

EUROPEJSKIE CENTRUM FILMOWE CAMERIMAGE

Toruń, 22.03.2021

Concerning:

“Competition for development of architectural concept for the European Film Center CAMERIMAGE building in Toruń”

EXPLANATIONS 6 TO THE TERMS OF THE COMPETITION REGULATIONS (QUESTIONS 28 through 50)

QUESTION 28

Please clarify if a building with a didactic and scientific program, with fully furnished auditoriums (total area of ca. 20000 m², building permit and detailed documentation, a legally binding building permit obtained) will fulfill the requirement stated in item 1.6 c) of the Regulations? The building is classified to the 4th category - buildings dedicated to culture, science and education.

ANSWER:

The overall program of the building must support a widely understood cultural and entertainment function. It is the Competition Participant's responsibility to prove to the Organizer in the phase of preparing the application for admission and submitting documents and statements that the completed service concerns a building with a leading cultural and entertainment function.

The Organizer will accept mixed-function buildings, where the cultural and entertainment function is the leading function or an important function from the point of view of the building's users (e.g. a separated part of the building of more than 10 000 m² in total area).

QUESTION 29

QUESTION 29.1

With respect to the reference design of 10 000 m² in total area, provided to confirm our professional competence, can you confirm that only the requirements of “Appendix 3d” need to be confirmed? Does this mean that no additional visualizations or data need to be submitted?

ANSWER:

The Organizer confirms that, in order to confirm the fulfillment of condition for participation in the competition concerning technical and professional capacity with respect to experience, the applicant needs only submit a completed and signed Appendix 3d, i.e. The statement of fulfillment of condition for participation in the competition, as specified by the Organizer, regarding technical and professional capabilities pertaining to professional experience, including a list of services and information on the value, subject, completion date and entities, for which the services have been completed.

No additional information, plans, documents or references need to be submitted in this respect.

QUESTION 29.2

With respect to “Appendix 3c”; if we, a leading architecture office, have employees with an equivalent license issued in another EU Member State, will this be construed as “direct” disposal of such persons? Do we have to submit a current license with a translation?

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ANSWER:

If the Competition Participant is a company employing personnel with equivalent qualifications to those required from the Participants under the Competition Regulations, then this will be recognized as “direct” disposal.

The competition participant needs not submit any current licenses or their translations.

QUESTION 29.3

Can you provide a link to the site where the respective laws and conditions pertaining to equivalent licenses in EU states, as referred to in item 1.6. b) in the “Note” section, can be found:

“Note: Equivalent qualifications obtained in other countries, according to principles set out in article 12a of the Construction Law of 7 July 1994 (Journal of Laws of 2020, item 1333), considering the provisions of the Act of 22 December 2015 on the principles of recognizing professional qualifications obtained in Member States of the European Union (Journal of Laws of 2020, item 220) shall be admitted.

ANSWER:

Unfortunately, the documents containing these provisions are only available in Polish. Link to the Construction Law of 7 July 1994:

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19940890414>

Link to the Act of 22 December 2015 on the principles of recognizing professional qualifications obtained in Member States of the European Union:

<http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20160000065>

QUESTION 30

With reference to question 4, can you confirm that by March 24, we will only have to submit appendices 3a through 3f, and that, in this phase, no other supplementary documents are required as evidence (including a Polish translation). If, according to appendix 3d or 3c, the leading applicant is obligated to submit a “statement of entities”, is there a form for that? Or perhaps this is a document which is drawn up independently by both companies to confirm their services provided?

ANSWER:

The Organizer confirms that by March 24 at 12.00, all entities interested in participating in the competition should have submitted Appendices 3a, 3b, 3c, 3d in accordance with the provisions of Section III item 3.2.

Appendices 3f are submitted by Competition Participants jointly participating in the competition only.

Appendices 3e are submitted by Individual Competition Participants, when an Individual Participant has appointed a representative.

The statement of the entity sharing its resources is to be prepared by Competition Participants themselves. The statement of the entity sharing its resources should fulfill the requirements of item 1.7. c) of Section III of the Regulations.

