[AQK]

Krnov Municipality,

in compliance with the Czech legislation, mainly:

* The Act on Public Procurement: no. 134/2016 Coll. – hereinafter „the Act,“ as last amended
* The Competition Code of the Czech Chamber of Architects dated 24th April 1993, as last amended
* The Building Act no. 183/2006 Coll., on Town and Country Planning and Building Code, as last amended
* The Act on the Practice of Certified Architects and Chartered Engineers and Technicians Engaged in Construction, as last amended
* Copyright Act: No. 121/200 Coll., On Copyright, on Rights Related to Copyright and on Amendments to Certain Acts
* Relevant provisions of the Civil Code, § 1772 to 1779 of the act no. 89/2012 Coll., as last amended

announces the design contest:

**NEW**

**MUNICIPAL SPA**

**FOR KRNOV**

that is open, two-phase, architectural, and followed by commission

and issues these

COMPETITION CONDITIONS

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#  CONTRACTING AUTHORITY

## Contracting Authority

Krnov Municipality

Hlavní náměstí 96/1, 794 01 Krnov 1

ID: 00296139

represented by: Tomáš Hradil, Mayor

krnov.cz

## Organizer

CCEA MOBA: MOBA studio s.r.o.

U Půjčovny 953/4, 110 00 Praha

ID: 61459712

represented by: Igor Kovačević, executive director

cceamoba.cz

# JURY

## Jury

### Dependent members

Tomáš Hradil, Mayor – Jury Vice-Chair

Miroslav Binar, 1st Deputy Mayor

Roman Šigut, Town Representative

Zuzana Stanjurová Mateiciucová, Chief Town Architect – Alternate

Zuzana Matelová, Councilor– Alternate

### Independent members

Roman Brychta, architect, brychtaarchitekti.cz – Jury Chair

Zdeněk Sendler, landscape architect, arch.cz/sendler

Barbora Šimonová, architect, cosa.cz

Ondřej Chybík, architect, chybik-kristof.com

Marek Juránek, architect, atelierjuranek.cz – Alternate

David Kotek, architect, projektstudio.cz – Alternate

## Jury Assisting Bodies

### Competition Secretary

Igor Kovačević, CCEA MOBA igor@cceamoba.cz

### Competition Entries Examiner

Karin Grohmannová, CCEA MOBA

## Invited Experts

Pavel Moravec,2nd Deputy Mayor

Radim Rudzinski, Town Representative

David Ratiborský, Town Representative

Radek Steinhaizl, Relaxsolution s.r.o.

Jan Šrubař, public procurement

Klára Hazuchová, public procurement

Vendula Štifnerová,project manager

The jury is authorized to ask the contracting authority to invite other specialists.

# SPECIFICATION

## Competition Type

### Based on competition subject

The competition is announced as architectural.

### Based on accessibility

The competition is announced as open.

### Based on number of announced phases

The competition is announced as two-phase.

### Based on intention

The competition is announced as “for project” (=followed by commission).

## Competition language

The competition will run in Czech and English languages. In case of ambiguity of interpretation in conditions or documentation, the Czech text shall have priority.

The competition designs should therefore be either in Czech (Slovak is allowed) or English. In the second phase, it is recommended for the design to be bilingual (cz+en or sk+en).

## Electronic tool

All contestants must use an electronic tool (profile of contracting authority) for all communication including design submission. Registration in the electronic tool is needed.

<https://zakazky.krnov.cz/>

## Conditions approval

### Jury

The conditions were approved by the jury after its constitutive meeting per rollam.

### Czech Chamber of Architects (CCA)

The CCA approved of the conditions by letter no. 509-2021/DM/Ze.

### Contracting authority

The conditions were approved by the Krnov Council by decision no. 2592/63/RM/2021.

### Competition launch

The competition starts and submission is possible by the day the announcement is published on the Tender Electronic Daily – CZ (https://www.vestnikverejnychzakazek.cz/).

# COMPETITION BRIEF

## Competition subject

The subject of the competition is the design of a new municipal spa for the town of Krnov on land in the northern part of the town next to the existing summer swimming pool. The land is owned by the city with a total area of 13 200 m2. The connection of the outdoor swimming pool with the new municipal spa will create a sports and relaxation center linked to the town's sports infrastructure along Petrovická Street. The new city spa includes a swimming pool (25 m), a relaxation pool, a sauna world, a fitness center and additional services to the above mentioned facilities. The design includes a solution for parking and traffic connections to the site.

