

Unofficial translation. The Polish language version shall prevail.

Question No. 1

Is there a limit on the number of participants invited to take part in the competition after sending the application?

If yes, how many companies/designs can participate in the competition?

Answer:

The Organiser, having evaluated the Applications, invites all Participants in the Competition who fulfil the requirements specified in the Terms and Conditions to submit competition works. Participants who do not fulfil the requirements are excluded from participation in the competition. The Organiser does not limit the number of Participants in the Competition in any other way.

Question No. 2

In relation to the ESPD application, an error occurs after clicking the link to the instructions on filling in the ESPD form.

Answer

If clicking the link does not open the site with the PDF file, you should copy the provided link, paste it into the address bar of the web browser and press Enter. For convenience, the Organiser has placed the PDF file with the instructions on the competition website.

Question No. 3

In relation to the ESPD application, which "Notice number in the OJS: ____/S ____ - ____" should be written?

Answer

Notice number in the OJS: 2016/S 241-439683

It is the number of the notice in the EU's Official Journal, which can be found on

<http://ted.europa.eu/udl?uri=TED:NOTICE:439683-2016:TEXT:EN:HTML>

Question No. 4

In relation to the ESPD application, if the team includes a person who is a natural person and not a company, is it enough to add him/her to the team? (Question: "Does the economic operator rely on the capacities of other entities in order to meet the selection criteria set out under Part IV and the criteria and rules (if any) set out under Part V below?" (X)Yes () No).

Answer

The direct deployment of human resources involves "cases of engaging a natural person by the economic operator (the Participant in the Competition) under various legal relationships, independent of whether they run a business activity by means of an enterprise (workplace) or render the service on the basis of a contract of mandate, among others, if such a person will perform activities agreed with the economic operator and connected with the carrying out of the tender, only individually, e.g. acting as a Site Manager. This would be a case of direct deployment of a person capable of carrying out the contract and not invoking the resources of the third party" (on the basis of the Instructions of filling in ESPD).

Question No. 5.

I am attempting to fill out the ESPD form. Section 5.3.1. "Download an XML file named JEDZ from the Competition website"????

I am unable to locate this file on the website? Can you email the form?

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Answer:

The XML file is available on the competition website:

<http://www.architektura.um.warszawa.pl/mostdlapiesznych>

The file is compressed in ZIP format. Before use, the file must be unzipped.

Question No. 6.

Can a natural person, i.e. an architect with a construction licence in the field of architecture for any designs without limitations, who neither runs a company nor a business activity, participate in the competition?

If yes, does such a person have to submit a statement on no arrears in payments of social or health insurance contributions? After all, such a person cannot obtain such a statement not being a social insurance payer.

Answer:

A natural person can take part in the competition. A natural person does not have to submit a statement on no arrears in payments of social insurance contributions.

Question No. 7

In the application for participation in the competition (Appendix 1) the list of appendices includes "The power of attorney in accordance with the template from Annex No. 3" and on the website of the Competition the power of attorney is classified as Appendix 2;

- in the template of Identification Card it is written "Appendix 3", while on the website it is Appendix 4.

Is it only a minor mistake or could these be different templates?

Answer:

There is a mistake in the description of Appendices. Amended Appendices 1 and 4 are available on the website. Nevertheless, submitting Appendices in accordance with the previous template will be treated by the Organiser equally with submitting Appendices in accordance with the amended template.

Question No. 8.

Can a natural person, an architect with a construction licence in the field of architecture for any designs without limitations, who does not run a business activity, participate in the Competition?

Answer

Please see the answer to Question No. 6.

Question No. 9

This question concerns the Competition Terms and Conditions, Chapter III section 3.2.3 (Declarations and documents confirming that the requirements for participation in the procedure have been met). Are a copy of licence and extract from the Chamber enough as documents confirming fulfilling the conditions to participate in the procedure (Chapter III section 3.2.3) when the Participant of the competition is a natural person (a licensed architect)?

