

# COMPETITION FOR THE DEVELOPMENT OF THE ARCHITECTURAL CONCEPT OF THE POLISH PAVILION AT THE WORLD EXPO IN OSAKA JAPAN, 2025

COMPETITION CONDUCTED IN THE FLEMISH FORMULA

**SARP COMPETITION No. 1031**

November 2022

## **COMPETITION REGULATIONS**

### **ORGANISER:**

**Polska Agencja Inwestycji i Handlu [Polish Investment and Trade Agency]**

ul. Krucza 50

00-025 Warszawa

### **with the participation of**

**Stowarzyszenie Architektów Polskich [Association of Polish Architects]**

ul. Foksal 2

00-366 Warszawa

EPK SARP ELECTRONIC COMPETITION PLATFORM:

<https://epk.sarp.pl>

Warsaw, November 2022

**The procedure is conducted in Polish. The English version of the Rules and Regulation is only an auxiliary material.**

## Table of contents:

DEFINITIONS .....	4
CHAPTER I.....	6
GENERAL PROVISIONS .....	6
1. ORGANISER AND IMPLEMENTER OF THE COMPETITION AND CONTACT DETAILS .....	6
2. FORM AND RULES OF THE COMPETITION .....	6
3. COMPETITION SCHEDULE .....	9
4. COMPETITION JURY - COMPOSITION AND TASKS.....	10
5. LEGAL PROVISIONS APPLICABLE IN THIS COMPETITION: .....	12
CHAPTER II.....	12
PURPOSE, TASKS, SUBJECT-MATTER, ASSUMPTIONS AND BUDGET OF THE COMPETITION .....	12
1. PURPOSE AND TASK OF THE COMPETITION .....	12
2. DESCRIPTION OF THE SUBJECT OF THE COMPETITION .....	13
3. SCOPE OF THE COMPETITION WORK.....	13
4. ASSUMPTIONS, GUIDELINES AND CONDITIONS FOR THE COMPETITION.....	13
5. COMPETITION MATERIALS.....	13
6. THE MAXIMUM PLANNED TOTAL INVESTMENT COST.....	13
7. THE MAXIMUM PLANNED COST OF PERFORMING THE SUBJECT OF THE ORDER .....	14
8. SCHEME FOR SUBMITTING COMPETITION DOCUMENTS VIA ESK SARP: .....	14
CHAPTER III.....	16
TERMS AND CONDITIONS OF PARTICIPATION IN THE COMPETITION .....	16
1. CONDITIONS DEFINED BY THE ORGANISER, WHICH THE COMPETITION PARTICIPANT MUST MEET IN ORDER TO TAKE PART IN THE COMPETITION .....	16
CHAPTER IV.....	17
STAGE I OF THE COMPETITION - REGISTRATION, APPLICATIONS FOR STAGE II AND QUALIFICATION FOR PARTICIPATION IN STAGE II OF THE COMPETITION .....	17
1. REGISTRATION FOR THE COMPETITION .....	17
2. SUBMISSION OF APPLICATIONS FOR STAGE II OF THE COMPETITION AND THE CONTENT OF APPLICATIONS .....	17
3. QUALIFICATION FOR PARTICIPATION IN STAGE II OF THE COMPETITION .....	19
CHAPTER V.....	20
STAGE II OF THE COMPETITION - WORKSHOPS FOR COMPETITION PARTICIPANTS AND THE MANNER OF PREPARATION AND SUBMISSION OF COMPETITION WORKS .....	20
1. WORKSHOPS FOR COMPETITION PARTICIPANTS .....	20
2. METHOD AND RULES OF PREPARATION AND SUBMISSION OF COMPETITION WORKS ...	21

3.	THE METHOD, LOCATION AND DEADLINE FOR SUBMITTING COMPETITION WORKS .....	23
	CHAPTER VI.....	24
	PRESENTATION OF COMPETITION WORKS BY THE COMPETITION PARTICIPANTS AND EVALUATION OF COMPETITION WORKS AND THE EVALUATION CRITERIA.....	24
1.	PRESENTATION OF COMPETITION WORKS BY THE COMPETITION PARTICIPANTS .....	24
2.	CRITERIA AND METHOD OF EVALUATION OF COMPETITION WORKS .....	24
	CHAPTER VII.....	25
	PRIZES AND REMUNERATION FOR COMPETITION PARTICIPANTS, ANNOUNCEMENT OF THE COMPETITION RESULTS AND NEGOTIATIONS OF THE CONTRACT .....	25
1.	PRIZES .....	25
2.	REMUNERATION FOR THE COMPETITION PARTICIPANTS .....	26
3.	ANNOUNCEMENT OF COMPETITION RESULTS .....	26
4.	NEGOTIATIONS OF THE CONTRACT FOR THE PERFORMANCE OF THE SUBJECT OF THE ORDER.....	27
	CHAPTER VIII.....	27
	LICENCE AND FIELDS OF USE OF COMPETITION WORKS AND COPYRIGHT .....	27
	CHAPTER IX.....	29
	PERSONAL DATA.....	29
	CHAPTER X.....	31
	APPENDICES TO THE COMPETITION REGULATIONS.....	31

## **DEFINITIONS:**

**"Organiser"** - Polish Investment and Trade Agency S.A. with its registered office in Warsaw (00-025), ul. Krucza 50, entered into the Register of Entrepreneurs of the National Court Register under KRS: 0000109815.

**"Stage I of the Competition"** - shall mean the activities of the Competition Participants including the Registration and Application for Stage II and the pre-qualification of Participants for Stage II of the Competition.

**"Stage II of the Competition"** - shall mean the workshops, presentations and evaluation of the Competition Works by the Competition Jury, as provided for in these Regulations, and the determination of the Competition results, including the awarding of prizes in accordance with the Competition Regulations.

**"Participant"** or **"Competition Participant"** - a natural person, a legal person or an organisational unit without legal personality, or these entities acting jointly meeting the requirements set out in the Competition Regulations, who have successfully registered on the EPK SARP Electronic Competition Platform.

**"Regulations"** or **"Competition Regulations"** - shall mean the Regulations of the Competition for the development of an architectural concept of the Polish Pavilion at the World Exhibition EXPO OSAKA 2025.

**"Competition"** - shall mean the Competition for the development of an architectural concept of the Polish Pavilion at the World Exhibition EXPO OSAKA 2025 conducted on the basis of these Regulations.

**"EPK SARP Electronic Competition Platform"** - an electronic communication platform with a tab dedicated to the Competition, used for Registration and exchange of information related to the Competition, functioning at: epk.sarp.pl

**"Registration"** - shall mean the submission by entities interested in participating in the Competition of an Application to participate in the Competition published on the EPK SARP and obtaining an automatic confirmation of Registration.

**"Application for Stage II (study)"** - shall mean the submission by a Competition Participant of documents, materials and studies constituting an application for participation in Stage II of the Competition, which is defined in Chapter IV, section 2.

**"Competition Jury"** - an auxiliary team appointed to select the Participants to participate in Stage II of the Competition, as well as to assess whether the Competition Participants comply with the requirements set forth in the Regulations, to evaluate the Competition Works and to select the best Competition Work.

**"Scope of the competition study"** - documents constituting the starting materials detailed in Appendices No. M11a - M11m to the Regulations.

**"Competition Work"** - shall mean the competition work submitted in Stage II of the Competition,

referred to in Chapter V, section 2.

**"Architectural and urban concept"** - graphic and textual identification of the basic assumptions of architectural and urban visions, solutions and standards, which will be developed and detailed in the course of further design works

**"Multi-discipline concept"** - shall mean the determination of preliminary, architectural, natural, landscape, structural, installation, infrastructural, technical, technological and conservation solutions and standards that should be the basis for further design work, together with obtaining basic preliminary agreements and preparation of preliminary cost estimates for the Investment.

