

## **Správa železnic, státní organizace, hereby declares**

Pursuant to Act No. 134/2016 Sb., on Public Procurement, as amended,

Act No. 360/1992 Sb., on the profession of authorized architects and the profession of authorized engineers and technicians active in construction, as amended,

Taking into account the competition rules of the Czech Chamber of Architects of 24 April 1993, as amended, and

Taking into account the provisions of Sections 1772 to 1779 of Act No. 89/2012 Sb., the Civil Code, as amended,

**above-threshold public contract for services awarded in a competitive dialogue procedure according to the Public Procurement Act, entitled**

### **"Railway Bridges under Vyšehrad"**

**for the architectural and structural design of railway bridges under Vyšehrad**

**and**

**publishes for this purpose this Tender Documentation.**

*The Contracting Authority awards the Public Contract in the form of a procedure with a Competitive Dialogue with reference to Section 60 (1) (b) of the Public Procurement Act, as part of performance of the Public Contract is a proposed design.*

## Definitions

### DEFINITIONS AND A SUMMARY OF FUNDAMENTAL SUBMISSIONS BY THE PARTICIPANTS IN THE CD:

<p><b>Request to Participate</b></p>	<p>A submission by means of which contractors who wish to participate in the CD prove to the Contracting Authority their compliance with the relevant qualification requirements.</p> <p>The qualification requirements the compliance with which the participant in the CD is required to prove are specified in Section 9 of this Tender Documentation.</p> <p>A template of the Request to Participate is attached as Annex <b>P08</b> hereto.</p>
<p><b>Concept</b></p>	<p>A draft design concept to be submitted to the Contracting Authority by all participants in the CD who have proved compliance with the qualification requirements.</p> <p>The CD participant will be asked by the Contracting Authority to submit a Concept by means of an invitation to participate in the Competitive Dialogue.</p> <p>The Concept constitutes the execution of the Contracting Authority's Task Specification (Annex <b>P01</b> to the Tender Documentation) by the CD participant.</p> <p>The Concept will be used as an underlying document to shortlist the designs to be considered by the Contracting Authority in the CD.</p> <p>The content and structure of the Concept are specified in Section 10 hereof.</p> <p>A template of the Concept is attached as Annex <b>P09</b> hereto.</p>
<p><b>Modified Concept</b></p>	<p>A modified draft design concept based on the Concept.</p> <p>A Modified Concept will be submitted to the Contracting Authority by those CD participants who, after shortlisting the designs, were asked to submit it. These participants will present their Modified Concepts to the evaluation committee. The outcome of such presentation will, where appropriate, be the evaluation committee's recommendation to finalise the Modified Concept for purposes of future submission of a tender.</p> <p>The content and structure of the Modified Concept are specified in Section 11 hereof (the Contracting Authority reserves the right to further clarify the content and structure of the Modified Concept).</p> <p>A template of the Modified Concept is attached as Annex <b>P10</b> hereto.</p>

<b>Design</b>	<p>the final draft design of the CD participant concerning the Contracting Authority's Task Specification.</p> <p>The Design will be based on the Modified Concept in response to the recommendations provided to the participant by the evaluation committee with respect to the Modified Concept following the presentation of the Modified Concept.</p> <p>The content and structure of the Modified Concept are specified in Section 12 hereof (the Contracting Authority reserves the right to further clarify the content and structure of the Modified Concept).</p> <p>Participants will submit the Design as part of their respective tenders.</p> <p>A template of the Design is attached as Annex <b>P11</b> hereto.</p>
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**OTHER DEFINITIONS:**

<b>Architectural Study</b>	<p>The sc. "building design" within the meaning of the architect's standard services for Service Phase 2 of the CCA Architect's Services Standard.</p> <p><b><u>For purposes of this Tender Documentation, Architectural Study also means a competition entry awarded a prize or rewarded in the design competition.</u></b></p> <p>The relevant part of the CCA Architect's Services Standard defining the architect's standard services for Service Phase 2 is set out in Annex <b>P08</b> hereto.</p>
<b>Copyright Act</b>	Act No. 121/2000 Sb., on copyright and related rights and on amendment to certain acts of law (Copyright Act), as amended
<b>CCA</b>	Czech Chamber of Architects
<b>CCAET</b>	Czech Chamber of Authorized Engineers and Technicians Active in Construction
<b>Documentation</b>	Documentation for the issuance of a decision on the location of the construction, or project documentation for the issuance of a building permit, or documentation for the issuance of a joint permit or project documentation for carrying out the construction, all in accordance with Decree of the Ministry for Regional Development No. 499/2006 Sb. on construction documentation, as amended, or any foreign equivalent (that is, in particular planning permit or building permit)

<b>Electronic Tool / The Contracting Authority's Profile</b>	Electronic tool through which the Contracting Authority publishes information and documents pertinent to this Competitive Dialogue, and which is: <a href="https://zakazky.spravazeleznic.cz">https://zakazky.spravazeleznic.cz</a>
<b>Competitive Dialogue / CD / Tender Procedure</b>	Award procedure in accordance with Section 68 of the Public Procurement Act under which this above-threshold Public Contract is being awarded
<b>Competition Rules</b>	CCA Competition Rules of 24 April 1993, as amended
<b>Public Contract</b>	This above-threshold public contract for services awarded in the Competitive Dialogue
<b>Winning Contractor</b>	Participant whose tender was evaluated in the Competitive Dialogue as the most advantageous tender for the Contracting Authority and with whom the Contracting Authority should conclude the Contract
<b>Contract</b>	<p>The contract for the performance of the subject matter of the Public Contract, the draft version of which forms Annex <b>P12</b> to the Tender Documentation.</p> <p>The final and definitive version of the draft Contract will be provided to the participants in the Competitive Dialogue along with the invitation to submit tenders and will account for the results of negotiations with the participants in the Competitive Dialogue.</p>
<b>CCA Architect's Services Standard</b>	<p>A document entitled "The Standard of architect's services and documentation for designing building structures" published by the CCA</p> <p>The CCA Architect's Services Standard is available here: <a href="https://www.cka.cz/cs/cka/kontakty/pracovni-skupiny/ps-honorare/2017-standard-sluzeb-architekta">https://www.cka.cz/cs/cka/kontakty/pracovni-skupiny/ps-honorare/2017-standard-sluzeb-architekta</a></p>
<b>Structure</b>	See Section 2.2.1 herein
<b>Task Specification</b>	Annex <b>P01</b> to the Tender Documentation
<b>Contracting Authority</b>	See Section 1.1 herein
<b>Tender Documentation</b>	This tender documentation that has been prepared for purposes of the Competitive Dialogue
<b>Tender Specifications</b>	An information summary defining the subject matter of the Public Contract and the conditions governing the course of the Competitive Dialogue, including in particular the Tender Documentation, its annexes and all other information provided by the Contracting Authority in connection with the Competitive Dialogue, including explanations of the Tender Conditions (see Section 5.2 herein)

<b>Act on the Exercise of Profession</b>	Act No. 360/1992 Sb., on the profession of authorized architects and the profession of authorized engineers and technicians active in construction, as amended
<b>Public Procurement Act</b>	Act No. 134/2016 Sb., on public procurement, as amended

## **A: BASIC INFORMATION ON THE COMPETITIVE DIALOGUE**

- The Contracting Authority, the evaluation committee, invited experts and auxiliary bodies of the evaluation committee
- Basic information on the Competitive Dialogue
- Brief description of the course of the Competitive Dialogue
- Expected time schedule of the Competitive Dialogue

## **1. The Contracting Authority, Evaluation Committee, Invited experts and Auxiliary Bodies of the Evaluation Committee**

### **1.1 Contracting Authority**

Name: Správa železnic, státní organizace  
Registered office: Dlážděná 1003/7, 110 00 Prague 1  
ID No./VAT No.: 709 94 234 / CZ70994234  
Data box: uccchjm

### **1.2 Organizer of the Competitive Dialogue and the Person Authorized by the Contracting Authority to Communicate with Contractors and Participants in the Competitive Dialogue**

Name: HAVEL & PARTNERS s.r.o., advokátní kancelář  
Registered office: Na Florenci 2116/15, 110 00, Prague 1, Czech Republic  
ID No.: 264 54 807  
VAT No.: CZ26454807  
Contact person: Mgr. Kamila Kulhánková  
Phone: +420 255 000 946  
Email: [kamila.kulhankova@havelpartners.cz](mailto:kamila.kulhankova@havelpartners.cz)

### **1.3 Author of the Tender Documentation and Task Specification**

Name: HAVEL & PARTNERS s.r.o., advokátní kancelář  
Registered office: Na Florenci 2116/15, 110 00, Prague 1, Czech Republic  
Phone: +420 255 000 946  
Email: [kamila.kulhankova@havelpartners.cz](mailto:kamila.kulhankova@havelpartners.cz)

**and**

Name: Správa železnic, státní organizace  
Registered office: Dlážděná 1003/7, 110 00, Prague 1, Czech Republic  
Email: [andrst@spravazeleznic.cz](mailto:andrst@spravazeleznic.cz)

Persons involved in compiling the Tender: Ing. arch. Pavel Andršt

Documentation / Task      Ing. Lenka Seidlová  
Specification on behalf      Ing. Jiří Krouský  
of the Contracting  
Authority:                      Ing. Miroslav Veliš

## **1.4 Evaluation Committee**

### 1.4.1 Dependent Part of the Evaluation Committee

#### Regular members

1. **Ing. Pavel Paidar**

*Správa železnic, státní organizace, General Directorate, Director of the Construction Preparation Section, Railway Modernization Unit, Construction Preparation Department*

2. **Ing. Petr Hofhanzl**

*Správa železnic, státní organizace, Director of the Construction Administration West*

3. **doc. Ing. arch. Petr Hlaváček**

*Metropolitan Municipal Authority of Prague, First Deputy Mayor, member of the Prague City Council in charge of the area of territorial development and zoning plan*

*Architect, CCA authorization number 02756*

4. **Ing. Adam Scheinherr, MSc., Ph.D.**

*Metropolitan Municipal Authority of Prague, Deputy Mayor, member of the Prague City Council in charge of the area of transport*

5. **Ing. arch. Zuzana Hamanová**

*Prague 5 district, Council member, Head of the Committee for Territorial Development, member of the Committee for Culture and Restoration of Monuments, member of the Committee for the Environment*

*Architect, CCA authorization number 02711*

#### Alternates

1. **Ing. Karel Švejda, MBA**

*Správa železnic, státní organizace - Railway Modernization Unit, Director of the Investment Department (O7)*

2. **Ing. Jakub Bazgier**

*Správa železnic, státní organizace, Deputy Director of the Construction Administration West*

3. **Ing. arch. Tomáš Veselý**

*Metropolitan Municipal Authority of Prague, Deputy Director of the Office for the Urban Planning Section*

*Architect, CCA authorization number 03136*

1.4.2 Independent part of the evaluation committee

Regular members

1. **doc. Ing. Pavel Ryjáček, Ph.D.**

*Czech Technical University in Prague, Faculty of Civil Engineering*

*Authorized Engineer, CCAET No. 0009851*

2. **Ing. Václav Jandáček**

*Klub Za starou Prahu association, specialist in civil engineering and construction*

*Authorized Engineer, CCAET No. 0002218*

3. **Ing. Michal Drahorád, Ph. D.**

*Czech Technical University in Prague, Faculty of Civil Engineering*

*Authorized Engineer, CCAET No. 0011843*

4. **doc. Ing. arch. Radek Kolařík**

*Architect, CCA authorization number 00517*

5. **Ing. arch. Jan Sedlák**

*Architect, CCA authorization number 00021*

6. **Ing. Martin Krupauer**

*Architect, CCA authorization number 01263*

Alternates

1. **Doc. Ing. Tomáš Rotter, CSc.**

*Czech Technical University in Prague, Faculty of Civil Engineering*

2. **Mgr. Michal Novotný, Ph.D.**

*Klub Za starou Prahu association, Director of the Railway Museum with the National Technical Museum*

3. **Ing. arch. Jaroslav Wertig**

*Architect*

4. **Ing. arch. MgA. David Mateáško**  
*Architect, CCA authorization number 02936*

## **1.5 Invited Experts**

1. Ing. Václav Podlipný, Správa železnic, General Directorate 013 - Department of Bridges and Tunnels
2. Ing. Jan Laifr, Správa železnic, General Directorate 013 - Department of Bridges and Tunnels
3. Ing. Tomáš Šlais, Správa železnic, General Directorate 013 - Department of Bridges and Tunnels
4. Ing. Hartman / Ing. Bednář, Správa železnic, General Directorate 013 - Railway Superstructure Department
5. Ing. Miroslav Veliš, Správa železnic, General Directorate 06
6. Ing. Ivo Jauris, Správa železnic, General Directorate 013 - Railway Substructure Department
7. Ing. Lenka Seidlová, Správa železnic, General Directorate 06 - bridges
8. Ing. Jaromír Louma, Správa železnic, General Directorate 06 - tracks, platforms
9. Ing. Eva Schorníková, Správa železnic, General Directorate 06 - environment
10. Ing. Jan Marek, Správa železnic, Business Directorate Prague, Head of Administration of Bridges and Tunnels
11. Ing. Lucie Krotilová, Správa železnic, Construction Administration West, architect
12. Ing. Eva Dvořáková, National Heritage Institute, General Directorate, Department of Specialists, monument care worker
13. Ing. arch. David Měska, National Heritage Institute, Regional Office Prague, Department of Specialists, specialization: industrial monuments of Prague
14. Ing. Jan Zemánek, Technická správa komunikací hl. m. Prahy, a.s.