Answer:

A copy of a licence and an extract from the Chamber are not required documents fulfilling the conditions to participate in the procedure. Declarations and documents confirming the fulfilment of

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the conditions of participation in the procedure are specified in Chapter III of the Terms and Conditions, section 3.2.3 a) and b).

Question No. 10.

Where is the: "Spatial study of the competition site"?

Answer:

Annex D "Spatial study of the competition site" will be made available to Participants qualified to take part in the Competition.

Question No. 11.

The requirements imposed on foreign companies include all documents to be translated into Polish, including all design team members qualifications!

This is totally unrealistic and will put off most foreign design companies.

Answer:

In accordance with the applicable law, the competition is held in Polish. Nevertheless, the Application, along with the necessary documents, is submitted only by Participants in the Competition and not members of the design team, unless the members of the team are made available by a third party, and the required documents translated into Polish should also be submitted for them (entities providing resources).

Question No. 12.

May a team composed of natural persons including an architect fully authorised to design in the field of architecture without limitation in Great Britain (registered in ARB) ask to participate in the Competition?

Answer:

Yes, it may.

Question No. 13.

The attachment with file No. 3 - ESPD template in XML format (zipped) does not work, and it is not possible to import the file on the ESPD site; what do you do in such a situation?

Answer:

Before use, the attachment must be decompressed. In the ESPD service it is necessary to load the file in XML format which was earlier unzipped. The file works and there are no signals concerning errors.

Question No. 14.

What is the procedure to register and is there any entry fee?

Answer:

The registration procedure is described in the Competition Terms and Conditions which can be downloaded from the Competition's website

<http://www.architektura.um.warszawa.pl/mostdlapiesznych>

The Organiser does not collect any fees connected with the qualification of Participants.

Question No. 15.

Would you prepare Your competition documents in English for foreigner entries?

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Answer:

The Competition Terms and Conditions, along with the Application for admission to the Competition and Appendices, are available for download on the Competition's website: <http://www.architektura.um.warszawa.pl/mostdlapiesznych>

Nevertheless, please remember that the Application, along with the documents, must be translated into Polish for submission.

Question No. 16.

Will you be provided electronic/dimensional/topographic drawings of the site area?

Answer:

The Organiser will provide Participants invited to submit competition works with a master map of the site area in the form of image files calibrated in the PUWG 2000 system, along with an overall master map in TIFF format.

Question No. 17.

"Planned solution for Bulwary Wislane". Do you have graphic documentation for the finalised scheme?

Answer:

The Appendix will contain a design of Bulwary Wiślane in a final (implementation) version. Currently construction works within this area are being carried out.

Question No. 18.

"Width of the inter-embankment zone is approx. 450m". Please confirm that this is the width of the river at the designated area of the site?

Answer:

Yes. The width of the inter-embankment zone on both sides of the river is approx. 450m.

Question No. 19

Could you please send me the English version of those files? I also noticed an xml file. I wasn't able to open it. Please let me know about the above files.

Answer:

The documents on the Competition's website (www.architektura.um.warszawa.pl/mostdlapiesznych) are available in Polish and English versions. The XML file is compressed. It must be unzipped in accordance with the instructions in the Competition Terms and Conditions.

Question No. 20.

FYI when I download document "The ESPD template in XML (Zip) from your completion website"?? this is what the document looks like.

Although your posting states you'd like foreign architects to be able to submit applications for this competition it doesn't seem like you've set things up to allow for this.

Answer:

The ESPD website facilitates the service in all EU languages; the appropriate language should be selected. The Organiser checked that XML files also load correctly, including in English.

Question No. 21

Should the presentation of the design team in the application for admission and ESPD show all members of the design team (authors of the design)?

Answer

The presentation of the design team is required in the context of fulfilling the conditions of participation in the Competition by the Participant. The condition of participation in the Competition will be fulfilled if the Participant in the Competition proves that the design team includes at least one person with a construction licence for any designs in the field of architecture without limitations pursuant to the applicable law of the State in which he/she obtained the qualifications or in which he/she runs the business activity.

For the above reasons, there is no requirement to name all the members of the design team.

