

**RESPONSES TO QUESTIONS AND QUERIES SUBMITTED BY PARTICIPANTS
OF THE TWO-STAGE ARCHITECTURAL AND URBAN PLANNING
COMPETITION**

for the preparation of the

**ARCHITECTURAL AND URBAN COMPETITION CONCEPT FOR CENTRUM
LITERATURY I JĘZYKA – PLANETA LEM
(CENTRE FOR LITERATURE AND LANGUAGE – PLANET LEM)**

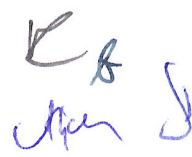
Awarding Entity (Organiser):

Krakow Festival Office
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30-311 Krakow

Supporting entity (Co-organiser):

Association of Polish Architects, Krakow Branch
Plac Szczepański 6
31-011 Krakow

Krakow, 21 September 2018



Information concerning JEDZ/ESPD form files

Referring to the questions concerning the formal appendix F2 to the Competition Rules, Terms and Conditions, the Awarding Entity would like to explain that the Competition Rules, Terms and Conditions published on the 6th of September 2018, the JEDZ/ESPD form was included in the *.pdf and *.xml file formats. The *.xml file could not be imported on the <https://ec.europa.eu/tools/espd?lang=en> website due to technical issues. On the 12th of September 2018, the Competition Organiser published the information about the change of the formal appendix F2 to the Competition Rules, Terms and Conditions (the JEDZ/ESPD form) in the *.pdf and *.xml file formats on its website. The change concerned only technical issues, the content of the document remained unchanged. Due to the recurring error in the *.xml file, on the 17th of September 2018 the Competition Organiser published the next version of the formal appendix F2 to the Competition Rules, Terms and Conditions (the JEDZ/ESPD form) in the *.xml format on its website. Again, the change concerned only technical issues; the content of the document remained unchanged. Should the error while importing the *.xml file persist, please complete the JEDZ/ESPD form based on the data from the *.pdf file.

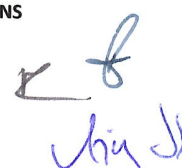
The Awarding Entity informs that formal appendices F2 (JEDZ/ESPD form) submitted by the date of publication of this information will be subject to evaluation.

Responses to questions and queries from Competition participants

Question no. (Date)		Question
1 (07.09.2018, 2:58 p.m.)	Question:	If the participant has their registered office outside Poland and the required professional qualifications have been also issued outside Poland, does this mean that the participant supposed to submit the required documents in Polish, but the translation should be prepared by a sworn translator and later confirmed by a notary? Or can the translation be prepared by any person and it does not have to be certified by a notary?
	Answer:	The latter. In accordance with the Competition Rules, Terms and Conditions, item 1.4.4. The Competition is conducted in the Polish language, and in accordance with the provisions of item 1.4.5., documents and statements prepared in another language should be submitted together with their translation into Polish, certified by the Competition Participant or its representative. A sworn translation is not required for documents, nor is a notary certification.
2 (10.09.2018, 10:45 p.m.)	Question:	I have a question about meeting the condition of a minimum of 2000 square metres, in the form of a construction permit. I fulfil this requirement as the main designer for a housing estate investment (urban planning + architecture/ decision of September 2008.) Since the time limit is 10 years, will you take it into consideration?
	Answer:	No. In accordance with the Competition Rules, Terms and Conditions, item 3.2.4.2. The Competition Participant should demonstrate experience in proper provision of at least one service correspondent with the subject matter of the Competition, i.e. preparing or participation in the preparation (as a member of a team of authors) of a multi-discipline design documentation for at least 1 (one) public building

		or multi-family residential building. It has been assumed that the requirement of 10 years refers to the period from the date of announcing the competition, i.e. from the 6th of September 2018.
3 (11.09.2018, 08:01 a.m.)	Question:	(original question in English) I would like to know if it's possible to submit the competition's documents just in English or if it's obligatory to attach a complete translation of each documents?
	Answer:	Please refer to Question and Answer no.1.
4 (11.09.2018, 2:39 p.m.)	Question:	In accordance with the Rules, Terms and Conditions: 4.2.1. The study should consist of: 4.2.1.1. 1 copy of the graphic part (<u>black and white</u>) comprising two boards (100x70cm) (...) Should this be understood as meaning that the visualisations, façades and other elements of the board are to be in black and white?
	Answer:	Yes, in accordance with the Competition Rules, Terms and Conditions, item 4.2.1.1. the graphic part of the study should be provided in black and white – this means all the elements (plans, projections, sections, elevations, visualisations, diagrams, etc.) should also be provided in black and white.
5 (11.09.2018, 2:48 p.m.)	Question:	The xml file you have published is not working properly, which makes it impossible use it to fill in an electronic ESPD form. Please verify and/or include the correct version of the file.
	Answer:	Referring to the questions concerning the formal appendix F2 to the to the Competition Rules, Terms and Conditions, the Awarding Entity would like to explain that the Competition Rules, Terms and Conditions published on the 6th of September 2018, the JEDZ/ESPD form was included in the *.pdf and *.xml file formats. The *.xml file could not be imported on the https://ec.europa.eu/tools/espd?lang=en website due to technical issues. On the 12th of September 2018, the Competition Organiser published the information about the change of the formal appendix F2 to the Competition Rules, Terms and Conditions (the JEDZ/ESPD form) in the *.pdf and *.xml file formats on its website. The change concerned only technical issues, the content of the document remained unchanged. Due to the recurring error in the *.xml file, on the 17th of September 2018 the Competition Organiser published the next version of the formal appendix F2 to the Competition Rules, Terms and Conditions (the JEDZ/ESPD form) in the *.xml format on its website. Again, the change concerned only technical issues; the content of the document remained unchanged. Should the error while importing the *.xml file persist, please complete the JEDZ/ESPD form based on the data from the *.pdf file.
6 (12.09.2018, 12:21 p.m.)	Question:	Are electronic signatures from foreign systems (other EU Member State) accepted?
	Answer:	Yes, in accordance with item 3.3.1.2. of the Competition Rules, Terms and Conditions, the Awarding Entity requires the Competition Participant to sign a statement in the form of the European Single Procurement Document (JEDZ/ESPD) with a qualified electronic signature. It is important for the Competition Participant to have a qualified electronic signature issued by a qualified trust service provider being a certification service provider – an electronic signature. The Awarding Entity accepts electronic signatures issued by certification centres other than those currently operating in the territory of the