During the Competitive Dialogue, the evaluation committee may ask the Contracting Authority to invite additional experts.

## 2. Basic information on the Competitive Dialogue

### 2.1 Basic information on the Competitive Dialogue and Its Purpose

- 2.1.1 The purpose of the Competitive Dialogue is to conclude a Contract for the performance of the Public Contract with the Winning Contractor that by the evaluation criteria in accordance with Section 5.11 herein submits in the Competitive Dialogue the most advantageous tender for the Contracting Authority for the performance of the Public Contract.
- 2.1.2 By the group of participants, the Competitive Dialogue is declared as open to an unlimited group of participants who shall prove that they fulfil the qualification criteria for participation in the Competitive Dialogue (see Section 9 herein).
- 2.1.3 The Competitive Dialogue is declared on a non-anonymous basis, meaning that the evaluation committee will, when shortlisting the designs in accordance with Section 69 (4) in conjunction with § 112 of the Public Procurement Act on the basis of the Concepts, during the presentation of Modified Concepts and in the evaluation of submitted tenders know the identification data of the participants in the Competitive Dialogue.

### 2.2 Subject Matter of the Public Contract

- 2.2.1 The subject matter of the Public Contract is (in follow-up to the Design presented by the Winning Contractor in the Competitive Dialogue) the **preparation of an architectural study within the meaning of Service Phase 2 of the CCA Architect's Services Standard for the draft architectural and structural design** of the railway bridges across the Vltava River in Prague on the boundary between the cadastral areas of Vyšehrad and Nové Město and continuing to the left bank of the Vltava River in the cadastral area of Smíchov and both front zones of the bridges, including all pertinent earthworks in the area in connection with the newly required railway bridge across the Vltava River in this place with three tracks and while addressing all the connections in the area while constructing a new train stop (tentatively named Praha-Výtoň) on the right bank of the Vltava River and preserving the walking paths and cycling routes across the Vltava River that use this new bridge. The railway bridges concerned include the following existing railway bridges: bridge at ref. km 3.390 Vyšehrad garáže I, bridge at ref. km 3.415 Vyšehradská, bridge at ref. km 3.470 Vyšehrad garáže II, bridge at ref. km 3.545 Výtoň, bridge at ref. km 3.706 Pod Vyšehradem, bridge at ref. km 3.891 Přístavní.

The Contracting Authority points out that the subject matter of the Public Contract does not include the performance of any other phase of services according to the Architect's Standard of Services. After conclusion of the Competitive Dialogue, the Contracting Authority will announce a separate tender procedure for the selection of contractor to prepare individual stages of documentation, which will be based on the draft design of the Winning Contractor and subsequently on the architectural study prepared by the Winning Contractor, and on the performance of author's supervision.

The subject matter of the Public Contract will be (in addition to the preparation of the Architectural study) in particular **the following activities**:

1. **Consulting activities** of the Winning Contractor under which the Winning Contractor will provide the designer selected in a separate tender procedure

(see Section 2.2.1 above) in the preparation of project documentation with expert consultations on the architectural study prepared by the Winning Contractor; the consulting activities of the Winning Contractor include, within the scope of the terms of the Contract, also the performance of author's supervision pursuant to the Copyright Act;

2. **Due cooperation in the performance of author's supervision of the designer**, which will be performed, pursuant to Section 152 (4) of Act No. 183/2006 Coll., on land use planning and building rules (the Building Act), during the construction of the Railway Bridges under Vyšehrad ("**Structure**") by a person appointed by the Contracting Authority, specifically in connection with the performance of the author's supervision and in relation to all parts of the Structure which will be, albeit in combination with the project documentation prepared by the designer, implemented on the basis of the architectural study prepared by the Winning Contractor.

- 2.2.2 The Contracting Authority classifies the performance of the Public Contract on an auxiliary basis according to the CPV code:

71000000-8	Architectural, construction, engineering and inspection services
71200000-0	Architectural and related services
71320000-7	Engineering design services
71242000-6	Project and design preparation, estimation of costs

## 2.3 Competition Brief

- 2.3.1 The assignment to participants in the Competitive Dialogue for the purposes of elaboration of the Concept, the Modified Concept and the Design is detailed in the Task Specification, which forms Annex **P01** to the Tender Documentation.

The Contracting Authority further reserves the right to further elaborate the Task Specification for purposes of submitting the Modified Concept and for purposes of submitting the Design in more detail, in particular in follow-up to the course of the Competitive Dialogue.

- 2.3.2 **The Contracting Authority requires** that in preparing the Modified Concept and in preparing the Design the following binding conditions are observed (the binding conditions apply accordingly also to the elaboration of Concept to the extent that the Concept can prove their fulfilment):

<b>INDICATION OF THE BINDING CONDITION IN THE TASK SPECIFICATION</b>	<b>WORDING OF THE BINDING CONDITION</b>
Section 2.2.2 of the Task Specification	Concerning interventions in other protected elements of the railway bridge, the participant shall assess the necessity of such interventions and propose their appropriate scope.
Section 2.3.5 of the Task Specification	The proposed design must respect the requirements for barrier-free access to structures as defined by Decree No. 398/2009 Coll., on the general technical requirements ensuring barrier-free use of structures. The

	<p>design of the new railway stop must meet the requirements of Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility.</p>
<p>Section 2.4.2 of the Task Specification</p>	<p>Due to the requirements of monument protection, any roofing or overhang structures to protect the stop and access roads from weather will not feature a multi-storey design.</p>
<p>Section 2.5.2 of the Task Specification</p>	<p>The Contracting Authority sets as the basic parameters of all railway bridges the following:</p> <ul style="list-style-type: none"> <li>• The design and review of steel structures will be performed in accordance with the ČSN and ČSN EN 199x series of standards, in terms of bridges, the line is classified as a class 2 line (ČSN EN 1991-2 / Z4);</li> <li>• Where bridges and their parts will be preserved, the Contracting Authority requires <math>Z_{uic} \geq 1,0</math> (according to the Czech Methodological Guidance for determining the load-bearing capacity of bridge structures, as amended, or, once published, compliant with the Czech Regulation SŽ S5/1 Diagnostics, load-bearing capacity and passability of railway bridge structures, without using reliefs in accordance with Chapter F and G), due to extraordinary transports;</li> <li>• Residual service life of any retained structures at least 90 years;</li> <li>• The bridge clearance will be determined in accordance with ČSN 73 6201 (VMP 2.5 for all bridges);</li> <li>• Minimum distance between track centres on the bridge 4.0 m.</li> </ul>

Section 2.5.3 of the Task Specification	Of the existing bridge across the Vltava River, the current pillars must be preserved.
Section 2.5.5 of the Task Specification	The proposed design must not interfere with the existing underground route of the Botič stream, which mouths the Vltava River south of the bridges.
Section 2.6.5 of the Task Specification	The bridge structure will allow routing cables on both sides of the structure.
Section 2.6.7 of the Task Specification	The draft bridge design must allow compliance with the requirements for noise pollution in the area in accordance with the Czech Government Regulation No. 272/2011 Coll., Against the adverse effects of noise and vibrations.
Section 2.6.8 of the Task Specification	The long-welded rails will be designed as part of the proposed design.
Section 2.6.9 of the Task Specification	Insulation distances must be designed for the AC traction system.
Section 2.8.5 of the Task Specification	Necessity to use road surface materials in the area due to the requirements of monument protection.
Section 2.8.7 of the Task Specification	The proposed design must respect the requirement to keep the existing staircase from the embankment.
Section 2.10.1 of the Task Specification	It must be possible to implement the proposed solution in a single construction project so that public transport disruptions are limited to the extent possible.

- 2.3.3 The evaluation committee will focus its attention on whether the binding conditions are met already in the Concept. Consequently, the Contracting Authority recommends that the participants prepare the Concept so that the binding conditions are met as much as possible already in the Concept. However, with regard to the extent of the Concept required by the Contracting Authority (and given that it is not justifiable to require the Concept to be more extensive), it is not possible for the evaluation committee to be able to clearly conclude on fulfilment of the binding conditions in the Concept. Therefore, a Concept that in the opinion of the evaluation committee will not meet the binding conditions (even a single one of them) will thus not be excluded from participation in the Competitive Dialogue, and the Contracting Authority will not exclude a participant who has submitted such a Concept from the participation in the CD.

The evaluation committee will then focus in more detail on how participants meet the binding conditions with regard to the Modified Concept and the Design, the latter of which will be a part of the participant's tender.

A participant whose Modified Concept is judged by the evaluation committee as not meeting the binding conditions (even a single one of them) or concerning whose Modified Concept the evaluation committee has doubts as to whether the concept meets these conditions (even regarding a single one of them) will be notified of these facts in writing by the Contracting Authority before presenting the Modified Concept to the evaluation committee.

At the same time, the participant will be invited to prepare an explanation for the purposes of the presentation of the Modified Concept to the evaluation committee, or to finalise the Modified Concept with a view to fulfilling the binding conditions. While presenting the Modified Concept, the participant will be given an opportunity to either prove to the evaluation committee that its Modified Concept fully meets the binding conditions, or to explain to the evaluation committee how its Modified Concept will be finalised so that the future Design to be submitted within the tender will meet the binding conditions.

2.3.4 **The Contracting Authority points out that in the event that the participant's Design submitted within the tender does not meet the binding conditions according to Section 2.3.2 herein, such participant will be excluded from the Competitive Dialogue, without any right to a reward pursuant to Section 2.7.3 herein.**

2.3.5 **The Contracting Authority recommends** in preparing the Concept, the Modified Concept and in preparing the Design to observe also further requirements of the Contracting Authority provided in the Task Specification.

The extent to which these requirements will be fulfilled in the Concept will be decisive when shortlisting the solutions according to the criteria detailed (by their material type) in Section 5.8.3 herein (shortlisting the solutions).

The degree of fulfilment of these requirements in the Design will be the subject of tender evaluation using the criteria listed (by their material type) in Section 5.11 herein (evaluation of tenders).

2.3.6 How to deal with aspects of the subject matter of the Public Contract not mentioned in the Task Specification is left to the creativity of the participants.

## **2.4 Scope of the Planned Structure**

2.4.1 **The estimated amount of investment costs** for the actual implementation of the Structure is **CZK 1,500,000,000 without VAT** (including a provision of approx. CZK 280–480 million without VAT).

## **2.5 Place of Performance of the Public Contract and Inspection of the Place of Performance**

2.5.1 The place of performance of the Public Contract is the place of registered office of the Winning Contractor and further, in cases stipulated by the Contract, also the place of registered office of the Contracting Authority.

2.5.2 The Contracting Authority does not organize an inspection of the site of the future construction of the Structure. This place is publicly accessible and those who intend to participate in the Competitive Dialogue are free to inspect it in person on their own.

## **2.6 Implementation Period of the Public Contract**

- 2.6.1 The performance of the subject matter of the Public Contract will start immediately after the entry into force of the Contract. The Contract is expected to enter into force on 1 February 2022. Given the impossibility of defining the exact timeline for the course of the Competitive Dialogue, the Contracting Authority reserves the right to adjust the date of entry into force of the Contract.
- 2.6.2 The Winning Contractor will be obliged to prepare and submit to the Contracting Authority the final version of architectural study (see Section 2.2.1 herein) within 4 calendar months from the date of entry into force of the Contract.

## **2.7 Estimated value of the Public Contract, Prizes and Rewards in the Competitive Dialogue**

- 2.7.1 The estimated value of the Public Contract is **CZK 15,000,000 without VAT** and includes:
1. The expected amount of consideration for the performance of the subject matter of the Contract by the Winning Contractor in the amount of **CZK 8,000,000** excluding VAT, and further
  2. The total amount of prizes and rewards in the Competitive Dialogue in the amount of **CZK 7,000,000.**
- 2.7.2 The Contracting Authority points out that the amount of consideration for the performance of the subject matter of the Contract by the Winning Contractor pursuant to Section 2.7.1 (1) herein also constitutes the maximum amount of funds the Contracting Authority has available at the present time for payment for the Winning Contractor's performance so that in the Competitive Dialogue, it will be probably unable to accept a participant's tender priced in excess of the estimated value of **CZK 8,000,000 excluding VAT**. The terms for defining the tender price for the participants and any limitation of the amount of the tender price of the participant will be included in their final version in the invitation to submit a tender.
- 2.7.3 In accordance with Section 36 (9) of the Public Procurement Act, the Contracting Authority sets the rules for the awarding of prizes and rewards in the Competitive Dialogue as follows:
1. The total amount for prizes and rewards (payments) in the Competitive Dialogue is set at CZK 7,000,000.
  2. To each participant who:
    - a) Will be invited to submit a tender, and
    - b) Submits the tender to the Contracting Authority within the set deadline, and this tender will be processed in terms of its content in accordance with the Tender Documentation, in particular it will contain a Design prepared in accordance with the requirements of the Tender Documentation and the invitation to submit a tender (including meeting the sc. binding conditions, see Section 2.3.2 herein) and will include recommendations of the evaluation committee from the presentation of the Modified Concept, and this tender will make it to the tender evaluation phase,

The Contracting Authority will pay a reward of CZK 800,000.