Question No. 22.

Should the presentation of the design team in the application for admission and ESPD show only all the members of the design team (authors of the design) with professional qualifications specified in Chapter III, section 2.1. of the Terms and Conditions

Answer:

See the answer to Question No. 21.

Question No. 23.

Should the presentation of the design team in the application for admission and ESPD show at least one member of the design team (authors of the design) who has professional qualifications specified in Chapter III, section 2.1. of the Terms and Conditions

Answer:

See the answer to Question No. 21.

Question No. 24.

Should the Participant show the full composition (all members) of the design team, i.e. comprising both authors with professional qualifications specified in Chapter III, section 2.1. of the Terms and Conditions, as well as those who do not have such qualifications? If so, at which stage of the procedure?

Answer:

Apart from showing compliance with the conditions of participation in the Competition, the Participant does not have to show the full composition of the design team at the stage of submitting applications for admission to the Competition. If the Participant in the Competition, during performing the Competition work, invites to the author (design) team additional persons, he/she may indicate them on Form A of the Identification Card (Appendix 4).

Question No. 25

Will the rules specified in Chapter III section 3.2.3 b) of the Terms and Conditions apply to a change in the full composition of the design team?

Answer:

A formal change in the composition of the design team (specified in Chapter III, section 3.2.3 b) of the Terms and Conditions may take place only in the event of a change of a member of the design team, the presence of whom in the composition of the design team affects the participation of the Participant in the Competition.

Question No. 26

Should the certificates from the National Crime Register, in the case of the Participant's being a limited-liability company, be submitted exclusively for the Participant (as a collective entity) and for all members of bodies and proxies of the Participant? Or also for all members of the design team or for members of the design team with professional qualifications?

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Answer:

In the above case certificates from the National Crime Register should be submitted exclusively for the Participant and the entity providing the person who is a member of the design team indicated in the application (if such provision is effected).

Question No. 27.

As far as the wording of Chapter III, section 8.3.5 of the Terms and Conditions is concerned, should one understand that a Participant who does not have within his/her enterprise, a person with a construction licence in the field of bridge engineering without limitations (hereinafter referred to as "the Constructor") at the stage of this Competition in order to prepare the Competition work - in particular in relation to the requirements specified in Chapter II, section 3.5 and Chapter IV, sections 3.3.3 and 3.3.4 – will use services of the subcontractor(s) who have Constructor(s) at their disposal, is not obliged under the Competition (including the stage of the application for admission) to:

- a. name the Constructor or the entity with the Constructor at its disposal as a Co-Participant in the Competition;
- b. name the Constructor as a member of the design team;
- c. name the Constructor as a member of any other entity in relation to the Competition procedure; and he/she is only obliged to provide himself/herself with proprietary copyrights to works (including calculations) made by the Constructor in connection with his/her participation in the preparation of the competition work?

Answer:

At the stage of the competition procedure, the Participant is not obliged to name a person with a construction licence in the field of bridge engineering without limitations.

Question No. 28.

How do you fill in the first page of the ESPD form? More specifically, the part: "EU OJ S number [], date [], page []". We have a problem identifying the page of the publication which should be given. The notice was published in electronic form and we have difficulty in identifying the page number.

Answer:

Please see the answer to Question No. 3.

(Notice number in the OJ S: 2016/S 241-439683

It is the number of the notice in the EU's Official Journal, which can be found on <http://ted.europa.eu/udl?uri=TED:NOTICE:439683-2016:TEXT:EN:HTML>)

The page number is not required (there is no such item in the ESPD form filled in by means of the electronic tool provided by the European Commission). If the form contains the field "page", the Participant may provide the address of the website on which the notice was published.

If in the ESPD form other information identifying the procedure were given (reference number attributed to a case, name or description of a contract (competition)), failure to provide information on the procedure number, date and page will not be an infringement resulting in the rejection of the application.