		<p>Republic of Poland, in particular foreign certification entities (from other EU Member States).</p> <p>The Awarding Entity indicates that a qualified electronic signature has been defined in the Act on Trust Services and Electronic Identification. The purpose of this act was to adjust the Polish legal system to the <u>Regulation (EU)</u> of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing <u>Directive</u> 1999/93/EC (OJ L 257, p. 73) commonly referred to as the eIDAS Regulation, which has been in force since the 1st of July 2016. In accordance with <u>article 3</u> item 12 of the Regulation, a "qualified electronic signature" means an advanced electronic signature that is created by a qualified electronic signature creation device, and which is based on a qualified certificate for electronic signatures. A qualified certificate is a certificate containing data that allows to unambiguously identify the user of a secure electronic signature. It is issued only to natural persons by qualified certification-service-providers. These are qualified entities providing certification services - companies offering electronic signatures that meet the security requirements laid down in Annex I to the EIDAS Regulation.</p>
7 (12.09.2018, 1:00 p.m.)	Question:	I kindly ask you to send me the ESPD file, which is a formal appendix to the Competition Rules, Terms and Conditions (F2). Unfortunately, the file which is available after downloading the folder from the pages related to the competition does not open on the https://ec.europa.eu/tools/espd/filter website, which was included in the Rules, Terms and Conditions of the "Planet Lem" competition.
	Answer:	Please refer to Question and Answer no.5.
8 (12.09.2018, 1:51 p.m.)	Question:	Could you please provide map files in older CAD formats? For example 2012. It does not open even in DWG TrueView 2016.
	Answer:	There will be no changes in the file formats added as attachments to the Competition Rules, Terms and Conditions .
9 (12.09.2018, 3:37 p.m.)	Question:	I have a problem with importing appendix F2 - file Planeta_Lem_F02_JEDZ_ESPD.xml - I am getting a pop up saying: "The uploaded file could not be correctly read.. Is it a valid ESPD Request or Response?"
	Answer:	Please refer to Question and Answer no.5.
10 (12.09.2018, 5:46 p.m.)	Question:	<i>(original question in English)</i> In order to fill the ESD form you add an .xml file on the rules. When we start to complete the ESPD form an error occurred and appears the following message. <i>The uploaded file could not be correctly read. Is it a valid ESPD Request or Response?</i> Is there anything wrong?
	Answer:	Please refer to Question and Answer no.5.
11 (13.09.2018, 9:58 a.m.)	Question:	Can the condition of technical capability be deemed to be met if the Competition Participant is a person who was employed in an architecture studio and who worked on the project in its full scope, as specified by the rules of the competition, and thus was its co-author / member of the design team?
	Answer:	Yes, in accordance with the Competition Rules, Terms and Conditions, item 3.2.4.2. the requirement of technical or professional ability to