**"Construction Design"** - a construction design within the meaning of the relevant regulations applicable in Japan.

**"Detailed Design"** – a set of elaborations supplementing and specifying the construction design, based on the construction design, to the extent and degree of precision necessary to prepare the bill of quantities, the investor's cost estimate, the preparation of the offer by the contractor and the execution of construction works, containing detailed drawings and descriptions, required for the execution of the facility in accordance with the applicable regulations.

**"Design Documentation"** - a set of design elaborations, including: the Multi-discipline concept, Construction Design, Detailed Design, bills of quantities together with the necessary studies, permits, agreements and opinions prepared in order to: obtain a building permit, prepare and conclude a construction works contract, execute the construction works in accordance with applicable regulations, as well as deliver the equipment.

**"Investment"** - construction of the Polish Pavilion at the World Exhibition EXPO 2025 in Osaka, Japan.

**"Contract"** - shall mean an agreement with the Competition Participant, whose entry was recognised as the best one, the subject of which is in particular the detailed elaboration of the Design Documentation within the scope necessary for the realisation of the Investment and resulting from the submitted competition concept, acquiring and elaborating the pre-design materials, performing author's supervision and other services connected with the preparation and realisation of the Investment.

**"Subject of the Order"** - the subject of the order shall, in particular, involve the development of the Design Documentation to the extent necessary for the execution of the Investment and resulting from the submitted competition concept, obtaining and developing pre-design materials and other necessary studies and materials necessary for the execution of the Investment, exercising author's supervision and providing other services related to the preparation and execution of the Investment.

## **CHAPTER I**

### **GENERAL PROVISIONS**

#### **1. ORGANISER AND IMPLEMENTER OF THE COMPETITION AND CONTACT DETAILS**

- 1.1. The Organiser of the Competition is:  
**Polska Agencja Inwestycji i Handlu [Polish Investment and Trade Agency]**  
**ul. Krucza 50**  
**00-025 Warszawa**
- 1.2. The Competition shall be conducted with the participation and cooperation of:  
**Stowarzyszenie Architektów Polskich [Association of Polish Architects]**  
**ul. Foksal 2**  
**00-366 Warszawa**
- 1.3. The following person shall be authorised to contact the Competition Participants:  
**Secretary of the Competition Jury: landscape architect Marek Szeniański**
- 1.4. All correspondence related to this Competition should be sent via the EPK SARP Electronic Competition Platform.
- 1.5. **All information about the competition will be published on the competition website:**  
<https://1031.konkurs.sarp.pl>

#### **2. FORM AND RULES OF THE COMPETITION**

- 2.1. The Competition shall be conducted on the basis of the Competition Regulations and relevant provisions of the Act of 23 April 1964 - Civil Code.
- 2.2. The Competition is a realisation competition, not an anonymous competition, conducted in the so-called Flemish formula. The competition is preceded by a pre-qualification phase for candidates (Stage I), followed by a workshop phase and the selection of the best Competition Works (Stage II).

##### **Stage I of the Competition: Registration, Application for Stage II and qualification for Stage II.**

- a. Entities interested in participating in the Competition shall register on the EPK SARP Electronic Competition Platform. Obtaining an automatic confirmation of registration means that the registration has been effectively filed. After successful registration in the Competition, the interested entity is admitted to participate in the Competition and becomes a Competition Participant.
- b. The Competition Participants shall submit the Application for Stage II of the Competition in accordance with Chapter IV, section 2.
- c. Applications for Stage II shall be examined by the Competition Jury and, on the basis

thereof, 3 (three) to 5 (five) Competition Participants qualified for Stage II of the Competition shall be selected.

**NOTE:**

The Organiser reserves the right to cancel the Competition, if fewer than 3 applications are submitted for Stage II.

**Stage II of the Competition: workshops, presentations, evaluation of works and determination of Competition results**

- a. After qualifying for Stage II, the Competition Participants shall prepare the Competition Works in accordance with the provisions of Chapter V, section 2.
  - b. During Stage II of the Competition, one workshop meeting of the Competition Jury is scheduled with each of the Competition Participants. It is assumed that one workshop meeting with one Competition Participant will last approximately 1.5 - 2 hours and these will be one-to-one meetings with each Competition Participant.
  - c. After the workshop part of the competition, the Participants submit the Competition Works in accordance with Chapter V, section 3, and present them to the members of the Competition Jury. The form of presentation shall be determined by the Competition Jury.
  - d. On the basis of the submitted Competition Works and the presentations of the Competition Participants, the Competition Jury shall evaluate and select the best Competition Works and award prizes in accordance with these Regulations.
- 2.3. The following prizes shall be awarded in the Competition: cash prizes with the total amount of PLN 100 000 gross (1st, 2nd and 3rd prize), referred to in Chapter VII, section 1, and an invitation for the Competition Participant whose Competition Work was awarded the 1st prize to negotiate the Contract for the execution of the subject of the order, subject to the provisions of Chapter VII (4.4. a., b., c).
- 2.4. Each of the Competition Participants, irrespective of the cash prizes awarded, will be paid a remuneration of PLN 10,000 gross for participating in Stage II of the Competition and submitting a complete Competition Work.
- 2.5. The Competition constitutes a public promise to ensure the payment of awards to the Competition Participants in exchange for the execution of the Competition Works in accordance with the objectives of the Competition and in accordance with these Regulations.
- 2.6. The language of the Competition shall be Polish. The Competition Works and all information, applications, notifications, statements and documents submitted by the Competition Participants must be submitted in Polish.  
Documents and declarations drawn up in a foreign language shall be submitted together with a translation into Polish certified as a true copy of the original by the Competition Participant or his/her proxy.

2.7. Amendments to the wording of the Competition Regulations.

The Organiser may modify the content of the Regulations at any time, before the deadline for the submission of the Competition Works, with the provision that such modifications shall not concern the limitation of the total amount allocated for prizes. The Organiser shall communicate the modification immediately through the communication platform and by publishing it on the Competition website (<https://1031.konkurs.sarp.pl>), and in the event that the modification is made at Stage II of the Competition, the Organiser shall also send this information to the Competition Participants qualified for Stage II of the Competition.

Amendments to the Regulations introduced by the Organiser shall be binding upon the Competition Participants.

2.8. The manner of communication between the Organiser and the Competition Participants and the manner of providing explanations regarding the provisions of the Regulations.

- a. Correspondence with the Competition Participants shall take place via the EPK SARP Electronic Competition Platform. Invitations to submit Competition Works, possible requests to supplement formal deficiencies of Stage II applications or Competition Works, answers or clarifications to Participants' questions and other additional explanations will be sent via EPK SARP.
- b. Competition Participants may ask the Competition Organiser for clarification of the provisions of the Regulations. Communication between the Organiser and Competition Participants shall take place via the EPK SARP Electronic Competition Platform.
- c. The Organiser shall respond to enquiries relating to the Regulations, provided that the enquiry is received by the Organiser within the deadline referred to in section 2.3 of this Chapter.
- d. If a request for an explanation of the content of the Regulations is received after the deadline for submission of questions referred to in section 2.2 of this Chapter or concerns answers and explanations already provided, the Organiser may provide explanations or leave such questions unprocessed.
- e. The content of queries concerning the Competition Regulations and answers to these queries without disclosing the source of the query will be published on the Competition website, i.e.: <https://1031.konkurs.sarp.pl>, except in the event that the answers to a Competition Participant's questions relate to the characteristics of his/her Competition Work, in which case they will be sent only to that Participant.
- f. The answers given by the Organiser to the questions and the explanations provided shall be binding for the Competition Participants without the need to change the content of the Competition Regulations.
- g. Questions and answers and other information regarding the Competition provided by telephone or verbally shall be ineffective.



