

# Brno New Main Train Station

Competition Conditions

International Urban Transport Architectural Two-Phase  
Restricted Project Competition

## **Správa železnic (Railway Administration) and Statutární město Brno (Statutory City of Brno)**

declare, in accordance with Act No 134/2016, on public procurement, as amended (hereinafter the "**Act**"), in accordance with the Code of Competition of the Czech Chamber of Architects of 24 April 1993, as amended (hereinafter the "**Code of Competition**"), in accordance with Act No 183/2006, on spatial planning and building regulations (Building Act), as amended, in accordance with Act No 360/1992, on professional practice of authorised architects and on the professional practice of authorised engineers and technicians active in construction, as amended (hereinafter the **Act on the Practice of Profession**), taking into account Sections 1772 to 1779 of Act No 89/2012, the Civil Code, as amended.

international urban-transport architectural two-phase restricted project competition for the

# **Brno New Main Train Station**

(hereinafter the "**Competition**")

and they issue the following

## **Competition conditions**

(hereinafter the "**Competition Conditions**")

Organiser of the Competition and the processor of the Competition Conditions:



**Kancelář architekta města Brna, p. o.**

Zelný trh 331/13,  
602 00 Brno

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# 1 Contracting authority, jury, invited experts and auxiliary bodies of the jury

## 1.1 Contracting Authority:

1.1.1 On 15 July 2020, Contract on the joint procurement of the Competition (hereinafter the "**Contract**") was concluded. The Contract regulates the mutual rights and obligations of the co-contracting authorities of this Competition in the joint procurement of the Competition, the procedure of co-contracting authorities in the award of public contracts following the Competition, the definition of the joint procedure for their award and determination of responsibilities arising from their joint procedure and joint conduct with third persons.

1.1.2 **The contracting authorities of the Competition within the meaning of Section 7 of the Act are the following:**

**Správa železnic, státní organizace** (hereinafter the "**Co-Contracting Authority 1**")

based in Dlážděná 1003/7, 110 00 Praha 1

Company ID No: 709 94 234

Tax ID No: CZ 70994234

represented by Ing. Mojmír Nejezchleb, Deputy General Director of the Railway Administration for Railway Modernisation

and

**Statutární město Brno** (hereinafter the "**Co-Contracting Authority 2**")

based in Dominikánské nám. 196/1, 601 67 Brno

Company ID No: 449 92 785

Tax ID No: CZ44992785

represented by JUDr. Markéta Vaňková, Mayor of the City

("Co-Contracting Authority 1" and "Co-Contracting Authority 2" hereinafter collectively as the "**Contracting Authority**")

## 1.2 Organiser of the Competition and the processor of the Competition Conditions:

**Kancelář architekta města Brna, příspěvková organizace (Brno City's Architect Office, Contributory organisation)**

based in Zelný trh 331/13, 602 00 Brno

Company ID No: 051 28 820

Tax ID No: CZ05128820

represented by doc. Ing. arch. Michal Sedláček, director

Phone: +420 770 176 560

email: info@kambrno.cz

Databox ID: j9gzbpi

## 1.3 Jury

### 1.3.1 Regular dependent members



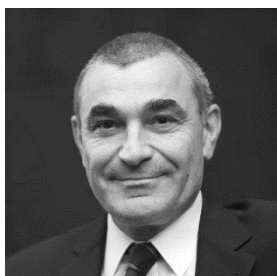
**Ing. Ladislav Kubiček**, representative of the State Fund for Transport Infrastructure (nomination of Co-Contracting Authority 1)

He graduated from the Faculty of Civil Engineering of the Brno University of Technology and the Technische Universität Wien, Fakultät für Bauingenieurwesen. He works at the State Fund for Transport Infrastructure as the head of the Project Documentation Supervision Department.



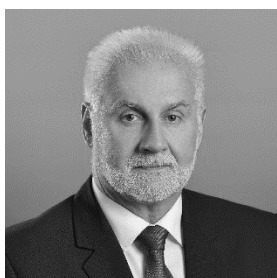
**Ing. Luděk Minář**, representative of the Ministry of Transport (nomination of Co-Contracting Authority 1)

He graduated from the Faculty of Transport Engineering of the University of Pardubice. He works at Department of Rail Transport of the Ministry of Transport, where he deals with issues concerning, in particular, the concept of rail transport and international cooperation on railways.



**Ing. Mojmír Nejezchleb**, Deputy General Director of the Railway Administration for Railway Modernisation (nomination of Co-Contracting Authority 1)

He graduated from the Faculty of Civil Engineering of the Brno University of Technology, his field of study was Construction and Traffic Engineering. He then worked in various operational professions within the construction infrastructure of Czechoslovak State Railways and Czech Railways. From 2000 to 2008, he worked at the General Directorate of Czech Railways as the Director of the Track Management Department. After the establishment of the Railway Infrastructure Administration, he became the Director of the Strategy Department. He has held his current position of Deputy General Director of the Railway Administration for Railway Modernisation since July 2013.



**JUDr. Bohumil Šimek**, President of the Southern Moravian Region (nomination of Co-Contracting Authority 2)

President of the Southern Moravian Region. He graduated from the Faculty of Law of Masaryk University. He worked as a salesman in the Zetor Brno company (1979), then as the Head of the Information System Department at the State Project Institute in Brno (1979 to 1990). In 1990, he joined the police as an investigator. From 1993 to 2008, he headed the District Police Directorate in Brno-venkov. In 2008-2012, he held the position of Head of the Secretariat of the President of the Southern Moravian Region and Security Director of the Southern Moravian Regional Authority. In 2013, he joined the Brno Municipal Police, first as Deputy Director for Property Affairs, from February 2014 to May 2015 he was

entrusted with the management of this institution. In May 2015, he won the selection procedure and was appointed director of the Brno Municipal Police. In the regional elections in 2016, he led the ANO political movement as a non-partisan candidate.



**JUDr. Markéta Vaňková**, Mayor of the Statutory City of Brno (nomination of Co-contractor 2)

Mayor of the Statutory City of Brno. She graduated from the Faculty of Law of Masaryk University in Brno and obtained the degree of JUDr. in Law with a specialisation in Civil Law. In 2003, she passed the bar exam. Since 2002, she has been the representative of the Brno-střed district for the political party ODS. In the period between 2006 and 2010, she worked as a representative of the City of Brno and a member of the council of the Brno-střed district. For the next four years, she worked as a vacant representative of the Brno-střed district for legislation and the environment. Since 2016, she has been a representative of the Southern Moravian Region.

In the event that during the Competition any person who has been nominated as a regular member of the dependent part of the jury ceases to hold his or her (public) office (and if the performance of this office was the reason for his or her nomination as a regular member of the dependent part of the jury), the co-contracting authority who nominated the person to the jury may (taking into account the stage of the Competition) decide on his or her replacement by a person who will newly hold the given (public) office. Otherwise, such a person will be replaced by the relevant substitute of the dependent member of the jury until the end of the Competition.

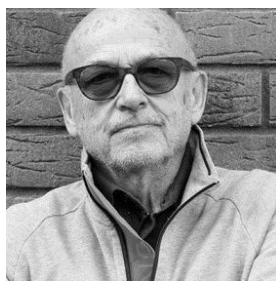


### 1.3.2 Regular independent members



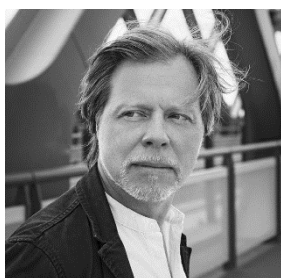
**Prof. Ing. arch. Eva Jiříčná**, architect, CBE, Great Britain

She graduated architecture at the Czech Technical University in Prague, then the Academy of Fine Arts in the Jaroslav Fragner studio. She started working at the Prague Institute of Housing and Clothing Culture in 1967. In 1968 she emigrated to Great Britain. She worked at the Louis de Soisson Studio and collaborated with Richard Rogers. She has an architectural studio in London and since 1999 she has another one in Prague together with Petr Vágner which is called AI Design. Since 1996 she has been a professor, head of the architectural studio at the Academy of Arts, Architecture and Design in Prague. She has been a member of the Royal Academy of Arts in London since 1997. In 2003, she was elected President of the Architectural Association in London. She works in international juries of architectural competitions and teaches people about her work all around the world.



**Dipl.-Ing. Peter Gero**, architect, Germany

An urban planner of Slovak origin who emigrated from Germany to Czechoslovakia in 1968. He graduated civil and traffic engineering at the Faculty of Civil Engineering. He worked for the Hamburg City Authority for thirty years. For twelve years, he was as director of planning and construction for Hamburg's central districts. He participated in the creation of the Hafencity district with a number of interesting buildings from world-renowned architects. He now works as a member of architectural councils and as a consultant for public urban planners.



**Igor Marko, MA ARCH ARB**, architect, Great Britain

Architect and urbanist based in London, where he runs the Marko&Placemakers studio of local and urban design. In 2019, the Museum of Architecture ranked him among the innovators in the field of urban infrastructure. He is behind many projects that transformed places around the world, including the award-winning Northala Fields Park in London. In Central Europe, he has been working for several years as a consultant and mediator between the city, the private sector and civic initiatives. He is tailoring the visions of important city development projects such as the transformation of the Vydrice area in the centre of Bratislava. In addition to international conferences, he also lectures at academic institutions such as the Stadslab European Urban Design Laboratory, the Architectural Association and the London School of Architecture.



**Ing. arch. Zdeňka Vydrová**, architect, Czech Republic

She graduated from the Faculty of Architecture at the Brno University of Technology. She worked at Stavoprojekt Brno in the studio of Viktor Rudiš. In 1991 she founded her own architectural office, since 1992 she has been working externally as a city architect for the town of Litomyšl, and in 2016 she started working in the same position for Tišnov. She is a member of the Obecní dům Brno association. Her work has been part of a number of architecture exhibitions at home and abroad. She taught part-time at the Brno University of Technology. She is a member of the Czech Chamber of Architects.



**prof. Ing. arch. Jan Jehlík**, architect, Czech Republic

Architect and urban planner, a graduate of the Faculty of Architecture and the Faculty of Civil Engineering of the Czech Technical University in Prague. In 1991 he founded his own project office, in 1991–96 he was the chief architect of Ústí nad Labem, and since 2007 he has been lecturing at the Faculty of Architecture of the Czech Technical University. He has participated in a number of competitions both as a judge and a competitor, and he is the author of a number of theoretical works on urban planning. He is a member of the Czech Chamber of Architects.



**doc. Ing. arch. Petr Hlaváček**, architect, Czech Republic

He graduated from the Faculty of Architecture of the Czech Technical University, where he has been working as an educator since 1990. In 1991, he co-founded with Hana Seho-Münz the architectural studio R.U.A. In 1993, he worked as a visiting professor at the University of Michigan College of Architecture. In 2010, he became Vice-Dean for the Development of the Faculty of Architecture of the Czech Technical University and founded the Headhand Architekti studio. In 2015, he was elected Director of the Institute of Planning and Development in Prague. In the autumn of 2016, he was removed from his office. Since 2018, he has held the position of First Deputy Mayor of the Capital City of Prague for the territorial development and spatial planning. He is a member of the Czech Chamber of Architects.

### 1.3.3 Dependent substitutes



**Ing. Luboš Knížek**, representative of the Ministry of Transport

He graduated from the Faculty of Transport Engineering of the University of Pardubice. He works at the Rail Transport Division as the head of the Department of Concepts and International Cooperation on Railways, which focuses on the development of railways in Berlin, Munich, Vienna, Warsaw, Bratislava, Budapest, and on meeting the requirements of technical specifications for interoperability and last but not least on promoting the division's interests at the Intergovernmental Organisation for International Carriage by Rail (OTIF).



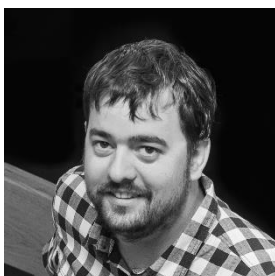
**Ing. Pavel Paidar**, Director of the Railway Administration Department – Railway Modernisation Department, Construction Preparation Department

After graduating from the Czech Technical University in Prague, he joined a private construction company, where he held various positions. Since 2006, he has worked at the Railway Administration, first at the Construction Administration – Pilsen and later at the Construction Administration – West, where he prepared investment projects. He now holds the position of Director of the Construction Preparation Department at the Railway Administration.