3. The Contracting Authority will further pay to the participant whose tender finishes in the evaluation of tenders in the 1<sup>st</sup> place a place prize in the amount of CZK 1,000,000.
4. The Contracting Authority will further pay to the participant whose tender finishes in the evaluation of tenders in the 2<sup>nd</sup> place a place prize in the amount of CZK 700,000.
5. The Contracting Authority will further pay to the participant whose tender finishes in the evaluation of tenders in the 3<sup>rd</sup> place a place prize in the amount of CZK 500,000.
6. The Winning Contractor loses the right to be paid the reward according to Section 2.7.3 (2) herein and the prize according to Section 2.7.3 (3) herein in the event that it fails to fulfil the obligations under this Tender Documentation and the Public Procurement Act relating to the conclusion of the Contract, or does not cooperate with the Contracting Authority to the extent necessary to conclude the Contract. The above applies accordingly also to the payment of reward (and prize, should it have to be paid to the participant in accordance with Section 2.7.3 herein) to each further participant in the line, should the Contracting Authority proceed in accordance with Section 125 of the Public Procurement Act and the Contract should be concluded with this participant due to exclusion of the Winning Contractor from the Competitive Dialogue.
7. Prizes and rewards awarded in the Competitive Dialogue to natural persons - non-entrepreneurs will be reduced in accordance with Section 36 (2) (i) of Act No. 586/1992 Coll., on income tax, as amended, by income tax in the amount of 15%, which will be refunded by the Contracting Authority pursuant to Act No. 280/2009 Coll., the Tax Code, as amended, to the tax administrator.
8. Prizes and rewards awarded in the Competitive Dialogue to corporate bodies and natural persons - entrepreneurs will be paid in accordance with Act No. 586/1992 Coll., on income tax, as amended, in full and included for tax purposes by the corporate body or natural person - entrepreneur concerned in their regular tax return.
9. Prizes and rewards awarded in the Competitive Dialogue to participants who are not taxpayers in the Czech Republic will be paid in full. Such participants pay income tax in accordance with the legal regulations in force and effect in the place of their tax residence.
10. The prizes and rewards in accordance with Section 2.7.3 herein will be paid to the participants no later than 50 days from the decision of the Contracting Authority on the selection of the most suitable tender.
11. The Contracting Authority does not provide to the participants in the Competitive Dialogue any reimbursement of expenses in connection with their participation in the Competitive Dialogue, except for the rewards and prizes awarded in accordance with this Section 2.7.3 of the Tender Documentation.
12. In the event of cancellation of the Competitive Dialogue after delivery of the Contracting Authority's decision on shortlisting the designs pursuant to Section 69 (4) in conjunction with Section 112 of the Public Procurement Act, the participants whose Concepts have made it to further round of talks in the Competitive Dialogue will be reimbursed pertinent expenses in connection with their participation in the Competitive Dialogue. The Contracting Authority is obliged to reimburse each of these participants a

proportional part of the costs associated with the preparation of the Design for purposes of submitting a tender, in the amount of the proportional share in the total amount for prizes and rewards of CZK 7,000,000. The specific amount of the proportional share for each individual participant shall be set by the evaluation committee on the basis of its expert assessment of the extent of work invested in the Design by the given participant. To this end, the participant concerned who wishes to be reimbursed the costs associated with the preparation of the Design shall submit to the Contracting Authority at its request the Design in its current state of progress within 10 working days via the Contracting Authority's Profile.

## **2.8 Principle of Responsible Public Procurement**

- 2.8.1 On 1 January 2021, an amendment to the Public Procurement Act came into force, which explicitly introduced in the Public Procurement Act the principle of responsible public procurement. Specifically, this principle is contained in Section 6 (4) of the Public Procurement Act, which now stipulates that a contracting authority in proceeding according to the Public Procurement Act, meaning in compiling tender conditions, in evaluating tenders and in contractor selection is obliged, providing that it will be possible with a view to the nature and purpose of the contract, comply with the principles of socially responsible procurement, environmentally responsible procurement and innovations within the meaning of the Act. The contracting authority is obliged to duly justify its course of actions.
- 2.8.2 The Contracting Authority intends to open the Competitive Dialogue in accordance with the principles of responsible public procurement.
- 2.8.3 Concrete manifestation of the principle of socially responsible procurement: The Contracting Authority fulfils the principle of responsible procurement by requesting in the given case performance that relates to a structure serving the public, stimulates the cultural aspect of architecture in connection with such publicly beneficial structure and at the same time sets an example with its actions for similar activities to other contracting authorities.
- 2.8.4 Concrete manifestation of the principle of environmentally responsible procurement: Concrete manifestations of the principle of environmentally responsible procurement are taken into account both in shortlisting the designs and in the evaluation of the Modified Concept and the Design of the participant under the evaluation sub-criterion "Architectural and Zoning Design" part of the evaluation criterion "Quality of the Draft Design".
- 2.8.5 Concrete manifestation of the principle of innovations: The Contracting Authority has limited the binding conditions in the Task Specification to a minimum; other requirements stated in the Task Specification are recommendations (see Section 2.3.5 herein) the Contracting Authority prefers to observe; however, it is left to the participant's discretion whether to propose to the Contracting Authority a different solution to these recommendations. This will allow introduction of innovations in the Competitive Dialogue.

### 3. Brief Description of the Course of the Competitive Dialogue

The course of the Competitive Dialogue is divided into the following 3 stages:

1. **Qualification stage**
2. **Actual competitive dialogue stage**
3. **Tender stage**

#### 3.1 Qualification stage

- 3.1.1 The qualification stage of the Competitive Dialogue is launched by sending a notice of commencement of the Tender Procedure for publication pursuant to Section 212 of the Public Procurement Act, which amounts to an invitation by the Contracting Authority to an unlimited number of contractors to submit a **Request to Participate** (see Section 5.3 below). By means of the Request to Participate, CD participants prove that they meet the qualification requested by the Contracting Authority – see Section 9 below.
- 3.1.2 Within the timeframe for the submission of Requests to Participate, contractors may submit requests to the Contracting Authority for explanations of the Tender Conditions - see Section 5.2 herein.
- 3.1.3 After the deadline for the submission of Requests to Participate has lapsed, the Contracting Authority will assess fulfilment of the qualification requirements for those participants who submitted the Requests to Participate to the Contracting Authority within the set deadline - see Section 5.3 herein. Participants who have not proven fulfilment of the qualification criteria for participation in the Competitive Dialogue will be excluded by the Contracting Authority from participation.

#### 3.2 Actual competitive dialogue stage

- 3.2.1 This stage will be launched by sending a **call for participation in the Competitive Dialogue** to those participants in the Tender Procedure who proved, by means of the Request to Participate, fulfilment of the qualification requested by the Contracting Authority.
- 3.2.2 At the beginning of this stage, the Contracting Authority will hold a **joint meeting** with all the participants in the Public Contract in order to familiarise the participants with its needs and requirements concerning the subject matter of the Public Contract.
- 3.2.3 In this stage of the Competitive Dialogue, the participants prepare a **Concept**, based on the Contracting Authority's Task Specification, which they submit to the Contracting Authority within the set deadline.
- 3.2.4 Also in this phase of the Competitive Dialogue, the Contracting Authority will **shortlist the number of designs** to be discussed further, based on the submitted Concepts. The Contracting Authority has reserved for this the course of procedure according to Section 112 of the Public Procurement Act in the notice of commencement of the tender procedure. The shortlisting of the designs will be performed by the evaluation committee based on the criterion of the "**Quality of the Draft Design**" (see Section 5.8.3 herein). The evaluation committee will select in a procedure pursuant to Section 5.8 herein a **maximum of 6 Concepts**

to be discussed further. **The decision on shortlisting the designs** will be sent to all participants who submitted a Concept in the Tender Procedure. Participants whose Concept has not been selected by the evaluation committee to be discussed further will be excluded by the Contracting Authority from further participation in the Competitive Dialogue.

- 3.2.5 Participants whose Concepts have been selected to be discussed further will be given a deadline to advance their Concepts to the stage of the sc. **Modified Concept** and to **prepare the presentation of this Modified Concept** before the evaluation committee.
- 3.2.6 Presentations of Modified Concepts will be held with each participant separately. The evaluation committee is entitled to negotiate with each participant on all the terms and conditions and aspects of the Public Contract and the Modified Concept of the participant. The output from the presentation will be a potential recommendation by the evaluation committee to finalise the Modified Concept for later submission of the Design within the participant's tender.
- 3.2.7 All participants who have submitted their Modified Concepts to the Contracting Authority will be informed by the Contracting Authority in writing about the conclusion of the actual competitive dialogue stage, and at the same time each of those participants will be invited to submit a tender. In the call for tender, the participants will also be given an evaluation of their Modified Concepts based on the criteria according to Section 5.11 herein.

### **3.3 Tender stage**

- 3.3.1 In the tender stage, the participants in the Competitive Dialogue who submitted their Modified Concepts to the Contracting Authority **will be invited to submit tenders** by a call pursuant to Section 69 (6) of the Public Procurement Act.
- 3.3.2 The invited participants shall submit their tenders in accordance with the terms of the call for tenders. The tenders of the invited participants shall include (final) Designs.
- 3.3.3 The tenders of the invited participants will be reviewed by the Contracting Authority and the evaluation committee then subsequently evaluates the submitted tenders using the evaluation criteria according to Section 5.11 herein and will sort the tenders in the descending order of their preferability. The Winning Contractor, with which the Contracting Authority should subsequently conclude the Contract is the participant whose tender ranks 1<sup>st</sup> in the evaluation of tenders.
- 3.3.4 The Contracting Authority reserves the option to negotiate with the Winning Contractor in accordance with Section 69 (8) of the Public Procurement Act in order to confirm its tender and elaborate in detail the contractual terms and conditions, providing that this does not result in a change to the basic parameters of the tender or the Tender Conditions.

#### 4. Basic Time Schedule of the Competitive Dialogue

Initiation of the Competitive Dialogue	<b>3 May 2021</b>
Deadline for the submission of Requests to Participate	<b>Until 10:00 a.m. 4 June 2021</b>
Expected date of the call for participation in the Competitive Dialogue	<b>11 June 2021</b>
Expected date of holding the joint meeting with all participants in the Public Contract	<b>18 June 2021</b>
Expected deadline for submitting the Concept	<b>Until 6:00 p.m. 30 July 2021</b>
Expected date for the decision on shortlisting the designs / call to submit the Modified Concept	<b>Until mid-August 2021</b>
Expected date of holding presentations of Modified Concepts	<b>In the week of 1 November 2021</b>
Expected date for the calls for tenders	<b>15 November 2021</b>
Expected deadline for tender submission	<b>Until 6:00 p.m. 17 January 2022</b>
Evaluation of submitted tenders and actions in lead-up to Contract conclusion	<b>End of January 2022</b>
Expected date of entry into force of the Contract	<b>February 2022</b>
Expected date of performance of the Winning Contractor - preparation of an architectural study	<b>4 months from the effective date of the Contract (approx. end of June 2022)</b>

The Contracting Authority reserves the right to adjust the expected time schedule of the Competitive Dialogue depending on the course of the Competitive Dialogue, whereas:

- a) The deadline for the submission of the Concept shall be no less than 6 calendar weeks from the date of receipt of the call for participation in the Competitive Dialogue;
- b) The deadline to prepare the Modified Concept and its presentation shall be no less than 10 calendar weeks from the date of receipt of the decision on shortlisting the designs / or, if no shortlisting takes place, from the date of receipt of the call to submit a Modified Concept;
- c) The deadline for tender submission shall be no less than 7 calendar weeks from the date of receipt of the call for tender;

The Contracting Authority reserves the right to further negotiate under the Competitive Dialogue with the participants in the actual Competitive Dialogue stage. In the event the Contracting Authority will have such a need, the

participants will be informed of further talks with the Contracting Authority after conclusion of the presentation of the Modified Concept.

The Contracting Authority reserves the right to conduct joint talks with all the participants in the Tender Procedure via online meetings.

## **B: COURSE OF THE COMPETITIVE DIALOGUE AND FURTHER TERMS AND CONDITIONS OF THE COMPETITIVE DIALOGUE**

- Detailed description of the course of the Competitive Dialogue
- Settlement of disputes (Objections)
- Copyright
- Other terms and conditions

## 5. Detailed Description of the Course of the Competitive Dialogue

### 5.1 Initiation of the Competitive Dialogue

- 5.1.1 The Tender Conditions were discussed by the evaluation committee at its inaugural meeting held online from time to time since 9 November 2020 and subsequently agreed by roll call vote on 24 March 2021. Written confirmation of the approval is available at the Contracting Authority.
- 5.1.2 The Tender Conditions were approved by the Contracting Authority on 3 May 2021. The Czech Chamber of Architects issued for the Tender Conditions a confirmation of regularity on 29 April 2021 by letter Ref. No. 365-2021/DM/Ze
- 5.1.3 The Competitive Dialogue is launched on the day of sending the notice of commencement of the Tender Procedure for publication in the Czech Public Procurement Bulletin and in the Official Journal of the European Union.
- 5.1.4 The Tender Conditions are available on the Contracting Authority's Profile page from the date of publication of the notice of commencement of the tender procedure until the conclusion of the Competitive Dialogue.