- h. The Competition Participant shall submit the relevant statements and/or documents and supplements related to the Organiser's request only in writing via the EPK SARP Electronic Competition Platform.
- i. Competition Works must be submitted in electronic form via EPK SARP and the "paper" version must be submitted to the following address:
- Stowarzyszenie Architektów Polskich [Association of Polish Architects]  
ul. Foksal 2  
00-366 Warszawa  
(working hours from 09.00 to 16.00)
- j. Information about the Competition, changes to the Regulations and other communications for the Competition Participants shall be provided via EPK SARP and published on the Competition website, i.e.: <https://1031.konkurs.sarp.pl>
- k. The Competition Organiser is not responsible for the consequences of the Competition Participant's failure to comply with the above requirements. Responsibility for any technical problems preventing the Participant from receiving email (such as failures of the Participant's computers or servers or failures of the Participant's email service providers' servers/computers) shall be borne by the Participant.

### 3. COMPETITION SCHEDULE

<b>STAGE I OF THE COMPETITION</b>		
3.1.	Announcement of the Competition and making the Regulations available on the website.	<b>4 November 2022</b>
3.2.	Submission of questions by entities interested in participating in the Competition.	until <b>10 November 2022</b>
3.3.	Sending answers to questions and publishing these answers on the Competition website.	until <b>15 November 2022</b>
3.4.	Registration and application for Stage II of the Competition for entities interested in participating in the Competition via the Electronic Competition Platform.	until <b>24 November 2022</b>
3.5.	Announcement of the list of Competition Participants shortlisted for Stage II of the Competition and communication via EPK SARP of any additional guidelines and materials for the Competition.	until <b>1 December 2022</b>
<b>STAGE II OF THE COMPETITION</b>		
3.6.	Submission of questions by Competition Participants qualified for Stage II.	until <b>4 December 2022</b>

3.7.	Sending answers to the questions of the Competition Participants.	until <b>8 December 2022</b>
3.8.	Workshop meetings of the Competition Participants with members of the Competition Jury. Workshop meetings shall take place in Warsaw. The place and time of workshop meetings with the Participants shall be determined individually for each Competition Participant and communicated at least two weeks before the workshop date.	<b>Participants shall be informed individually</b>
3.9.	Distribution of guidelines and recommendations of the Competition Jury to the Competition Participants after the workshop.	until <b>28 December 2022</b>
3.10.	Submission of questions by Competition Participants qualified for Stage II.	until <b>18 January 2023</b>
3.11.	Sending answers to the questions.	until <b>20 January 2023</b>
3.12.	Deadline for submission of Competition Works to SARP headquarters - "paper version": Stowarzyszenie Architektów Polskich ul. Foksal 2 00-366 Warszawa (working hours from 09.00 to 16.00) and the electronic version via EPK SARP.	until <b>25 January 2023</b>
3.13.	Presentation by the Competition Participants of Competition Works to the members of the Competition Jury. The presentation of Competition Works shall take place in Warsaw. The place and time of presentation of the Competition Works by each Participant shall be determined individually and communicated at least two weeks before the presentation date.	<b>Participants shall be informed individually</b>
3.14.	Announcement of Competition results and awarding of Prizes. Competition Participants shall be informed of the place and time via EPK SARP.	<b>9 February 2023</b>
3.16.	Possible post-competition exhibition.	<b>9 February 2023 - 16 February 2023</b>
3.17.	Possible post-competition discussion.	<b>16 February 2023</b>

#### **4. COMPETITION JURY - COMPOSITION AND TASKS**

##### **4.1. Composition of the Competition Jury**

The Competition Jury shall consist of 7 persons. The Competition Jury shall include:

- 1) Marek Dunikowski - architect, Chairman of the Competition Jury, Competition Judge of the Association of Polish Architects (SARP).
  - 2) Marcin Pawłowski - architect, Judge-Secretary, Competition Judge of the Association of Polish Architects (SARP).
  - 3) Tsutomu Nozaki - architect, Judge, Competition Judge of the Association of Polish Architects (SARP).
  - 4) Oskar Derych - Judge on the part of the Organiser
  - 5) Aleksandra Tomczyk - Judge on the part of the Organiser
  - 6) Marta Szczygieł - Judge on the part of the Organiser
  - 7) Magdalena Skarżyńska - Judge on the part of the Organiser
- 4.2. The function of Secretary of the Competition Jury is held by the landscape architect Marek Szeniański, Competition Judge of the Association of Polish Architects (SARP), Warsaw Branch
- 4.3. Consultants, experts or specialists may be appointed to work with the Competition Jury. It shall be up to the Competition Jury or the Organiser to decide about the need to appoint any experts.
- 4.4. Tasks of the Competition Jury

The Competition Jury shall in particular:

- a. Objectively qualify the Participants for Stage II of the Competition on the basis of the submitted Applications for Stage II.
- b. Participate in workshops with the Competition Participants and prepare possible guidelines after the workshops.
- c. Participate in the presentation of Competition Works by the Participants.
- d. Make an objective evaluation of Competition Works.
- e. Indicate the works that should be awarded and/or honoured, together with the type and amount of the prize and/or distinction, or indicate that a specific prize and/or prizes should be waived if the Competition Works do not substantially comply with the requirements set out in the Regulations.
- f. Draw up information on the awarded and honoured Competition Works.
- g. Draw up a justification to the Competition results.
- h. Prepare post-competition recommendations for the Competition Work that was awarded 1st prize.
- i. Draw up a possible justification to the decision not to select Competition winners.
- j. Prepare answers to questions from Competition Participants on the guidelines and factual assumptions for the Competition.
- k. After the selection of the best Competition Work and the selection of the remaining

Competition Winners and the awarding of prizes, the results of the assessment shall be submitted to the Organiser for approval.

- I. Make a request to the Organiser to cancel the Competition

The Competition Jury shall be independent in respect of the matters referred to above.

## **5. LEGAL PROVISIONS APPLICABLE IN THIS COMPETITION:**

1. Act of 23 April 1964 - Civil Code (i.e. Journal of Laws of 2022, item 1360);
2. Act on Copyright and Related Rights of 4 February 1994 (Journal of Laws of 2021, item 1062, as further amended);
3. Regulation (EU) No 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ of the EU.L No. 119, p.1),
4. The Japanese construction law in accordance with the indications contained in the documents of the Organiser of the World Exhibition EXPO 2025 in Osaka;
5. Regulations and standards in the fields of zoning, construction, historic preservation, environmental protection and others resulting from the factual materials, as far as they are applicable to the competition studies.

## **CHAPTER II**

### **PURPOSE, TASKS, SUBJECT-MATTER, ASSUMPTIONS AND BUDGET OF THE COMPETITION**

#### **1. PURPOSE AND TASK OF THE COMPETITION**

- 1.1. The aim of the competition is to obtain the best concept in terms of its architectural, spatial and functional-utilitarian aspects, compliant with the assumptions, guidelines and conditions for the development of the concept being the subject of the Competition, indicated in Appendix No. M11a as the scope of the competition study.
- 1.2. The primary task of the Competition is to select, through verification and evaluation of the Competition Works in accordance with the Regulations, the best Competition concept. The Competition Participant whose work is judged by the Competition Jury to be the best and who is awarded the 1st Prize will be invited to negotiate the Contract for the execution of the Subject of the Order.
- 1.3. The Subject of the Order shall, in particular, involve the development of the Design Documentation to the extent necessary for the execution of the Investment and resulting from the submitted competition concept, obtaining and developing pre-design materials and other necessary studies and materials necessary for the execution of the Investment, exercising author's supervision and providing other services related to the preparation and execution of the Investment.

## **2. DESCRIPTION OF THE SUBJECT OF THE COMPETITION**

- 2.1. The subject of the competition is the development of the architectural concept of the Polish Pavilion at the World Expo exhibition in Osaka.
- 2.2. The assumptions, guidelines and external and ideological conditions for the development of the concept that is the subject of the Competition are indicated in Appendix No. M11a.

## **3. SCOPE OF THE COMPETITION WORK**

The scope of competition work should be based on the starting materials specified in detail in Appendices No. M11a - M11m to the Competition Regulations.