The estimated investment cost of the construction in 2017 was 225 million CZK (according to financing approved by the Krnov City Council by decision 586/22/RM/2017 on 1 November 2017). Taking into account the development of prices of materials and construction works, the current estimate of the investment is at the level of 380 million CZK. The competition will verify these estimated costs and will serve as an indicator for their possible update.

Requirements for solving the subject of the competition are defined in Annex P.01 Brief and are set as recommended.

## Competition aim

The aim of the competition is to select and award the most suitable design - a solution to the subject of the competition - that meets the requirements of the contracting authority contained in these competition conditions and the competition documents.

The purpose of the competition is to select, by means of the award of prizes, the participants with whom the contracting authority will negotiate the award of the follow-on contract, as described in these conditions, in a negotiated procedure without publication, in accordance with the provisions of Sections 143(2) and 65 of the Act (hereinafter referred to as the 'NP'). The objective of the competition is to find a partner for the preparation of a quality project - from the completion of the design to its successful implementation.

# TERMS OF PARTICIPATION

## Contestant

The participant in the competition can be a natural or legal person or their association. **As the participant is defined within the competition, they will be negotiated with and act when signing the commission.**

Other collaborating persons, authors, or co-authors can be mentioned in the PP.01 document.

## Terms of entering the competition

###  Conditions of Czech Chamber of Architects (CCA)

Neither a participant nor a member of the team listed in the PP.01 document cannot be a person § 3 paragraph 2 of the CCA Competition Guidelines – described in detail in PP.02 document.

### Basic and business competence

1. Basic competence – a participant must meet qualification requirements in compliance with § 74 of the Act (details in annex PP.02);

Business competence – a legal person as participant must be registered in the Commercial Register or other records; a natural as a participant must have a business license for project activity in construction (does not apply to persons performing the activity of an architect as a free profession).

## Proof of compliance with the terms

### Sworn statement

Contestants prove they meet competition terms and conditions by submitting a signed statement (annex PP.02 is a template sworn statement).

### Proof of compliance with the terms for teams of more than one natural person

All natural persons must fulfil conditions of the CCA and basic competence. Each of them proves this by signing the sworn statement (PP.02). Other conditions must be fulfilled by at least one of the natural persons.

### Proof of compliance with the terms for teams of more than one legal person

Each legal person must fulfil conditions of the CCA and basic and business competence. Legal persons prove they meet qualification requirements in compliance with § 74 subsection 2 of the Act.

### Proof of compliance with the terms for foreign contestants

Foreign contestants prove they meet the terms of entering competition in ways and extent their country of origin legal system requires them to.

## Consequences of non-compliance with the terms for participation

If the participant does not provide the PP.02 document(s) proving the fulfillment of the terms for participation in the competition, the contracting authority shall invite them in writing to deliver the required documents within 10 days. In the case of a participant who has submitted a prize-winning or honorably mentioned proposal, the contracting authority shall suspend the evaluation meeting of the jury by the end of this period. If the participant does not provide the required documents by the end of the period, the contracting authority will exclude them from the competition.

# SCHEDULE OF THE COMPETITION

## Submission

### How to submit

The design is submitted both electronically and physically. Electronically via electronic tool only, physically to the address of the organizer, mon-fri, 10:00 – 17:00 h.

MOBA studio s.r.o., U Půjčovny 953/4, 110 00 Praha 1

+420 222 222 521

All parts of the design should be in one package with the name of the competition on it “NEW MUNICIPAL SPA FOR KRNOV”.

### Deadline – Phase 1

The deadline for submitting both electronically and physically is **08. 10. 2021, 14:00.** The deciding factor is the time of receipt by the electronic tool and the actual presence at the organizer’s address.

### Deadline – Phase 2

The deadline for submitting both electronically and physically is **04. 02. 2022, 14:00.** The deciding factor is the time of receipt by the electronic tool and the actual presence at the organizer’s address.

### Late submission

If submitted late, or not via electronic tool or to a wrong address, the contracting authority will not according to the Law consider the submission and the design will not be evaluated.

## Entries examination

The entries are going to be examined formally after the deadline. The timely, correct submission will be checked as well completeness of the proposal, and its anonymity. The examiner will report their findings to the jury and will mark the proposals with number under which they will be known to the jury.

## Evaluation meeting

Jury meeting date will be set during the competition.

##  Invitation to Phase 2

Based on the jury’s decision, **5 contestants** are expected to be invited to the Phase 2. With the invitation comments and recommendations of the jury will be sent out, together with detailed requests for the design elaboration, and specified competition conditions.

## Exclusion of the contestants between phases

Those not advancing to the Phase 2 will be formally excluded from the competition. This is to comply to the Czech law. They will receive notification of exclusion from the procurement procedure.