QUESTION 31

With reference to section III item 1.b, does the person with equivalent qualifications need to have a Polish equivalent of such license in order to qualify in this phase? We are not sure if we will need our partner architect with a Polish license, or whether we will be able to participate in the competition by ourselves, being an office from a neighboring EU state holding the required, local professional qualifications. If possible, we would prefer to participate ourselves.



ANSWER:

The Organizer does not require an unlimited Polish architectural design and construction license, but requires equivalent qualifications obtained in other countries, according to principles set out in article 12a of the Construction Law of 7 July 1994 (Journal of Laws of 2020, item 1333), considering the provisions of the Act of 22 December 2015 on the principles of recognizing professional qualifications obtained in Member States of the European Union (Journal of Laws of 2020, item 220).

QUESTION 32

In order to finalize the application, will you accept a .zip file containing a single .p7m file (an extension associated with electronic signatures) containing the required appendices?

ANSWER:

As a “packaging”, the .zip file may contain signed files inside it.

The electronic signature placed on individual documents must be a qualified signature, fulfilling the requirements of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014, the so-called eIDAS Regulation.

If uncertain, verify your signature at

<https://ec.europa.eu/cefdigital/DSS/webapp-demo/validation>

<https://weryfikacjapodpisu.pl/>

or using a tool provided by one of domestic suppliers: SZAFIR (KIR), CENCERT, SIGILLUM, EUROCERT

Files must be signed according to the rules for signing documents of the signature supplier.

All questions in this respect should be answered by the supplier of the qualified signature.

.p7m is not an extension the Principal is obligated to accept, and, therefore, the competition participant should not use it.

Acceptable signature formats are XADES and PADES.

QUESTION 33

The question refers to item 1.6.c) of the Regulations. We have experience in designing a sports center (as a cultural facility) and a school (as a didactic facility). Both buildings are more than 10 000m² each. Would their design fulfill the conditions for participation in this competition? If yes, which one is more suitable when it comes to fulfilling the requirements?

ANSWER:

The Organizer has stated that this must be one cultural and entertainment building.

Presenting two buildings, where one has a cultural program and the second serves an entertainment function, will not be recognized as fulfillment of the said condition.

QUESTION 34

If I used an UAE electronic signature to sign documents using Acrobat software, would this fulfill your requirements?

ANSWER:

The electronic signature placed on individual documents must be a qualified signature, fulfilling the requirements of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014, the so-called eIDAS Regulation. If uncertain, verify your signature at

<https://ec.europa.eu/cefdigital/DSS/webapp-demo/validation>; <https://weryfikacjapodpisu.pl/>

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QUESTION 35

Do we have to appoint a lawyer to represent us in the initial and subsequent phases of the competition? Due to the issue of the qualified signature in Poland, we concluded that, as a foreign company, we will need your clarification of this issue.

ANSWER:

It is the Competition Participant's decision about whether to appoint an attorney or a representative (including a lawyer). Unfortunately, the Organizer is not able to answer this question due to insufficient information about the Competition Participant's need to appoint such a person.

The Organizer has not stated that electronic documents need to be signed solely with a Polish electronic signature.

The electronic signature must however be made in accordance with the provisions of the Electronic Identification and Trust Services Regulation - eIDAS, 910/2014/EC, which sets forth standard rules for all Member States. Before submitting any document signed in this manner, check if it is positively verified by generally available verification tools e.g.

<https://ec.europa.eu/cefdigital/DSS/webapp-demo/validation>

<https://weryfikacjapodpisu.pl/>

or use a tool provided by one of domestic suppliers: SZAFIR (KIR), CENCERT, SIGILLUM, EUROCERT.

QUESTION 36

With reference to appendix 3d, can the design documentation referred to therein concern the reconstruction of a cultural-entertainment building of min. 10 000 m2 in total area, or does it have to apply to the construction of a new building dedicated to these functions?

ANSWER:

The Organizer will deem the condition referred to in Section III item 1.6 c) fulfilled when the reconstruction is made on a cultural-entertainment building.