## **4. ASSUMPTIONS, GUIDELINES AND CONDITIONS FOR THE COMPETITION**

Detailed assumptions and guidelines for the Competition are contained in Appendix no. M11a to the Regulations. The information and conclusions contained in the materials included in Appendices M11b-11m to the Regulations should also be regarded as supporting material to be taken into account and creatively developed in the execution of the competition concept.

## **5. COMPETITION MATERIALS**

The list of Competition Materials is presented in Chapter X, section II.

## **6. THE MAXIMUM PLANNED TOTAL INVESTMENT COST**

- 6.1 The maximum planned total cost of the Investment should not exceed the EU thresholds referred to in Article 3 (1) of the Act of 11 September 2019 - Public Procurement Law (i.e. Journal of Laws of 2019, item 2019, as amended on 22 July 2022 - Journal of Laws of 2022, item 1710, as amended). As of 19 October 2022, this is EUR 5 382 000, i.e. PLN 23 969 275.

The declaration of the Competition Participant concerning the maximum planned total cost of the Investment is attached as Appendix No. M9 to the Regulations.

- 6.2 The maximum planned total cost of the Investment referred to in section 6.1 above is the amount requested by the Organiser. At the same time, the Organiser informs that it is not possible to increase the amounts in the event that the execution of the order will be carried out on the basis of Article 7 of the Act on the performance of tasks in the field of promoting the Polish economy by the Polish Investment and Trade Agency S.A. (i.e. Journal of Laws 2022 item 1985). This possibility will arise, in particular, in the event of the entry into force of provisions excluding the application of the provisions of the Act of 11 September 2019 - Public Procurement Law (Journal of Laws of 2022, item 1710, 1812 and 1933) to public procurements concerning design services or construction works related to the construction of the pavilion of the Republic of Poland at the World Expo 2025 Osaka, Kansai and the exercise of investor supervision over its construction, as well as concerning services or supplies related to the equipment of that pavilion and also in other cases determined by the Organiser, with the provision that a change in the maximum planned total cost of the implementation of the Investment referred to in section 6.1 above shall require the consent of the Organiser expressed in writing under pain of nullity and

only upon the Organiser's expression of such consent shall it be binding on the Competition Participant, subject to the provision of section 6.3.

- 6.3 In the case referred to in the second sentence of section 6.2 above, it is permissible to exceed the maximum planned total cost of the Investment referred to in section 6.1 above if the technical and functional solutions so require. In such a case, the Competition Participant should attach a comparison of the costs and benefits of the proposed solutions. Exceeding the amount of the maximum planned total cost of completing the Investment, as referred to in section 6.1 above, will be analysed by the Competition Jury in terms of a benefit analysis and may ultimately be approved by the Organiser on this basis.

## **7. THE MAXIMUM PLANNED COST OF PERFORMING THE SUBJECT OF THE ORDER**

- 7.1 The maximum total net cost (excluding VAT) of the execution of the Subject of the Order (which is described in detail in Appendix No. M11a), which will be awarded after the Competition and negotiations with the Competition Participant whose Competition Work was awarded the 1st Prize, subject to the provisions of Chapter VII, section 4.4. letter a, letter b and letter c, should not exceed the EU thresholds referred to in Article 3(1) of the Act of 11 September 2019 - Public Procurement Law (i.e. Journal of Laws of 2019, item 2019 as amended on 22 July 2022 - Journal of Laws of 2022, item 1710 as amended). As of 19 October 2022, this is EUR 215 000, i.e. PLN 957 524. The provisions of sections 6.2 and 6.3 above shall apply to the maximum total cost of performance of the Subject of the Order referred to in this point. The declaration of the Competition Participant concerning the estimated cost and time limit for the performance of the Subject of the Order constitute Appendices M9 and M10 to the Regulations.
- 7.2 For the avoidance of doubt, the Organiser stipulates that the maximum planned total cost of the implementation of the Investment referred to in section 6.1 above and the maximum total cost of the execution of the Subject of the Order referred to in section 7.1 above are estimated amounts which, in a manner binding on the Competition Participant, will be confirmed and clarified by the Organiser in writing under pain of nullity.

## **8. SCHEME FOR SUBMITTING COMPETITION DOCUMENTS VIA ESK SARP:**

<b>STAGE OF THE COMPETITION</b>	<b>ACTIVITY/DOCUMENTS</b>	<b>EPK SARP COMPETITION no. 1031 TAB</b>
STAGE I	Registration for the Competition Application for admission to the Competition - APPLICATION FOR PARTICIPATION together with any attachments, e.g. power of attorney	APPLICATIONS TO PARTICIPATE IN THE COMPETITION
	Application for Stage II of the Competition - preliminary sketches (optional), conceptual description, portfolio	STUDIES
STAGE II	Workshop materials, including	COMPETITION WORKS

	working drawings, estimated site summaries and preliminary plot summaries, and a preliminary estimated breakdown of the Investment costs	
	Competition Work Graphic part and descriptive part, a folder with formal appendices	COMPETITION WORKS

## **CHAPTER III**

### **TERMS AND CONDITIONS OF PARTICIPATION IN THE COMPETITION**

#### **1. CONDITIONS DEFINED BY THE ORGANISER, WHICH THE COMPETITION PARTICIPANT MUST MEET IN ORDER TO TAKE PART IN THE COMPETITION**

##### 1.1. The following entities may participate in the Competition:

1. a natural person with full capacity to perform acts in law;
2. a legal person;
3. an organisational unit without legal personality;  
both domestic and foreign (foreign - meaning that its registered seat/address of residence is located outside the Republic of Poland).

##### 1.2. The entities listed in section 1.1. above may:

- a. participate in the Competition independently, and shall be then referred to as "Competition Participants taking part in the Competition independently",
- b. participate in the Competition jointly, and shall be then referred to as "Competition Participants taking part in the Competition jointly".

Provisions applicable to a Competition Participant shall apply, accordingly, to each of the Competition Participants taking part in the Competition jointly.

**Notice: Competition Participants taking part in the Competition jointly shall include, in particular, partners in a civil company and consortia (teams of authors should be considered to form a consortium too);**

##### 1.3. Competition Participants taking part in the Competition jointly **shall be obliged** to appoint a **proxy** authorised to represent the Competition Participants taking part in the Competition jointly, i.e. to submit documents and representations required in accordance with the Competition Regulations. One of the Competition Participants taking part in the Competition jointly may act in the capacity of their proxy.

##### 1.4. The Competition Participants taking part in the Competition jointly, having appointed a proxy, attach to the Application for Stage II a power of attorney in the form of an original or a copy certified by a notary public and signed by persons authorised to represent all the Competition Participants taking part in the Competition jointly. The power of attorney should be made in accordance with the specimen included in Appendix No. F3 to the Regulations.

##### 1.5. The Competition Participant must have at their disposal:

- a. at least one person holding a building license who is qualified to design in the field of architecture without limitations;
- b. and have the knowledge and experience necessary to prepare the complete Design Documentation and to perform author's supervision during the execution of the Investment, as well as to perform other studies, materials, documentation and tasks that are the Subject of the Order).



Therefore, in order to fulfil the above-mentioned conditions of participation in the Competition, the Competition Participant shall submit, together with the Application for Stage II, the statements included in the Application for Stage II of the Competition (Appendix No. F1 to the Regulations).

- 1.6. Participation in the Competition is also conditional on acceptance of the Regulations, which is tantamount to consent to the processing of personal data in accordance with the terms of the Regulations. Compulsory Registration on the Electronic Competition Platform shall be tantamount to the acceptance of the Regulations.