Question No. 29

I am asking for confirmation that in part II of the ESPD form, point B, it is not necessary to list the persons authorised to represent the economic operator under the memorandum and articles of association, e.g. members of the Management Board/proxies, and only potentially attorneys appointed to represent the economic operator in this competition procedure. However, if the members of the Management Board must be listed, should all the members of the Management Board be written in?

Answer:

In part II, point B of the ESPD form it is necessary to give the data on the attorney of Participants jointly taking part in the Competition or the person authorised to represent the Participant in case of companies (firms).

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Question No. 30

Should the correspondence or permanent address of the representative be given in part II of the ESPD form? May the business address be given?

Answer:

In part II, point B of the ESPD form the permanent address should be given.

Question No. 31.

We are asking for confirmation that in the whole of part IV of the ESPD form only part C should be filled in. 5.2.2. in part IV (qualification criteria) field a: General statement concerning all qualification criteria - the field in the form is inactive because the Participant in the Competition is obliged to fill in only section C, so there is there no need to fill it in?

Answer:

No. In accordance with the provisions of Chapter III, section 5.2.3. of the Terms and Conditions in part IV (qualification criteria) section C - technical employees or technical services responsible for quality control, it is necessary to describe in detail the professional qualifications of every person named to carry out the Competition work in relation to all requirements of the Employer, specified in Chapter III section 2.1 of the Terms and Conditions (filling in name and surname, licence type, licence number and the grounds to dispose of a given person).

Question No. 32.

I am asking for confirmation of whether for the Constructor (pursuant to the definition in Question No. 7) it is necessary to fill in and submit a separate ESPD form along with the statement from ZUS (The Social Insurance Fund), US (Tax Office), KRK (Polish National Criminal Register) and the extract from KRS (National Court Register).

Answer:

At the stage of the Competition procedure, the Participant is not obliged to name a person with a construction licence in the field of bridge engineering without limitations ("the Constructor"). This is why there is no need to submit a separate ESPD document for "the Constructor" unless "the Constructor" is a Participant in the Competition or he/she is, due to the owned licence, an individual made available by another entity in order to fulfil the conditions of participation in the Competition.

Question No. 33.

Is there a possibility to access (most preferably to download in electronic form) the Competition materials (base-maps, spatial studies, etc.) prior to submitting the application? Currently only the Terms and Conditions, as well as the Appendices, are available on the website.

Answer:

Pursuant to the provisions of the Competition Terms and Conditions, technical (content-based) appendices A to E will be made available to Participants qualified to participate in the Competition.

Question No. 34.

Section 3.3.1. states that foreign architects are required to submit certain documents 6 months before the deadline for the competition application? The application is due in January?.....I don't believe the competition was posted in August 2016?

Answer:

The documents referred to above (e.g. information from the National Crime Register) cannot be issued with a date earlier than 6 months before the deadline for the submission of applications

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concerning admission to the Competition which lapses on 20 January. This means that documents must be issued with a date later than 19 July 2016.

This provision refers to, in particular, cases where the Participant is already in the possession of the above-mentioned document.

Question No. 35.

Is the competition only for the concept of a bridge or is it intended to construct the bridge in accordance to the winning concept? When should such a construction take place?

Answer:

The competition is an implementation competition in which the Participant in the Competition whose work obtains the highest number of points will receive the money prize and invitation to participation in a competitive tendering procedure in the mode of a single-source-procurement procedure, the subject of which will be the detailed development of the Competition work on which the construction of the structure is based. Entrusting the development of the Competition work, which is the prize in the Competition, to any other person than the author of the rewarded work may take place only in a situation in which, as a result of negotiations conducted in the mode of a single-source-procurement procedure, any premise appears leading to the cancellation of the procedure, pursuant to Article 93 section 1 of the Act Public Procurement Law.

The completion of the construction work is planned for 2019.

Question No. 36.

Are funds for the construction of the bridge already secured?

Answer:

Yes.

Question No. 37.

How many architectural studios / teams will be allowed to take part in the competition?

Answer:

The Organiser, having evaluated all Applications, invites all Participants in the competitions who fulfil the requirements specified in the Terms and Conditions to submit the competition works. Participants who do not fulfil the requirements are excluded from the participation in the competition. The Organiser does not limit the number of Participants in the competition in any other way.