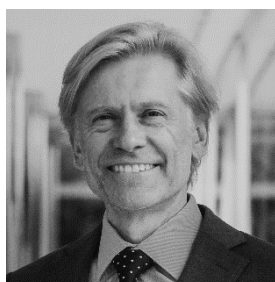
**RNDr. Filip Chvátal, Ph.D.**, member of the Brno City Council

Member of the Brno City Council for Spatial Planning and Development of the City of Brno. He studied geography and regional development, as well as German and Russian. He completed his doctoral studies in the field of transport geography. He has long been involved in the issues of transport, spatial planning and development within the city of Brno. He previously worked as a specialist at the Institute of Geography of Masaryk University and the manager of the Association of Municipalities of Šlapanicko, where he mainly coordinated the construction of cycle paths. Since 2014, he has been the representative of the Brno-střed district. In the past, he served as chairman of the commission for construction and territorial development of the Brno-střed district and he was a member of the commissions of spatial planning and transport of the Brno City Council.



**Ing. Martin Všetěčka, Ph.D.**, Office of the Architect of the City of Brno

A graduate of the Faculty of Civil Engineering, Brno University of Technology, where he now works at the Department of Roads and lectures on traffic engineering. At the Brno City's Architect Office, he is in charge of transport and thus responsible, for example, for the transport solution of the new land-use plan of the City of Brno. He is a member of the Czech Chamber of Chartered Engineers and Technicians.



**doc. Ing. arch. Michal Sedláček**, Office of the Architect of the City of Brno

He graduated from the Faculty of Architecture at Brno University of Technology and the School of Architecture at the Academy of Fine Arts in Prague. After finishing his studies, he went abroad, working in New York, Moscow and Los Angeles. He also worked in the studio of the famous architect Frank Gehry. In 2007, he founded a branch of the architectural firm Aedas in Los Angeles, which he led until the spring of 2016, when he won the selection procedure for the director of the Office of the Architect of the City of Brno. The International Selection Committee chose him from a total of 9 candidates.

## 1.3.4 Independent substitutes



**Ing. Vladimír Sitta**, landscape architect, Australia

He studied garden and landscape architecture at Mendel University in Brno, emigrated in 1979, first to the Federal Republic of Germany and then to Australia, where he founded two international studios, Terragram and Room 4.1.3 with Professor Richard Weller. Both companies are known for their innovative and idiosyncratic designs, which have been awarded a number of international prizes. For example, they were the finalists in competition for a monument to commemorate the September 2001 terrorist attack on the Pentagon, the 200th anniversary of the French Revolution and many more. Vladimír Sitta was twice awarded the Lenné Preis Prize in Berlin. The most famous projects include the National Museum Australia in Canberra and Fusionpolis in Singapore. Since the end of 2012, he has also been working at the Faculty of Architecture of the Czech Technical University, where he heads the Department of Landscape Architecture.



**doc. Ing. arch. Jakub Cígler**, architect, Czech Republic

He graduated from the Faculty of Architecture at the Czech Technical University in Prague. In 1989, he worked in the UK in the studios of Richard Horden Associates and in Future Systems, and he subsequently established his own studio in Prague. From 1999 to 2001, he was a partner of CMC Architects. In 2002, he co-founded Cigler Marani Architects, a.s. together with Vincent R. Marani, which has been known as Jakub Cigler Architekti a.s. since 2015. He worked at the Academy of Arts, Architecture and Design in Prague. He is a member of the Czech Chamber of Architects, Slovak Chamber of Architects, Architects Registration Board and Self Regulatory Organization.



**doc. Ing. arch. Irena Fialová**, architect, Czech Republic

Member of the Czech Chamber of Architects, co-founder of the magazine and publishing house Zlatý řez. She lectures on the theory and tendencies of architecture and urban planning at the Faculty of Architecture of the Czech Technical University in Prague, she was a member of the scientific committee of the XIX. UIA Congress in Barcelona, she was an expert of the European Prize for Contemporary Architecture – Mies van der Rohe Prize (1996-2011) and a member of its jury (2009). She researches current models of urbanisation, the relationship between transport and the quality of public space and she is the author or co-author of a number of publications.



**Ing. arch. Štěpán Valouch**, architect, Czech Republic

He graduated from the Faculty of Architecture at the Czech Technical University in Prague. From 2003 to 2006 he worked at the d u m architekti studio and in 2006 in the DNA architekti studio. In 2007, he co-founded the ov-a studio with Jiří Opočenský. He worked as an educator at the Faculty of Architecture of the Czech Technical University (2012-2013) and at the Academy of Arts, Architecture and Design in Prague (2019). He is a member of the Czech Chamber of Architects.

## 1.4 Invited experts

### Railway transport

**Ing. David Blahoš, MBA**, Head of the Building Management Department of the Railway Administration

**Ing. Pavel Šprdlík**, Regional Directorate of the Brno Railway Administration, Deputy Head for Infrastructure Operation

### Městská hromadná doprava (Public transport)

**Ing. Jan Seidl**, Operations Director, Brno Public Transport Authority

### Statics of load-bearing structures

**Ing. Miloslav Smutek, Ph.D.**, RECOC – concrete structures

**Ing. Ján Palkovič** – steel structures

### Construction economics

**doc. Ing. Jana Korytářová, Ph.D.**, Department of Economics and Management, Faculty of Civil Engineering at the Brno University of Technology

### Water management

**doc. David Stránský, Ph.D.**, Department of Health and Ecological Engineering, Czech Technical University in Prague

### Indoor environment of buildings

**prof. Ing. Milan Ostrý, CSc.**, Civil Engineering Institute, FCE BUT

During the Competition, the jury may ask the Contracting Authority to invite other experts.

## 1.5 Secretary of the Competition

### **Ing. Kristina Župková**

Kancelář architekta města Brna, příspěvková organizace (Brno City's Architect Office, Contributory organisation)

based in Zelný trh 331/13, 602 00 Brno

Phone: +420,777,485,468

email: zupkova.kristina@kambrno.cz

Databox ID: j9gzbpi

## 1.6 Examiners of competition proposals

### **Ing. arch. Tomáš Pavlíček**

Kancelář architekta města Brna, příspěvková organizace (Brno City's Architect Office, Contributory organisation)

based in Zelný trh 331/13, 602 00 Brno

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Databox ID: j9gzbpi

### **Ing. arch. Pavel Andršt**

Správa železnic, státní organizace, Generální ředitelství (Directorate General of Railway Administration, State organisation)

Head of the Construction Approval Department, Railway Modernisation Section, Construction Preparation Department (O6)

based in Dlážděná 1003/7, 110 00 Praha 1

Phone: +420 972 235 893

email: andrst@szdc.cz

Databox ID: uccchjm

## 2 The subject of the competition and the competition brief

### 2.1 The subject of the competition

The subject of the Competition is the design of the new Brno main train station, including roofing and platform design, interior layout design, location of the main passenger hall, facade of railway buildings, appearance of the railway body, design of bridge structures and related public spaces in the detail level of an urban-transport-architectural study.

Part of the design is also to find the optimal location and appearance of the bus station, public transport transfer terminal, parking lots, taxi service stations and bicycle storage. The proposal must take into account both their connection to the urban transport network and their interconnections, especially with regard to the quality of pedestrian movement and pedestrian access through the railway body and, last but not least, the links to the urban structure of the new district.

The design also includes a complete solution of the station forecourt and the area behind the station, including buildings according to the building programme.

Seeing as it is a place located on the Trans-European Transport Network (TEN-T), the construction will, with its significance and purpose, significantly exceed the city borders and it will also be an important transport terminal for all types of public transport. This important public building will become not only the new entrance gate to the city of Brno, but also the Centre of a new district south of the historic city centre.

The objective of the Competition is to find a comprehensive solution for a transport hub that will be comfortable for passengers, become part of the city's urban structure and image, and at the same time offer an attractive and public space in its vicinity.

### 2.2 Competition brief

2.2.1 The Contracting Authority requires **binding compliance** with the following:

- a) the technical solution of the trackage and its directional guidance defined by the Feasibility Study (P18 – Technical solution of the trackage), including the railway platforms;
- b) track level (top of rail), which is 206.75 metres in the Baltic system of altitudes after adjustment
- c) of the North-South Railway Diameter (SJKD) route as a reserve;
- d) solution of flood control in accordance with P20;
- e) items of the building programme marked as **binding** in the supporting document P21 – Building programme, which forms an annex to these Competition Conditions; this building programme must be complied with within the solved area, unless the supporting document P21 – Building programme indicates otherwise (this does not apply to items of the building programme, which are marked as recommended, see P21 – Building programme);
- f) requirement for the possibility of independent implementation of part of the competition proposal so that the train station and its necessary connection to transport and technical infrastructure may be implemented by investors independently without the condition of implementation of other parts of the competition proposal in accordance with Chapter 1.8 of the supporting document P01 – Brief, the method of demonstrating the fulfilment of the requirement must be demonstrably documented in the competition proposal;

g) location of the bus station within the solved area.

2.2.2 The contracting authority **recommends** compliance with the following:

- a) items of the building programme marked as "recommended" in the supporting document P21 – Building programme;
- b) requirements for the urbanist solution;
- c) requirements for the architectural solution;
- d) requirements for the layout solution;
- e) requirements for the blue-green infrastructure solution;
- f) requirements for the transport infrastructure solution;
- g) requirements for the technical infrastructure solution;
- h) requirements for the possibility of phasing the construction.

The requirements referred to in paragraph 2.2.2 are specified in the relevant chapters in the supporting documents P01 – Brief and P21 – Building programme.

2.2.3 **Aspects not mentioned**

The solution of the aspects of the subject of the Competition not mentioned above is left to the participants.

## 2.3 Consequences of non-compliance with the requirements for solving the subject of the Competition

2.3.1 If a participant in the Competition fails to comply in its competition proposal **with the requirements specified in paragraph 2.2.1 of the Competition Conditions, the jury will exclude its proposal from the assessment and the Contracting Authority will exclude it from participation in the Competition.** Proposals rejected due to non-compliance with the competition brief will not be evaluated in an ordinary manner nor outside the Competition.

2.3.2 **Requirements specified in paragraph 2.2.2 of the Competition Conditions, which are described in more detail in chapters 1.1 – 1.9 of the supporting documents P01 – Brief and P21 – Building programme, are marked as recommended** and non-compliance therewith is not a reason to exclude the proposal from the assessment and to exclude the participant from the Competition. However, the Contracting Authority points out that the requirements set out in paragraph 2.2.2 of the Competition Conditions are based on the needs of the Contracting Authority as well as on a detailed market analysis determining the area requirements of individual functions to use the site potential. The quality and complexity of the incorporation of these requirements into the competition proposal will be the subject of evaluation by the jury within the criteria specified in Article 7 of the Competition Conditions and the Contracting Authority thus recommends comply with them.



## 3 Type and purpose of the competition, specification of the subsequent public contract

### 3.1 Type of competition

According to the subject the solution, the Competition is announced as an **urban-transport-architectural** competition.

According to the range of participants, the Competition is announced as an **internationally restricted** competition.

According to the number of announced phases, the Competition is announced as a **two-phase** competition.

According to the intention of the solution, the Competition is announced as a **project** competition. Competition proposals will be assessed **anonymously**.

### 3.2 Purpose and mission of the Competition

3.2.1 In accordance with the Contract, the purpose and mission of the Competition is to find and evaluate the most suitable solution for the subject of the Competition, which will meet the requirements of the Contracting Authority contained in the Competition Conditions and the competition brief and to select participants with which the Contracting Authority may subsequently negotiate the award of subsequent public contracts pursuant to paragraph 3.3 of the Competition Conditions in a negotiated procedure without prior publication in accordance with Section 143(2) and Section 65 of the Act (hereinafter the "**NPWPP**").