## **CHAPTER IV**

### **STAGE I OF THE COMPETITION - REGISTRATION, APPLICATIONS FOR STAGE II AND QUALIFICATION FOR PARTICIPATION IN STAGE II OF THE COMPETITION**

#### **1. REGISTRATION FOR THE COMPETITION**

- 1.1. Registration of entities interested in participation in the Competition shall take place via the EPK SARP Electronic Competition Platform by the date specified in the Schedule, i.e. **by 24 November 2022**.
- 1.2. After effective registration, the Participant shall receive an automatic e-mail response with information on registration for the Competition. Successful registration of interested parties through EPK SARP means that they become Competition Participants and are then able to submit an Application for Stage II of the Competition.

#### **2. SUBMISSION OF APPLICATIONS FOR STAGE II OF THE COMPETITION AND THE CONTENT OF APPLICATIONS**

- 2.1. Stage I of the Competition shall include the preliminary qualification of the Competition Participants who submitted Applications for Stage II. On the basis of the Applications, the Competition Jury will qualify between 3 (three) and 5 (five) Participants to participate in Stage II of the Competition.
- 2.2. Applications for Stage II may only be submitted by Competition Participants who have successfully registered on EPK SARP and have received automatic confirmation of such registration.
- 2.3. Each of the successfully registered Competition Participants may submit only one Application for Stage II. The Application shall be deemed submitted also if submitted together with another Competition Participant as part of a joint participation in the Competition (Competition Participants taking part in the Competition jointly). A Competition Participant who submits more than one Application shall be excluded from the Competition.
- 2.4. The application for Stage II of the Competition, covering the documents and materials specified

in section 3.5. below, should be delivered by 24 November until 4.00 pm at the latest.

a) in electronic form via EPK SARP

and

b) in writing, permanently stapled in A3 format, to the following address:

**Stowarzyszenie Architektów Polskich [Association of Polish Architects]**

**ul. Foksal 2**

**00-366 Warszawa**

**(working hours from 09.00 to 16.00)**

with the annotation:

*"Application for participation in Stage II of the Competition for the Development of an Architectural Concept for the Polish Pavilion at the World Exhibition EXPO 2025 in Osaka."*

## 2.5. Content of the Application for Stage II

The Application for Stage II should contain:

a. **Preliminary sketches - functional-spatial schemes and concept sketches** (max. 3 A3 format sheets) - optionally:

The sheets should show the area covered by the competition in accordance with Appendix No. M11b to the Regulations together with the context. The organiser expects the general functional and spatial schemes of the facility to be presented along with the basic programme, functional and design assumptions.

b. **Conceptual description** (max. 2 A3 format sheets):

Participants should present in descriptive form their original assumptions concerning the proposed architectural solutions as well as the function and its spatial disposition. The description should also include assumptions about pro-environmental solutions.

c. **Portfolio** (max. 10 A3 format pages):

A description together with photographs or visualisations of realised or unrealised similar projects designed by the Competition Participant, in particular exhibition facilities. The portfolio should also contain a description of the Participant's own professional experience in designing projects.

Materials from subitems a, b and c are submitted via EPK SARP in the tab "Studies".

d. **Formal appendices** to be submitted under the "Applications for admission to the Competition" tab at <https://1031.konkurs.sarp.pl> i.e.:

i. Competition Application Form containing information about the Competition Participant and statements of the Competition Participant (Appendix No. F1 to the Regulations).

*Required form - original*

ii. Declaration concerning personal data (Appendix No. F2 to the Regulations):

In the case of Participants taking part in the Competition jointly, the declaration concerning personal data is submitted individually by each Participant taking part in the Competition jointly.

Required form - original

- iii. Power of attorney document in the case of Participants taking part in the Competition jointly (Appendix No. F3 to the Regulations).

Required form of document - original or a copy certified by a notary

- 2.6. The Organiser reserves the right to request the Competition Participants to supplement and/or clarify the Applications for Stage II in the event that the Competition Jury decides that they have been submitted in a scope and form inconsistent with the requirements of the Competition Regulations or if the formal appendices have been erroneously filled in.

### **3. QUALIFICATION FOR PARTICIPATION IN STAGE II OF THE COMPETITION**

- 3.1. The Competition Jury shall evaluate all the Applications submitted for Stage II and decide which Participants will be admitted to Stage II of the Competition.
- 3.2. The Organiser will invite to Stage II of the Competition between 3 (three) and 5 (five) Competition Participants whose preliminary sketches together with a conceptual description are deemed by the Competition Jury to be the best suited to the Organiser's expectations and to the essential requirements of the guidelines under these Regulations. The portfolio submitted by the Participants in the Application for Stage II shall be treated by the Competition Jury as supportive material in the evaluation in the event that the design solutions submitted in the Application for Stage II are deemed to be of equal or similar quality.
- 3.3. The list of Participants qualified for Stage II of the Competition shall be published on the Internet Platform. Competition Participants qualified for Stage II will also be informed by e-mail.
- 3.4. Information about the Competition Participants not qualified for Stage II of the Competition shall not be disclosed by the Organiser.
- 3.5. The Competition Jury will be able to prepare possible recommendations for the Participants qualified for Stage II of the Competition. Such recommendations shall be sent individually to each of the Participants qualified as soon as the list of Qualified Participants is published.
- 3.6. Each of the Competition Participants qualified for Stage II, irrespective of the cash prizes awarded, referred to in Chapter VI, section 1, shall be paid a remuneration of PLN 10,000 gross for participating in Stage II of the Competition and submitting a complete Competition Work. Detailed terms and conditions of payment of the remuneration are described in Chapter VI, section 2.

## **CHAPTER V**

### **STAGE II OF THE COMPETITION - WORKSHOPS FOR COMPETITION PARTICIPANTS AND THE MANNER OF PREPARATION AND SUBMISSION OF COMPETITION WORKS**

#### **1. WORKSHOPS FOR COMPETITION PARTICIPANTS**

1.1 A design workshop shall be organised for the Participants who qualify for Stage II of the Competition during Stage II of the Competition.

The workshops shall consist in the presentation to the Competition Jury of the concepts and ideas prepared by the Competition Participants in the form of the materials referred to in section 1.4 below. After the presentation, the Competition Jury will ask questions to the Participant, followed by a substantive discussion on the presented project solutions.

1.2 The workshops will be held on days agreed upon individually with the Participants.

Each Participant in the competition will hold a workshop individually.

1.3 The place and time of workshop meetings with the Participants shall be determined individually for each Competition Participant and communicated at least one week before the workshop date.

1.4 Competition Participants shall be obliged to prepare the following materials for workshop meetings:

- a. Working drawings in accordance with the requirements of the Regulations regarding part of the content of the competition boards, i.e.:
  - i. The design of the Polish Pavilion (plans, elevations and sections) and land development - scale 1:100
  - ii. Characteristic sections of the land development - plan at a scale of 1:100;
  - iii. 2 characteristic cross-sections of the site - scale 1 100;
  - iv. The idea of environmentally friendly solutions used in the concept

Estimated site summaries and preliminary summaries of the area and development elements.

- b. Preliminary, estimated breakdown of the Investment costs.

1.5 The above-mentioned materials should be delivered to the Organiser immediately after the workshop in 2 paper copies in A3 format (graphic materials permanently stapled and reduced to A3 format) and in digital version (PDF files on electronic medium).

1.6 Following the workshop meetings, the Competition Jury will prepare individual guidelines and recommendations for each Competition Participant, which will be communicated to the Participants via EPK SARP by 28 December 2022.

## **2. METHOD AND RULES OF PREPARATION AND SUBMISSION OF COMPETITION WORKS**

### **2.1 General information on the preparation of the Competition Work**

- a. The Competition Work must clearly indicate the idea proposed by the Competition Participant for the solutions adopted. Graphically, the Competition Work should be characterised by the legibility of the textual and pictorial information.
- b. The Competition Participant is advised to take into consideration the contents and guidelines included in the Design Appendices to the Competition (Appendices of part II of the Regulations) and other provisions of the Regulations when drawing up the Competition Work.
- c. The Competition Work must not infringe any third party copyright, both in terms of its content, and of the tools relied upon to draw it up.