Question No. 38.

Do Organisers intend to directly engage the selected team and cooperate with it until the construction of the bridge is finished?

Answer:

Yes.

Question No. 39.

If the team which will win the Competition is the collaboration of an architectural studio and engineering studio, will both studios be hired for work on this design?

Answer

Unofficial translation. The Polish language version shall prevail.

If Participants (architectural studios and engineering studios together) jointly take part in the Competition, the reward in the form of the invitation to participate in negotiations in the single-source-procurement procedure will be given to all Participants jointly taking part in the Competition unless Participants name one entity to which the contract will be awarded. If negotiations are conducted with both entities (Participants), these entities should provide the Employer with the consortium agreement which was concluded between each themselves.

Question No. 40.

Will the won prize in the amount of PLN 100,000 be included in the remuneration of the company which wins the Competition and is engaged, or will independent separate prize and remuneration for the work connected with the bridge be estimated, not taking into consideration the won prize/amount?

Answer:

Money prizes paid out in the Competition are not connected with the remuneration of the economic operator resulting from the agreement concluded as a consequence of awarding the contract.

Question No. 41.

What is the project's programme after settling the Competition? (estimated commencement and finishing of the construction, etc).

Answer:

The schedule of the design and construction is not information provided during the Competition procedure. The finishing of the construction is planned for 2019.

Question No. 42.

I have problems opening Appendix 3 - ESPD template. Can I ask for any guidelines?

Answer:

One should download Appendix 3 from the Competition's website in the form of the compressed file in ZIP format. In order to obtain the XML file it is necessary to unzip the file and next import the obtained XML file via website <https://ec.europa.eu/growth/tools-databases/espd/>, in accordance with the instructions in the Competition Terms and Conditions.

Question No. 43.

In relation to the ESPD application Part II, D, "Information concerning subcontractors on whose capacity the economic operator does not rely". In answer to the question " Does the economic operator intend to subcontract any share of the contract to third parties?", our answer is "Yes". Do we have to at this moment specify subcontractors proposed by us and identify them in the part "If so and as far as it is known please give the list of proposed subcontractors"? If yes, should each of proposed subcontractors submit a separate ESPD form (as I understand, it would concern only part III (grounds for exclusion))?

Answer:

The Participant does not fill in Part II, D. However, if he/she does so, he/she does not have to submit a separate ESPD form for the subcontractor (on the abilities of which the economic operator does not rely).

Question No. 44

In relation to the ESPD application Part II, D “Information concerning subcontractors on whose capacity the economic operator does not rely”. If at this moment the list of our subcontractors is not complete due to the lack of information on dates of the performance of the order, can the field concerning subcontractors remain empty?

Answer:

Please see the answer to Question No. 43.

Question No. 45.

This question concerns Section 3.2.4. a) of the Terms and Conditions.

Precisely which documents should be submitted in order to fulfil the conditions in the case of participants with Polish citizenship who permanently live abroad?

Answer:

It is necessary to submit documents in accordance with Chapter III, section 3.3. of the Terms and Conditions.

Question No. 46.

This question concerns Section 3.2.4. b) of the Terms and Conditions.

Precisely which documents should be submitted in order to fulfil the conditions in the case of participants with Polish citizenship who permanently live abroad?

Answer:

It is necessary to submit documents in accordance with Chapter III, section 3.3. of the Terms and Conditions.

Question No. 47.

This question concerns Section 3.2.4. c) of the Terms and Conditions.

Precisely which documents should be submitted in order to fulfil the conditions in the case of participants with Polish citizenship who permanently live abroad?

Answer:

It is necessary to submit documents in accordance with Chapter III, section 3.3 of the Terms and Conditions.

Question No. 48.

In the case of using the services of consultants (external companies operating in the industry) is submitting information on every person working for the Competition in the company operating in the industry required? Do such persons have to be listed in the composition of the team?