		perform the task does not depend on the form of employment but on actual experience in proper preparing or participation in the preparation (as a member of a team of authors) of at least one service corresponding to the subject of the Competition.
12 (14.09.2018, 10:20 a.m.)	Question:	<p>I kindly ask you to explain the provisions of the competition rules concerning the submission of applications.</p> <p>Item:</p> <p>3.3.1.2. Except for the Request to participate in the Competition, the Competition Participant shall make a statement in the form of a single procurement document (ESPD) in the electronic form with a qualified electronic signature.</p> <p><i>Note! The ESPD in the electronic form with the qualified electronic signature shall be sent before the expiry of the deadline for submitting requests indicated in item 1.11. at e-mail address: konkurs-pl2018@sarp.krakow.pl In relation to the requirement of 18 April 2018 to submit the ESPD in the electronic form, each Competition Participant's representative who signs up the ESPD on the Participant's behalf must have their qualified electronic signature issued by the supplier of the qualified trust service which is an entity providing certification services - electronic signature compliant with the safety requirements specified in the Act.</i></p> <p>Does this mean that only participants with an electronic signature have the possibility (right) to apply for the possibility to participate in the competition? And does this really have to be a prerequisite for entry into the competition?</p>
	Answer:	<p>Yes, the legal basis for requesting the European Single Procurement Document (JEDZ/ESPD) in electronic form and with a qualified electronic signature is Article 10a of the Public Procurement Law Act of 29 January 2004 (Dz. U. [Journal of Laws] of 2017, item 1579, 2018 of 2018, item 1560, 1603). . This article, regarding the Single Procurement Document has been valid since the 18th of April 2018 (pursuant to Article 15, item 2 of the Act of 22 June 2016 amending the Public Procurement Law and certain other acts (Dz. U. [Journal of Laws] of 2016, item 1020).</p>
13 (14.09.2018, 1:25 p.m.)	Question:	<p>I would like to ask you to dispel my doubts regarding the form of application for participation by our company, which has been incorporated as a civil law partnership.</p> <p>1. Request for Participation – Appendix F1</p> <ol style="list-style-type: none"> Who will be the Competition Participant in the case of such form of business activity – the civil partnership or the partners in the partnership? In case of participation of persons being partners in a partnership in the competition, should one application be submitted jointly – with names of all the partners and all information, including addresses of civil partnership partners? In that case, is it necessary and sufficient to appoint one representative of the Competition Participants as one of the partners in a partnership, in accordance with Appendix F4? <p>2. ESPD form – Appendix F2</p> <ol style="list-style-type: none"> Do all partners in the partnership have to fill in the form separately?

		<p>b. In the case of submitting separate ESPD forms – all the forms be signed with a qualified electronic signature by one proxy appointed to represent the partners in the civil law partnership?</p> <p>3. STAGE 1</p> <p>a. Is only black-and-white form of graphic presentation of the study allowed at Stage 1 of the Competition, or is it allowed to prepare graphic designs in a multi-colour form?</p>
	Answer:	<p>1. In accordance with item 3.1.3 of the Competition Rules, Terms and Conditions, the Competition Participants are, among others, partners of a civil law partnership, which means that a civil law partnership is treated as a consortium of participants jointly participating in the Competition. If a civil law partnership participates in the Competition, it submits one application (item 3.1.4. of the Rules, Terms and Conditions of the Competition) specifying the members of the consortium, i.e. all partners in a civil law partnership. The partners in a civil law partnership appoint a consortium proxy (Appendix F4), who may be one of the partners in a civil law partnership (item 3.1.6. of the Competition Rules, Terms and Conditions).</p> <p>2. The ESPD form should be prepared for each member of the consortium (each partner in a civil partnership). The electronic signature on the JEDZ forms is made by the Consortium's attorney, duly authorised to do so (Appendix F4 to the Competition Rules, Terms and Conditions).</p> <p>3. Please refer to Question and Answer no.4.</p>
14 (14.09.2018, 1:49 p.m.)	Question:	Referring to the previous message, I would like to inform you that the amended appendix published on 12.09.2018, is also wrongly formatted and does not work.
	Answer:	Please refer to Question and Answer no.5.
15 (17.09.2018, 9:38 a.m.)	Question:	I encountered a problem when trying to import the ESPD file.
	Answer:	Please refer to Question and Answer no.5.
16 (17.09.2018, 11:43 a.m.)	Question:	Could you please assist me in the procedure of sending the electronic ESPD file? Unfortunately I am unable to import the file on the ESPD platform. The file is saved on my computer, however, import is not possible for reasons unknown. Should I do anything in a particular or special way? Perhaps I should rename it? Please send me the xml file for import.
	Answer:	Please refer to Question and Answer no.5.
17 (18.09.2018, 9:49 a.m.)	Question:	I am contacting you with regards to the ESPD form – the xml file still does not allow for correctly filling in the form. Given the situation, I would like to ask you the following question: can we fill in the form on the attached PDF file with our own answers? Or maybe you could attach a working xml file?
	Answer:	Please refer to Question and Answer no.5.
17 (18.09.2018, 2:45 p.m.)	Question:	I kindly ask you to check the correctness of Appendix No. F02 – the JEDZ/ESPD Form to the Competition Rules, Terms and Conditions dated 12.09.2018 as there is a problem with uploading it to the ESPD website. Below is a screenshot with information that appears after an attempt to import the Planeta_Lem_F02_JEDZ_ESPD.xml file on the ESPD website.
	Answer:	Please refer to Question and Answer no.5.



Krakow Festival Office (Krakowskie Biuro Festiwalowe)



Association of Polish Architects, Krakow Branch

Krakow, 21st of September 2018
(city and date)

Izabela Helbin
Director of the Krakow Festival Office
Awarding Entity's Director

Marek Kaszyński
SARP, Kraków Branch,
Organising Secretary of the Competition