### 3.3 Specification of the subsequent public contract

#### 3.3.1 Subsequent contract 1

Co-Contracting Authority 1 intends to award a public contract based on the results of the Competition, based on an individually launched NPWPP, the subject of which will be **exclusively the processing of phases FS1 and FS2 of project documentation (i.e. project preparation and completion of construction design) of all track components and objects related to the operation of the station** (hereinafter the "**Architectural Study**"), elaboration of interior documentation and documentation of fixed furniture on platforms (additional documentation), including the provision of cooperation in the performance of author's supervision and follow-up activities (hereinafter "**Subsequent Contract 1**"). A non-binding draft contract for the performance of the subject-matter of Subsequent Contract 1, which will be the basis for negotiations in the NPWPP with Co-Contracting Authority 1, forms Annex A23 to the Competition Conditions.

The estimated value of Subsequent Contract 1 is CZK 65,000,000 excl. VAT.

Co-Contracting Authority 1 points out that the estimated value of Subsequent Contract 1 also represents the maximum amount of funds that Co-Contracting Authority 1 currently has available for the implementation of Subsequent Contract 1 and thus it will probably will not be able to accept the participant's highest tender price for Subsequent Contract 1 in the NPWPP.

The tender price for the performance of Subsequent Contract 1 will be determined in accordance with the requirements of the Railway Administration Directive No 20 for the determination and breakdown of investment costs of constructions of the State organisation Railway Administration. By submitting a competition proposal, the participant in the Competition declares that if, based on the result of the Competition, it is invited to participate in the NPWPP and submit a price offer, his tender price for the performance of Subsequent Contract 1 will be determined in the manner specified in the previous sentence.

Pursuant to Section 144(3)(e) of the Act, for the construction execution of buildings, for which an architectural study will be prepared within the framework of Subsequent Contract 1, will be CZK 13,400,000,000 excl. VAT.

### 3.3.2 **Subsequent contract 2**

Co-Contracting Authority 2 intends to award a contract based on the results of the Competition, the subject-matter of which will be **exclusively the processing of phases FS1 and FS2 of project documentation (i.e. project preparation and construction design)** for the solution of areas and buildings that are not part of the infrastructure and are not related to the operation of the train station (i.e. public spaces, bus station, other buildings in the station forecourt and in the area behind the station), including author's supervision (hereinafter the "**Subsequent Contract 2**"). Non-binding draft contract for the performance of the subject-matter of Subsequent Contract 2 forms Annex A24 to the Competition Conditions.

The estimated value of Subsequent Contract 2, including the licence for the author's work, is CZK 31,000,000 (thirty-one million Czech Koruna) excluding VAT.

Co-Contracting Authority 2 points out that the estimated value of Subsequent Contract 2 also represents the maximum amount of funds that Co-Contracting Authority 2 currently has available for the implementation of Subsequent Contract 2. In the NPWPP for Subsequent Contract 2, the Contracting Authority will thus probably not be able to accept an offer of the NPWPP participant with a higher offer price.

The tender price for the performance of Subsequent Contract 2 will be structured in accordance with P09.

By submitting a competition proposal, the participant in the Competition declares that if, based on the result of the Competition, it is invited to participate in the NPWPP and submit a price offer, his tender price for the performance of Subsequent Contract 2 will be determined in the manner specified in the previous paragraph.

The expected amount of investment costs for the construction of buildings in accordance with Section 144(3)(e) of the Act, for which Subsequent Contract 2 will be prepared, amounts to CZK 3,160,000,000 (in words three billion one hundred and sixty million Czech Koruna) excluding VAT.

### 3.3.3 **NPWPP for the award of Subsequent Contract 1 and Subsequent Contract 2**

In the individual NPWPP, Co-Contracting Authority 1 and Co-Contracting Authority 2 will coordinate their actions in such a way that the contracts for the performance of Subsequent Contract 1 and Subsequent Contract 2 are concluded with the same selected contractor.

The Contracting Authority will invite to the meeting all participants whose proposal was selected in the Competition (i.e. awarded 1st, 2nd or 3rd place), whereby:

- a) Co-Contracting Authority 1 and Co-Contracting Authority 2 (both in separate negotiations) will first negotiate the award of Subsequent Contract 1 (applies to Co-Contracting Authority 1) and the award of Subsequent Contract 2 (applies to Co-Contracting Authority 2) with that participant in the Competition whose proposal placed the best, and if they agree with the participant on concluding a contract for the performance of Subsequent Contract 1 and Subsequent Contract 2 respectively, the negotiations in the NPWPP on the award of Subsequent Contract 1 and Subsequent Contract 2 shall end;

- b) in the event that a contract for the performance of Subsequent Contract 1 and/or a contract for the performance of Subsequent Contract 2 will not be concluded during the procedure referred to in point (a) above, the participant in the Competition whose proposal placed in the second highest place will be invited to negotiate a contract for the performance of Subsequent Contract 1 or a contract for the performance of Subsequent Contract 2 and, if following this negotiation, a contract for the performance of Subsequent Contract 1 and a contract for the performance of Subsequent Contract 2 will be concluded, negotiations in NPWPP on the award of Subsequent Contract 1 and Subsequent Contract 2 shall end;
- c) in the event that a contract for the performance of Subsequent Contract 1 and/or a contract for the performance of Subsequent Contract 2 will not be concluded even during the procedure referred to in point (b) above, the participant in the Competition whose proposal placed in the third highest place will be invited to negotiate a contract for the performance of Subsequent Contract 1 or a contract for the performance of Subsequent Contract 2, and the NPWPP shall end after the negotiations with this participant, regardless of the fact whether a contract for the performance of Subsequent Contract 1 or a contract for the performance of Subsequent Contract 2 is concluded or not.

## 4 Participants in the competition

### 4.1 Conditions for participation in the competition

#### 4.1.1 The conditions for participation in the Competition will be met by natural and legal persons, or their companies, if:

- a) they prove that none of the authors, or co-authors of the competition proposal and their collaborators listed in the request to participate (or in the confirmation of participation, if they are invited participants of the Competition) in the Competition and in the case of legal persons also none of the governing bodies:
  - a1) did not directly participate in the preparation of the Competition Conditions or any part thereof and in the announcement of the Competition;
  - a2) is not a regular member or substitute of the jury, secretary of the Competition, examiner of competition proposals or invited expert of this Competition;
  - a3) is not a spouse, relative, person related by 1st degree of affinity, permanent project partner, immediate superior or collaborator of persons who participated in the preparation of the Competition Conditions or any part thereof, announcement of the Competition, or regular members or substitutes of the jury, secretary of the Competition, examiner of competition proposals or invited experts of this Competition's jury, if these are specified in the Competition Conditions;
  - a4) is not a member of the Contracting Authority's self-governing bodies or an employee of the Contracting Authority's offices or legal entities established by the Contracting Authority, which participated in discussing and approving the Competition Conditions, competition brief or will participate in discussing and approving the results of the Competition, results of the award procedure for Subsequent Contract 1 and/or and Subsequent Contract 2 and results of Subsequent Contract 1 and/or Subsequent Contract 2.
- b) meet the basic eligibility pursuant to Section 74 of the Act;
- c) meet professional competence pursuant to Section 77(1) of the Act;
- d) it submits a document pursuant to Section 77(2)(e) of the Act that they are authorised to conduct business to the extent corresponding to the subject of the Competition, specifically a relevant trade licence or license, at least for conducting business in "Project activity in construction".

The obligation to present this document does not apply to:

- persons performing activities under the **Act on the Practice of Professions** as freelance architects or freelance engineers;
  - natural persons, their companies and legal persons established in a country where such authorisation is not required.
- e) They submit a list of members of the implementing team, from which it will be clear that it has an implementing team available for the implementation of the proposal, consisting of the following persons:
1. Architect
  2. Designer of transport constructions,
- where
- e1) An architect is **an authorised person** within the meaning of **Section 4(2)(a) of the Act** on the Practice of Professions, or an authorised person within the meaning of Section 4(3) of the

Act on the Practice of Professions (certification with general competence), or an authorised architect under the law of the state of which he or she is a citizen or in which he or she has his or her registered office, i.e. a certification of the Czech Chamber of Architects (hereinafter the "CCA") with the numerical designation A.0 or A.1 or a foreign equivalent is required;

- e2) An architect prepared in the last 15 years before the launch of the Competition at least three architectural-urban designs of a building or a set of buildings **that fall under categories IV. or V. <sup>1</sup> of complexity of structures** according to the table in Section 12(1)(b) of the CCA's Code of Competition, and in at least one case this design was awarded in a competition<sup>2</sup>.
- e3) A designer of transport constructions participated in the last 15 years before the launch of the Competition at least thrice in a preparation of a transport design of a building or a set of building **that fall under categories IV. or V. of complexity of structures** according to the table in Section 12(1)(b) of the CCA's Code of Competition.

## 4.2 Fulfilment of conditions for participation in the competition

4.2.1 The Participant demonstrates the fulfilment of the conditions for participation in the Competition set out in paragraph 4.1 of the Competition Conditions by the following documents submitted together with the **application for participation** (or in the case of invited participants of the Competition, with the **confirmation of participation**):

- the conditions set out in paragraph 4.1.1(a) by a statutory declaration of each of the natural persons participating on the competition proposal (author, co-author or collaborator);
- the conditions set out in paragraph 4.1.1(b), i.e. that:
  - a) the participant has not been convicted of an offence set out in Annex 3 to the Act or a similar offence under the law of the participant's country of residence in the last 5 years prior to the

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1 Category IV. Buildings – multi-storey administrative buildings and facilities, residential buildings with above-average requirements, with less usual constructions and other additional functions, secondary and higher education institutions with special classrooms, laboratories and lecture halls, polyclinics, hospitals, rehabilitation facilities, spa and recreational facilities with large capacity and above-average demands, multifunctional business and shopping centres, hotels and other large-capacity accommodation facilities with above-average demands, administrative buildings (savings banks, etc.), chapels, stadiums and sports facilities, entertainment and educational centres, wellness centres, water parks, indoor swimming pools with water attractions, cultural multi-purpose facilities, ceremonial halls and crematoria, disciplinary museums and galleries, libraries, archives, buildings for development and research with special equipment, industrial and engineering buildings and buildings with demanding structures and special interior equipment or technology, agricultural buildings with special technology and equipment, special military and similar buildings, public spaces of settlements with high requirements for the solution of transport and technical infrastructure or in a difficult urban situation. Landscape constructions – residential areas and inner courtyards with above-average facilities and requirements, botanical and zoological gardens, cemeteries, streets and squares, pedestrian zones and parks of city-wide significance, spa areas, vegetation on structures, roof gardens.

Category V. Buildings - residential buildings and facilities for individual living of the highest standard, hospital premises and hospital buildings with the highest demands and special interior equipment, university clinics, important and special administrative buildings (courts, parliaments, town halls and similar), churches, multidisciplinary museums, concert halls and theatres, special libraries and archives, research, scientific and educational centres, institutes with special laboratories, radio, television and theatre studios, airports and transport terminals, special objects of heavy industry and energy (steelworks, coking plants, nuclear power plants and similar), public areas of settlements with a demanding urban communication system and complex technical infrastructure with very high transport and technical demands in a very complex traffic and urban situation. Landscape constructions – restoration of historical gardens and parks (objects), horticultural exhibitions, private gardens of a residential character with the highest standard.