### **2.2 Contents of the Competition Work and method and form of preparation**

**The Competition Work shall comprise the following:**

- a. a graphic part - a maximum of 4 boards glued on a stiff, light base of 100x70 cm in the horizontal-m system - 1 set; a smaller number of boards is acceptable provided that they include the elements of the competition work specified in section 2.2 of this Chapter.
- b. a descriptive part - a notebook with the author's description of the Competition Work and the boards of the graphic part reduced to A3 format and the site summary table (Appendix No. F8 to the Regulations), as well as price information drawn up in accordance with Appendices No. M9 and M10 to the Regulations - 2 copies,

### **2.3 Graphic part - boards**

The graphic part (boards) shall contain the following:

- a. The concept of the development plan of the competition area with the proposal of the transport service made on a map constituting Appendix No. M11b to the Regulations - scale 1:100.

The plan should specify the design ordinates of the landscaping.

- b. A minimum of 2 "bird's eye view" visualisations clearly depicting the entire competition site.
- c. Plans of the Polish Pavilion, elevations of the Polish Pavilion, a minimum of 2 cross-sections each covering the entire facility and the designed area on a scale of 1:100

The drawings should show the most characteristic elements of the site's architecture and landscaping. They should cover the whole design issue in the most complete way.

At least 4 visualisations from a human perspective. The Competition Participant should present:

- the view of the Pavilion from the main entrance to the plot - view of the interior of the Pavilion - the main exhibition space (not the exhibition itself);
- two visualisations presenting fragments selected by the Participant. The visualisations must present the most characteristic and representative areas of the

site.

- d. A concept for environmentally friendly solutions - in the form of drawings and a description. These solutions may be presented in the graphic part or only in the descriptive part as drawings and text.
- e. Additional layouts, cross-sections, views and other drawings required to present the design concept may be included in the boards at the discretion of the Competition Participant.

#### **2.4 Descriptive part - A notebook with the text of the Competition Work and the boards of the graphic part, tables and price information reduced to A3 format.**

The descriptive part shall contain the following:

- a. Maximum six A4 pages of text, containing:
  - i. Description of general landscape, architectural and functional assumptions.
  - ii. Description of general material, construction and installation solutions of the designed facility.
  - iii. Description of adopted environmental solutions.
  - iv. Description taking into account elements of the concept that are difficult to depict in the graphic part.
- b. All boards of the graphic part reduced to A3 format
- c. Site summary table (Appendix No. F8 to the Regulations).
- d. Pricing information regarding the cost of execution of the works based on the Competition Work and the cost of execution of the Subject of the Order in accordance with Appendix No. M9 and Appendix No. M10 to the Regulations.

#### **2.5 A folder with formal appendices.**

The envelope must contain the following formal appendices:

- Appendix No. F4 to the Regulations - Competition Work copyright card
- Appendix No. F5 to the Regulations - Declaration on granting a licence to the Organiser
- Appendix No. F6 to the Regulations - Declaration concerning the conditions of transfer of copyright to the Competition Organiser

The Folder must bear the following inscription: "FORMAL APPENDICES"

In the case of the descriptive part, it should also be provided electronically as a single .pdf file containing all the elements of the descriptive part required by the Regulations Chapter IV, section 2.2

- 2.6 The Organiser reserves the right to request the Competition Participants to supplement and/or clarify the Competition Works in the event that the Competition Jury decides that they have been submitted in a scope and form inconsistent with the requirements of the Competition Regulations or if the formal appendices have been erroneously filled in.

- 2.7 The Competition Work must be marked with the name of the Competition Participant or the names of the Competition Participants taking part in the Competition jointly.
- 2.8 Materials not falling within the scope of the Competition shall not be assessed.
- 2.9 Competition Participants shall bear any and all expenses related to drawing up and filing their Competition Works. The Organiser does not provide for reimbursement of these costs.

### **3. THE METHOD, LOCATION AND DEADLINE FOR SUBMITTING COMPETITION WORKS**

- 3.1. The Competition Works must be submitted in graphic and written form and in electronic form by the deadline falling on 25 January 2023 at 4.00 pm, with the confirmation of receipt for the submission of the Competition Work (Appendix No. F7 to the Regulations) to:

"Paper" version:

Stowarzyszenie Architektów Polskich  
ul. Foksal 2  
00-366 Warszawa  
(working hours from 09.00 to 16.00)

Electronic version:

The Competition Work in electronic form must be submitted by each Competition Participant via the EPK SARP Electronic Competition Platform, "Competition Works" tab, by 25 January 2023 **until 4 pm**

- 3.2. Only Participants who have been invited to submit Competition Works may submit Competition Works.
- 3.3. Competition Works must be submitted in packaging that prevents them from being opened without trace and the contents from being seen. The packaging must be labelled in the following manner:

**"COMPETITION WORK FOR THE ARCHITECTURAL CONCEPT OF THE POLISH PAVILION AT THE WORLD EXHIBITION EXPO OSAKA 2025."**

- 3.4. The Competition Works sent by postal operator, messenger or submitted in any other way must reach the Organiser by the deadline indicated in section 3.1. of this Chapter (the date and time of delivery shall be taken into account as the date of submission of the Competition Work).

**Notice:** If the Competition Work is submitted in a manner other than in person (e.g. by postal operator or messenger), then a confirmation of the submission of the Competition Work must be enclosed with the Competition Work (Appendix No. F7 to the Regulations). The confirmation of the submission of the Competition Work shall be sent by post to the address of the Competition Participant provided during the Registration as the correspondence address.

- 3.5. The Competition Works must not be made available publicly, in part or in whole, and distributed in any other manner prior to the date of announcement of the Competition results.

## **CHAPTER VI**

### **PRESENTATION OF COMPETITION WORKS BY THE COMPETITION PARTICIPANTS AND EVALUATION OF COMPETITION WORKS AND THE EVALUATION CRITERIA**

#### **1. PRESENTATION OF COMPETITION WORKS BY THE COMPETITION PARTICIPANTS**

- 1.1. Each Participant shall present his/her Competition Work individually. The presentations shall consist of a presentation by the Competition Participant of the proposed design solutions. After that, the Competition Jury shall have the right to ask the Competition Participant questions. One presentation (including questions from the Competition Jury) will take approximately 1 hour.
- 1.2. The presentation of Competition Works shall take place in Warsaw. The exact place and time of presentation of the Competition Works by each Participant shall be determined individually. The Competition Participant does not have to prepare any materials for the presentation. The presentation will be based on the submitted Competition Work, which will be prepared by the Competition Secretary for this presentation in both physical version (boards) and electronic version (projector and screen).

#### **2. CRITERIA AND METHOD OF EVALUATION OF COMPETITION WORKS**

- 2.1. Competition Works shall be assessed based on the following criteria:
  - **primary criteria:**
    1. attractiveness and feasibility of the proposed architectural solutions;
    2. accuracy and correctness of functional solutions (with particular emphasis on the flexibility of the transformation of the exhibition area) and programmatic-spatial solutions of the pavilion and the development of the site;
    3. the economics of the solutions with particular reference to construction and operating cost economics;
    4. the soundness of the technical solutions adopted, taking into account energy-saving solutions.
  - **secondary criteria:**
    1. the cost of the investment in the context of the solutions adopted in comparison with the information on the costs of realisation submitted by the Competition Participant referred to in the Competition Regulations.
    2. the cost of design documentation referred to in the Competition Regulations
- 2.2. Competition Works shall be assessed by the Competition Jury, during non-public meetings where the compliance of the Competition Work with the essential formal and content-related requirements set forth in the Regulations will be evaluated, and where the Competition Works will be assessed based on the criteria provided.