QUESTION 37

Can a foreign competition participant use a qualified electronic signature issued by a certified supplier recognized within the EU, but not listed by the National Certification Center (<https://www.nccert.pl/>)? Our partner purchased a signature at Skribble.

ANSWER:

The electronic signature placed on individual documents must be a qualified signature, fulfilling the requirements of the eIDAS regulation. It does not need to be listed by the NCC.

If uncertain, verify your signature at

<https://ec.europa.eu/cefdigital/DSS/webapp-demo/validation>

<https://weryfikacjapodpisu.pl/>

or use a tool provided by one of domestic suppliers: SZAFIR (KIR), CENCERT, SIGILLUM, EUROCERT.



QUESTION 38

Due to a short deadline for submitting applications for participation in the Competition together with all and any evidence, statements and documents to confirm the fulfillment of Organizer's requirements, will the Principal consent to postponing the deadline to 31.03.2021?

ANSWER:

The Organizer does not consent to any change of the deadline for submitting applications for admission, evidence, statements and documents.

QUESTION 39

Please clarify whether an engineering office can be a member in more than one team of authors? According to the Competition Regulations, teams of authors, among others, can be Competition Participants jointly participating in the competition. Section III item 1.5 also contains a provision which states that a competition participant (also applicable to Competition Participants jointly participating in the competition) will be excluded from the competition if they have submitted more than one Application.

Please confirm if an engineering team can join several teams as an entity.

ANSWER:

An engineering office may not join several teams as an entity within the meaning of a Competition Participant. A Competition Participant (including Competition Participants jointly participating in the competition) will be excluded from the competition together with the Participants participating jointly with them if this Participant is named in more than one application for admission.

QUESTION 40

Does the Organizer expect competition participants to copy the statements provided in Appendix 3s Section III and sign them individually? None of the appendices 3a-3f have a place for signature. The same question applies to 3b, does the Organizer expect the bottom of each page to be signed?

ANSWER:

The Organizer hereby advises that all documents must be submitted in their electronic form, via the Electronic Communication Platform (<https://www.soldea.pl/epz/epz/>). Documents must be affixed with a qualified electronic signature, if such requirement is stated in the Competition Regulations.

Only in the case.

The Organizer will accept documents signed by a participant from outside the EEA in the form of a digital counterpart (scans) of documents drawn up in their paper form, signed and stamped by the person authorized to represent the Participant. The conformity of digital counterparts of documents with their hard copies shall be certified by a notary public, using a qualified electronic signature. In the above case, the handwritten signature and stamp of the person authorized to represent the Participant may be placed at the bottom of each Appendix.

QUESTION 41

QUESTION 41.1

Please order the names and the numbering of appendices to the regulations. The names of the files do not correspond to their contents, and some materials are duplicated under different names.



ANSWER:

The Organizer verified the Appendices published on the website and confirmed their correctness both in form and contents.

QUESTION 41.2

Please specify the contents of the study in the 1st and 2nd phase. The fact that parts of drawings can be placed on boards or on “A3” sheets will hinder comparison of designs for the Jury.

ANSWER:

The Organizer hereby advises that the description of the study and the competition design have been sufficiently specified in the Competition Regulations for the Jury to be able to compare and evaluate the designs.

QUESTION 41.3

Please specify the expected views (section IV, item 2.2 2) c).

ANSWER:

The locations of individual views shall be chosen by the Competition Participant at their own discretion.

QUESTION 41.4

Can the Principal provide appendix 7a in the DWG format in a 2010, 2013 or 2017 version?

ANSWER:

The Organizer is not able to provide Appendix 7a in the DWG format in the 2010, 2013 or 2017 version. The Competition Participant may use free conversion software to convert files saved in the DWG format (e.g. Autodesk DWG Trueview).

QUESTION 41.5

Appendices 7e, 7f, 7g, 7j, 7k are missing in the materials available for download – please provide the missing appendices.