2 An award in a competition means a situation where the proposal of a participant in the competition has been awarded a prize according to the competition conditions of the given competition.

commencement of the Competition; deleted convictions are not taken into account; in the case of a legal person, this condition must be met by this legal person and at the same time by each member of the governing body. If a legal person is a member of the governing body of a participant in the Competition, this condition must be met by this legal person, each member of the governing body of this legal person and the person representing this legal person in the governing body of the participant; if the participant is a branch of a plant of a foreign legal person, this condition must be met by this legal person and the head of the branch of the plant; if the participant is a branch of a plant of a Czech legal person, this condition must be met by this legal person, each member of the governing body of this legal person, the person representing this legal person in the governing body of the participant and the head of the branch;

- b) does not have any tax arrears due in the tax records in the Czech Republic or in the country of its registered office, not even in relation to excise duty;
- c) does not have any outstanding arrears of premiums or statutory late payment interests for public health insurance in the Czech Republic or in its country of residence;
- d) does not have any outstanding arrears of premiums or statutory late payment interest for social security insurance and state employment policy contributions in the Czech Republic or in its country of residence;
- e) is not in liquidation, a bankruptcy decision has not been issued against it, no compulsory administration has been ordered against it under another legal regulation or in a similar situation under the legal order of the participant's country of residence;

by submitting the relevant documents specified in Section 75(1) of the Act. These documents may be **replaced by a statutory declaration** (Section 86(2) of the Act). A model of such a statutory declaration forms Annex P07 to the Competition Conditions.

The Contracting Authority points out that the basic eligibility referred to in points (b), (c) and (d) of this subparagraph of the Competition Conditions must be documented by participants in the Competition with a registered office outside the Czech Republic both in relation to the Czech Republic and in relation to the country of their registered office.

- the condition specified in paragraph 4.1.1(c) of the Competition Conditions by an **extract from the Commercial Register** or other similar register, if another legal regulation requires entry into such record. This document may be **replaced by a solemn declaration** (Section 86(2) of the Act). A model of such a statutory declaration forms Annex P07 to the Competition Conditions.
- the condition specified in paragraph 4.1.1(d) of the Competition conditions by **the participant's trade licence, extract from the trade register or other register**. This document may be **replaced by a solemn declaration** (Section 86(2) of the Act). A model of such a statutory declaration forms Annex P07 to the Competition Conditions.
- the condition specified in paragraph 4.1.1(e) of the Competition Conditions **by a copy of the certificate of the person (Architect)** who will be the author or co-author of the competition proposal (member of the implementation team) issued by the relevant chamber and the **list of implementation team members**; the experience of individual implementation team members shall be part of the **portfolio** submitted in accordance with paragraph 4.4.3 of the Competition Conditions. (Participants that are Invited Participants in accordance with paragraph 4.3.1 of the Competition Conditions are obliged to submit within the portfolio in accordance with paragraph 4.4.3 of the Competition Conditions only the reference proposals to prove the qualification of Architect and Transport Construction Designer in accordance with paragraph 4.1.1(e) of the Competition Conditions).

- 4.2.2 If a request to participate / confirmation of participation in the Competition is submitted by several natural persons together as one participant, each of these persons must meet the conditions specified

in paragraph 4.1.1(a) and (b) of the Competition Conditions separately. These persons shall prove the fulfilment of other conditions for participation together.

- 4.2.3 If a request to participate / confirmation of participation in the Competition is submitted by several legal persons together as one participant, each of these persons must meet the conditions specified in paragraph 4.1.1(a) to (c) of the Competition Conditions separately. These persons shall prove the fulfilment of other conditions for participation together.
- 4.2.4 Persons proving the fulfilment of the condition specified in paragraph 4.1.1(e) will participate on the preparation of the competition proposal as one of the authors or co-authors.
- 4.2.5 A foreign participant shall the fulfilment of the conditions for participation in the Competition (qualification) specified in paragraph 4.1.1(b) to (e) in accordance with Section 81 of the Act, i.e. by documents issued in accordance with the legal order of the country in which the qualification was obtained, to the extent required by the Competitions Conditions.

### 4.3 Invited participants

#### 4.3.1 The Contracting Authority invites the following participants to participate in the Competition:

1. Benthem Crouwel Architecten BV, with its registered office at Generaal Vetterstraat 61 1059BT Amsterdam, KVK 33219333;
2. gmp International GmbH, with its registered office at Elbchaussee 139 22763 Hamburg, HRB 79167 Hamburg;
3. Albert Wimmer ZT-GmbH, with its registered office at Flachgasse 53, A-1150 Wien, ATU 57262116 (hereinafter the "**Invited Participant**"), who shall submit a **confirmation of participation** to the Contracting Authority within the deadline for submission of the request to participate.

4.3.2 An Invited Participant shall submit to the Contracting Authority a confirmation of participation in the Competition via the electronic tool E-ZAK available at <https://zakazky.spravazeleznic.cz> (hereinafter the "**Electronic Tool**"). **When submitting a confirmation of participation, the participants in the Competition are obliged to proceed in accordance with Annex P28 of the Competition Conditions.**

4.3.3 The confirmation of participation shall contain the following parts (according to model P03):

- cover letter of the confirmation of participation in accordance with Annex P03 of the Competition Conditions;
- participant's details (name and surname / name of the company, address / registered office, e-mail, telephone, website);
- documents specified in paragraph 4.2 of the Competition Conditions (among other things, a completed and signed solemn declaration according to the model P07).

### 4.4 Requests to participate, their assessment and reduction of the number of participants

4.4.1 A Participant shall submit to the Contracting Authority a request to participate in the Competition via the Electronic Tool. **When submitting a request to participate, the participants in the**

**Competition are obliged to proceed in accordance with Annex P28 of the Competition Conditions.**

4.4.2 The request to participate shall contain the following parts (according to model P02):

- cover letter of the request to participate in accordance with Annex P02 of the Competition Conditions;
- participant's details (name and surname / name of the company, address / registered office, e-mail, telephone, website);
- documents specified in paragraph 4.2 of the Competition Conditions;
- portfolio in the scope specified in paragraph 4.4.3 of the Competition Conditions and prepared according to the model P02 "Model Request to Participate".

4.4.3 The portfolio shall consist of a presentation consisting **of at least three (3) reference** designs of a building / set of buildings submitted as part of proving the fulfilment of the qualification of the members of the implementation team in accordance with paragraph 4.1.1(e)(e2) and (e3); **furthermore, the participant may submit a maximum of additional seven (7) either**

- a) architectural-urbanistic designs of a building / set of buildings that fall into the IV. or V. categories of complexity of structures in accordance with the table in Section 12(1)(b) of the CCA's Code of Competition **or**
- b) transport solutions for the design of a building / set of buildings that fall into the IV. or V. categories of complexity of structures in accordance with the table in Section 12(1)(b) of the CCA's Code of Competition.

The Contracting Authority points out that in the event a participant submits a total of more than 10 reference proposals within the portfolio, it must **clearly indicate which at most 10 proposals are listed for the purposes of portfolio evaluation in accordance with paragraph 4.4.5 of the Competition Conditions**. If it fails to do so, the Contracting Authority will evaluate the first 10 reference proposals listed in the participant's portfolio and it will not take into account the other reference proposals.

4.4.4 **For each reference proposal, the following shall be indicated:**

- author of the design;
- the position of the author in the participant's implementation team (Architect / Designer of Transport Constructions);
- place of design (or implementation, if any);
- complexity of structures category in accordance with the CCA's Code of Competition;
- year of design preparation;
- the amount of investment costs in CZK excl. VAT<sup>3</sup>;

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<sup>3</sup> For the purposes of converting investment costs from another currency to CZK, participants shall use the foreign exchange market rates set by the CNB on the day of the commencement of the Competition (i.e. the day the notice of commencement of the Competition was sent for publication in accordance with Section 212 of the Act); foreign exchange market rates are available here: <https://www.cnb.cz/en/financial-markets/foreign-exchange-market/central-bank-exchange-rate-fixing/central-bank-exchange-rate-fixing/>



- information on whether the design relates to an already implemented (completed) building / set of buildings, and if so, then the year of implementation and contact details of the investor;
- if the design was awarded in a competition, then the identification of this competition (name of the competition and identification of its contracting authority);
- the surface area of the solved area, the gross floor area, the enclosed volume and a brief text message characterising the project shall also be stated.

The portfolio shall be in PDF.

- 4.4.5 The jury will evaluate the submitted portfolios according to the degree of fulfilment of the criterion **“overall urban-architectural quality of the proposal, including the transport solution”**. The jury will record its conclusions in the **Protocol on the assessment of requests to participate** and it will propose to the Contracting Authority at least 3 and at most 9 of the participants who have met the above criteria to the maximum extent and who are to be invited to submit their competition proposals.
- 4.4.6 Based on the jury’s opinion, the Contracting Authority will decide on the reduction of the number of participants, invite the participants selected in accordance with point 4.4.5 of the Competition Conditions and Invited Participants in accordance with point 4.3.1 of the Competition Conditions to submit competition proposals and it will notify the remaining participants of its decision to exclude them. At the same time, it will send a Protocol on the assessment of requests to participate to all participants.

## 4.5 Consequences of non-compliance with the conditions for participation in the competition

- 4.5.1 The Contracting Authority is entitled to invite a participant who has submitted a request to participate (in accordance with paragraph 4.4.2 of the Competition Conditions) to supplement or explain the information or documents forming part of its request to participate. The Contracting Authority may verify the credibility of the provided data or documents forming part of the request to participate and it may also obtain them itself in accordance with Section 39(5) of the Act.

A time limit will be set for the participant by the Contracting Authority to explain or supplement the request to participate.

If the participant fail to explain or supplement the information or documents forming the request to participate required by the Contracting Authority within the set time limit, or if it fails to do so in full, the Contracting Authority will exclude the participant from participating in the Competition before the meeting of the portfolio evaluation jury in accordance within paragraph 4.4.5 of the Competition Conditions.

- 4.5.2 The Contracting Authority is entitled to invite an Invited Participant (i.e. a participant in accordance with paragraph 4.3.1 of the Competition Conditions) to supplement or explain the information or documents forming part of its confirmation of participation in accordance with paragraph 4.3.3 of the Competition Conditions submitted by the Invited Participant to prove compliance with the conditions for participation specified in paragraph 4.1 of the Competition Conditions.

A time limit will be set for the participant by the Contracting Authority to explain or supplement the information or documents.

If an Invited Participant fails to explain or supplement the information or documents required by the Contracting Authority to prove the fulfilment of the conditions for participation specified in paragraph 4.1 of the Competition Conditions, or if it fail to do so in full, the Contracting Authority may exclude it from participation in the Competition before the call for submission of the competition proposal in accordance with paragraph 4.4.6 of the Competition Conditions.

4.5.3 The Contracting Authority will exclude from participation in the Competition a participant who fails to the fulfilment of the conditions for participation specified in paragraph 4.1 of the Competition Conditions.

4.5.4 The Contracting Authority is entitled to invite any participant who has submitted a competition proposal in the 1st phase of the Competition or in the 2nd phase of the Competition to explain its competition proposal.

If the participant, at the request of the Contracting Authority, fails to explain the submitted competition proposal or fails to explain it to the required extent and this fact would result in confirmation of the Contracting Authority's doubts about compliance with binding requirements of the competition brief (see paragraph 2.2.1 of the Competition Conditions), the competition proposal in question may be eliminated and the Contracting Authority may subsequently exclude the participant from the Competition.

4.5.5 For the avoidance of doubt, the Contracting Authority states that an invitation pursuant to paragraphs 4.5.1, 4.5.2 and/or 4.5.4 will be made to the participant via the Electronic Tool, always by a person of the Organiser of the Competition who does not participate in the jury meeting and is not in any way connected to the jury, so that no doubts may arise regards a breach of the principle of anonymity during the Competition.

#### **4.6 Conditions for concluding contracts for the performance of subsequent contracts**

The participant who will be invited to conclude contracts for the performance of Subsequent Contract 1 and Subsequent Contract 2 on the basis of the results of the NPWPP:

- a) shall submit to the Contracting Authority the originals or officially certified copies of documents proving the fulfilment of the conditions for participation in the Competition specified in paragraph 4.1 of the Competition Conditions, if they are no longer available to the Contracting Authority; or
- b) on the basis of a request from the Contracting Authority submit to it, if it is a legal person, documents to identify the beneficial owner of the participant (to the extent specified in the invitation, in accordance with Section 122(5) of the Act), if the Contracting Authority will not be able obtain the data on beneficial owners itself.

