declaration that the contestant, should his design proposal be successful, has the authority to enter into a contractual agreement to finalise the proposed design without prior publication of a contract notice;
- g) A CD/DVD labelled “CD/DVD”.

6. 5. 2 The envelope should be sealed, undamaged and completely opaque, and should be labelled in the manner specified in para. 7.1.

7. MANDATORY PROVISIONS

7.1. Labelling of the Design and its Components

7.1.1. All parts of the design proposal stipulated in para. 6 of the Competition Terms and Conditions (graphics, rationale, envelope labelled “Author”) will be marked in the bottom right hand corner with a 3x3 cm frame into which the Competition Secretary will write the design proposal ID number.

7.1.2. All parts of the design proposal stipulated in para. 6 of the Competition Terms and Conditions (graphics, rationale, envelope labelled “Author”) will be marked in the bottom left hand corner with a 3x3 cm frame into which the contestant will write the number of attachments in the rationale.

7.1.3. All parts of the design proposal stipulated in para. 6 of the Competition Terms and Conditions (graphics, rationale, envelope labelled “Author”) will be marked at the bottom middle with the words “Design competition - artwork on the theme of St John of Nepomuk for the roundabout in Nepomuk”.

7.2. Terms of Anonymity

Design proposals will be presented anonymously. Thus, no part of the design proposal may contain a signature, password or any other graphic mark (except as stated in these Competition Terms and Conditions) which could lead to a breach of anonymity. Design proposals are to be posted with sender’s address: Kancelář ČKA - Praha, Josefská 34/6, Praha 1 - 118 00. If posting a design proposal from abroad, please use the address of the Chamber or Association of Architects or Artists in your country.

7.3. Envelope

All parts of the design proposal (graphics, rationale, envelope labelled "Author") will be placed in cardboard folders and into sealed and undamaged envelopes labelled "Design competition - artwork on the theme of St John of Nepomuk for the roundabout in Nepomuk". Models of design proposals will also be enclosed within a firm and undamaged package with the same label.

8. METHODS OF SUBMISSION

8.1. Approved Methods of Submission

8.1.1. Competition proposals may be submitted from 10 to 14 October 2016 between 7 am and 3 pm, and on 17 October 2016 between 7 am and 6 pm, at the mail-desk (podatelna) at the Municipal Office in Nepomuk (see para. 1.3). If the design is sent via post or courier service, the sender must ensure the parcel is delivered to the above address within the specified submission period.

9. EVALUATION CRITERIA

9.1. Evaluation Criteria

Design proposals will be evaluated according to the following criteria:

- quality of the design proposal with regards to location
- complexity of the architectonic-art quality of the proposal
- profitability and economic (financial) viability of the design solution (see para. 9.2)

9.2. Economic Criteria

The cost of the design proposal is not predetermined but is the responsibility of the author. By submitting the design proposal, the author declares that the proposal can be implemented at the usual price of construction work. Contestants are expected to seek design solutions which will involve investments and expenses proportionate to the importance of the work itself. Economic criteria is one of three criteria to be evaluated by the jury, and is always assessed in relation to the other criteria.

9.3. Disqualification

9.3.1. The Promoter will disqualify any submissions received after 6 PM on 17 October, 2016.

9.3.2. The jury will disqualify all design proposals which:

- a) Clearly breach terms of anonymity;
- b) Do not comply with Competition Terms and Conditions, except those proposals which have only partial formal deviations that do not reduce clarity or give the proposal an unfair advantage.

9.3.3. The jury will exclude from evaluation components of the design proposal which were not required according to the Competition Terms and Conditions.

10. THE JURY AND EXPERT WITNESSES

10.1. Jury Members

10.1.1. Full members of the jury (dependent):

Ing. Jiri Svec – Nepomuk Mayor,
P. Ing. Mgr. Vitezslac Holy – Susice-Nepomuk Vicar
PhDr. Pavel Kroupa – Nepomuk Deputy Mayor

10.1.2. Full members of the jury (independent)

MgA. Petr Janda – Architect, Artist
Ing. arch. Mgr. Norbert Schmidt – Architect, Curator

MgA. Tomas Vanek – Artist
MgA. Zuzana Motlova – Modern Art Theorist

10.1.3. Substitute members of the jury (dependent)
Mgr. Markéeta Duchoslavova – Nepomuk Town Council Representative
Bc. Sarka Bousova – KIC Nepomuk employee

10.1.4. Substitute members of the jury (independent)
MgA. Pavel Karous – Artist, Modern Art Theorist
Ing. arch. Petr Leseck - Architect

11. COMPETITION PRIZES AND AWARDS

11.1. Prizes and Awards

1st prize is 50,000.- Kc
(fifty thousand Czech Crowns);
2nd prize is 25,000.- Kc
(twenty-five thousand Czech Crowns);
3rd prize is 15,000.- Kc
(fifteen thousand Czech Crowns).