ANSWER:

Please read the text on the competition website, in the tab containing files available for download (“Regulations”). For Appendices 7e, 7f, 7g, 7j, the Organizer stated that they will be published after Participants have been qualified on the basis of applications for admission. Appendix 7k is available for download in the “Regulations” tab, as a separate “Appendix 7k”.

QUESTION 41.6

Can you clarify the “information about value”, which should be provided with the list of services referred to in item 1.6 c)? - does it refer to the value of the complete investment or the value of service itself, i.e. the value of development of design documentation for the investment? In the published statement template - appendix 3d, there is no field for entering the value.

ANSWER:

The Organizer hereby advises that “information on the value of services” is not mandatory.

QUESTION 41.7

Point 1.6. c) states that the statement of fulfillment of condition for participation in the competition, as specified by the Organizer, regarding technical and professional capabilities pertaining to professional experience, including a list of services, should include a list of entities, for which the services were or have been performed – which contradicts the provisions of the preceding paragraph, which states that the service should be “duly executed and completed”. Please specify.

ANSWER:

Please provide the name of the entity, for which the service was completed.

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QUESTION 41.8

Will a service consisting in the development of design documentation including a building permit design and detailed design for a building which received a legal and binding building permit, but was not issued an occupancy permit, fulfill the Organizer's requirements under item 1.6. c)?

ANSWER:

Yes.

QUESTION 41.9

Will the Principal present a template for the statement of the entity sharing its resources referred to in item 1.7 b) and c)?

ANSWER:

The statement of the entity sharing its resources is to be prepared by Competition Participants themselves. The statement of the entity sharing its resources should fulfill the requirements of item 1.7. c) of Section III of the Regulations.

QUESTION 41.10

Is appendix 7a incorrectly described as "APPENDIX 8A TO THE REGULATIONS" within the document (Organizer's note: concerns Section IV of the Competition Regulations).

ANSWER:

The Organizer reviewed Section IV of the Competition Regulations and found no occurrences of "APPENDIX 8A TO THE REGULATIONS".

QUESTION 41.11

Appendix 7a specifies two competition scopes (study and design). Does the "scope of the study" encompass both of these areas?

According to the definition, the "Scope of the competition study" - shall be understood as the area covered by the study, as marked in Appendix 7a to the Regulations.

ANSWER:

The scope of the competition work shall include the design and the study, as set out in Appendix 7a to the Regulations.

QUESTION 41.12

The competition regulations include the term "A3 sheet". Is the sheet understood within the meaning of the regulations as a single page, or is this a sheet consisting of two sides (front, reverse)?

ANSWER:

In the case of the graphic part, the "A3 sheet" should be understood as a sheet of paper in the A3 format, printed over on one side.

In the case of the descriptive part, double-sided print on A3 sheets is acceptable.

QUESTION 41.13

Can the description be printed on A3 sheets so that they contain a maximum required volume of 5 x A4 pages? The descriptive part should be submitted in the form of an A3 notebook.

ANSWER:

The Organizer hereby advises that the description may be printed on A3 sheets so that they contain a maximum required volume of 5 x A4 pages.



QUESTION 41.14

Please confirm that the six-digit identification number should not be placed on the physical / paper version of the 100x70cm board (section IV, item 2.2).

ANSWER:

The Organizer hereby confirms that the six-digit identification number should not be placed on the physical / paper version of the 100x70cm board.

QUESTION 41.15

Please confirm that the six-digit identification number should be placed on the first page of the descriptive part in its electronic version (section IV, item 3.3).

ANSWER:

The Organizer hereby confirms that the six-digit identification number should be placed on the first page of the descriptive part in its electronic version.

QUESTION 42

Please clarify if the required file containing the application for participation in the competition should be sent as a business secret.

ANSWER:

It is the Competition Participant's decision to choose the information which will be treated as a business secret. The Organizer does not have such information.

QUESTION 43

With reference to question 26 and the answer thereto - is it possible to postpone the deadline for submitting the version certified with an electronic signature to April 6? Of course, the remaining documents would be submitted until March 24. This change of deadline stems from the need to send completed documents by courier mail to Poland, which will take a lot of time. The electronic signature is rarely used in America, and works in other systems which are not acceptable in Europe. To sum up: On March 24, we would submit all documents without an electronic signature, and on April 6, the same documents would be submitted with an electronic signature.