## Competition protocol

The secretary (or other responsible person) will take minutes from each jury meeting. All present at the meeting are to sign the minutes.

The protocol will contain mainly:

1. Minutes from the jury meetings, incl. voting results
2. Decisions on exclusion and list of all proposals
3. Evaluation criteria application (specification)
4. Evaluation of all proposals
5. Division of prizes, honorable mentions and jury comments to them
6. Lists of attendance from the jury meetings

# COMPETITION END

## Decision on the competition results

### Best design selection

When selecting the best design, the contracting authority is bound by jury decision. The contracting authority will authorize best design selection within 90 days of the jury decision. For reasons listed in § 148 subsection 7 of the Act and § 11 subsection 1 of the Competition Code the contracting authority can decide on new competition designs assessment.

### Competition results announcement

The contracting authority will announce competition results and best selected designs on the contracting authority profile within 10 days of best design selection authorization by the contracting authority. The announcement will be annexed with a competition protocol. The competition result will be published by the contracting authority after best selected designs decision is delivered, and that by means that were used to announce the competition.

## Competition designs viewing

The day competition results and records are published is the start of a 15 days long deadline of competition designs viewing. Competition designs will be accessible at the contracting authority upon request.

### Competition end

The competition ends when:

1. deadline for filing a protest against best designs selection expires in compliance with § 241–244 of the Act and § 13 of the Competition Code, if no protests are filed;
2. if a protest is filed, the deadline for motion proposal to inquire into the contracting authority actions by the Office for the Protection of Competition expires in compliance with § 251 subsection 2 and 3 of the Act, if such proposal is not filed;
3. if motion proposal is filed in compliance with § 251 of the Act, a decision on administrative procedure stop or proposal rejection comes into effect.

### Competition cancellation

The contracting authority reserves the right to cancel the competition. Should the competition be cancelled without announcing a new one, the contracting authority is obliged to compensate contestants who prove they had started working on a competition design before the cancelation (proportional share of up to the total prize money, i.e. a proportional share of CZK 2,750,000 is considered adequate). The proportionate share will be ruled by the contracting authority in cooperation with the jury, one contestant can receive max compensation of CZK 450,000.

## Prize and award settlement

The prizes and honorable mentions will be paid to contestants no later than 50 days from the decision confirmation by the contracting authority (or cancellation), or within one week from an arbitration ruling notice, if such arbitration was conducted.

## Public exhibition

A public exhibition of competition designs will open within 3 months after the best design decision was announced.

# EVALUATION CRITERIA

## Evaluation criteria

Criteria with no order of significance:

1. quality of urban, landscape and architectural design - comfort and flexibility of use, functionality of the ecological concept, blue-green infrastructure, functional and operational solution, orientation, logical links and user comfort
2. structural and technological solutions, taking into account investment and operating costs - functionality of the energy concept

## Evaluation

The jury will assess competition entries based on their knowledge and expertise. Such assessment will thus be a highly professional, yet subjective opinion of the jury. This way of assessment is generally considered standard in design contests and by entering the competition contestants express their consent with this way of assessment.

# PRIZES AND SKETCH FEES

## Sum total

Total sum for prizes and sketch fees is CZK 3,000,000.

## Prizes

### First prize

First prize is CZK 1,000,000.

### Second prize

Second prize is CZK 750,000.

### Third prize

First prize is CZK 500,000.

## Sketch fee

An amount of CZK 500,000 will be distributed among the other participants in the 2nd phase of the competition, whose proposal will not receive any prize and will not be excluded from the competition during the evaluation. The maximum amount of the sketch fee per participant is set at CZK 250,000. The contracting authority will not award any honorable mentions.

## Different prize money distribution

Under the conditions set out in § 12 para. 2 of the CCA Competition Rules, the jury may, in exceptional cases, decide to redistribute or not award some of the prizes or sketch fees.

# DOCUMENTATION, SITE VISIT

## Documentation accessibility

Competition conditions and complete documentation is accessible at:

<https://zakazky.krnov.cz> and on organizer’s web (cceamoba.cz) since competition launch.

## Documentation

### Design resources

1. Competition Brief (pdf)
2. Map (dwg)
3. 3D model (dwg)
4. Photos (jpg)
5. Orthofotomap (jpg)
6. New Municipal Spa Operating Concept May 2020 (pdf)
7. Completion of the summer swimming pool in Krnov - study May 2021 (pdf)
8. Dendrological survey of the Krnov swimming pool area September 2020 (pdf)
9. Study of the sewage sewerage system in Petrovicka (pdf)
10. Balance sheet template (xls)

### Administrative resources

PP.01 Identification data – template (doc)

PP.02 Sworn statement – template (doc)

PP.03 Unbinding price offer – template (xls) – to be used in 2nd Phase, will not be disclosed to the jury

### Competition resources use

Contestants pledge they will only use these resources to decide on their competition entry, and to work on a competition design.