## 5 Competition proposal

### 5.1 Requirements of the competition proposal – 1st phase of the Competition

A competition proposal in the 1st phase of the Competition shall **bindingly** contain the following:

- a graphic part on 6 panels of the 1000 x 1400 mm format (B0 upright) containing a graphical representation of the design (see paragraph 5.2);
- a text part, which will be included on the panels (see paragraph 5.3);
- a virtual flight through the solved area and object on CD/DVD in the recommended trajectory (according to the supporting document P15) in \*.mp4 format, in FULL HD (1920x1080) resolution at 30FPS, at least 90 seconds and at most 120 seconds long;
- other documents forming a part of the competition proposal (see paragraph 5.4);

### 5.2 Graphic part

5.2.1 Panel 1 shall **bindingly** contain the following:

- a) A situation of the broader relations;
- b) An annotation describing the basic ideas of the design;
- c) A balance of basic built-up and unbuilt-up areas, paved and unpaved areas, gross floor area and built-up area according to A05;
- d) Drawing into an aerial image according to A11;

it is **recommended** that:

- e) the situation of broader relations is processed at a scale of 1:5000;
- f) the annotation is approx. 1000 characters long, including spaces;
- g) another display of the design is placed on the panel at the discretion of the participants.

5.2.2 Panel 2 shall **bindingly** contain the following:

- a) An overall situation of the solved area in the scale of 1:1000 (incl. key);
- b) An accompanying text describing the urban, architectural-structural and layout solution, energy concept, expected solution of technological equipment, phasing, expected construction costs and construction life cycle costs according to A08;

it is **recommended** that:

- c) the accompanying text is approx. 4800 characters long, including spaces;
- d) another display is placed on the panel explaining the concept of the solution, the design solution, the solution of public spaces, the solution of the blue-green infrastructure and the possibilities of phasing the construction.

5.2.3 Panels 3 and 4 shall **bindingly** contain the following:

- a) Floor plans of the 1st subterranean floors, 1st floor, 2nd floor, or other floors or floor plans of typical floors (incl. key of rooms with room dimensions);

it is **recommended** that:

- b) floor plans are processed at a scale of 1:500;

- c) one of the panels contains an axonometry of the operational-layout scheme of the passenger station.

5.2.4 Panel 5 shall **bindingly** contain the following:

- a) Typical sections of the object (2 transverse; 1 longitudinal), from which it will be clear that the requirement specified in point 2.2.1(b) is fulfilled;
- b) Views;
- c) Design visualisation (any graphic technique).

it is **recommended** that:

- d) sections of the object are processed at a scale of 1:500;
- e) views are processed at a scale of 1:500;
- f) the visualisations show at least 1 view of the interior (check-in hall, platform) and at least 1 view of the station forecourt and 1 view of the area behind the station, from a pedestrian's point of view.

5.2.5 Panel 6 shall **bindingly** contain the following:

- a) The overall situation of the transport solution at a scale of 1:500;
- b) An accompanying text describing the transport solution;

it is **recommended** that:

- c) in the situation of the transport solution, the road is differentiated according to the entry restrictions (all vehicles, only buses, only supply vehicles, etc.) and the usable platform edges of public transport stops are marked (distinguish trams, city / long-distance buses); parking spaces for the city bus, or tram; parking spaces (short-term / long-term, for designed buildings); routes for cyclists; pedestrian crossings; accesses to the platform, entrances to the check-in building;
- d) the accompanying text is approx. 2400 characters long, including spaces;
- e) another display is placed on the panel explaining the concept of the transport solution.

5.2.6 The Contracting Authority recommends that the graphic part on panels is made of light material for exhibition purposes (e.g. Kapa board, Forex, etc.)

5.2.7 The Contracting Authority recommends that the individual competition panels are arranged according to the document P04 – Sample of competition panels. Placing the binding content requirements on a panel other than the one required will be considered a violation of the binding requirements of the competition pursuant to paragraph 5.9 of the Competition Conditions.

### 5.3 Text part

5.3.1 The Contracting Authority recommends that the text part contain a textual expression of the proposal (cover letter) approx. 7200 characters long incl. spaces and a balance of acreage and numbers. The text shall describe separately the following:

- urban design;
- architectural-construction and layout solutions;
- transport solutions;
- energy concept of the building;
- solution of technological structures;

- phasing;
- construction costs;
- life-cycle costing of the construction.

5.3.2 The text part shall be displayed on the competition panels together with the graphic part (see paragraphs 5.2.2 and 5.2.5 – i.e. on panel 2 and panel 6).

5.3.3 The text part may contain additional information and technical specifications of the design in the form of text, tables, pictures, sketches or diagrams specifying the principle of the solution and technical specification of the design.

## **5.4 Other documents forming a part of the competition proposal**

5.4.1 Participant's competition proposal shall also contain the following documents:

- a) a document marked "envelope author", which will contain data specified in supporting document P06 (natural person / company, address, e-mail, phone contact – mobile phone, data box ID, etc.);
- b) a signed copyright licence agreement (see paragraph 11.1);
- c) the annotation from panel 1 in \* .doc or \*.docx format,
- d) confirmation of tax domicile or its equivalent (in the case of foreign participants).

5.4.2 The documents specified in paragraph 5.4.1 shall be submitted to the Contracting Authority electronically via the Electronic Tool within the period for submission of competition proposals.

## **5.5 Paper and electronic form of the competition proposal**

5.5.1 For the avoidance of doubt, the Contracting Authority states that the participant shall submit the competition proposal in the 1st phase of the Competition:

- a) in paper form

The competition proposal submitted in paper form shall include:

- a1) the graphic part of the competition proposal (see paragraph 5.2 of the Competition Conditions); and
- a2) the text part of the competition proposal (see paragraph 5.3 of the Competition Conditions), and
- a3) a virtual flight through the solved area and on CD/DVD (see paragraph 5.1 of the Competition Conditions )<sup>4</sup> and at the same time also

- b) in electronic form

A part of the competition proposal submitted in electronic form shall include

- obligatorily:
- 

<sup>4</sup> The Contracting Authority requires the submission of virtual flight through solved area and object in paper form on CD/DVD due to limited capacity, resp. limited amount of data that can be entered into Electronic tool.

- b1) other documents forming a part of the competition proposal (see paragraph 5.4 of the Competition Conditions);

and

- *optionally (in the event a participant fails to submit the following documents within the competition proposal submitted in electronic form, it will not be possible to list the participant in the presentation of the competition's results – the website of the Contracting Authority and the Organiser of the Competition, catalogue, CCA's website)*

- b2) graphic part of the competition proposal (see paragraph 5.2 of the Competition Conditions) in PDF in a resolution of 300 dpi for publishing the competition proposal on the website, or in the Competition catalogue;

5.5.2 In the case of any discrepancy between the parts of the competition proposal submitted by the participant in both electronic and paper form, in the case of graphic and textual part of the competition proposal the paper form of the competition proposal shall be decisive, in the remaining parts of the competition proposal, the electronic form of the competition proposal shall be decisive.

5.5.3 Part of the competition proposal in electronic form must be submitted **via the Electronic Tool**. The Participant or the Invited Participant who intends to submit a competition proposal is obliged to register at the above address of the Electronic Tool. Submission of part of the competition proposal in electronic form is possible only after registration and login to the electronic tool.

## 5.6 Designation of the design and its parts, packaging of the competition proposal

5.6.1 It is recommended to mark **the parts of the competition proposal in the 1st phase of the Competition submitted in paper form (see paragraph 5.5.1(a) of the Competition Conditions) as follows:**

- in the lower right corner by a 3×3 cm box in which the Secretary of the Competition will mark the identification number of the proposal;
- in the lower left corner by a 3×3 cm box, in which the Secretary of the Competition will mark the sequence number of the part of the proposal;
- in the lower part in the middle with the text „NOVÉ HLAVNÍ NÁDRAŽÍ BRNO - 1. FÁZE / BRNO NEW MAIN TRAIN STATION – 1st PHASE“.

5.6.2 The above requirements for the marking of the proposal and its parts are recommendatory; however, if the participant chooses another form of designation, the anonymity of the Competition and the comprehensibility of the proposal must not be jeopardised.

5.6.3 Parts of the competition proposal submitted in the 1st phase of the Competition in paper form (see paragraph 5.5.1(a) of the Competition Conditions) should be, in the participant's own interest, placed in a strong and sealed package protecting the proposal against damage and secured against opening with the inscription „NEOTEVÍRAT – SOUTĚŽNÍ NÁVRH – NOVÉ HLAVNÍ NÁDRAŽÍ BRNO - 1. FÁZE“ / „DO NOT OPEN – COMPETITION PROPOSAL - BRNO NEW MAIN TRAIN STATION – 1st PHASE“.

The requirements for the packaging are recommendatory, but the Contracting Authority is not responsible for the fact that proposals without proper marking on the packaging will not be delivered to the place of submission of competition proposals and for the jury not being able to evaluate damaged competition proposals.

## 5.7 Requirements for competition proposals – 2nd phase of the competition

5.7.1 **The requirements and recommendations concerning the requisites of the competition proposals in the 2nd phase of the Competition will be specified in the call for participation in the 2nd phase of the Competition. It is assumed that the competition proposal in the 2nd phase of the Competition will consist of:**

- a graphic part (9 panels of 1000x1500 mm format) showing in more detail the urban-transport-architectural solution of the design;
- a text part describing in more detail the urban, architectural-structural and layout solution, transport solution, energy concept of the structure, solution of technological equipment, phasing, expected construction costs and construction life cycle costs;
- a virtual flight through the solved area and object in the prescribed trajectory, format, resolution and length;
- a physical inserting model of the design;
- other required documents (data on the participant in the Competition, indicative price offers for the performance of the subject-matter of Subsequent Contract 1 and for the performance of the subject-matter of Subsequent Contract 2).

5.7.2 The designation of the parts of the competition proposals submitted in paper form and the packaging of the competition proposals for the 2nd phase of the Competition will be specified in the call for proposals in the 2nd phase of the Competition; however, it will be determined appropriately according to paragraph 5.6 of the Competition Conditions.

## 5.8 Anonymity conditions of the competition proposal

5.8.1 Competition proposals will be presented anonymously. No part of the competition proposal (with the exceptions explicitly stated in these Competition Conditions) may contain the name and signature of the participant or a password or another graphic designation, which could lead to the identification of the participant and thus to the violation of anonymity.

5.8.2 Due to the need to respect the anonymity of the sender, the following uniform address of the sender will be indicated for all parts of the competition proposals sent by post:

**Česká komora architektů**

**Josefská 6**

**118 00 Praha 1 - Malá Strana**

5.8.3 If a part of the competition proposal is sent by post or other public consignments transport service from outside the Czech Republic, the participant shall, due to the need to respect the anonymity of the sender, indicate as sender's address the name and address of the professional association in



which it is registered under the law in force in the sender's country, or of another organisation with which the participant agrees upon this procedure.

- 5.8.4 The Contracting Authority will exclude from the Competition a participant whose proposal will be found to be in violation of the anonymity condition during its inspection by the examiner and the secretary of the Competition or during the evaluation by the jury.
- 5.8.5 Competition proposals excluded by the jury from assessing due to a breach of the anonymity condition will not be evaluated even outside the Competition.

## **5.9 Consequences of non-compliance with the requirements for competition proposals**

- 5.9.1 **Competition proposals that violate any of the mandatory requirements set out in paragraphs 2.2.1, 5.1 (mandatory requirements of the competition proposal for the 1st phase of the Competition), 5.2 (mandatory requirements of individual panels in the graphic part), and 12.1 (language of the competition) or that violate the requirements for maintaining the anonymity of the Competition will be disqualified by the jury from the assessment and the Contracting Authority will subsequently exclude the participant from participating in the Competition.** In the case of partial formal deviations, which do not reduce the comprehensibility of the competition proposal, do not jeopardise the anonymity of the competition proposal and which do not make the proposal more favourable, the jury may proceed in accordance with Section 10(6)(a) of the CCA's Code of Competition and decide by a four-fifths majority of its regular members to keep the proposal in the Competition.
- 5.9.2 Competition proposals excluded by the jury from the assessment due to non-compliance with the requirements for the competition proposal will not be evaluated even outside the Competition.

