

## EXPLANATION OF THE COMPETITION TERMS AND CONDITIONS NO. 9

Správa železnic, státní organizace, with its registered office at Dlážděná 1003/7, Prague 1, Postcode 110 00, Czech Republic, ID No.: 709 94 234 (the "**Contracting Authority**"), commenced a procurement procedure regarding the design competition entitled "**Správa železnic Headquarters**", published in the Tenders Electronic Journal under registration no. Z2020-034118 (the "**Competition**"). The 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 has received a written request for explanation of the Competition Terms and Conditions pursuant to Section 144(2) of the PPA from a prospective participant interested in participating in the Competition. The Contracting Authority hereby provides an explanation of the Competition Terms and Conditions in both Czech and English languages including the exact wording of the request for explanation of the Competition Terms and Conditions, without identification details of the prospective participant who has requested the explanation.

	<b><i>Request of the participant where the explanation was provided based on a request for explanation</i></b>	<b><i>Explanation of the Contracting Authority</i></b>
<b>1.</b>	<p><i>Original request:</i> In the explanation of the terms and conditions, it is stated by the contracting authority that the competition is international. Does the notion "international" qualify all countries including nations in the MENA region (specifically the XXX) ?</p>	<p>The Contracting Authority has not restricted the participation in the Competition by providing any territorial limits. Any prospective participant may participate in the Competition that proves to fulfil conditions for entry under section 4 of the Competition Terms and Conditions and submits a competition entry within the stipulated time-limit.</p>
<b>2.</b>	<p><i>Original request:</i> In form P.15.1 it is stated that "the architect is or where the architect's registered office is situated, i.e. CCA certification with general applicability under numeric code A.0 or certification for architecture under numeric code A.1 is required or its foreign equivalent (with the exception of cases in which such a certificate is not issued under the law of the state where the architect's registered office is situated);</p> <p>In order to apply for pre-registration we must submit the application signed with an electronic signature based on a qualified certificate.</p> <p>Can the "qualified certificate" be a document from the Order of Engineers and Architects in the XXX stating that</p>	<p>The Contracting Authority is of the opinion that in this case the participant mixes up two separate conditions – a condition for the registration and a condition requiring an authorisation of the person that will act in the position of the "Architect".</p> <p>The Contracting Authority advises that for the purposes of submitting a competition entry in electronic form the participant must be registered in the Contracting Authority's profile. To facilitate the registration for participants the Contracting Authority provided the option of so-called pre-registration procedure.</p> <p>The Contracting Authority recommends the participant to read Explanation of Competition Terms and Conditions no. 1 (similarly also Explanation of</p>

	<p>we are an professional &amp; official architectural practice?</p> <p>If not, how can we apply for this certificate and what documents are required from us to be presented for this certification ?</p>	<p>Competition Terms and Conditions no. 3) – available at: <a href="https://zakazky.spravazeleznic.cz/contract_display_8301.html">https://zakazky.spravazeleznic.cz/contract_display_8301.html</a> under the item designated in Czech “Vysvětlení/doplnění/ změny Zadávací dokumentace” [Explanations/Additions/Changes to the Tender Documentation]. The Contracting Authority offered there also the possibility of pre-registration which may make registration in Contracting Authority’s Profile easier for the participant.</p> <p>If the participant uses the so called pre-registration option, the participant must send the appropriate form (see Explanation of Competition Terms and Conditions no. 1 and similarly also Explanation of Competition Terms and Conditions no. 3) to the following e-mail address: <a href="mailto:zakazky@spravazeleznic.cz">zakazky@spravazeleznic.cz</a></p> <p>The above request must <b>must be signed by the applicant using its advanced electronic signature based on a qualified certificate</b>; otherwise the Request cannot be granted.</p> <p>An electronic signature based on a qualified certificate is an electronic signature that is compliant with EU Regulation No 910/2014 (eIDAS Regulation) for electronic transactions. The possibilities of obtaining a recognised electronic signature are specified in annex <b>P19 of the Competition Terms and Conditions</b>. Including the possibility of obtaining an electronic signature based on a qualified certificate issued by a foreign certification authority.</p>
<p><b>3.</b></p>	<p><i>Original request:</i> Concerning the “Building Structure Designer”, should this person be a practicing Czech national or could he/she be of foreign nationality ?</p>	<p>In response to the prospective participant’s question, the Contracting Authority states that it did not include in the Competition Terms and Conditions a requirement for the “Building Structure Designer” to be a practising Czech national.</p> <p>At the same time, however, the Contracting Authority points out that</p>

		<p>under clause 4.3.1(d) of the Competition Terms and Conditions, the Selected Contractor must submit, prior to conclusion of the Contract, an original or authenticated copy of its trade licence or extract from the Trade Licensing Register for the trade "Design Work in Construction" ("Projektová činnost ve výstavbě").</p> <p>If the Contracting Authority negotiates on the conclusion of the Contract with a participant who does not hold a trade licence for the trade "Design Work in Construction" due to exemptions set out in clause 4.1.1(d) of the Competition Terms and Conditions such a participant is obligated to prove in the Procurement Procedure that they are a person authorised to carry out selected activities in construction pursuant to Section 7(1)(b) and Section 30a of the Act on Construction Professionals or to prove that on the basis of a contractual relationship between a participant and a third party such a person has an implementation team for the purposes of performance of the Ensuing Contract whose member is a person holding an authorisation to carry out selected activities in construction in the Czech Republic.</p>
<b>4.</b>	<p><i>Original request:</i> Is it possible to create an access ramp to the garage for the two buildings, or should they have separate ramps?</p>	<p>It is possible to design one ramp for all structures or several individual ramps while taking into consideration the overall capacity and location of the entrance. The design must reflect the access capacity of the area in particular in rush hours.</p>
<b>5.</b>	<p><i>Original request:</i> The facilities rooms can be shared for the two buildings or each building must have its facilities area.</p>	<p>The location and number of facility rooms depend on the overall architectural and technical solution of the competition entry.</p>
<b>6.</b>	<p><i>Original request:</i> The 50 parking retail spaces must have direct access to the station?</p>	<p>We recommend a location in the vicinity of the Terminal directly connected to underground level 1.</p>
<b>7.</b>	<p><i>Original request:</i> What is the dimension of the trucks that will access the garage to load and unload material?</p>	<p>The recommended construction height of 1 underground level is 3.74m under the annexes P06_Cross Sections South 1, P06_Cross Sections South 2, P06_Cross Sections South 3. The height is stipulated with regard to the connection to the adjacent structures. For the purposes of the competition</p>

		entry, we recommend a solution accommodating a 2.7m-high vehicle going across the floor plan of underground level 1. The height in other underground levels must be at least 2.3 metres.
<b>8.</b>	<i>Original request:</i> We would like to know how to download the brief for the competition.	The Contracting Authority states in response to the prospective participant's request that the Competition Terms and Conditions, including the Competition brief are available here: <a href="https://zakazky.spravazeleznice.cz/contract_display_8301.html">https://zakazky.spravazeleznice.cz/contract_display_8301.html</a> .

*[Contracting Authority's note: the yellow marked places were anonymized so it is not possible to identify the place of operation of the participant]*

**For the avoidance of any doubts, the Contracting Authority states that the provision of explanations above does not constitute a change in the Competition Terms and Conditions within the meaning of Sections 98(5) and 99 of the Public Procurement Act.**

**The Contracting Authority reminds that the current time limit for submitting competition entries has been set until 12 February 2021, 5:00 p.m. CET (Central European Time).**

**Prague, 10 November 2020**