### 5.2 Explanations of the Tender Conditions (queries) Before Submitting Requests to Participate

- 5.2.1 The Contracting Authority may explain the Tender Conditions in a procedure in accordance with Section 98 of the Public Procurement Act.
- 5.2.2 The contractor is entitled to request explanations of the Tender Conditions from the Contracting Authority in the Czech (with Slovak being deemed on equal footing with Czech) or English language.
- 5.2.3 The requests are sent via the Contracting Authority's Profile (or by e-mail to the contact person in accordance with Section 1.2 herein) no later than 8 working days before the deadline for the submission of the Request to Participate. The Contracting Authority shall publish explanations of the Tender Conditions at least 5 working days before the deadline for the submission of the Request to Participate.
- 5.2.4 Explanations of the Tender Conditions are published by the Contracting Authority on a continuous basis on the Contracting Authority's Profile page, and the Contracting Authority recommends that all contractors who intend to participate in the Competitive Dialogue follow these explanations of the Tender Conditions on the Contracting Authority's Profile page.
- 5.2.5 The Contracting Authority may amend the Tender Conditions contained in this Tender Documentation before the expiry of the deadline for the submission of the Request to Participate in accordance with § 99 of the Public Procurement Act and may also provide explanations of the Tender Conditions without a contractor's prior request.

### 5.3 Request to Participate

- 5.3.1 Any contractor may express the intent to participate in the Tender Procedure towards the Contracting Authority by submitting a **Request to Participate** in which proof shall be supplied of fulfilment of the qualification requirements to the extent required by the Contracting Authority pursuant to Section 9 herein.

5.3.2 The contractors submit the Request to Participate to the Contracting Authority in the Czech language (with Slovak being deemed on equal footing with Czech), or in English with translation into Czech in \*.pdf format, in electronic form via the Contracting Authority's Profile **within the deadline of 4 June 2021, 10:00 a.m. CET** (Central European Time).

5.3.3 The Contracting Authority recommends using to submit the Request to Participate the **Request to Participate form (P08)**.

#### **5.4 Information on the Qualification Criteria for Purposes of the Request to Participate**

5.4.1 See Section 9 herein.

#### **5.5 Assessment of Fulfilment of the Qualification Criteria for Participants in the Competitive Dialogue**

5.5.1 A Request to Participate submitted after the deadline for the submission of the Request to Participate will not be deemed as submitted by the Contracting Authority and will not be taken into account in the Tender Procedure.

5.5.2 After the deadline for the submission of the Request to Participate lapses, the Contracting Authority will review fulfilment of the qualification criteria within the scope requested under the Public Procurement Act and under Section 9 of the Tender Documentation. The Contracting Authority is entitled to invite the participant to explain or supplement the information or documents submitted by the participant along with the Request to Participate so as to prove without any doubt fulfilment of the qualification requirements by the participant.

5.5.3 Any participant who fails to meet the qualification criteria in the extent under the Public Procurement Act and under Section 9 of this Tender Documentation in the requested or permitted manner will be excluded by the Contracting Authority from participation in the Tender Procedure.

5.5.4 Participants who have proven that they meet the qualification criteria in the extent under the Public Procurement Act and under Section 9 of this Tender Documentation in the requested or permitted manner will be invited by the Contracting Authority to participate in the Competitive Dialogue and to submit the sc. Concept.

#### **5.6 Meeting of the Contracting Authority with the Participants in the Competitive Dialogue**

5.6.1 The Contracting Authority will hold a joint meeting with the participants who were invited to submit the sc. Concept, with the purpose of the meeting being to outline the Contracting Authority's requirements and ideas for the Task Specification.

5.6.2 The Contracting Authority reserves the right to hold a meeting of the Contracting Authority with the participants in the Competitive Dialogue through online communication.

5.6.3 The Contracting Authority's meeting with the participants in the Competitive Dialogue will be held in the Czech language and the Contracting Authority will not provide translation services to the participants.

## 5.7 Concept

- 5.7.1 The Concept is submitted by participants who have proven that they meet the qualification criteria in the extent under the Public Procurement Act and under Section 9 of this Tender Documentation in the requested or permitted manner, and who thus have been invited by the Contracting Authority to participate in the Competitive Dialogue and to submit the Concept, the scope and content of which is defined in Section 10 herein.
- 5.7.2 The contractors submit the **Concept** to the Contracting Authority in the Czech language (with Slovak being deemed on equal footing with Czech), or in English with translation into Czech in \*.pdf format, in electronic form via the Contracting Authority's Profile **within the deadline of 30 July 2021, 6:00 p.m. CET** (Central European Time). The Contracting Authority reserves the right to change the deadline for the submission of the Concept depending on the progress of the CD; provided that the deadline for the submission of the Concept will not be shorter than 6 calendar weeks from the date of delivery of the call to participate in the CD.
- 5.7.3 The Contracting Authority recommends using for submitting the Concept the **Concept form (P09)**.

## 5.8 Shortlisting the designs

- 5.8.1 The Contracting Authority reserves the option to shortlist the designs pursuant to Section 69 (4) in conjunction with Section 112 of the Public Procurement Act.
- 5.8.2 The shortlisting of the designs will be performed on the basis of the Concept according to Section 5.7 herein.
- 5.8.3 The shortlisting criteria will be the selected quality criteria set out by the Contracting Authority for follow-up evaluation of tenders in the Tender Procedure, specifically the following quality sub-criteria under the evaluation criterion "**Quality of the Draft Design**":

	Evaluation sub-criteria	Evaluated aspects under the evaluation sub-criterion (in no order of significance)
1.	<b>Transport Solution</b>	<p><b>Transfer Links</b></p> <p>Within this aspect, better rating will be awarded to the Concept that offers a better transport solution in terms of the length of routes in the transfer links and actual transfers between different modes of transport. Shorter routes in the transfer links and better laid out links are deemed preferable in the evaluation.</p> <p><b>Road Passenger Transport and Public Transport</b></p> <p>In the evaluation of this aspect, the overall transport solution within the context of roads will be assessed in terms of concept, capacity and functionality. For road public transport, also in terms of transfer links to other (relevant) modes of transport.</p> <p><b>Movements of Cyclists and Pedestrians</b></p>

		<p>The aspect addressed under this specific criterion will be the quality, smoothness and accessibility of pedestrian and cycling routes in the area. For movements of pedestrians, better rating will be awarded to a design that will ensure safe and intuitive access for pedestrians to individual modes of transport without the need for complicated transfer routes. For movements of cyclists, better rating will go to a design that will allow a smoother connection in the Vršovice - Smíchov and Podolí - centre directions (and their mutual interconnections), while at the same time without the need for cyclists to dismount the bike when traversing these routes and their interconnections.</p>
<b>2.</b>	<b>Architectural and Zoning Design</b>	<p><b>Overall Quality of the Architectural and Zoning Design</b></p> <p>Within this aspect, the design will be better rated that in architectural and zoning terms will better reflect the larger area concerned and its contexts (in particular the right bank of the Vltava embankment) and will preserve or improve the quality of this area. Better rating will be awarded to a design which can be assumed to raise the level of appeal of the area concerned to both locals and tourists. The evaluation committee will account for the fact that the area concerned is subject to area monument protection (see Part 2.2.3. of the Task Specification) and better rating will go to a design that better accounts for the needs of area monument protection and will respect major long-distance viewing axes in the area concerned so that the bridge design aids and complements the landscape of the area that is subject to monument protection. The evaluation committee in this context will refer in particular to the overall architectural and zoning impact of the participant's solution when drawn into photographs of the places concerned. At the same time, better rating will be awarded to a design that will allow a view from the bridge in both directions, i.e., towards the Prague Castle and Vyšehrad.</p>
<b>3.</b>	<b>Future Traffic</b>	<p><b>Use of Common Materials and Approved Systems in the Structural Design</b></p> <p>Better rated will be a design that will use within the context of the support frame and substructure common materials and approved, standard systems in the bridge structure.</p> <p><b>Robustness of Structural Design</b></p> <p>Better rated will be a design that in terms of its robustness will enable the structure to withstand adverse events and occurrences such as fire, explosion, impact, flood load and other impacts of emergencies or human error, without suffering damage that is disproportionate to the original cause.</p>

		In the evaluation from the viewpoint of robustness of the structure, the design will be better rated that will clearly ensure integrity of the structural system under various extreme and extraordinary loads (hence in terms of robustness, for example rods etc. would be deemed a completely unsuitable solution).
<b>4.</b>	<b>Technical Parameters</b>	<p><b>Simplicity of the Bridge Design</b></p> <p>The submitted solution will be evaluated from the viewpoint of simplicity of the bridge design. With a view to easier implementation in construction and easier subsequent maintenance, better rating will go to a Concept design that will offer a simpler solution of the bridge structure with repeatability of individual elements and structures.</p>
<b>5.</b>	<b>Restrictions During Construction</b>	<p><b>Exclusion of railway traffic during construction - zero and limited traffic, restrictions on other traffic during construction.</b></p> <p>Subject to evaluation will be the extent and duration of railway traffic restrictions during construction, in terms of both the extent and duration of the traffic restrictions. Better rating will go to a Concept that, from the viewpoint of restrictions on railway traffic during construction, will include a shorter duration and smaller extent of such restrictions. Any need of restrictions on other forms of traffic due to construction will be also taken into account (including restrictions on passenger vehicle traffic, public transport, on water traffic and on movements of cyclists and pedestrians). The less restrictions on the different forms of traffic due to construction under the proposed solution, the better rating for the design concerned.</p> <p><b>Total Length of the Construction Period and Method of Construction, Temporary Occupation of Land for Site Equipment / Assembly</b></p> <p>Subject to evaluation under the criterion of restrictions during construction will be also the total length of the construction period with a view to the impact of the construction activities on the conditions in adjacent part of the city and the impacts of the construction site on its surroundings. The evaluation committee will award better rating to a design that will include a shorter construction period and a construction schedule with less impacts on the wider surroundings. At the same time, better rating will go to a design that will include a shorter duration of the necessary occupation of land for the construction site equipment and its smaller footprint, as corresponds to current construction practice.</p>

- 5.8.4 For the purpose of shortlisting the designs, the Contracting Authority intentionally did not use all the evaluation sub-criteria that are set for purposes of assessment of the Modified Concept and of evaluation of tenders in the Tender Procedure under the evaluation criterion "Quality of the Draft Design" and, also intentionally, does not exhaustively list all the evaluated aspects under the evaluation sub-criteria used. The reason for this approach of the Contracting Authority is that the extent of the Concept does not allow to evaluate the quality of the submitted solution in all the evaluation sub-criteria under the evaluation criterion "Quality of the Draft Design", nor does it allow to account in the evaluation sub-criteria used for all the evaluated aspects. At the same time, at this stage of the Tender Procedure, it is not justifiable to require that the participants submit a Concept with a greater extent than specified by the Contracting Authority.
- 5.8.5 The shortlisting of the designs thus will be performed solely on the basis of the evaluation sub-criteria and evaluated aspects under the individual evaluation sub-criteria specified in Section 5.8.3 herein.
- 5.8.6 All the evaluation sub-criteria in Section 5.8.3 herein are provided in no order of priority.
- 5.8.7 The evaluation sub-criteria according to Section 5.8.3 herein cannot be expressed numerically. The extent to which the Concepts of individual participants meet the evaluation sub-criteria will be determined on the basis of professional experience and expertise of the evaluation committee, i.e., using professional input, but which to some extent still includes subjective opinions of the evaluation committee. By submitting the Concept, the participants declare that they acknowledge this procedure for shortlisting the designs.
- 5.8.8 In each individual evaluation sub-criterion (criteria 1 to 5), the Concept will be rated by how it meets the individual criteria (more preferable rating will always go to the Concept that more consistently meets the individual aspects of the sub-criteria).
- 5.8.9 The Concepts will be evaluated in each individual sub-criterion on a point scale with 10, 5 or 3 points depending on how and to what extent the above preferences of the Contracting Authority for the individual criteria are met, in that:
- (i) The Concept that in the given evaluation sub-criterion meets the individual aspects most preferably will be awarded 10 points;
  - (ii) The Concept that in the given evaluation sub-criterion meets the individual aspects adequately, but not to the extent justifying a 10-point rating, will be awarded 5 points, and
  - (iii) The Concept that in the given evaluation sub-criterion does not meet the individual aspects in any adequate way will be given 3 points.
- The maximum number of points a Concept can achieve is 50 points.
- 5.8.10 The Concepts of individual participants will then be sorted in a procedure pursuant to Section 5.8.9 herein in descending order according to the total number of points received, and to the next stage of talks under the Competitive Dialogue, **a maximum of 6 Concepts will be admitted** that received the highest point scores. Participants who have submitted Concepts that have not made it into further talks under the Competitive Dialogue will be excluded by the Contracting Authority from further participation in the Tender Procedure.
- 5.8.11 The Contracting Authority will distribute a decision on shortlisting designs, with a verbal evaluation of each participant's Concept, to all participants who have submitted Concepts in the Competitive Dialogue within the set deadline. From the

moment of delivery of the decision on shortlisting designs, the period for submission of a Modified Concept will start running for the participants concerned.