ANSWER:

The Organizer does not foresee any change in Competition deadlines, nor any change of the form, in which documents are to be submitted.

QUESTION 44

Does the single-source contract need to be signed by the design architect, or whether another office, for instance a local planner (with an international design architect as a subcontractor) can be a contract partner? If yes, does the design architect need to appoint the main contract partner in the phase of submitting the application?

ANSWER:

The contract must be signed by an Individual Competition Participant or by Competition Participants jointly participating in the competition (e.g. a consortium) whose competition design was selected as the winner and who received the prize in the form of invitation of single-source contract negotiations. If the design architect is an Individual Competition Participant, they will be obligated to sign the contract in person. If the design architect is one of Competition Participants jointly participating in the

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competition, together with another design or engineering office, the contract is signed jointly by all Competition Participants jointly participating in the competition, or only by one of them, provided that the remaining participants consented to this and all copyright matters have been settled among these Participants.

QUESTION 45

Must all appendices 3a-3f be submitted by 24.03.2021?

ANSWER:

Yes.

QUESTION 46

Section III item 1.7 of the competition regulations states: "In order to fulfill the condition for participation in the competition, as specified in points 2.1 b) and c) of these Regulations, the Competition Participant may rely on the resources of other entities, pursuant to the provisions of article 118 of the Act, i.e. (...)"

Is that an editorial error? There is no item 2.1 in section III. What should be the correct wording of this item, and where to look for item 2.1?

ANSWER:

The Organizer hereby advises that it is an editorial error.

Section III item 1.7 should read:

In order to fulfill the condition for participation in the competition, as specified in points 1.6 b) and c) of these Regulations, the Competition Participant may rely on the resources of other entities, pursuant to the provisions of article 118 of the Act, i.e. (...)"

QUESTION 47

If an entity joins the competition with a foreign team, does the foreign team must also prove that the condition for completing design documentation for a reference building was fulfilled, and does the foreign team have to employ at least one person holding an equivalent unlimited architectural design license, or will it suffice if the team jointly fulfills these conditions: e.g. the reference building will have been developed by a foreign team and the required designer having an adequate license will represent a Polish office?

ANSWER:

The Organizer hereby advises that, in accordance with the competition regulations, in the case of Competition Participants jointly participating in the competition, the requirements referred to in Section III item 1.6 points b) and c) shall be deemed fulfilled if they are fulfilled by at least one of the Competition Participants acting jointly.

QUESTION 48

The question concerns applications with a certified Polish translation,
Can we submit a Polish translation made by a Polish native speaker?



ANSWER:

Yes.

Any documents and statements submitted in a foreign language shall be submitted with a Polish translation certified for conformity with the original by the Competition Participant or their representative.

QUESTION 49

Is it necessary to hire a sworn translator if documentation is submitted in Polish?

ANSWER:

It is not necessary to have a sworn translator translate documents into Polish.

Any documents and statements submitted in a foreign language shall be submitted with a Polish translation certified for conformity with the original by the Competition Participant or their representative.

QUESTION 50

Will the condition pertaining to experience in the development of design documentation for a cultural and entertainment building of min. 10 000 sqm in total area be considered fulfilled when the competition participant has completed a shopping mall with an entertainment section (a cinema multiplex)?

ANSWER:

The overall program of the building must support a widely understood cultural and entertainment function. It is the Competition Participant's responsibility to prove to the Organizer in the phase of preparing the application for admission and submitting documents and statements that the completed service concerns a building with a leading cultural and entertainment function.

The Organizer will accept mixed-function buildings, where the cultural and entertainment function is the leading function or an important function from the point of view of the building's users (e.g. a separated part of the building of more than 10 000 m2 in total area).

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.....
signature of the Principal's Manager or a person
appointed to perform the duties of the Principal's
Manager