## Explanation (questions)

### Queries through the contracting authority profile/e-tool

Contestants can query competition terms and conditions in writing through preferred electronic communication by means of the e-tool.

### E-mail queries

Contestants can query competition terms and conditions in writing to the e-mail address of the competition secretary (Igor Kovačević, igor@cceamoba.cz) with the subject “AQK – QUESTION”.

### Query deadline

Deadline is 14. 09. 2021.

### Query explanation

Explanation (answers) will be published, together with the original query and without inquirer’s identification, on both the contracting authority profile and the competition website as supplementary information within 3 days of receiving a query (question). The contracting authority can also publish explanations without the original query.

## Site visit

A tour of the competition site is planned between the first and second phases of the competition and will be attended by teams that will advance to the second phase of the competition. Further information on the date, time and place of the meeting will be provided in the form of additional information.

# FOLLOW-UP NEGOTIATIONS AND COMMISSION

## Private negotiations (JPN)

In compliance with the provision of § 143 subsection 2, and § 65 of the Act the contracting authority will negotiate a follow-up contract according to these competition conditions with all awarded contestants. Based on competition results awarded contestants will be invited to tender. If a contract is not signed with any of the invited contestants, I.e. with any of the competition awardees, private negotiations will be terminated without publication.

### Tendering by the top awarded contestant

The contracting authority will first invite the contestant whose design scored best to tender, and if a contract is signed with them, the negotiations are thus terminated.

### Tendering by the second top scoring contestant

If a contract is not signed with the first one, the contracting authority will invite the second best scoring contestant to tender, and if a contract is signed with them, the negotiations are thus terminated.

### Tendering by the third top scoring contestant

If a contract is not signed with the second one, the contracting authority will invite the third best scoring contestant to tender, and if a contract is signed with them, the negotiations are thus terminated.

## Follow-up design contract conditions

### Evidence of compliance with the conditions for participation

A participant who is invited to conclude a contract on the basis of the results of the private negotiation procedure shall submit to the supplier the originals or officially certified copies of documents proving the fulfillment of the terms for participation specified in these competition conditions.

A participant who is not a citizen of the Czech Republic or does not have a registered office in the Czech Republic shall prove at the conclusion of the contract that they are a person authorized to perform selected activities in construction according to § 7 par. b) and § 30a of the Act on the exercise of a profession or proves a connection with another person who is authorized to perform selected activities in construction in the Czech Republic.

## Commission extent

Based on the results of the competition, the contracting authority intends to award a contract for the processing of the following basic phases of services (FS) during the elaboration of project documentation in accordance with the new standards of the architect's services, i.e.:

FS 1 – Project preparation; FS 2 – Design – elaboration of the competition design; FS 3 – Land-use permit project; FS 4 – Building permit project; FS 5 – Construction project; FS 6 – List of works and supplies; FS 7 – Author supervision

The schedule of design work will be set so that construction work will begin in the summer 2023.

The contract will also include the processing of above-standard services and special professional services associated with the performance of the public contract, such as engineering activities, cooperation with the contracting authority, cooperation with the contracting authority in removing defects and unfinished work and putting the construction into use. The necessary surveys and measurements will also be provided by the supplier, depending on the type and scope.

## Estimated commission costs

The fee and the price of the work for the execution of the subsequent contract within the scope of these competition conditions will be determined on the basis of negotiations with the prize-winning participants. The CCA fee tariff will be considered, as well as the unbinding prizes submitted in the whole competition. The prize won in the competition will be counted into the fee for FS 1 and FS 2.

# CONDITIONS ACCEPTANCE

## Copyright

### Design copyright protection in the relation contestant - author

Contestants prove they hold design copyright as part of the private negotiations.

### Design copyright protection in the relation contestant – contracting authority

Competition design authors keep their copyright; they can publish their competition designs.

### Design reproduction and exhibition as part of the competition

By submitting their competition designs, the contestants consent with their free reproduction and exhibition as part of promoting the competition and its results.

### Competition design ownership

By submitting their competition designs contestants consent the contracting authority can use their author designs in this competition. Other use of competition designs or their part than those stated in these competition terms and conditions are to be consulted with and permitted by the authors.