Answer:

In the above case submitting information on persons who are professional consultants is not necessary. Individuals who are consultants do not have to be listed in the composition of the design team.

Question No. 49.

If the Participant in the Competition is a multi-person design team, is submitting information on all its members required or is it enough to give information on the contact person who fulfils all the requirements of the Competition?

Answer:

Unofficial translation. The Polish language version shall prevail.

Every Participant in the Competition (every consortium member) submitting a joint Application has to state that there are no grounds for exclusion and for this purpose every consortium member must fill in the ESPD document.

Question No. 50.

Please confirm that the company registered in the Association of Consulting Engineers, (ACE) (Great Britain) qualifies for participation in the Competition and fulfils the requirement specified in section 2.1 the Conditions of Participation in the Competition.

Answer

The conditions for participation in the Competition are specified in the Competition Terms and Conditions and are not dependent on the activity of the company.

Question No. 51.

Please confirm that a company with a team which is registered with the Institution of Civil Engineers (ICE) or the Institution of Structural Engineers (IStructE) (both in Great Britain) is entitled to participate in the Competition.

Answer:

The conditions of participation in the Competition are specified in the Competition Terms and Conditions. If membership of any institution (e.g. the Institution of Civil Engineers (ICE) or the Institution of Structural Engineers (IStructE) is equivalent to the status of a construction licence for designs in the field of architecture without limitations, a Participant having in his/her design team a person registered with ICE or IStructE fulfils the conditions of participation in the Competition.

Question No. 52.

Please confirm that a company registered as a Chartered Practice with the Royal Institute of British Architects (RIBA) (in Great Britain) qualifies for participation in the Competition and fulfils the requirement specified in section 2.1. the Conditions of Participation in the Competition.

Answer

The conditions for participation in the Competition are specified in the Competition Terms and Conditions. If membership as a Chartered Practice with the Royal Institute of British Architects (RIBA) is equivalent to the possession of a construction licence for any designs in the field of architecture without limitations, the Participant having in his/her design team a person registered in RIBA fulfils the conditions of participation in the Competition.

Question No. 53.

Please confirm that a company and the team registered with the Architects Registration Board (ARB) or RIBA qualify for participation in the Competition.

Answer:

The conditions of participation in the Competition are specified in the Competition Terms and Conditions. If membership of the Architects Registration Board (ARB) or RIBA is equivalent to the possession of a construction licence for any designs in the field of architecture without limitations, the Participant having in his/her design team a person registered with ARB or RIBA fulfils the conditions for participation in the Competition.

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Question No. 54.

Apart from registration with their national registration bodies please confirm what further information is required in section 3.3 Conditions for companies described as "foreign entities" in order to facilitate their participation.

Answer:

All information on documents required from foreign entities are specified in section 3.3 of Chapter III of the Competition Terms and Conditions. A detailed specification of the required documents is not possible due to the legal and official specificity of particular States.

Question No. 55.

Can you also help me to locate Appendix 3 in English?

Also, I can't see all Content-based appendices in English (Appendix A, B, C, D, & E)

Answer:

Appendix 3 is available to download on the competition's website. The nature of the Appendix does not require for it to be bilingual. Pursuant to the provisions of the Competition Terms and Conditions the technical (content-based) appendices A to E will be made available to Participants qualified to participate in the Competition.

Question No. 56.

How can I register? In fact I downloaded pdf documents to do that. You mean I fill them and send or post them on the net. If I want to fill them I have to make Word format.

Answer:

The procedure for submitting Applications on admission to the Competition is described in detail in the Competition Terms and Conditions. The filled-in ESPD document should be printed. The document must be signed by the person authorised to represent the Participant and the original submitted along with the Application for admission to the Competition, on the date and place specified in the Competition Terms and Conditions.

Question No. 57.

Must the ESPD document, which has 86 pages, be filled in by every team member? Regardless of whether they are natural persons or entrepreneurs?

Answer:

Every Participant in the Competition (every consortium member) submitting a joint Application has to state that there are no grounds for exclusion and for this purpose every consortium member must fill in the ESPD document.