11.2. Terms and cConditions for Changing the Allocation of Prizes and Awards, and Not Granting Certain Prizes and Awards

Pursuant to §10 para. 8 and §12 para. 2 of the Competition Terms and Conditions of the Czech Chamber of Architects, the jury may change the allocation of prizes or may decide not to grant certain prizes, or to grant them partially, not in full. The jury's decision must be detailed in the report on competition proceedings.

11.3. Taxation of Competition Winnings

- 11.3.1. Competition winnings exceeding 10,000.- Kc awarded to natural persons will be taxed according to §36 para. 2 (l) Act No. 586/1992 Coll., on income tax, as amended, resulting in a net income tax of 15% which will be deducted by the tax administrator pursuant to Act. No. 280/2009 Coll., of the Tax Code, as amended.
- 11.3.2. Competition winnings awarded to juridicial persons will be paid out in full pursuant to Act No. 586/1992 Coll., on income tax, as amended, to be taxed by the juridicial persons themselves via annual tax returns.

12. COMPETITION DUE DATES

12.1. Constituent Jury Meeting: 5.5.2016

12.2. Competition Announcement Date: 31.5.2016

12.3. Questions

Deadline for the submission of questions from contestants: 11.10.2016
Deadline for answering questions submitted by contestants: 15.10.2016
Recommended deadline for the submission of questions from contestants: until 31.8.2016
These questions and answers will be published in anonymous question and answer format, thereby protecting the identity of the inquirer, on the Promoter's website together with the Competition Regulations and other documents related to the competition.

12.4. Deadline for the Submission of Design Proposals

The deadline for the submission of design proposals in person, by courier or post (see para. 8) is 6 PM on 17 October, 2016.

12.5. Design Proposal Evaluation Date

The jury will meet and evaluate the design proposals. A provisional date for the meeting has been set for 1 November, 2016.

12.6. Deadline for the Selection of a Winning Design

The Promoter will announce in writing the selection of the winning design, and this announcement will be sent via registered post to all contestants no later than 5 working days after the evaluation date. If the envelope labelled "Author" contains a data box ID, the announcement will be sent to the contestant's data box and not via post.

12.7. Date of the Publication of Competition Results and the Deadline for Making Proposals Available to the Public

A provisional date for the publication of competition results and the deadline for making design proposals available to the public has been set for 11 November, 2016.

12.8. Deadline for the Payment of Prizes and Reimbursement of Costs Associated with Participation in the Competition

Prize payments and other payments will be processed and paid within 50 days of the evaluation date.

12.9. Public Exhibition Date

The date of the public exhibition of design proposals will be within 3 months of the evaluation date.

13. CONFLICT RESOLUTION

13.1. Objections

13.1.1. Each contestant may, within 15 days of receipt of the notification of competition results, submit justified objections against the formal procedures of the jury or capacity of the Promoter.

13.1.2. Objections are submitted by the contestant (hereafter referred to as the "complainant") in writing and must specify the identity of the contestant, the exact procedure of the jury or Promoter to which the contestant objects, the exact nature of the breach of Competition Terms and Conditions, and expected resolution of the complaint.

13.1.3. The Promoter will examine each submitted objection in full and will respond to the complainant in writing within 10 days. The Promoter will provide the complainant with a reasoned response in writing as to whether or not the complainant's objection was legitimate. Should the objection be legitimate, the written response to the complainant will address resolution, and all contestants will be informed.

13.2. Proposal to Review the Actions of the Promoter

13.2.1. The proposal to review the actions of the Promoter must be submitted to the Office for the Protection of Competition and to the Promoter within 10 days of receiving the Promoter's response to objection, or within 25 days of sending an objection if the Promoter did not provide a response.