## Acceptance clause

### Consent of the contracting authority, organizer, jury, jury assisting bodies, and called-in specialists

By their participation in this competition the contracting authority, organizer, jury assisting bodies, jury members, and called-in specialist confirm they have read all competition terms and conditions, and they pledge they will abide by and honor these competition terms and conditions as a contract.

### Consent of the contestants

By submitting their competition designs contestants consent with all competition terms and conditions.

## Dispute settlement

### Disputes

Contestants can dispute the contracting authority actions in the course of the design competition in compliance with part 13 of the Act.

### Filing a dispute to inquire into the contracting authority actions

Motion proposal to review the contracting authority actions requirements, and further actions of the complaining party comply with provisions of § 249 and following of the Act.

# COMPETITION ENTRY – PHASE 1

## Requirements

### Obligatory requirements:

1. **To submit all parts** of competition entry listed below;
2. **To submit the entry in time and properly** as is described in these conditions;
3. **Anonymity** of the competition entry as described in these conditions

Should these requirements not be met, it means the competition entry is excluded from jury assessment and will be disqualified.

### Recommended requirements

The requirements not listed as obligatory are considered recommended; failure to meet them is not a reason to exclude competition designs from jury assessment, or to disqualify contestants from the competition.

## Parts of competition entry:

1. Main presentation – “Panels”
2. Detailed description – “Booklet”
3. Identification – “Identification”
4. Sworn statement – “Statement”

## Main presentation – “Panels”

### Layout and form

2 panels of B1 format, vertically. In the lower right corner there will be space of real size 3x3 cm for the examiner to write in the number of the competition entry. At the lower edge, there will be the name of the competition “NEW MUNICIPAL SPA FOR KRNOV”.

### Form of submission

**Panels will be submitted both electronically and physically** – Physically glued to kapa boards, electronically (via e-tool) as PDF with at least 150 dpi.

### Recommended content

panel 1 –

* architectural-urban situation of the whole solved area with its surroundings - the main drawing, in which the urban and landscape solution will be shown, in which the entrance floors of the new town house will be inserted in the scale of 1:500
* other layouts, sections and elevations, 1:500
* any other additional content

panel 2 –

* axonometric representation of the solved and surrounding area, 1:500
* brief description of the proposal, an explanation of the concept of the proposal
* any other additional content

## Detailed description – “Booklet”

### Layout and form

Booklet of A4 format, vertically.

In the lower right corner of the title page, there will be space of real size 3x3 cm for the examiner to write in the number of the competition entry. At the lower edge of the title page, there will be the name of the competition “NEW MUNICIPAL SPA FOR KRNOV”.

### Form of submission

**The booklet will be submitted both electronically and physically** – Physically in two copies, electronically (via e-tool) as PDF with at least 150 dpi.

### Recommended content

1. Title page

Annotation, 200 words approx

all layouts with basic dimensions, 1:500

2 sections with basic dimensions, 1:500

4 elevations with basic dimensions, 1:500

description of the solution of public space - urban principles, greenery, landscaping, water management, selected types of surfaces and materials, etc.

description of the chosen transport solution with regard to the different modes of use (non-conflict operation, supply routes, parking of the employees and public)

description of the architectural and urbanistic solution

description of the ecology and energy concept

completed balance sheets (provided in documentation) for the solved area and the proposed and reconstructed building

A description of the proposal is not limited to the form of the text, it is recommended to supplement it with diagrams, sketches and other explanatory outputs to communicate the proposal as clearly as possible to the jury.

## “Identification”

Filled-in template PP.01 (will not be given to the jury)

### Form of submission

**Identification will be submitted both electronically and physically.**

Electronically only (via e-tool) as a PDF file.

## “Sworn statement”

Filled-in template PP.02 (will not be given to the jury)

### Form of submission

The statement will be submitted electronically only (via e-tool) as a PDF file.

## Binding conditions for the anonymity of the competition entry

Proposals will be presented anonymously. No part of the competition proposal (with the exception explicitly stated in the competition conditions) may contain the name, address or other graphic mark of the participant, which could lead to his identification and thus to a breach of anonymity. Proposals that violate anonymity will be excluded from the competition by the contracting authority.

# COMPETITION ENTRY – PHASE 2

## Specification of the requirements for the proposal in the 2nd phase

The requirements and recommendations concerning the competition proposal will be specified in the invitation to participate in the 2nd phase of the competition. Expected are 6 panels of B1 format with graphic outputs, and booklet, and list of team members. The detail of the elaboration of the proposal is assumed to be 1:200.

The 2nd phase of the competition will be anonymous, similarly to the 1st phase.