- 5.8.12 For the avoidance of doubt, the Contracting Authority stipulates that should only 6 or fewer Requests to Participate be submitted in the Tender Procedure, and all participants who submitted the Requests to Participate prove the fulfilment of the qualification criteria in the extent under the Public Procurement Act and under Section 9 of this Tender Documentation in the requested or permitted manner, the shortlisting of the designs will be skipped. However, participants will still be invited to submit Concepts. The Concepts will be subsequently presented to the evaluation committee for evaluation under Section 5.8.3 above and the evaluation committee will provide to all participants who submitted the Concept a recommendation for preparing a Modified Concept and will ask those participants to submit the Modified Concept. The period for preparing a Modified Concept will start running from the date of delivery of the request to submit a Modified Concept.

## **5.9 Actual Competitive Dialogue**

- 5.9.1 Participants whose Concepts have been selected for further talks (where shortlisting of the designs has been carried out - see Section 5.8.12 above) will be sent the decision by the Contracting Authority on shortlisting the designs, along with an invitation to submit Modified Concepts and their presentation.
- 5.9.2 As part of the call for submission of Modified Concepts, the Contracting Authority will set a specific deadline for the submission of Modified Concepts and the date of their presentation before the evaluation committee.
- 5.9.3 The Modified Concept will be submitted in electronic form via the Contracting Authority's Profile.
- 5.9.4 The Modified Concept will be submitted in the Czech language (with Slovak deemed on equal footing with Czech), or in English with translation into Czech.
- 5.9.5 The participants will prepare and submit the Modified Concept in the manner and extent specified in Section 11 of the Tender Documentation. The Contracting Authority reserves the right depending on the course of the Competitive Dialogue to additionally detail within the invitation to submit Modified Concepts the information on how to submit the Modified Concept and its content. Modified Concepts delivered to the Contracting Authority after the deadline for submission of the Modified Concept will not be considered by the Contracting Authority to have been submitted and they will not be taken into account in the Tender Procedure; a participant who submits the Modified Concept after the set deadline will be excluded from further participation in the Tender Procedure.
- 5.9.6 The Contracting Authority expects the presentation of the Modified Concepts of all participants to be held on a single day, whereas:
- (i) The Modified Concepts will be presented separately by each participant;
  - (ii) The participants will be invited to make their presentations in the order of point scores their respective Concepts obtained in the shortlisting of the designs (or, in the absence of shortlisting, in the order of point scores their respective Concepts obtained in their evaluation per Section 5.8.3 above);
  - (iii) as first, the Modified Concept will be presented by the participant who scored the highest number of points following the procedure under point (ii) above (in case of a tie in points, the order will be determined by a draw made by the chairman of the evaluation committee) and then the other participants in the descending order of the point scores received following the procedure under point (ii) above;

- (iv) Each participant will be given a maximum of 20 minutes for the actual presentation of their Modified Concept;
  - (v) subsequently a follow-up timeframe of about 40 minutes will be provided for the members of the evaluation committee to ask questions and to engage in discussion with the participant on their Modified Concept;
  - (vi) The Evaluation Committee is entitled to negotiate with each participant on all the terms and conditions and aspects of the Public Contract and the participant's Modified Concept;
  - (vii) The presentation of the Modified Concept will be held in the Czech language; The Contracting Authority will not provide translation services that may be potentially required to any of the participants.
- 5.9.7 From the presentation of the Modified Concept, a written record will be made in which for each participant the evaluation committee will summarize the recommendations for adjustments to be made to the Modified Concept for purposes of submission of the Design.
- 5.9.8 The Contracting Authority reserves the right to hold further talks under the Competitive Dialogue, if necessitated by the course of the Competitive Dialogue. Should the Contracting Authority have such a need, the participants will be informed of further talks with the Contracting Authority after conclusion of the presentation of the Modified Concepts.
- 5.9.9 The Contracting Authority will inform about the completion of the actual competitive dialogue stage all participants who have submitted the Modified Concept, together with sending a call for tender.
- 5.9.10 In the call for tender, the Contracting Authority will inform the participants of their current ranking order according to how their Modified Concepts were evaluated by the evaluation committee under the criterion "**Quality of the Draft Design**" pursuant to Section 5.11 herein.

## **5.10 Submission of Tenders**

- 5.10.1 The call for tenders will contain the details set out in accordance with Supplement 6 to the Public Procurement Act and information to participants on how to submit their tenders.
- 5.10.2 The tenders will be submitted in electronic form via the Contracting Authority's Profile; a part of each tender, specifically the graphical part of the Design, will be submitted at the same time in paper form in the A0 format (rolled up, not printed on a hardcover).
- 5.10.3 The tenders will be submitted in the Czech language (with Slovak deemed on equal footing with Czech), or in English with translation into Czech.
- 5.10.4 The participant's tender will include, in addition to other details specified in the invitation to submit tenders, also the Design. The Design must be based on the Modified Concept and incorporate the recommendations that were communicated to the participant by the evaluation committee in the wake of its presentation of the Modified Concept.
- 5.10.5 Given the fact that tenders will be submitted electronically (and the graphical part of the Design also in hard copy), there will be no public opening of tenders.
- 5.10.6 Tenders delivered after the deadline for the submission of tenders will not be considered by the Contracting Authority to have been submitted and they will not be taken into account in the Tender Procedure; a participant who submits the

tender after the set deadline will be excluded from further participation in the Tender Procedure.

- 5.10.7 After the deadline for the submission of tenders, the Contracting Authority reviews the tenders received. In accordance with Section 69 (7) of the Public Procurement Act, the Contracting Authority may invite the participant to clarify, detail or amend its tender, as far as this does not result in a change to the tender or the Tender Conditions with anticompetitive or discriminatory effect.

## **5.11 Evaluation of Tenders**

- 5.11.1 Tenders will be evaluated in the Tender Procedure using the following evaluation criteria:

<b>Total tender price in CZK without VAT</b>	<b>20%</b>
<b>Quality of the Draft Design</b>	<b>80%</b>

- 5.11.2 For the evaluation criterion "**Quality of the Draft Design**", the below-stated detailed evaluation sub-criteria have been set. Under each evaluation sub-criterion, further the individual evaluated aspects are listed (in no order of priority) with an indication how the Contracting Authority prefers these to be met.

<b>Evaluation Criterion: Quality of the Draft Design</b>			
	Evaluation sub-criteria	Weight of criterion	Evaluated aspects under the evaluation sub-criterion
<b>1.</b>	<b>Architectural and Zoning Design</b>	40%	<p><b>Overall Quality of the Architectural and Zoning Design</b></p> <p>Within this aspect, the design will be better rated that in architectural and zoning terms will better reflect the larger area concerned and its contexts (in particular the right bank of the Vltava embankment) and will preserve or improve the quality of this area. Better rating will be awarded to a design which can be assumed to raise the level of appeal of the area concerned to both locals and tourists. The evaluation committee will account for the fact that the area concerned is subject to area monument protection (see Part 2.2.3 of the Task Specification) and better rating will go to a design that better accounts for the needs of area monument protection and will respect major long-distance viewing axes in the area concerned so that the bridge design aids and complements the landscape of the area that is subject to monument protection. The evaluation committee in this context will refer in particular to the overall architectural and zoning impact of the participant's solution when drawn into photographs of the places concerned. At the same time, better rating will be awarded to a design that will allow a view from the bridge in both directions, i.e., towards the Prague Castle and Vyšehrad.</p>
<b>2.</b>	<b>Future Traffic</b>	15%	<p><b>Transitions of Long-Welded Rails</b></p> <p>Given the fact that from the operational viewpoint, rail expansion joints are places with increased maintenance requirements, better rating will be awarded to a design that will prove transitions of long-welded rails without major technical problems. For purposes of the evaluation, the evaluation committee will refer to the declaration of smooth transitions of long-welded rails based on statement of the Bridge Engineer (member of the participant's implementation team) to the end that the proposed design does not show technical problems (taking into account in particular</p>

		<p>the effects of the length difference between the rail and the support structure and emergent additional stresses on the rail and bridge) for transitions of long-welded rails within the meaning of the bridge model sheet 150 (see Annex <b>P07</b>).</p> <p><b>Service Life Requirement</b></p> <p>Better rating will be given to a design that will without any doubts facilitate a service life of the bridge structure of more than 90 years without the need for recurring and extensive repairs and interventions restricting the use of the bridge.</p> <p><b>Ease of Maintenance</b></p> <p>Better rating will go to a design for which a proof is supplied that inspections, monitoring, maintenance and repairs of the bridge can be performed without significant restrictions on traffic on the bridge and below it. At the same time, preferable rating will be given to a design that will facilitate standard maintenance and repairs of the bridge without interrupting operation on all three tracks for a period not exceeding the length of the night-time low.</p> <p><b>Use of Common Materials and Approved Systems in the Structural Design</b></p> <p>Better rated will be a design that will use within the context of the support frame and substructure common materials and approved, standard systems in the bridge structure.</p> <p><b>Robustness of Structural Design</b></p> <p>Better rated will be a design that in terms of its robustness will enable the structure to withstand adverse events and occurrences such as fire, explosion, impact, flood load and other impacts of emergencies or human error, without suffering damage that is disproportionate to the original cause. In the evaluation from the viewpoint of robustness of the structure, the design will be better rated that will clearly ensure integrity of the structural system under various extreme and extraordinary loads (hence in terms of</p>
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			<p>robustness, for example rods etc. would be deemed a completely unsuitable solution).</p> <p><b>Presence of Prestressing Tendons in the Structure</b></p> <p>Given the empirical data on corrosion of prestressing tendons in bridges, the presence of prestressing cables is not desirable due to later issues with determining the condition of the structure. Experience with maintenance of such structures shows that after 30 to 50 years, the condition of prestressing tendons cannot be reliably determined without excessive diagnostics. Therefore, preferable rating will be given to designs without prestressing tendons in the bridge structure.</p>
<b>3.</b>	<b>Technical Parameters</b>	15%	<p><b>Clearance Heights</b></p> <p>The design will be evaluated in terms of whether it meets clearance heights for all roads in the entire area, or whether there is only a single envisaged route that meets the requirements for clearance heights. Better rating will be awarded to a design that will include compliance with clearance heights for all roads throughout the area.</p> <p><b>Simplicity of the Bridge Design</b></p> <p>The submitted solution will be evaluated from the viewpoint of simplicity of the bridge design. With a view to easier implementation in construction and easier subsequent maintenance, better rating will go to a design that will offer a simpler solution of the bridge structure with repeatability of individual elements and structures.</p> <p><b>Noise Load in the Area</b></p> <p>Better rating will go to a design that not only meets the criteria for noise pollution in the area in accordance with the Czech Government Decree No. 272/2011 Coll., on health protection from the adverse effects of noise and vibrations, but also uses a technical solution for noise protection that respects the architectural tone of the design and the cityscape of the wider area.</p>

			<p><b>Creation of a Continuous Railway Bed</b></p> <p>Better rating will be awarded to a design that includes a continuous railway bed on the bridge structures.</p>
<b>4.</b>	<b>Transport Solution</b>	10%	<p><b>Transfer Links</b></p> <p>Within this aspect, better rating will be awarded to the solution that offers a better transport solution in terms of the length of routes in the transfer links and actual transfers between different modes of transport. Shorter routes in the transfer links and better laid out links are deemed preferable in the evaluation.</p> <p><b>Road Passenger Transport and Public Transport</b></p> <p>In the evaluation of this aspect, the overall transport solution within the context of roads will be assessed in terms of concept, capacity and functionality. For road public transport, also in terms of transfer links to other (relevant) modes of transport.</p> <p><b>Movements of Cyclists and Pedestrians</b></p> <p>The aspect addressed under this specific criterion will be the quality, smoothness and accessibility of pedestrian and cycling routes in the area. For movements of pedestrians, better rating will be awarded to a design that will ensure safe and intuitive access for pedestrians to individual modes of transport without the need for complicated transfer routes. For movements of cyclists, better rating will go to a design that will allow a smoother connection in the Vršovice - Smíchov and Podolí - centre directions (and their mutual interconnections), while at the same time without the need for cyclists to dismount the bike when traversing these routes and their interconnections.</p>
<b>5.</b>	<b>Restrictions During Construction</b>	10%	<p><b>Exclusion of railway traffic during construction - zero and limited traffic, restrictions on other traffic during construction.</b></p> <p>Subject to evaluation will be the extent and duration of railway traffic restrictions during construction, in terms of both the extent and duration of the traffic restrictions. Better rating will go to a solution that, from the</p>

			<p>viewpoint of restrictions on railway traffic during construction, will include a shorter duration and smaller extent of such restrictions. Any need of restrictions on other forms of traffic due to construction will be also taken into account (including restrictions on passenger vehicle traffic, public transport, on water traffic and on movements of cyclists and pedestrians). The less restrictions on the different forms of traffic due to construction under the proposed solution, the better rating for the design concerned.</p> <p><b>Total Length of the Construction Period and Method of Construction, Temporary Occupation of Land for Site Equipment / Assembly</b></p> <p>Subject to evaluation under the criterion of restrictions during construction will be also the total length of the construction period with a view to the impact of the construction activities on the conditions in adjacent part of the city and the impacts of the construction site on its surroundings. The evaluation committee will award better rating to a design that will include a shorter construction period and a construction schedule with less impacts on the wider surroundings. At the same time, better rating will go to a design that will include a shorter duration of the necessary occupation of land for the construction site equipment and its smaller footprint, as corresponds to current construction practice.</p>
<b>6.</b>	<b>Economic Criterion</b>	10%	<p><b>Construction Costs and Future Maintenance Costs for the Structure</b></p> <p>Better rating will go to a solution that facilitates a comprehensive solution to the subject matter of the Public Contract that is less taxing economically on the Contracting Authority both in terms of construction costs (regarding which the participant is required to strictly observe the expected investment costs - see Section 2.4.1 herein) and in terms of estimated maintenance costs. As for estimated maintenance costs, the annual cost estimate (and whether it is realistic) will be taken into account, with a view to more extensive repairs over a lifetime of 90 years.</p>