## 6 Availability of competition conditions, competition supporting documents, explanation of competition conditions

### 6.1 Availability of competition documentation

- 6.1.1 The competition conditions, including all its annexes, are available from the date of publication of the notice of the commencement of the Competition on the **profile of Co-Contracting Authority 1**, which is available on the website <https://zakazky.spravazeleznic.cz>.

### 6.2 Competition supporting documents

- 6.2.1 The Contracting Authority provides participants with these supporting documents in electronic form in the following formats:

- P01 – Brief (\*.pdf)
- P02 – Model Request to Participate (\*.pdf, \*.doc, \*.docx)
- P03 – Model Confirmation of Participation (\*.pdf, \*.doc, \*.docx)
- P04 – Model Competition Panels – 1st phase (\*.pdf, \*.dwg)
- P05 – Model Table of Balances and Basic Areas (\*.xls, \*.xlsx)
- P06 – Model details of the participant in the competition / document “envelope author” (\*.pdf, \*.doc, \*.docx)
- P07 – Model Statutory Declaration (\*.pdf, \*.doc, \*.docx)
- P08 – Model Table – Estimation of Implementation Costs – 1st phase (\*.xls, \*.xlsx)
- P09 – Model table of offer price for the subsequent contract 2 – 2nd phase (\*.xls, \*.xlsx)
- P10 – Solved Area (\*.dwg, \*.pdf)
- P11 – Supporting Documents for Drawing – 1st phase (\*.jpg)
- P12 – Map Data for the Territory – Topography, Elevation, Cadastre, Orthophotomap (\*.dgn, \*.dwg, \*.pdf)
- P13 – 3D City Model (\*.skp)
- P14 – Supporting document for the insertion model (\*.skp)
- P15 – Trajectories for the Virtual Flight through the Area – 1st phase (\*.pdf)
- P16 – Excerpt from Territorial Analytical Data from 2016 (\*.pdf)
- P17 – Excerpt from the Land-use Plan of the City of Brno (\*.pdf)
- P18 – Technical Solution of the Trackage, Feasibility Study of ŽUB (Brno Railway Junction) – variant Ab (\*.dwg, \*.pdf)
- P19 – Territorial Study with Regulatory Elements Jižní čtvrť (Southern district of the City) (\*.dwg, \*.pdf)
- P20 – Flood Protection – Documentation for Land-use Proceedings, Study of nature friendly flood control measures (\*.pdf, \*.dwg)

- P21 – Building Programme – SŽDC (Railway Infrastructure Authority) and Brno (\*.pdf)
- P22 – Transport Analysis of the New Main Train Station in Brno for the Construction of the “Brno Railway Junction” (\*.pdf)
- P23 – Non-binding Draft Contract for the Performance of the Subject-matter of Subsequent Contract 1 (\*.pdf)
- P24 – Non-binding Draft Contract for the Performance of the Subject-matter of Subsequent Contract 2 (\*.pdf)
- P25 – EZAK – contractor’s instructions (\*.pdf)
- P26 – Diagram of Bus Stops (\*.pdf)
- P27 – Diagram of the North-South Railway Diameter (SJKD) (\*.dwg, \*.pdf)
- P28 – Safe Submission Guide (\*.pdf)

6.2.2 The participants undertake to use the documents exclusively for deciding on participation in the Competition and for the preparation of the competition proposal. After preparing the competition proposal, the participant shall destroy the documents. In the event of a breach of this obligation, the Contracting Authority may require the participant to pay a fine in the amount of CZK 50,000.

6.2.3 The Contracting Authority further states that due to the large scale of the supporting documents, a selection of relevant parts of individual documents was made, which are found to be sufficient for the competition proposal. In addition, the Contracting Authority provides a list of links below, where it is possible to get acquainted with the complete documentation of some of the above-mentioned competition supporting documents:

- ad A16 – <https://www.brno.cz/sprava-mesta/magistrat-mesta-brna/usek-1-namestka-primatoriky/odbor-uzemniho-planovani-a-rozvoje/dokumenty/upp/uzemne-analyticke-podklady-2016/>
  - ad A17 – <https://www.brno.cz/sprava-mesta/magistrat-mesta-brna/usek-1-namestka-primatoriky/odbor-uzemniho-planovani-a-rozvoje/dokumenty/upmb/uplne-zneni/>
  - ad A18 – <https://europointbrno.cz/studie-proveditelnosti/> a <https://europointbrno.cz/ke-stazeni/>
  - ad A19 – <https://www.brno.cz/sprava-mesta/magistrat-mesta-brna/usek-1-namestka-primatoriky/odbor-uzemniho-planovani-a-rozvoje/dokumenty/upp/uzemni-studie-jizni-ctvrt/>
- The following are informative links to some land-use planning supporting documents:
- Altitude zoning in the Municipal Monument Reserve – <https://www.brno.cz/sprava-mesta/magistrat-mesta-brna/usek-1-namestka-primatoriky/odbor-uzemniho-planovani-a-rozvoje/dokumenty/upp/vyskove-zonovani-v-mpr-a-jejim-ochrannem-pasmu/>
  - Project Tram Plotní – <https://www.brno.cz/strategickeprojekty/tramvaj-plotni/>

### 6.3 Explanation of competition conditions (questions)

6.3.1 Participants may submit requests for explanations of the competition documentation (these Competition Conditions and related documentation) only in writing, via the Electronic Tool within the time periods specified in paragraph 9.4.

6.3.2 The explanation of the competition documentation will be published with the text of the request (inquiry) without the identification of the participant on the profile of the Co-Contracting Authority 1 (Electronic tool). The Contracting Authority may also provide an explanation of the competition documentation without a prior request.

## 7 Evaluation criteria

### 7.1 Evaluation criteria – 1st phase

For the evaluation of proposals in the 1st phase of the Competition, the competition proposals will be evaluated on the basis of the criterion of **complex quality of the competition proposal**, which consists in the following:

- a) functionality and feasibility of the competition proposal;
- b) the degree of fulfilment of the competition brief;
- c) urban and architectural quality of the competition proposal;
- d) the quality of the transport solution consisting in the collision-free solution of all modes of transport and the efficiency of transfer links;
- e) link to the surrounding urban and landscape structures in terms of topography and environmental quality.

### 7.2 Evaluation criteria – 2nd phase

For the evaluation of proposals in the 2nd phase of the Competition, the criteria according to which the competition proposals will be evaluated on the basis of the criterion of **complex quality of the competition proposal** consisting in the following:

- a) functionality and feasibility of the competition proposal;
- b) the degree of fulfilment of the competition brief;
- c) urban and architectural quality of the competition proposal;
- d) the quality of the transport solution consisting in the collision-free solution of all modes of transport and the efficiency of transfer links;
- e) link to the surrounding urban and landscape structures in terms of topography and environmental quality;
- f) taking into account the comments and recommendations of the competition jury in the competition proposal;
- g) economy of implementation and operation.

### 7.3 Jury evaluation of the proposal

7.3.1 The degree of fulfilment of the criteria, which cannot be expressed quantitatively, will be evaluated by the jury on the basis of the experience and expertise of its individual members. This method of evaluating the competition proposals is fully in the discretion of the jury and pursuant to paragraph 12.3.2, the participants in the Competition express their consent to this method of evaluation by participating in the Competition.

7.3.2 Pursuant to Section 8(9) the CCA's Code of Competition, the jury may, if it is required so by the nature of the submitted competition proposals, invite experts to help them with their task with the prior consent of the Contracting Authority, who will continue to take part in those parts of the jury's deliberations to which they have been invited, but only in an advisory capacity.

## 8 Prizes, rewards and reimbursements of expenses associated with participation in the competition

### 8.1 The total amount for prizes, rewards and reimbursements in the competition

The total amount for prizes and reimbursements in the Competition is set at CZK 47,500,000 (in words: forty-seven million five hundred thousand Czech Koruna).

### 8.2 Prizes

The jury is entitled to award a total of 3 prizes in the Competition in the amount given below and to award 3 competition proposals with these.

8.2.1 **The first prize is set at CZK 6,000,000 (in words: six million Czech Koruna)**

8.2.2 **The second prize is set at CZK 5,000,000 (in words: five million Czech Koruna)**

8.2.3 **The third prize is set at CZK 4,000,000 (in words: four million Czech Koruna)**

### 8.3 Rewards

The Contracting Authority will not award any rewards.

### 8.4 Reimbursements of expenses associated with participation in the competition

8.4.1 A participant in the 1st phase of the Competition, who submits a competition proposal and whose competition proposal will be evaluated by the jury, will be awarded CZK 2,500,000 (in words: two million five hundred thousand Czech Koruna).

8.4.2 A participant in the 2nd phase of the Competition, who submits a competition proposal and whose competition proposal will be evaluated by the jury and will not be awarded the first, second or third prize, will be awarded CZK 2,500,000 (in words: two million five hundred thousand Czech Koruna).

### 8.5 Conditions for a possible decision on a different distribution of prizes and rewards, or the non-award of certain prizes and rewards

8.5.1 Under the conditions stipulated in Section 10(8) in conjunction with Section 12(2) of the CCA's Code of Competition, the jury may, in exceptional cases, decide not to award any of the announced prizes and not to distribute or distribute in a different manner the amounts assigned for them. The jury must provide detailed reasons for its decision in the Protocol on the course of the competition, together with a record of the voting of the regular members of the jury.

8.5.2 The jury's authorisation pursuant to paragraph 8.5.1 of the Competition Conditions does not apply to the reimbursement of expenses associated with participation in the Competition (see paragraph 8.4.1

of the Competition Conditions), which will always be awarded to all participants in the 1st phase of the Competition and to a participant in the 2nd phase of the Competition whose proposal will not be awarded the first, second or third prize if their competition proposal has been evaluated by the jury.

## **8.6 Requirements for taxation of prizes and rewards distributed in the competition**

- 8.6.1 Prizes and reimbursements of expenses awarded in the Competition to natural persons not pursuing business activities will be reduced by income tax in the amount of 15% pursuant to Section 36(2)(i) of Act No 586/1992, on income tax, as amended, which will be paid to the tax administrator by the Co-Contracting Authority 1 pursuant to Act No 280/2009, the Tax Code, as amended.
- 8.6.2 Prizes and reimbursements of expenses awarded in the Competition to legal persons and natural persons engaged in business will, pursuant to Act No 586/1992, on income tax, as amended, be paid in full and taxed by the legal person or the self-employed natural person within the framework of a proper tax return.
- 8.6.3 Prizes and reimbursements of expenses awarded to participants who do not pay taxes in the Czech Republic will be paid in full. They shall pay income tax according to the legal regulations valid and effective in the place of their tax domicile, which they must **prove in the competition proposal with a certificate of tax domicile or its equivalent.**

## 9 The course of the competition

### 9.1 Discussion of competition conditions before the announcement of the Competition

- 9.1.1 The Competition Conditions were discussed by the jury of the Competition at its inaugural meeting on 17 July 2020 and subsequently agreed by roll call vote on 5th August 2020. Written confirmation of consent is available from the Contracting Authority.
- 9.1.2 The Competition Conditions were approved by the Co-Contracting Authority 1 on 27th August 2020 and by Co-Contracting Authority 2 on 26th August 2020.
- 9.1.3 The CCA issued a confirmation of regularity on the conditions on 18th August 2020 by letter ref No 534-2020/DM/Ze.

### 9.2 Launch of the Competition

- 9.2.1 The Competition shall be launched on the day of sending the announcement of the launch of the Competition for publication in accordance with Section 212 of the Act in the Public Contracts Journal (<http://www.isvz.cz>) and in the Official Journal of the European Union (<http://ted.europa.eu>).
- 9.2.2 The Competition Conditions are available from the date of publication of the notice of the commencement of the Competition on the profile of Co-Contracting Authority 1, which is available on the website <https://zakazky.spravazeleznic.cz>.
- 9.2.3 The Contracting Authority (the Contracting Authority representative) communicates with the Invited Participants in writing in accordance with Section 211(1) of the Act. Written communication between the Contracting Authority (the Contracting Authority representative) and the participant must take place electronically (except in cases pursuant to Section 211(3) of the Act), in particular through the certified electronic tool E-ZAK.
- 9.2.4 For communication with the Contracting Authority (the Contracting Authority representative) via the electronic tool, the participant is obliged to register at the address of the electronic tool: <https://zakazky.spravazeleznic.cz/registrace.html>.