- 2.3. Each of the Competition Works shall be assessed by the Competition Jury based on the aforementioned criteria, and based on their compliance with the crucial provisions of the Regulations. The above criteria are equivalent and the Competition Jury shall assess the Competition Works as a whole, in accordance with the above criteria and the requirements of the Regulations.
- 2.4. A protocol from the Jury's meeting containing a description of its activities, and a justification of the decisions made with regard to the Works, as well as their ranking, shall be drawn up.

## **CHAPTER VII**

### **PRIZES AND REMUNERATION FOR COMPETITION PARTICIPANTS, ANNOUNCEMENT OF THE COMPETITION RESULTS AND NEGOTIATIONS OF THE CONTRACT**

#### **1. PRIZES**

- 1.1. Three prizes may be awarded in the Competition: 1st prize, 2nd prize and 3rd prize, with the first prize awarded to the best Competition Work.

The amount allocated by the Organiser to fund the cash prizes shall not exceed PLN 100,000.00 gross. Irrespective of the number of prizes awarded, this amount will obligatorily be distributed in full among the prize-winning works. In addition to the cash prizes, the Organiser plans to award a prize in the form of an invitation to negotiate a Contract for the execution of the subject of the order for the Competition Participant whose Competition Work was awarded the 1st cash prize.

- 1.2. The Organiser plans that the following Prizes shall be awarded in the Competition:

##### **1st PRIZE**

- cash prize of PLN 50 000.00 gross
- a prize in the form of an invitation to negotiate a Contract for the execution of the subject of the order

##### **2nd PRIZE**

- cash prize of PLN 30 000.00 gross

##### **3rd PRIZE**

- cash prize of PLN 20 000.00 gross

- 1.3. The cash Prizes shall be subject to tax in accordance with applicable regulations. The cash Prizes listed above shall be paid out pursuant to applicable regulations.
- 1.4. The proposal to award the individual Prizes shall be made by the Competition Jury. The Competition Jury may also decide to award Distinctions. The Organiser reserves the right not to select the best work or not to award individual prizes if the submitted works do not meet the essential requirements of the Competition Regulations, with the amount allocated for cash

prizes being obligatorily distributed in full among the Competition Works in the form of prizes or distinctions.

- 1.5. The Competition Jury may not propose the awarding of more than one cash prize, however it may propose a different amount of individual cash prizes, provided that the total value of these prizes does not exceed the sum of PLN 100,000.00 gross
- 1.6. Cash prizes will be paid by the Organiser within 30 days (not less than 10 days) of the public announcement of the Competition results.
- 1.7. Within no less than 10 days from the date of determining the results of the Competition, the Organiser shall invite the Author of the best Competition Work awarded the 1st prize to negotiate the Contract for the execution of the subject of the order.

## **2. REMUNERATION FOR THE COMPETITION PARTICIPANTS**

- 2.1. The pool of Remuneration for Competition Participants for qualifying for Stage II of the Competition and submitting the Competition Works ranges from PLN 30,000 to 50,000 gross. (Pursuant to the provisions of these Regulations, 3 to 5 Competition Participants will be invited to Stage II of the Competition).
- 2.2. For qualifying to Stage II of the Competition, each of the Competition Participants who has produced a Competition Work, including participating in the workshops, and then successfully submitted a Competition Work, will be paid a gross remuneration of PLN 10,000. Remuneration shall be subject to taxation in accordance with the provisions in force.
- 2.3. The payment of the Remuneration is conditional upon: participation in the workshops, elaboration of the Competition Work in accordance with the relevant guidelines resulting from the Competition Regulations, Appendices to the Regulations and post-workshop recommendations, successful submission of the work within the deadline specified in these Regulations and acceptance of the work in formal and factual terms by the Competition Jury.
- 2.4. The Remuneration includes the payment for the transfer to the Organiser of the ownership of the media and Competition Works as well as the transfer of copyrights according to the provisions of Chapter VII of the Competition Regulations.
- 2.5. Remuneration shall be paid within 30 days from the date of announcement of the results of the Competition, after meeting the conditions described in the Regulations. If the Competition Participant is a VAT payer, he/she shall be asked to issue a VAT invoice for the amount of remuneration. In the case of natural persons who are Competition Participants, they will be asked to provide a bank account to which the amount of remuneration, less applicable tax, should be transferred.

## **3. ANNOUNCEMENT OF COMPETITION RESULTS**

- 3.1. The public announcement of the Competition results shall take place on **9 February 2023**. Competition Participants shall be informed of the place and time via EPK SARP.

- 3.2. Once the Competition has been concluded, the Competition Works shall be presented during a post-competition exhibition, during which a post-competition discussion will be held. Information about the foregoing will be provided by the Organiser separately.

#### **4. NEGOTIATIONS OF THE CONTRACT FOR THE PERFORMANCE OF THE SUBJECT OF THE ORDER**

- 4.1. The Competition Participant who received the prize in the form of an invitation to negotiate the Contract for the execution of the Subject of the Order is obliged to enter the negotiations at the place and time indicated by the Organiser.
- 4.2. The negotiations shall aim to agree on the wording of the Contract for the performance of the Subject of the Order. The intention of the Organiser is that the negotiations should concern in particular the material scope of the contract, maintaining the proportions between the cost of executing the Subject of the Order and the substantive values of the Competition Work, with the assumption that the total cost of executing the Subject of the Order cannot exceed the amount referred to in Chapter II, section 7 of the Competition Regulations.
- 4.3. The Organiser shall also require the Author(s) of the awarded Competition Work(s) to take into account the post-competition recommendations of the Competition Jury with regard to the selected Competition Work when performing the Subject of the Order. In such circumstances, the post-competition recommendations of the Competition Jury, applicable to the selected Competition Work, shall constitute an integral part of the description of the Subject of the Order.
- 4.4. In the event that a Competition Participant whose Competition Work was awarded First Prize:
  - a. does not enter the negotiations;
  - b. refuses to participate in the negotiations;
  - c. the negotiations do not result in the signing of the Contract for the performance of the Subject of the Order,

then the author of such a work retains the right to the cash prize granted, and the Organiser has the right to invite the Competition Participant whose Competition Work received the second prize or was ranked second in the ranking of the Competition Jury to negotiate the Contract for the performance of the Subject of the Order.

The Organiser's failure to conclude an agreement with the author (team of authors) for the performance of the Subject of the Order shall not constitute grounds for the author (team of authors) of the awarded Competition Work to make any claims against the Organiser, including those concerning copyright.

## **CHAPTER VIII**

### **LICENCE AND FIELDS OF USE OF COMPETITION WORKS AND COPYRIGHT**

1. The Competition Works must not be made available publicly, in part or in whole, and distributed in any other manner prior to the date of public announcement of the Competition results.
2. The Competition Participants grant to the Organiser, within the framework of the Remuneration paid, a licence to the Competition Works, non-exclusive for an indefinite period of time, without

territorial restrictions, from the moment the results of the Competition are announced, in the following fields of use::

- a. recording and copying, with the use of any technique, on any medium, in any scale, for the needs of any media, especially in the form of printed publications, boards, photosensitive tape, magnetic tape, computer discs and all types of media used for digital recording;
- b. lending, producing copies of the work in the manner described above and disseminating them in the form of an exhibition catalogue (printed or digital), as well as on the Internet;
- c. placing and using, in any scale or part, in any materials published for the purpose of promoting the Organiser or an entity identified by the Organiser, including use in multimedia works;
- d. introducing, in any part, to the Internet or to computer memory, placing in and using as part of online publications;
- e. displaying, screening, playing, broadcasting and rebroadcasting in public, with the use of wired or wireless video technologies, through ground stations, as well as broadcasting with the use of satellites and the Internet, and in particular the first time that all or a selection of the Competition Works are made available to the public;
- f. using, any part, for advertising and promotional purposes, for naming or identifying the Organiser, his programs, shows and publications;
- g. creating foreign language versions.

The grant of a non-exclusive licence on the above terms is contained in the Competition Participant's Declaration on granting a licence to the Organiser, attached as Appendix No. F6 to the Regulations.