			<p>In case of doubts about whether the prices stated by the participant are realistic, the evaluation committee will review these in collaboration with invited experts based on available price lists of construction works or prices of similar construction projects implemented by the Contracting Authority.</p> <p>The Contracting Authority also reminds the participants that should a participant under the Concept / Modified Concept suggest replacing the existing bridge structure, then it shall include in the costs on a mandatory basis also the cost of dismantling this bridge structure. The dismantled bridge structure will then be moved to another suitable location. The costs for relocating the bridge structure are not to be included by the participant in its tender price. The participant may under the Concept / Modified Concept recommend a suitable representative location within the Czech Republic in its opinion to place the dismantled bridge structure in. However, the final decision on the future location of the dismantled bridge structure will be contingent on the result of a search study commissioned after the Competitive Dialogue and will be made by the Contracting Authority.</p>
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5.11.3 Criterion "**Total Tender Price in CZK without VAT**"(20% weight)

- 5.11.4 Subject to assessment under the evaluation criterion "Total Tender Price in CZK without VAT" is the amount of the participant's tender price in CZK without VAT for the performance of the subject matter of the Public Contract stated in the participant's tender.
- 5.11.5 The total tender price in CZK without VAT must include all costs associated with the performance of the subject matter of the Public Contract, of which the participant knew or could have known that they are necessary for the performance of the subject matter of this Public Contract.
- 5.11.6 The total tender price is set by the participant in its tender in accordance with the instructions provided in the call for tender. The terms for defining the tender price for the participants and any limitation of the amount of the tender price of the participant will be included in the call for tender.
- 5.11.7 Evaluation method: The tender that offers the lowest total tender price in CZK without VAT will be awarded 100 points. The other tenders will be assigned a point score according to the formula:

$$\frac{\text{Amount of the lowest total tender price}}{\text{Amount of the total tender price under evaluation}} \times 100$$

The number of points thus obtained will be multiplied by the criterion weight (i.e., x 0.2) and then mathematically rounded to two decimal places.

5.11.8 Criterion "**Quality of the Draft Design**" (weight 80%)

5.11.9 For the purposes of evaluating tenders in the criterion "Quality of the Draft Design", the evaluation committee will use the information provided by the participants in their tenders, specifically in the Design.

5.11.10 In each individual evaluation sub-criterion (criteria 1 to 6 in accordance with Section 5.11.2 herein), the tender will be rated by how it meets the individual sub-criteria (more preferable rating will always go to the tender that more consistently meets the individual aspects of the sub-criteria).

The tenders will be evaluated in each individual sub-criterion on a point scale with 100, 50 or 25 points depending on how and to what extent the above preferences of the Contracting Authority for the individual criteria are met, in that:

- (i) The tender which in the given evaluation sub-criterion meets the individual aspects in the most preferable way will be awarded 100 points;
- (ii) The tender that in the given evaluation sub-criterion meets the individual aspects adequately, but not to the extent justifying a 100-point score, will be awarded 50 points, and finally
- (iii) The tender that in the given evaluation sub-criterion does not meet the individual aspects in any adequate way will be given 25 points.

The number of points a tender thus obtains in an evaluation sub-criterion will always be compared with the tender that scores in the given criterion the highest number of points \* 100 and adjusted by the weight of the respective criterion, and then mathematically rounded to two decimal places.

As the most preferable tender in economic terms in the criterion "Quality of the Draft Design", the tender will be evaluated that obtains by the sum of weighted points obtained in the individual sub-criteria the highest point score; this tender will be awarded 100 points. The other tenders will be assigned a point score according to the following formula:

Sum of weighted points of the tender under evaluation

$$\frac{\text{Sum of weighted points of the tender under evaluation}}{\text{Sum of weighted points of the tender with the highest number of points}} \times 100$$

Sum of weighted points of the tender with the highest number of points

The number of points thus obtained will be multiplied by the criterion weight (i.e., x 0.8) and then mathematically rounded to two decimal places.

5.11.11 Summary evaluation of tenders: Summary evaluation of tenders will be performed by adding up the numerical evaluation of tenders by the individual criteria for each tender, i.e., adding up the number of weighted points for the criterion "Total Tender Price in CZK without VAT" and the number of weighted points for the criterion "Quality of the Draft Design" and thus the order is determined of the measure of success of the participants. As the most economically preferable, the tender will be evaluated that reached the highest point score.

If two or more tenders obtain the same number of points, the one that has achieved a better score, i.e., higher number of weighted points in the criterion "Quality of the Draft Design" will be chosen as the more economically preferable.

## 5.12 Choice of Winning Contractor

- 5.12.1 In selecting the most suitable design, the Contracting Authority is bound by the result of the evaluation of tenders according to Section 5.11.11 above.
- 5.12.2 The Contracting Authority shall send the notice about the Winning Contractor without undue delay once the decision has been made to all participants who have submitted their tenders in the Tender Procedure. The notice about the Winning Contractor will include a report on the evaluation of tenders and the result of the assessment of compliance with the conditions of participation by the Winning Contractor, including information that should otherwise be included in the protocol on the course of the competition according to the Competition Rules.

### **5.13 Terms and Conditions for Contract Conclusion with the Winning Contractor**

- 5.13.1 Prior to concluding the Contract, the Winning Contractor shall be obliged to submit at the request of the Contracting Authority all documents and data stipulated in Section 122 (3) of the Public Procurement Act. The Winning Contractor will be obliged to submit, in particular, originals or certified copies of the qualification documents, unless they have been already submitted in the Tender Procedure or unless they are otherwise available to the Contracting Authority.
- 5.13.2 Pursuant to Act No. 253/2008 Coll., on selected measures against money laundering and terrorism financing, as amended, the Contracting Authority shall research in registries of beneficial owners information on the Winning Contractor's (as far as a corporate body) beneficial owner. Should it be not possible to find information on the beneficial owner in this way, the Contracting Authority will invite the Winning Contractor in accordance with Section 122 (5) of the Public Procurement Act to submit an extract from a registry equivalent to registries of beneficial owners, or to provide identification data of all persons who are its beneficial owners and to submit documents stating the relationship of the beneficial owners with the Winning Contractor.
- 5.13.3 The Contracting Authority points out that it is bound by Section 211 (3) of the Public Procurement Act stipulating the obligation of written electronic communication between the Contracting Authority and the contractor, which applies to all submitted documents, including documents submitted by the Winning Contractor based on request pursuant to Section 122 (3) and (5) of the Public Procurement Act. Where the law (such as Section 122 (3) (a) of the Public Procurement Act) or the Contracting Authority in its Tender Specifications requires that the Winning Contractor submits the original copies of documents and such documents only exist as hard copies, these need to be converted into electronic form in accordance with Section 22 of Act No. 300/2008 Coll., on electronic transactions and authorised document conversions, as amended.
- 5.13.4 The business and payment terms and conditions for the performance of the subject matter of the Public Contract are contained in the tentative version of the draft Contract, which forms Annex **P12** to the Tender Documentation. The final and definitive version of the draft Contract will be provided to the participants in the Tender Procedure along with the call for tenders and will account for the results of negotiations with the participants in the actual Competitive Dialogue stage.
- 5.13.5 If the participant at the stage of submitting the Request to Participate was covered by an exemption from the requirement to prove a business licence in the field of "Design Work in Construction", the Winning Contractor will require such proof prior to concluding the Contract, which may be also, where applicable, in the form of proving the existence of a contractual relationship for purposes of performing the Public Contract between the Winning Contractor and a third party that has such licence.



## **6. Settlement of Disputes**

### **6.1 Objections**

- 6.1.1 Participants may file objections to actions taken by the Contracting Authority in the Tender Procedure within 15 days from the date of receipt of the contested decision of the Contracting Authority.
- 6.1.2 Objections are submitted by the participant in writing through the Contracting Authority's Profile and must state who is submitting them, what are the contested actions of the evaluation committee or the Contracting Authority, what specifically is deemed to be a violation of the Tender Conditions and what the complainant demands.
- 6.1.3 The Contracting Authority will review the submitted objections in full and, within 15 days from receiving the objections, will send the complainant a written decision on whether or not it recognises the objections, also including a justification. If the Contracting Authority recognises the objections, it shall state in its decision the method of remediation and notify this fact to all participants in the Tender Procedure.

### **6.2 Proposal for Initiating Proceedings to Review the Contracting Authority's Actions**

- 6.2.1 The proposal must be submitted to the Czech Office for the Protection of Competition (ÚOHS) and the Contracting Authority within 10 days from the receipt of the decision of the Contracting Authority on the objections, or within 25 days from sending the objections where the Contracting Authority fails to decide on the objections.
- 6.2.2 The details of the proposal for initiating proceedings to review the Contracting Authority's actions and further actions of the complainant are governed by the provisions of Section 249 et seq. of the Public Procurement Act.

### **6.3 Proposal to Initiate Arbitration Proceedings to the President of the Professional Tribunal of the Czech Chamber of Architects (CCA)**

- 6.3.1 The proposal must be delivered to the President of the Professional Tribunal of CCA no later than five working days from the receipt of the Contracting Authority's decision on objections. The dispute is then resolved in accordance with the rules for arbitration set out in the Disciplinary and Conciliation Rules.
- 6.3.2 Prerequisite to acceptance of a proposal to initiate arbitration proceedings is the payment of a fee for arbitration proceedings in accordance with Section 102 of the Disciplinary and Conciliation Rules.
- 6.3.3 Not allowable as the subject matter of arbitration proceedings are decisions of the evaluation committee concerning shortlisting the designs or the results of evaluation of tenders of the participants in the Tender Procedure as well as decisions on the distribution of prizes and rewards and on setting their amount, unless these decisions were made in direct connection with a serious violation of the rules of formal course of procedure of the evaluation committee set out in the Tender Documentation.
- 6.3.4 The arbitration award is final.

## **7. Copyright**

### **7.1 Copyright**

- 7.1.1 Authors of the Concept / Modified Concept and of the Design are copyright holders within the meaning of Section 2 of the Copyright Act in relation to these copyrighted works, unless the Contract provides otherwise.
- 7.1.2 Authors can publish the Concept / Modified Concept and the Design and can use it again in another case.
- 7.1.3 By submitting the Concept / Modified Concept and the Design, the participants agree to the free reproduction and display of their Concepts / Modified Concepts and of the Designs under the promotion of the Competitive Dialogue and its results.
- 7.1.4 Tenders for which prizes or rewards were awarded become property of the Contracting Authority. The authors of the tenders grant the Contracting Authority their consent to use their copyrighted works for purposes of this Competitive Dialogue. The use of the tenders or their parts for purposes other than those specified in these Tender Conditions is subject to express permission of the authors.
- 7.1.5 Requests to Participate / Concepts / Modified Concepts and/or tenders including Designs are not returned to the participants and remain with the Contracting Authority as part of the documentation of the course of the Tender Procedure.

## **8. Other Terms and Conditions**

### **8.1 Language of the Competitive Dialogue**

- 8.1.1 The Tender Conditions are furnished in Czech and English; some documents according to Section 13 of the Tender Documentation only are available in the Czech language. In the event of any discrepancies between the Czech and English versions of the Tender Documentation or its annexes, which are published in both language versions, the wording of the Tender Documentation or its annexes in the Czech language takes precedence.
- 8.1.2 Requests to Participate, Concepts, Modified Concepts and tenders are submitted in the language version as specified in the Tender Documentation. If submission in the English language with Czech translation is allowable, the Czech translation always takes precedence. The Contracting Authority adds that in the event that any part of the Request to Participate, of the Concept, of the Modified Concept, or of the tender is submitted only in English without a current translation into Czech, this fact alone is not a reason to exclude the participant from participation in the Competitive Dialogue. However, the Contracting Authority strongly recommends to participants who will submit the Request to Participate, Concept, Modified Concept and/or the tender in the English language to comply with the requirement of the Contracting Authority and to complement the English version of these submissions with a Czech translation.
- 8.1.3 Any dealings between the participant and the Contracting Authority will be held in the Czech language and the Contracting Authority will not provide the participants with any translation services. However, the Contracting Authority does not exclude the possibility of the presence of a translator, at the expense of the participant, in direct dealings between the Contracting Authority and the participant.

### **8.2 Applicable Law**

- 8.2.1 The course of the Competitive Dialogue will be governed by Czech law.

### **8.3 Reservations of the Contracting Authority**

- 8.3.1 The Contracting Authority draws attention to the fact that this Tender Documentation is a summary of its particular requirements, with the rights and obligations of the Contracting Authority and the contractor in connection with the Tender Procedure further detailed in the respective provisions of the Public Procurement Act.
- 8.3.2 By submitting a tender in the Tender Procedure, the contractor fully and without reservations accepts the Tender Conditions, including all annexes and any amendments to these Tender Conditions. The Contracting Authority assumes that the contractor has carefully perused all the instructions, forms, milestones and specifications contained in the Tender Conditions and will observe these. If the contractor does not provide all the required information and documents in due time or its tender does not comply with the Tender Conditions in every respect, the participant may be excluded from the Tender Procedure.
- 8.3.3 The Contracting Authority will not take into account any reservations of the contractor as to the Tender Conditions that the contractor may include in its tender. Any reservation may mean non-compliance with the Tender Conditions and may result in the exclusion of the participant from further participation in the Tender Procedure.

