

EXPLANATION OF THE COMPETITION TERMS AND CONDITIONS NO. 9

On 4 February 2019, Správa železniční dopravní cesty, státní organizace, with its registered office at Dlážděná 1003/7, Prague 1, Postcode 110 00, ID No.: 709 94 234 (the “**Contracting Authority**”) commenced a procurement procedure on the architectural design competition called “**Architectural Design of the Veleslavín railway station**” published in the Tenders Electronic Daily under registration no. Z2019-004321 (the “**Design Competition**”). The Design Competition has been announced as an open design competition pursuant to Section 145 of Act No. 134/2016 Sb., on Public Procurement, as amended (the “**PPA**”).

The Contracting Authority is hereby providing an explanation of the Competition Terms and Conditions pursuant to Section 98(3) of the PPA including the exact wording of the request without identification details of the prospective participants who has requested the explanation, and also provides an explanation on its own initiative, pursuant to Section 98(1) of the PPA.

On 7 March 2019 and on 8 March 2019, the Contracting Authority received written requests for explanation of the Competition Terms and Conditions pursuant to Section 98(2) of the PPA from two different prospective participants. The Contracting Authority provides the explanation of the Competition Terms and Conditions in both Czech and English languages.

	Request of the enquirer where the explanation was provided based on a request for explanation	Explanation of the Contracting Authority
1.	<p><i>Part 4 of the Competition Terms and Conditions (PARTICIPANTS), in clause 4.1.c, stipulates the obligation to meet the professional qualification under Section 77(1) PPA. Under clause 4.4, this obligation is to be complied with by submitting a copy of the entry in the Commercial Register or an affidavit. However, we are unable to find what the professional qualification should be specifically. Section 77 PPA only refers to the Commercial Register. What exactly should be in the Commercial Register? Is it necessary to have construction design activities entered in the Commercial Register? Is it necessary to have a licensed architect on the team? Or just a designer? Or is a special type of authorisation required? Is any practical experience required, evidenced by specific projects, as is the case with other tenders? Please precisely specify this professional qualification is possible. Thank you for your explanation</i></p>	<p>In accordance with clause 4.1(c) of the Competition Terms and Conditions, each participant proves that it meets professional qualification by <u>submitting a copy of the entry in the Commercial Register</u> or by <u>submitting an affidavit</u> in the form attached as Annex 8 to the Competition Terms and Conditions.</p> <p>The Contracting Authority clarifies that the contractor, in order to prove professional qualification within the meaning of Section 77(1) PPA, does indeed submit merely an extract from the Commercial Register (or an affidavit to the effect that the contractor is, or is not, registered in such a register). Hence, the Contracting Authority has not stipulated the requirement to prove professional qualification under Section 77(2)(a) PPA, in which case the Contracting Authority would be obliged to indicate which particular business licence is required to meet the professional qualification in the Design Competition.</p>
2.	<p><i>We assume that registration is not required and that designs per specifications can be submitted by the set deadline.</i></p>	<p>The Contracting Authority states in this respect that prospective participants will submit their competition entries in the manner and within the time periods or deadlines set out in the Competition Terms and Conditions as potentially modified</p>

		<p>by explanations of the Competition Terms and Conditions – in the 1st stage of the Design Competition, such deadline is currently set at 12 April 2019.</p> <p>For the purposes of submission of competition entries via the EZAK electronic tool, it is necessary for the prospective participant to register in this profile in the manner described in Annex 12 to the Competition Terms and Conditions “Instructions for submission of competition entries”</p>
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For the avoidance of any doubt, the Contracting Authority asserts that the provision of the above explanation does not imply a change in the Competition Terms and Conditions within the meaning of Section 98(5) of the PPA and that the deadline for submission of competition entries remains unaffected.

Prague, 11 March 2019