3. The licence referred to in section 2 above may be terminated by giving a 5 years' notice. The granting of the licence obliges the Organiser to publish the name of the Competition Participant(s) and the composition of the author team each time, according to the wishes of the Competition Participant, unless the Competition Participant stipulates that he/she does not wish such information to be published.
4. The provisions of section 2 of this chapter shall be without prejudice to the personal copyrights of the Authors of the Competition Works.
5. Upon announcement of the Competition results, the Competition Participants shall transfer to the Organiser the ownership of the originals and copies of the studies forming part of the Competition Work.
6. The Competition Participant, with whom the Organiser has entered into negotiations, the result of which will be the conclusion of a contract for the performance of the Subject of the Order, undertakes to transfer to the Organiser the entirety of proprietary rights to the works in the meaning of the provisions of the Act on Copyright and Related Rights created by the Competition Participant or persons whose services he/she used in connection with his participation in the Competition, and in particular to the Competition Work, as well as the right to authorise the exercise of derivative rights to the works within the meaning of the provisions of the Act on Copyright and Related Rights created in connection with participation in the Competition by the Competition Participant or persons whose services he/she used, and in particular to the Competition Work. This shall be included in the Agreement between the parties.

7. The Competition Participant shall represent and warrant that the Organiser's use of the work will not violate any third party rights, including economic and personal copyright of third parties.

## **CHAPTER IX**

### **PERSONAL DATA**

The Organiser shall process the Participants' personal data in accordance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) (Official Journal of the EU.L No. 119, p. 1), hereinafter referred to as "GDPR".

In accordance with Article 13(1) and (2) of the GDPR, we inform you that:

#### **1. Data Collector**

The controller of the personal data provided in the course of the present Request for Proposal is the Polish Investment and Trade Agency S.A. with its registered office in Warsaw (address: ul. Krucza 50, 00 - 025 Warsaw), entered into the Register of Entrepreneurs of the National Court Register by the District Court for the Capital City of Warsaw in Warsaw under KRS No. 0000109815 (hereinafter referred to as "**Data Controller**"). The Data Controller can be contacted via the contact form on the website [www.paih.gov.pl](http://www.paih.gov.pl) or by sending an e-mail to: [iod@paih.gov.pl](mailto:iod@paih.gov.pl), as well as by post, at the Data Controller's registered office address indicated above.

#### **2. Data Protection Officer**

The Data Protection Officer shall be the contact person in all matters relating to the protection of personal data and your rights. The Data Protection Officer can be contacted via e-mail to: [iod@paih.gov.pl](mailto:iod@paih.gov.pl), as well as by post, at the address of the Data Controller's registered office indicated above, marked "To the Data Protection Officer".

#### **3. Purposes and grounds for processing personal data**

Your personal data are processed for the following purposes:

- 1) to carry out a public procurement procedure with an estimated value below the amount obliging the application of the Act of 11 September 2019 - Public Procurement Law (Journal of Laws of 2021, item 1129, as further amended) - the legal basis for processing is the necessity of processing in order to fulfil the legal obligation incumbent on the Data Controller (Article 6(1)(c) resulting from the provisions of the Act of 23.04.1964. - Civil Code (Journal of Laws of 2020, item 1740, as further amended) relating to the offer submitted as part of the competition,
- 2) in order to conclude the Contract for the performance of the Subject of the Order,
- 3) for possible establishment, investigation or defence against claims relating to the submission of an offer - the legal basis for the processing is the necessity of the processing for the fulfilment of the legitimate interest of the Data Controller. The Data Controller's legitimate interest in this case is the possibility of establishing, investigating or defending against claims (Article 6(1)(f) GDPR).

#### **4. Data Recipients**

The recipients of your personal data are entities to which the Data Controller subcontracts the performance of activities that involve the need to process personal data, in particular in the field of e-mail handling, ICT services, hosting, IT, administrative, legal or advisory services. Recipients of your personal data may also be entities or authorities entitled to receive your data - only in justified cases and on the basis of generally applicable laws. The recipient of the personal data is the Association of Polish Architects.

#### **5. Data Retention Period**

Your personal data will be processed:

- a) until the end of the proceedings,
- b) until the claims related to the submission of the offer expire in accordance with generally applicable law
- c) until the expiry of the obligation to store personal data pursuant to generally applicable law.

#### **6. Information about the requirement/voluntary provision of data**

Provision of personal data for participation in the Competition is voluntary, but necessary to take part in the Competition and receive the prize and Remuneration.

#### **7. Information on automated decision-making, including profiling**

The Data Controller will not make automated decisions, including decisions resulting from profiling, based on personal data.

#### **8. Rights of Data Subjects**

In accordance with the provisions of the GDPR, you have the right to: access your data, rectification, erasure, restriction of processing, data portability, to object to the processing of your data, as well as the right to lodge a complaint with the President of the Data Protection Authority. You shall have these rights in the cases and to the extent provided for by generally applicable law.

## **CHAPTER X**

### **APPENDICES TO THE COMPETITION REGULATIONS**

#### **I. FORMAL APPENDICES TO THE COMPETITION**

**1. Formal Appendices to the Competition to be submitted at Stage I of the Competition as a formal part of the Application for Stage II**

- 1.1 Appendix No. F1 - Application Form for Stage II of the Competition
- 1.2 Appendix No. F2 - Declaration of consent for processing of personal data in connection with participation in the Competition and declaration of consent for processing of personal data in the form of image
- 1.3 Appendix No. F3 - template of the power of attorney to represent Competition Participants taking part in the Competition jointly.

**2. Formal Appendices to the Competition to be submitted at Stage II of the Competition as a formal part of the Competition Work**

- 2.1. Appendix No. F4 - Competition Work copyright card
- 2.2. Appendix No. F5 - Declaration on granting a licence to the Organiser
- 2.3. Appendix No. F6 - Copyright statement
- 2.4. Appendix No. F7 - Confirmation of submission of the Competition Work (paper version)

**3. Formal Appendices (informational) to the Competition**

- 3.1. Appendix No. F8 - Site summary

#### **II. SUBSTANTIVE APPENDICES TO THE COMPETITION**

**1. Substantive Appendices to the Competition to be filled in by the Competition Participant and submitted as part of the Competition Work**

- 1.1. Appendix No. M9 - Information on the estimated costs of implementation of the Investment
- 1.2. Appendix No. M10 - General information on the estimated costs of performance of the subject of the order.

**2. Design-related appendices to the Competition**

## **Appendix No. 11 - Design input material**

- 2.1. Appendix No. M11a - The assumptions, guidelines and conditions for the development of the concept that is the subject of the Competition.
- 2.2. Appendix No. M11b - Basic map of the competition area with the development boundaries marked
- 2.3. Appendix No. M11c - EXPO 2025 Programme Concept\_Architectural Competition
- 2.4. Appendix No. M11d - Masterplan Osaka
- 2.5. Appendix No. M11e - Participant Handbook
- 2.6. Appendix No. M11f- Universal design guidelines (EN) (June2022)
- 2.7. Appendix No. M11g -Theme Guide (EN) (Mar2021)
- 2.8. Appendix No. M11h - GL4-7-1 Construction Demolition guidelines type A EN r (June2022)
- 2.9. Appendix No. M11i - Design Guidelines type A (EN) (June2022)
- 2.10. Appendix No. M11j - Design Guidelines Appendix (EN) (Jul 2021)
- 2.11. Appendix No. M11k - BIM requirements (EN) (Jul 2021)
- 2.12. Appendix No. M11l - Building Pavilions (FAQs)
- 2.13. Appendix No. 11m Presentation\_Architectural & Construction Guidance for Type A Pavilions\_20220708

### **NOTE:**

**The Appendices to the Competition Regulations referred to above may be used by the Competition Participants solely for purposes related to the Competition in question.**