- 8.3.4 The Contracting Authority reserves the right in accordance with the provisions of Section 39 (5) of the Public Procurement Act to verify the information in the contractor's tender with third parties and the contractor must provide the Contracting Authority with all due cooperation in this respect.
- 8.3.5 In the Tender Procedure, a contractor may only submit 1 Request to Participate, 1 Concept, 1 Modified Concept, and 1 tender including 1 Design; variants are not allowed.
- 8.3.6 The submissions of participants may not contain corrections, retyped phrases and other discrepancies that could mislead the Contracting Authority.
- 8.3.7 The Contracting Authority shall exclude from the Tender Procedure a contractor that provides in its tender false information.
- 8.3.8 The Contracting Authority will not provide the contractors with any reimbursement of costs related to participation in the Tender Procedure, with the exception of rewards and prizes according to the Tender Documentation.
- 8.3.9 In the event of cancellation of the Tender Procedure or failure to conclude the Contract with the Winning Contractor, the Contracting Authority shall not be liable for any damage due to pre-contractual negotiations or for any other damage incurred in this connection. Application of any provisions of Act No. 89/2012 Coll., The Civil Code, as amended, relating to pre-contractual liability, in particular the provisions of Sections 1728 to 1730, is hereby excluded. The Contracting Authority reserves the right to act in accordance with Section 170 ZZZV.
- 8.3.10 In communication between the Contracting Authority and the contractors, confidentiality of the tenders and completeness of the data contained therein must not be compromised. The Contracting Authority must not be granted access to the content of tenders before the deadline set for their submission.
- 8.3.11 Written communication between the Contracting Authority and the contractors must take place electronically.

#### **8.4 Electronic Communication**

- 8.4.1 All actions under this Tender Procedure, as well as all communication between the Contracting Authority and the contractor (including beyond the required electronic submission of the Request to Participate / Concept / Modified Concept and tenders) take place electronically, ideally via the Electronic Tool (the Contracting Authority's Profile).
- 8.4.2 All documents sent via the Electronic Tool are deemed duly delivered on the day of their delivery to the user account of the recipient of the document in the Electronic Tool. The delivery of a document is not affected by whether the document was read by its recipient, or whether the Electronic Tool sent a notification to the recipient's contact e-mail address that a new message was delivered to their user account or not.
- 8.4.3 The participant in the Tender Procedure is always responsible for duly and timely familiarising itself with the documents sent by the Contracting Authority via the Electronic Tool, as well as for accuracy of the contact details listed for the participant in the Tender Procedure.
- 8.4.4 The Contracting Authority underscores that, within the meaning of the above, it allows the submission of the Request to Participate / Concept / Modified Concept and tenders only in electronic form (unless stipulated otherwise in the Tender Documentation with respect to the Concept, Modified Concept or tender).

8.4.5 The Contracting Authority recommends that contractors study Annex **P13** of the Tender Documentation before submitting documents electronically under this Tender Procedure.

## **8.5 Clause on Acceptance of the Conditions of the Competitive Dialogue**

8.5.1 By participating in the Tender Procedure, the Contracting Authority, members of the evaluation committee and invited experts confirm that they have read all the terms and conditions of the Tender Procedure and undertake to comply with and honour the Tender Conditions.

## C: QUALIFICATIONS, DRAFT DESIGNS

- Qualification Requirements
- Concept
- Modified Concept
- Design

## **9. Qualification Requirements**

### **9.1 General Rules for Proving Qualification**

In connection with Section 8.4 of this Tender Documentation, the Contracting Authority underscores that documents to prove qualifications are submitted in electronic form.

The contractor may submit proofs of qualification in the Request to Participate as plain copies or, unless otherwise provided below, provide instead of submission of such documents a solemn declaration or a common European certification for public tenders (Section 87 of the Public Procurement Act). The Contracting Authority notes that prior to signing the Contract, it will invite the Winning Contractor to submit original or certified copies of proofs of qualification, unless these have been already submitted in the Tender Procedure (or unless the Public Procurement Act provides otherwise).

Contractors may in order to prove their principal eligibility and professional competence submit an extract from the list of qualified contractors pursuant to Section 228 of the Public Procurement Act. The contractor may also prove its qualification by a certificate that originates from another Member State where the contractor is established and is equivalent to the extract from the list of qualified contractors. Contractors may submit a certificate issued within the system of certified contractors pursuant to Section 234 of the Public Procurement Act to prove their qualification. The contractor may further also prove its qualification by a certificate that originates from another Member State where the contractor is established and is equivalent to the certificate issued under the system of certified contractors.

Documents proving principal eligibility and extract from the commercial register or other similar official records must demonstrate compliance with the required eligibility criterion no later than 3 months before the date of commencement of the Tender Procedure.

The contractor may prove a certain part of the qualifications according to the provisions of the Public Procurement Act required by the Contracting Authority through other persons. In such case, the contractor must furnish to the Contracting Authority in accordance with Section 83 (1) of the Public Procurement Act:

- 1) Documents in proof of fulfilment of the professional competence requirement in accordance with the provisions of Section 77 (1) of the Public Procurement Act by another person (for purposes of submitting the tender, Annex P08 can be used analogously to prove compliance with the professional competence requirement by another person);
- 2) Documents in proof of fulfilment of the missing part of qualifications through another person;
- 3) Documents in proof of fulfilment of the requirement of principal eligibility in accordance with the provisions of Section 74 of the Public Procurement Act by another person (for purposes of submitting the tender, Annex P08 can be used analogously to prove compliance with the principal eligibility requirement by another person), and
- 4) A written obligation on part of that other person to provide performance intended for the performance of the Public Contract, or to provide rights or items that the contractor will be entitled to use as part of the performance of the Public Contract, at least in the extent to which the other person has

demonstrated qualification on behalf of the contractor. In this context under the provisions of Section 83 (2) of the Public Procurement Act where the tenderer supplies through the other person a proof of qualification and submits pursuant to Section 79 (2) of the Public Procurement Act documents with respect to such person, the written commitment must include a commitment that the other person will perform the services to which the qualification criterion concerned relates.

In the event of joint participation of contractors, proof of principal eligibility and professional competence pursuant to Section 77 (1) of the Public Procurement Act is provided by each contractor separately. Other qualifications must be demonstrated jointly by all contractors.

A foreign contractor proves fulfilment of the qualification requirements in the manner pursuant to Section 81 of the Public Procurement Act with documents issued under the laws of the country in which the qualifications have been obtained, and to the extent required by the Contracting Authority. An extract from the Criminal Record in the Czech Republic is issued by the Criminal Record. The certificate of tax arrears of foreign contractors in the Czech Republic is issued by the Tax Office for Prague 1 and the certificate of arrears of foreign contractors in the Czech Republic in insurance premiums and penalties for social security and state employment policy contributions is issued by the Prague Social Security Administration.

In order to make the preparation of the Request to Participate easier, the Contracting Authority provides contractors with a sample Request to Participate by which contractors can prove fulfilment of principal eligibility and professional qualifications, as well as fulfilment of technical qualification requirements. The sample Request to Participate is attached as Annex **PO8** to this Tender Documentation.

Renewal of the eligibility of a participant in the Tender Procedure is governed by the provisions of Section 76 of the Public Procurement Act and the basic principles according to Section 6 of the Public Procurement Act.

Any participant who fails to meet the qualification criteria in the required extent and as required or permitted by the Public Procurement Act and this Tender Documentation will be excluded by the Contracting Authority from participation in the Tender Procedure.

### **Scope of Required Qualifications**

For purposes of participation in the Competitive Dialogue, the Contracting Authority requires proof of the following level of qualifications:

- 1) Basic qualifications in the scope defined in Section 9.2 of the Tender Documentation**
- 2) Professional qualifications in the scope defined in Section 9.3 of the Tender Documentation**
- 3) Technical qualifications in the scope defined in Section 9.4 of the Tender Documentation**

## **9.2 Basic Qualifications**

The contractor proves fulfilment of the basic qualifications requirement by proving eligibility within the scope of Section 74 (1) to (3) of the Public Procurement Act.

The contractor proves fulfilment of the principal eligibility criteria in relation to the Czech Republic by submitting the documents in accordance with Section 75 (1) of the Public Procurement Act.

For purposes of submitting the Request to Participate, fulfilment of the basic qualifications criterion can be proven by submitting a completed and signed sample attached as Annex **P08** to the Tender Documentation.

### 9.3 Professional Qualifications

The contractor proves fulfilment of the professional qualifications requirement:

- a) In relation to the Czech Republic by submitting a proof in accordance with Section 77 (1) of the Public Procurement Act, i.e., an extract from the Commercial Register or analogous official records where registration in such records is required by another statutory regulation, and
- b) By submitting a proof of business licence in the field of "Design Work in Construction" pursuant to Act No. 455/1991 Coll., on trade licencing (Trade Licencing Act), as amended (does not apply to persons who perform under the Act on the Exercise of Profession as freelance architects or freelance engineers the activities of a freelance architect, and to natural persons and corporate bodies established in a country where such licence is not required), and
- c) By submitting a proof of professional qualifications, specifically authorisation for the persons specified below in the scope defined below:
  1. **Architect** - an authorised person within the meaning of Section 4 (2) (a) and (b) of the Act on the Exercise of Profession, or an authorised person pursuant to Section 4 (3) of the Act on the Exercise of Profession, or an authorised person under the law of the state the person is a citizen of or has its registered office in, meaning that an authorisation is required by the Czech Chamber of Architects with a general scope and numerical designation A.0, or authorisation for the field of architecture with numerical designation A.1, or authorisation for the field of land use planning with numerical designation A.2, or a foreign equivalent (except cases where under the law of the country of which the architect is a citizen or in which the architect is established, no such document is issued);
  2. **Bridge Engineer** - an authorised engineer who is certified by the Czech Chamber of Authorized Engineers and Technicians in Construction in the field of bridges and civil engineering structures, and
  3. **Engineer for Transport Infrastructure** - an authorised engineer who is certified by the Czech Chamber of Authorized Engineers and Technicians in Construction in the field of transport infrastructure.

Where the participant proves fulfilment of the qualification criterion concerning the presence of a person of an authorized engineer through foreign persons (engineer from an EU member state or another state within the meaning of Act No. 18/2004 Coll., on recognition of professional qualifications, as amended), the Contracting Authority allows proof of qualification analogously with documents under the law of the country in which the engineer has its registered office (except in cases where, under the law of the country in which the architect has its registered office, no such document is issued).

If such participant ends up the Winning Contractor, they will be obliged to submit to the Contracting Authority upon request an application for registration of a person established or on temporary assignment concerning a foreign authorized engineer submitted to the Czech Chamber of Authorized Engineers

and Technicians in Construction (CCAET) before concluding the Contract with the Contracting Authority (for additional details, see e.g.: <http://www.ckait.cz/content/uznavani-v-ramci-eu-0>). Prior to commencing activities for the performance of the subject matter of the Public Contract, in which a specific foreign engineer will participate, the latter is obliged to have a CCAET certificate of registration of an established or assigned person in Czech Republic.

For the avoidance of doubt, the Contracting Authority provides that it allows the combination of the positions "Architect", "Bridge Engineer", "Engineer for Transport Infrastructure" in a single person or two persons, however always on the provision that the person(s) concerned fully meet all the requirements for the position(s) they are to hold.

The Contracting Authority assumes that the participant's implementation team will also include other members; however, the Contracting Authority does not impose any qualification requirements on these other members.

For purposes of submitting the Request to Participate, fulfilment of the professional qualifications criterion can be proven by submitting a completed and signed sample attached as Annex **P08** to the Tender Documentation.

#### **9.4 Technical Qualification**

The contractor shall prove fulfilment of the technical qualification criterion in accordance with Section 79 (2) (b) of the Public Procurement Act by submitting a list of significant services provided by the contractor in the past 16 years (extension for allowing more competition) before the commencement of the Competitive Dialogue.

The contractor's list of significant services must include at least the following significant services:

- a) *Elaboration of at least 1 Architectural study of a zoning and technical solution of an area comparable to the area concerned (area where the Structure is to be located), that is, an area that constitutes a transfer hub between different modes of transport*

OR

*Elaboration of at least 1 Documentation of a zoning and technical solution of an area comparable to the area concerned (area where the Structure is to be located), that is, an area that constitutes a transfer hub between different modes of transport*

- b) *Elaboration of at least 1 Architectural study of a railway bridge and its context*

OR

*Elaboration of at least 1 Documentation of a railway bridge and its context*

- c) *Elaboration of at least 1 additional Architectural study of a railway bridge or road bridge and its context*

OR

*Elaboration of at least 1 additional Documentation of a railway bridge or road bridge and its context*

For the avoidance of doubt, the Contracting Authority provides that the participant may list in the list of significant services only such significant services in providing which always the person was involved that will hold in the contractor's team either the position of "Architect", "Bridge Engineer" or "Engineer for Transport Infrastructure".