### 9.3 A tour of the competition venue

- 9.3.1 A tour of the competition venue will be organised for those interested, on 11th September 2020 and 13th November 2020 with the commentary of the Contracting Authority. The participants of the tour will meet at 13:00, in front of the building of the Lower Train Station on Rosická Street in Brno.
- 9.3.2 Any change in the date of the tour of the competition venue will be published during the Competition in accordance with paragraph 9.4, no later than on the 10th day before the originally scheduled date of the tour.
- 9.3.3 An explanation about the competition venue may be requested at the tour of the competition venue. The Contracting Authority shall provide an explanation on the spot and ensure that the complete

transcript of the request and explanation is published together with other explanations pursuant to paragraph 9.4.

## **9.4 Explanation of Competition Conditions**

- 9.4.1 Participants may request, by a request submitted via the Electronic Tool, an explanation of the Competition as follows:
- a) no later than 8 working days before the deadline for submission of requests to participate in the Competition in the submitting a request to participate / confirmation of participation part;  
the Contracting Authority will publish the response to the Participant's inquiry via the Electronic Tool, including the exact wording of the Participant's inquiry (without its identification) no later than 5 working days before the deadline for submission of requests to participate / confirmations of participation.
  - b) no later than 17 working days before the deadline for submission of competition proposals in the 1st phase of the Competition, if the participant's inquiry concerns the Competition in the part of submitting the competition proposal in the 1st phase of the Competition;  
the Contracting Authority will publish the response to the Participant's inquiry via the Electronic Tool, including the exact wording of the Participant's inquiry (without its identification) no later than 14 calendar days before the deadline for submission of competition proposals in the 1st phase of the Competition.
  - c) no later than 17 working days before the deadline for submission of competition proposals in the 2nd phase of the Competition, if the participant's inquiry concerns the Competition in the part of submitting the competition proposal in the 2nd phase of the Competition;  
the Contracting Authority will publish the response to the Participant's inquiry via the Electronic Tool, including the exact wording of the Participant's inquiry (without its identification) no later than 5 working days before the deadline for submission of competition proposals in the 2nd phase of the Competition.
- 9.4.2 If a participant in the competition requests an explanation of the competition conditions of the Competition later than within the time limit specified in paragraph 9.4.1(a) or (b) or (c) of the competition conditions of the Competition, the Contracting Authority is not obliged to provide an explanation and publish an explanation of the inquiry related to the competition conditions on the Contracting Authority's profile.
- 9.4.3 However, if the Contracting Authority decides to provide an explanation at the request or inquiry of the participant despite the fact that according to the Act and according to paragraph 9.4.2 it is not obliged to do so, it is always obliged to comply with Section 144(2) of the Act and extend the deadline for submitting proposals.
- 9.4.4 The Contracting Authority is entitled to publish an explanation of the organisational aspects of the Competition, the subject of the Competition or the Competition Conditions even without a submitted request from a participant (i.e. on its own initiative). In such a case, the Contracting Authority shall publish such an explanation via the Electronic Tool, within the time limits similar to how it would



provide an explanation of the participant's request with this explanation (see paragraph 9.4.1 of the Competition Conditions).

## 9.5 Submission of requests to participate

- 9.5.1 Requests to participate and confirmations of participation (in the case of Invited Participants) shall be **submitted via the Electronic Tool (profile of the Co-Contracting Authority 1) within before following deadline:**
- 25 September 2020, 17:00.**
- 9.5.2 To electronically submit the request to participate, the participant must be registered in the Electronic Tool (<https://zakazky.spravazeleznic.cz/>). Please note that the operator of the Electronic Tool may reserve 3 working days to approve a registration.
- 9.5.3 A participant is obliged to proceed in accordance with Annex P28 to the Competition Conditions when submitting a request to participate or a confirmation of participation.
- 9.5.4 The Contracting Authority will assess the information and documents contained in the request to participate or the confirmation of participation from the point of view of meeting the conditions for participation specified in paragraph 4.1 of the Competition Conditions.
- 9.5.5 The jury will assess the requests to participate in terms of the quality of the reference proposals listed in the portfolios (see paragraph 4.4.3 of the Competition Conditions) and it will propose to the Contracting Authority the selection of participants to submit competition proposals to the 1st phase of the Competition (see paragraph 4.4.5 of the Competition Conditions).
- 9.5.6 The Contracting Authority will invite the selected participants to submit competition proposals in the 1st phase of the Competition and it will inform the participants who were not selected and were therefore excluded from further participation in the Competition. On this date, begins the deadline for submitting a proposals in the 1st phase of the Competition.

## 9.6 Submission of competition proposals in the 1st phase of the Competition

- 9.6.1 A participant shall submit to the Contracting Authority a competition proposal for the 1st phase of the Competition **in paper and electronic form** to the extent specified in paragraph 5.5.1 of the Competition Conditions, at the latest **on 1 February 2021, 15:00.**
- 9.6.2 Parts of the competition proposals **in paper form** shall be submitted to the secretary of the Competition, at the address **Zelný trh 331/13, 602 00 Brno, 1. patro (1st floor)**, within the time period for submission of competition proposals in paper form (see paragraph 9.6.1 of the Competition Conditions) on any working day from 9:00 am to 17:00 and on the last day of the period for submitting the competition proposal in paper form from 9:00 to 15:00.
- In the case a part of the competition proposal submitted in paper form is sent by post or other public consignments transport service, the participant is obliged to ensure in its own interest that the part of the competition proposal submitted in paper form is delivered to the above address within the period specified in paragraph 9.6.1.
- The person accepting the competition proposal submitted by the participant in paper form shall mark the competition proposal with a serial number, date and time of acceptance. In the case of personal handover, the above person shall issue a confirmation of receipt of the proposal to the participant with the date and time of acceptance.

- 9.6.3 At the same time, the Participant shall submit to the Contracting Authority via the Electronic Tool the competition proposal for the 1st phase of the Competition **in electronic form** to the extent specified in paragraph 5.5.1 of the Competition Conditions, **within the period specified in paragraph 9.6.1 of the Competition Conditions.**

When submitting the competition proposal in electronic form, the participant is obliged to proceed in accordance with Annex P28 to the Competition Conditions.

- 9.6.4 The Contracting Authority will exclude from participation in the Competition a participant who submits parts of the competition proposal in electronic / paper form within the deadline specified in paragraph 9.6.3 of the Competition Conditions, but does not submit a competition proposal in paper / electronic form (i.e. always the opposite option) or submits it after the deadline specified in paragraph 9.6.1 of the Competition Conditions. In the case of personal submission, the Contracting Authority has the right not to accept the competition proposal submitted in paper form after deadline for submission of competition proposals specified in paragraph 9.6.1.
- 9.6.5 Each participant can submit only one competition proposal in the 1st phase of the Competition. The Contracting Authority does not allow variants of the competition proposal.

## 9.7 Checking the fulfilment of the conditions in the 1st phase of the Competition

- 9.7.1 The fulfilment of the conditions for participation in the Competition will be checked by an independent person authorised by the Contracting Authority, who will check the required documents pursuant to paragraph 5.4.1(a) to (d) of the Competition Conditions immediately after the deadline for submission of competition proposals in the 1st phase of the Competition.

The authorised person who checks the fulfilment of the conditions for participation in the Competition will be bound by the obligation to remain silent so that the jury, including its auxiliary bodies, will be evaluating anonymous proposals until the jury decides on the final order and distribution of prizes.

- 9.7.2 An independent person authorised by the Contracting Authority will prepare a report on the check of fulfilment, which it will submit to the jury through the secretary of the Competition after the decision on the final order and distribution of prizes, which will be annexed to the Protocol on the course of the competition.
- 9.7.3 The independent person authorised by the Contracting Authority shall further ensure that other required parts of the competition proposal submitted electronically pursuant to paragraph 5.5.1(b) are marked with the identification number of the competition proposal, under which the competition proposals are evaluated pursuant to paragraph 9.8.2 and that they are handed over to the jury after the decision on the final order and distribution of prizes.

## 9.8 Examination of proposals in the 1st phase of the Competition

- 9.8.1 The examination of competition proposals will be carried out by the examiners in cooperation with the secretary of the Competition immediately after the deadline for submission of competition proposals.
- 9.8.2 After unpacking the competition proposals, the secretary of the Competition will mark the individual parts of the proposals with an identification number, under which the proposals will be examined and evaluated. Based on the decision of the jury or the Contracting Authority, the numbers of the

competition proposals may be changed; however, no later than at the start of the evaluation of the competition proposals.

- 9.8.3 The examiners and the Secretary of the Competition will prepare a **Report** on the examination of the competition proposals, which will be submitted to the jury and annexed to the Protocol on the course of the competition.

## 9.9 Evaluation meeting of the jury in the 1st phase of the Competition

- 9.9.1 The date the jury will meet to evaluate the competition proposals in the 1st phase of the Competition is set in advance on the following days: 11 and 12 February 2021. Any change in the date of the evaluation meeting will be published during the Competition in accordance with paragraph 9.4.4 of the Competition Conditions.

## 9.10 Invitation to selected participants to participate in the 2nd phase of the Competition

- 9.10.1 Based on the decision of the jury, the Contracting Authority will invite the participants whose competition proposals have been selected in the 1st phase of the Competition to participate in the 2nd phase, in accordance with Section 147 of the Act. **A maximum of 4 competition proposals are expected to be selected for the 2nd phase of the Competition.**
- 9.10.2 The invited participants will receive a specification of the Competition Conditions for the 2nd phase of the Competition with a recommendation of the jury to modify their competition proposals submitted in the 1st phase of the Competition.
- 9.10.3 The invitation will be carried out by an independent person authorised by the Contracting Authority, who will check the required documents in accordance with paragraph 5.4.1 of the Competition Conditions.

The jury members, the secretary of the Competition, the examiners and the invited experts will not be informed of the names of the invited participants.

## 9.11 Submission of competition proposals in the 2nd phase of the Competition

- 9.11.1 Instructions for the submission of competition proposals in the 2nd phase of the Competition will be given to the participants concerned in the invitation to submit competition proposals to the 2nd phase of the Competition. The Contracting Authority assumes that in the case of submitting competition

proposals to the 2nd phase of the Competition, the participants will also submit the competition proposal (in its part) in paper form and at the same time electronically.

- 9.11.2 The deadline for submission of the competition proposal in the 2nd phase of the Competition will be specified in the invitation to submit proposals in the 2nd phase of the Competition, but will not be shorter than twelve weeks.
- 9.11.3 Each participant may submit only one competition proposal in the 2nd phase of the Competition. The Contracting Authority does not allow variants of the competition proposal.

## **9.12 Checking the fulfilment of the conditions in the 2nd phase of the Competition**

- 9.12.1 Prior to the examination of proposals, the independent person authorised by the Contracting Authority shall ensure that the part of the electronic version of the competition proposal, which is submitted electronically and subsequently submitted to the jury for assessment and evaluation, is marked with the serial number of the competition proposal and handed over to examiners for examination.
- 9.12.2 At the same time, the independent person authorised by the Contracting Authority shall ensure that the part of the electronic form of the competition proposal, which will be submitted electronically and subsequently not submitted to the jury for assessment and evaluation, is also marked with the competition proposal identification number under which the competition proposals submitted to the 2nd phase of the Competition will be evaluated and that it is handed over to the jury after the decision on the final order and distribution of prizes.

## **9.13 Examination of proposals in the 2nd phase of the Competition**

- 9.13.1 The examination of competition proposals will be carried out by the examiners in cooperation with the secretary of the Competition immediately after the deadline for submission of competition proposals.
- 9.13.2 After unpacking the competition proposals, the secretary of the Competition will mark the individual parts of the proposals with an identification number, under which the proposals will be examined and evaluated. Based on the decision of the jury or the Contracting Authority, the numbers of the competition proposals may be changed; however, no later than at the start of the evaluation of the competition proposals.
- 9.13.3 The examiners and the Secretary of the Competition will prepare a **Report** on the examination of the competition proposals, which will be submitted to the jury and annexed to the Protocol on the course of the competition.