13.2.2. The proposal for the review of the Promoter's actions and the subsequent actions of the complainant will proceed pursuant to §113 and Act No. 137/2006 Coll.

14. ACCEPTANCE OF COMPETITION TERMS AND CONDITIONS

14.1. Acceptance of the Competition Terms and Conditions by the Promoter, Competition Secretary, Examiner, Jury and Experts

By participating in the competition, the Promoter, Competition Secretary, Examiner, Jury and experts all agree they have read and understood the Competition Terms and Conditions, and will respect and comply with these terms and conditions.

14.2. Acceptance of the Competition Terms and Conditions by Contestants

By submitting a design proposal, the contestant agrees to all competition terms and conditions, and agrees with the decisions of the jury made in accordance with these terms and conditions.

15. COPYRIGHT AND PUBLICATION OF DESIGN PROPOSALS

15.1. Copyright

Authors of design proposals hold the copyright to them, and may publish and reuse their designs freely.

15.2. Permission to Use Copyrighted Material for the Purposes of the Competition

Prize-winning design proposals become the property of the Promoter. Authors of these works grant the Promoter permission to use their copyrighted materials for the purposes of this competition. The use of copyrighted materials for purposes other than those stipulated in the terms and conditions is prohibited without the prior consent of the authors. Design proposals which did not win any prizes or awards will be returned upon request to their authors after the final exhibition.

15.3. Contesters Agree to the Exhibition of their Design Proposals

By submitting a design proposal, contesters agree to free copying of their materials, and the exhibition of their proposals for the promotion of the competition and its results.

15.4. Competition Report

15.4.1. A competition report will be obtained by the Competition Secretary or another authorised person during each meeting of the jury, and this report will be signed by all jury members and confirmed by the meeting reporter.

15.4.2. A competition report contains the minutes from jury meetings, voting counts, decisions to exclude design proposals from the competition, a list of all design proposals evaluated thus far, the evaluation of all design proposals, decisions as to the best design proposals and establishing their order, decisions about prizes and awards including evidence to support choices, and an attendance sheet from each meeting. Each report is signed by all regular members of the jury and is forwarded to the Promoter.

15.4.3. A competition report may contain conflicting opinions from members of the jury if requested by these jury members.

15.4.4. A copy of the competition report together with the decision as to the winning design proposal will be sent by the Promoter to all contestants via registered post, and to the Czech Chamber of Architects.

16. COMPETITION LEGISLATION AND APPROVAL OF COMPETITION TERMS AND CONDITIONS

16.1. Competition Legislation

This architectonic competition was announced in accordance with Act No. 137/2006 Coll., on Public Contracts, in accordance with the provisions of Act No. 183/2006 Coll., on Land-Use Planning and the Building Rules (Building Act), as amended, taking into account provisions §1772 and 1779 of Act No. 89/2012 in the Civil Code, in accordance with the Competition Code of the Czech Chamber of Architects adopted on 24 April 1993, as amended.

16.2. Approval of the Competition Terms and Conditions by Jury Members and the Czech Chamber of Architects

Prior to the announcement of the competition, the Competition Terms and Conditions were approved by all jury members during their inaugural meeting, and by the Czech Chamber of Architects. Contact the Promoter to view these approvals in writing.

17. APPROVAL OF COMPETITION TERMS AND CONDITIONS

These Competition Terms and Conditions were discussed and approved by the jury at their inaugural meeting on 5.5.2016 [day, month, year].

These Competition Terms and Conditions were approved by the Promoter on 18.5.2016 [day, month, year].

These Competition Terms and Conditions were found to be fair and were approved by the Czech Chamber of Architects on 25.5.2016 [day, month, year] with ref. no. 840-2016/Šp/Ze.

ATTACHMENT

Statement pertaining to the legal relationship between the contestant (PO) and the author / Statement of authorship

In accordance with §5 Act No. 121/2000 Coll. (Copyright Act), the contestant states that the author of this design proposal is

.....

The legal relationship between the contestant and the author is (please tick):

a/ statutory authority as per §85, §101, §133 and §191 Act No. 513/1991 Coll. (Commercial Code)

b/ employment relationship as per Act No. 262/2006 Coll. (Labour Code)

c/ other contractual relationship (please specify)

.....

.....

SIGNATURE