For purposes of submitting the Request to Participate, fulfilment of the technical competence criterion can be proven by submitting a completed and signed sample attached as Annex **P08** to the Tender Documentation.

## 10. Concept

### 10.1 Details Concerning the Content and Structure of the Concept and Its Submission

10.1.1 The Concept will be submitted by the participant in electronic form via the Contracting Authority's Profile.

10.1.2 The Contracting Authority recommends submitting the Concept **in A3 format with landscape orientation as a .pdf document, with the following (recommended) content:**

**Page 1:** Annotation of the text part of the Concept in the extent pursuant to Section 11.3.2 (a), (b) and (g)

**Page 2:** Layout detail on a scale of 1:1000 or 1:2000 showing the basic principles of the draft design concept, in particular in terms of how it fits the zoning context within the area concerned, and possibly transport links to the surrounding area

**Page 3:** Characteristic cross-sections on a scale of 1:100 or 1:250 (above the supports and in the bridge span)

**Page 4:** Characteristic views on any scale showing the principles of the proposed design

**Page 5:** Basic details of the structural design and additional visualisations of the technical aspects at the participant's discretion

**Page 6:** Principles of construction procedures, including a simplified draft time schedule complemented by a description of the necessary traffic restrictions, including relevant justifications

**Page 7:** Drawing into the prescribed photograph  
(up to 2 additional pages can be added with any visual attachments)

10.1.3 The Contracting Authority recommends structuring the Concept in accordance with the sample in Annex **P09** to the Tender Documentation.

10.1.4 **The Contracting Authority points out that in the elaboration of the Concept, also persons must be involved on behalf of the participant through which the participant has proven fulfilment of the qualification requirements and who hold the positions according to Section 9.3 (c) herein.**

## 11. Modified Concept

### 11.1 Details Concerning the Content and Structure of the Modified Concept and Its Submission

11.1.1 The Modified Concept will be submitted by the participant in electronic form via the Contracting Authority's Profile and will contain the following:

- a) **Graphical part of the Modified Concept** (see Section 11.2 herein)
- b) **Text part of the Modified Concept** (see Section 11.3 herein)

### 11.2 Details Concerning the Content and Structure of the Graphical Part of the Modified Concept

11.2.1 The following details of the content and structure of the graphical part of the Modified Concept presume submission of the Modified Concept in electronic form.

Detailed instructions for submission of the Modified Concept will be communicated by the Contracting Authority to the participants in the Competitive Dialogue in the call for the submission of the Modified Concept.

11.2.2 The Contracting Authority recommends submitting **the graphical part in A0 format with landscape orientation as a .pdf document, with the following (recommended) content:**

**Panel 1:** Annotation of the text part of the Modified Concept in the extent according to Section 11.3.2 (a), (b) and (g) of the Tender Documentation with a recommended length of about 9000 characters, any other visual representations of the principles of the design and how it works in the area in relation to the text  
Layout on a scale of 1:500

**Panel 2:** Drawings into prescribed photographs

**Panel 3:** Floor plans of the bridge structures on scale of 1:250 (west side)  
Longitudinal section at a scale of 1:250 (west side)  
Floor plans of the bridge structures on scale of 1:250 (east side)  
Longitudinal section at a scale of 1:250 (east side)

**Panel 4:** Characteristic cross section on a scale of 1:50  
Cross-sections at a scale of 1:100 (above the supports and in the bridge span)

**Panel 5:** Basic details of the structural design and additional visualisations of the technical aspects at the participant's discretion

**Panel 6:** Detailed transport solution of the Na Výtoni area on a scale of 1:250 (layout and at least two characteristic sections, with one in the Podskalská customs office zone and the other in the area of house No. 2128 perpendicular to the railway line; at least one of the sections must show accesses to platform of the new railway stop and passenger shelters from weather at the railway stop)

**Panel 7:** Any other visualisations at the participant's discretion

**Panel 8:** Drawings of the course of construction

11.2.3 The graphical part will not contain any other representations than those specified above, otherwise these representations will not be taken into account by the evaluation committee. The extent of the graphical part will not exceed 8 electronic panels, otherwise any panels in excess of the 8-panel limit will not be submitted to the evaluation committee.

11.2.4 The Contracting Authority recommends structuring the graphical part of the Modified Concept (panels) in accordance with the sample in Annex **P10** to the Tender Documentation.

### **11.3 Details Concerning the Content and Structure of the Text Part of the Modified Concept**

11.3.1 The text part of the Modified Concept will contain an explanatory description of the participant's Modified Concept.

11.3.2 The Contracting Authority recommends submitting **the text part in A3 format with landscape orientation as a .pdf document, with the following (recommended) content:**

- a)** Architectural design
- b)** Structural design
- c)** Estimated costs for the Structure (sum of areas and volumes)
- d)** Description of the course of construction with an indication of the required times for restrictions on railway traffic, including relevant justifications
- e)** Description of the principles of protection against noise emissions from railway traffic
- f)** Static calculation of basic elements of the support structure and substructure of all the railway bridge structures (this static calculation is not included in the specified number of pages of the text part); the static calculation must contain critical assessments of the support structure and substructure with a defining impact on the technical design of the structure, its dimensioning and feasibility. If dimensioning is affected by the assembly and construction phases, an assessment of these phases must be provided.
- g)** Assessment of necessary interventions in protected elements of the bridges (see Task Specification)

11.3.3 The text part may further also contain additional information and technical specifications of the design in the form of text, sketches or diagrams specifying the principles of the design and its technical details but may not exceed 15 pages of A3 text with landscape orientation, font: Verdana, font size 10. If the maximum length of the text part is exceeded, the pages of the text part of the Modified

Concept in excess of the 15-page limit of the text will be removed and only the first 15 pages of text will be submitted to the evaluation committee.

11.3.4 The Contracting Authority recommends structuring the text part of the Modified Concept in accordance with the sample in Annex **P10** to the Tender Documentation.

11.3.5 **The Contracting Authority points out that the Modified Concept must be based on the Concept, and in the elaboration of the Modified Concept also those persons must be involved on behalf of the participant through which the participant has proven fulfilment of the qualification requirements and who hold the positions according to Section 9.3 (c) herein.**

## 12. Design

### 12.1 Details Concerning the Content and Structure of the Design and Its Submission

12.1.1 The Design will be submitted by the participant in paper form (**rolled-up format**, not on hardcover) and in electronic form via the Contracting Authority's Profile and will contain the following:

- a) **Graphical part of the Design** (see Section 12.2 herein)
- b) **Text part of the Design** (see Section 12.3 herein)

### 12.2 Details Concerning the Content and Structure of the Graphical Part of the Design

12.2.1 The Contracting Authority recommends submitting **the graphical part in A0 format with landscape orientation as a .pdf document, with the following (recommended) content:**

**Panel 1:** Annotation of the text part of the Design in the extent according to Section 12.3.2 (a), (b) and (g) of the Tender Documentation with a recommended length of about 9000 characters, any other visual representations of the principles of the design and how it works in the area in relation to the text

Layout on a scale of 1:500

**Panel 2:** Drawings into prescribed photographs

**Panel 3:** Floor plans of the bridge structures on scale of 1:250 (west side)

Longitudinal section at a scale of 1:250 (west side)

Floor plans of the bridge structures on scale of 1:250 (east side)

Longitudinal section at a scale of 1:250 (east side)

**Panel 4:** Characteristic cross section on a scale of 1:50

Cross-sections at a scale of 1:100 (above the supports and in the bridge span)

**Panel 5:** Basic details of the structural design and additional visualisations of the technical aspects at the participant's discretion

**Panel 6:** Detailed transport solution of the Na Výtoni area on a scale of 1:250 (layout and at least two characteristic sections, with one in the Podskalská customs office zone and the other in the area of house No. 2128 perpendicular to the railway line; at least one of the sections must show accesses to platform of the new railway stop and passenger shelters from weather at the railway stop)

**Panel 7:** Any other visualisations at the participant's discretion

**Panel 8:** Drawings of the course of construction

12.2.2 The graphical part will not contain any other representations than those specified above, otherwise these representations will not be taken into account by the evaluation committee. The extent of the graphical part will not exceed 8 panels, otherwise any panels in excess of the 8-panel limit will not be submitted to the evaluation committee.

12.2.3 The Contracting Authority recommends structuring the graphical part of the Design (panels) in accordance with the sample in Annex **P11** to the Tender Documentation.

### **12.3 Details Concerning the Content and Structure of the Text Part of the Design**

12.3.1 The text part of the Design will contain an explanatory description of the participant's draft design.

12.3.2 The Contracting Authority recommends submitting **the text part in A3 format with landscape orientation as a .pdf document, with the following (recommended) content:**

- a) Architectural solution of the Design
- b) Structural solution of the Design
- c) Estimated costs for the Structure (sum of areas and volumes)
- d) Description of the course of construction with an indication of the required times for restrictions on railway traffic, including relevant justifications
- e) Description of the principles of protection against noise emissions from railway traffic
- f) Static calculation of basic elements of the support structure and substructure of all the railway bridge structures (this static calculation is not included in the specified number of pages of the text part); the static calculation must contain critical assessments of the support structure and substructure with a defining impact on the technical design of the structure, its dimensioning and feasibility. If dimensioning is affected by the assembly and construction phases, an assessment of these phases must be provided.
- g) Assessment of necessary interventions in protected elements of the bridges (see Task Specification)

12.3.3 The text part of the Design may further also contain additional information and technical specifications of the design in the form of text, sketches or diagrams specifying the principles of the Design and its technical details, but may not exceed 15 pages of A3 text with landscape orientation, font: Verdana, font size 10. If the maximum length of the text part is exceeded, the pages of the text part of the Design in excess of the 15-page limit of the text will be removed and only the first 15 pages of text will be submitted to the evaluation committee.

12.3.4 The Contracting Authority recommends structuring the text part of the Design in accordance with the sample in Annex **P11** to the Tender Documentation.

**12.3.5 The Contracting Authority points out that the Design must be based on the Modified Concept, and in the elaboration of the Design also persons must be involved on behalf of the participant through which the participant has proven fulfilment of the qualification requirements and who hold the positions according to Section 9.3 (c) herein.**

**12.4 Reservation of the Contracting Authority Concerning the Content and Structure of the Modified Concept and of the Design**

12.4.1 The Contracting Authority reserves the right to amend or specify in more detail within the CD depending on the course of the Competitive Dialogue the requirements concerning the content and form of the Modified Concept and of the Design to be submitted by the participant.

12.4.2 At the same time, for purposes of presentation of the results of the Competitive Dialogue, the Contracting Authority reserves the right to request from the participants in the Competitive Dialogue who finished in the first three spots that they prepare and submit the graphical part of the Design after conclusion of the Competitive Dialogue in paper form. For this purpose, the Contracting Authority, in agreement with the Winning Contractor, will select suitable sections of the graphical part of the Design, which will be submitted by the Winning Contractor in paper form on hardcover panels (suitable for exhibition purposes) and chooses by agreement also the format of these panels.

# **D: REFERENCE DOCUMENTS FOR THE COMPETITIVE DIALOGUE**

## 13. Reference Documents for the Competitive Dialogue

### 13.1 Availability of Tender Conditions and Reference Documents

13.1.1 The Tender Conditions and reference documents for the Competitive Dialogue are made available without restrictions to all contractors for remote access on the Contracting Authority's Profile page - <https://zakazky.spravazeleznic.cz> from the date of publication of the notice of commencement of the Tender Procedure pursuant to Section 212 of the Public Procurement Act until the end of the Tender Procedure.

### 13.2 Reference Documents for the Competitive Dialogue

13.2.1 The Contracting Authority provides the participants with these reference documents for the Competitive Dialogue in digital form in the following formats:

P01	Task Specification (.pdf)
P02	Area concerned and other documents mapping the current status (.dwg)
P03	Documents on monument care (.pdf)
P04	Documentation for the bridge structure (.pdf / .dwg)
P05	Information from the documentation of construction projects "Reconstruction of the Prague main station (not incl.) - Vyšehrad (incl.) railway line" and "Reconstruction of the Prague-Smíchov railway station" (see Part 2.6.1 of the Task Specification) (.dwg / .pdf)
P06	Selection of basic regulations concerning the Task Specification, a list of European and national technical regulations and basic internal technical regulations of the Contracting Authority (.pdf)
P07	Other technical documents: <ul style="list-style-type: none"> <li>➤ A reference document concerning the project Hotel Smíchovské nábřeží (next to the CIPA Store)</li> <li>➤ Completion of the traffic solution for the streets around Výtoň (<i>non-binding document; the Contracting Authority recommends observing this document, but the participant may propose a different solution from the one intended by the document</i>)</li> </ul>
P08	Sample - Request to Participate (.docx)

P09	Sample - Concept (.indd/.pdf)
P10	Sample - Modified Concept (graphical and text part) (.indd / .pdf)
P11	Sample - Design (graphical and text part) (.indd / .pdf)
P12	Tentative version of the draft Contract
P13	Instructions for electronic submissions via the Contracting Authority's Profile (.pdf)

13.2.2 The participants in the Tender Procedure undertake to use the documents only for deciding on participation in the Tender Procedure and for the elaboration of individual submissions under the Tender Procedure.

In Prague, date:

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Ing. Mojmír Nejezchleb

Deputy Director General for Railway Modernisation

Správa železnic, státní organizace