## **9.14 Evaluation meeting of the jury in the 2nd phase of the Competition**

- 9.14.1 The date of the jury meeting for the evaluation of the competition proposals in the 2nd phase of the Competition will be specified in the invitation for participation in the 2nd phase of the Competition. Any change in the date of the evaluation meeting will be published during the Competition in accordance with paragraph 9.4.4 of the Competition Conditions.

## **9.15 Protocol on the course of the Competition**

- 9.15.1 The secretary of the Competition, or another person authorised by the president of the jury, shall **draw up a Protocol on the course of the Competition** from all the meetings of the jury, the

correctness of which will be verified by all members of the jury and confirmed by the recording person.

- 9.15.2 The Protocol on the course of the Competition shall contain in particular the following:
- minutes of all jury meetings, including the record of votes;
  - a report on the explanation of Competition Conditions during the period for submission of proposals;
  - a report on the receipt of proposals and the examination thereof;
  - recommendations to the Contracting Authority to exclude participants from the Competition;
  - a list of all assessed competition proposals;
  - a record of the course of the assessment of proposals, including a record of voting;
  - written evaluation of all proposals;
  - the decision of the jury on the selection of proposals for the 2nd phase of the Competition, possibly with a more detailed specification of the 2nd phase of the Competition;
  - data on participants and authors and fulfilment of conditions for participation in the Competition by participants assigned to the competition proposal numbers;
  - the opinion of the jury on the selection of the most suitable proposals, on the determination of their order, on the distribution of prizes and reimbursement of expenses associated with participation in the Competition, including its justification and other recommendations of the jury;
  - attendance lists from individual jury meetings;
  - a statutory declaration on the impartiality and fairness of the jury members and persons invited to the evaluation and other participants in the evaluation.
- 9.15.3 Dissenting opinions of the jury members may be recorded in the Protocol on the course of the Competition, if these members expressly request so.

## **9.16 Decision on the selection of the proposal and its notification**

- 9.16.1 When selecting a proposal, the Contracting Authority is bound by the jury's opinion.
- 9.16.2 The Contracting Authority will make a decision on the selection of the proposal within 90 days of the issuance of the jury's opinion.
- 9.16.3 The Contracting Authority may decide on a new assessment of the competition proposals for the reasons specified in Section 148(7) of the Act and in Section 11(1) of the Code of Competition.
- 9.16.4 The Contracting Authority will announce the result of the Competition and the selection of the proposal on the Contracting Authority's profile within 10 working days from the adoption of the final decision on the selection of the most suitable proposal. The notification will be accompanied by the Protocol on the course of the Competition.
- 9.16.5 The result of the Competition will be published after the Contracting Authority's final decision on the selection of the most suitable proposal in other ways in which it has announced the Competition.

## **9.17 Disclosure of competition proposals**

On the day of publication of the announcement of the result of the Competition and the Protocol on the course of the Competition, a 15-day period for disclosing the competition proposals begins to run.

## **9.18 End of the Competition, cancellation of the Competition**

### **9.18.1 The Competition ends:**

- a) on the day the deadline of all participants to submit objections to the selection of the proposal pursuant to Section 241 et seq. of the Act and Section 13 of the Code of Competition passes, if no objections have been submitted;
- b) in the case objections have been submitted, on the day the deadline for filing a motion to initiate proceedings to review the Contracting Authority's actions with the Office for the Protection of Competition pursuant to Section 251(2) or (3) of the Act expires, if the motion is not filed;
- c) in the case the motion to initiate proceedings to review the Contracting Authority's actions is filed, on the day the decision to suspend the administrative proceedings or reject the motion becomes final and enforceable.

9.18.2 The Contracting Authority has the right to cancel the Competition before the final decision of the jury. In such a case, the Contracting Authority is obliged to pay each of the participants who proves that it has started preparing or fully prepared a competition proposal in the 1st phase of the Competition, a compensation for the cancellation of the Competition, in the amount of a proportional share of the total amount designated for the reimbursement of expenses in the 1st phase, but not more than CZK 2,500,000 (in words: two and a half million Czech Koruna). In the case of the 2nd phase of the Competition, the Contracting Authority is obliged to pay each of the participants who proves that it has started preparing or fully prepared a competition proposal in the 2nd phase of the Competition, a compensation for the cancellation of the Competition, in the amount of a proportional share of the total amount designated for prizes and the reimbursement of expenses in the 2nd phase, but not more than CZK 4,375,000 (in words: four million three hundred and seventy-five thousand Czech Koruna). Participants shall prove that they started preparing a competition proposal by delivering their competition proposal electronically (in the formats in which the participant was preparing it), via the Electronic Tool, within 15 days of the publication of the Decision on Cancellation of the Competition. The Contracting Authority will pay the reimbursement for cancellation, based on the opinion of the jury on the degree of completion of proposals, within 50 days from the publication of the cancellation of the Competition.

## **9.19 Payment of prizes and rewards associated with participation in the competition**

- 9.19.1 Reimbursement of expenses associated with participation in the 1st phase of the Competition will be paid to participants in the Competition who submit a competition proposal and whose proposal will be evaluated by a jury no later than 50 days after the final decision to reduce the number of proposals in the Competition in accordance with Section 147 of the Act or within one week from the issuance of an arbitration ruling, if arbitration proceedings have been conducted, in the amount specified in paragraph 8.4 of the Competition Conditions.
- 9.19.2 The prizes will be paid no later than 50 days from the final decision on the selection of the proposal or within one week from the issuance of the arbitration award, if arbitration proceedings were conducted; the Contracting Authority may pay the prizes and other payments earlier.

## **9.20 Public exhibition of competition proposals**

- 9.20.1 The public exhibition of competition proposals will start no later than three months after the publication of the announcement of the selection of the most suitable proposals.

## 10 Resolution of conflicts

### 10.1 Objections

- 10.1.1 Participants in the Competition may submit objections to the actions of the Contracting Authority in the Competition in accordance with Part Thirteen of the Act and Section 13 of the CCA's Code of Competition.
- 10.1.2 Each participant in the Competition may, within 15 days from the date of delivery of the notice of reduction in the number of participants and within 15 days from the date of delivery of the decision on the selection of the most suitable proposal, submit substantiated objections to the Contracting Authority.
- 10.1.3 Objections shall be submitted by the participant in writing and they must state who is submitting them, against which formal procedure of the jury or the Contracting Authority's action the objections are directed, what supposedly constitutes the violation of the Competition Conditions and what the participant demands.
- 10.1.4 The Contracting Authority shall review the submitted objections in full and it shall send to the participant within 15 days of receiving the objections a written decision on whether or not it agrees with the objections, stating the reason. If the Contracting Authority satisfies the objections, it shall state in the decision the manner of implementation of the remedy and notify this fact to all participants in the Competition. If the Contracting Authority declines with the objections, it shall inform the participant in a written decision about the possibility to submit a motion to initiate arbitration to the President of the CCA's Court of Justice (in case of a decision to select the most suitable proposal) and a motion to initiate proceedings for the review of the contracting authority's actions before the Office for the Protection of Competition (hereinafter the "Office").

### 10.2 Proposal to initiate proceedings on the review of the contracting authority's actions

- 10.2.1 The proposal must be delivered to the Office and the Contracting Authority within 10 days from the delivery of the Contracting Authority's decision on objections or within 25 days from the dispatch of the objections by the participant in the case Contracting Authority has not decided on the objections.
- 10.2.2 The requisites of the proposal for the commencement of proceedings on the review of the Contracting Authority's actions and the further procedure of the participant shall be governed by Section 249 et seq. of the Act.

# 11 Copyright

## 11.1 Ensuring copyright protection of the design in the participant-author relationship

- 11.1.1 Ensuring the protection of copyright to the design shall be demonstrated by the participant by providing the documents listed below in accordance with paragraph 5.4.1(b) of Competition Conditions as follows:
- a) if the author is a participant in the Competition, by a statutory declaration of the author that it is a participant in the Competition;
  - b) if the author is an employee of a participant in the Competition, a statutory declaration by the author that he or she is an employee of a participant in the Competition and that the author has created or will create the work in question in the performance of his or her employment duties;
  - c) if the author is a governing body or partner of the participant (if the participant is a legal person), a statutory declaration of the author that he or she is a governing body or partner (shareholder) of the participant in the Competition and that the author created or will create the work in question in the performance of his or her obligations towards that participant;
  - d) if the author is a subcontractor of a participant / participants in the Competition, a licence agreement regulating the settlement of copyrights between the author and the participant / participants in the Competition, the content of which will make it clear that the author grants to the participant with this licence agreement an exclusive licence not limited by time or territory to provide services related to the work in question, up to the stage of successful performance of the contract for Subsequent Contract 1 or Subsequent Contract 2;
  - e) if there are several participants in the Competition who are also authors, a licence agreement governing the settlement of copyrights between the authors of the proposal who are also participants in the Competition, and this agreement must clearly state that the licence for the work in question for the purposes of the Competition will be maintained until the termination of the performance of the contract in the Subsequent Contract 1 or Subsequent Contract 2;
  - f) if there are several participants in the Competition where at least one of the participants is a legal person, a licence agreement governing the settlement of copyrights the participants in the Competition, and this agreement must clearly state that the licence for the work in question for the purposes of the Competition will be maintained until the termination of the performance of the contract in the Subsequent Contract 1 or Subsequent Contract 2;
- 11.1.2 If the licence agreement regulates the settlement of copyright so that its content covers several of the above variants of the relationship between authors and participant / participants in the Competition, a proof of such a comprehensive licence agreement that by analogy meets the conditions set out in paragraph 11.1.1. is sufficient and there is no need to prove a separate licence agreement for a variant covered in such a manner.

## 11.2 Ensuring copyright protection of the design in the participant-contracting authority relationship

- 11.2.1 The authors of the competition proposals are holders of personal copyrights in the sense of Section 2 of Act No 121/2000, on copyright, on rights related to copyright and amending certain acts, as



amended. Authors retain their copyrights, may publish their competition proposals and may use them again in another case.

- 11.2.2 By submitting the competition proposals, the participants agree to the free reproduction and display of their competition proposals as part of the promotion of the Competition and its results.
- 11.2.3 The awarded competition proposals become the property of the Contracting Authority. The authors of these competition proposals grant the Contracting Authority the consent to use their author's works for the purposes of this Competition. The use of the proposals or parts thereof for purposes other than those specified in these Competition Conditions is subject to the express permission of the authors.
- 11.2.4 Unawarded competition proposals will be returned to the authors upon request after the end of the exhibition.

## 12 Other conditions

### 12.1 Language of the competition

- 12.1.1 The Competition is announced and will take place in Czech and English.
- 12.1.2 Therefore, all parts of the competition proposal must be prepared in Czech and English. In the event of discrepancy between the Czech and English versions, the Czech version of the competition proposal shall prevail.
- 12.1.3 The Competition Conditions are prepared in Czech and English. In case of any discrepancies between the Czech and English versions of the Competition Conditions, the wording of the Competition Conditions in the Czech language shall prevail.
- 12.1.4 Communication with participants will take place in Czech and English. In the event of discrepancy between any information provided to participants in Czech and English, the Czech version of such information shall prevail.

### 12.2 Legal jurisdiction

- 12.2.1 The Competition will take place in accordance with Czech law.

### 12.3 Clause on acceptance of the conditions of the competition

- 12.3.1 By participating in the Competition, the Contracting Authority, the secretary of the Competition, the examiners, jury members and invited experts confirm that they have read the Competition Conditions and undertake to comply with and honour these Competition Conditions.
- 12.3.2 By submitting a request to participate, confirmation of participation and by submitting a competition proposal, participants agree with all the conditions of the Competition and with the decisions of the jury made within these conditions and in accordance with them.

Prague, 27th August 2020

Ing. Mojmír Nejezchleb

Deputy Director General of the Railway Administration for Railway Modernisation

Brno, 27th August 2020

JUDr. Markéta Vaňková

Mayor of the Statutory City of Brno

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