

COMPETITION FOR THE DEVELOPMENT OF ARCHITECTURAL DESIGN CONCEPT  
OF THE MUSEUM OF MODERN ART IN WROCLAW

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**Answers to the questions asked by the competition participants**

**9 June 2008**

**Question 1:**

Is it possible to suggest, within the area of the program and spatial concept at a scale of 1:1000, marked in blue in appendix 12, different land development than those included in the project for the redevelopment of the Museum of Architecture in Wrocław, presented in Appendix 20?

**Answer:**

The program and spatial concept should respect the planned extension together with the redevelopment of the Museum of Architecture presented in Appendix 20 of the competition rules and regulations.

**Question 2:**

I would like to get some information regarding the competition which you are organising. My question concerns the competition rules and regulations. According to the rules and regulations, an architect/design office must have experience of designing an object of over 2 thousand m<sup>2</sup>, or supervising the construction of such an object, is it sufficient if this condition is met by an engineering company/construction engineer? Is this requirement met if a design company is a part of a consortium together with an engineering company, and the latter meets the above condition? What document, proving the issues mentioned above, should be submitted in this case?

**Answer:**

Competition participants may participate jointly in the competition, e.g. as a consortium of a "design company" and "engineer company". Requirements concerning a competition participant are applied accordingly to competition participants that participate jointly in the competition. So both the "design company" and "engineering company" must meet the requirements specified in the competition rules and regulations.

**Question 3:**

With reference to the telephone conversation with Mrs. Agnieszka Bronowicka. Is the Construction and Implementation Design of the College of Humanities, including among others an amphitheatre hall, sufficient for the references? The total area is 5450 m<sup>2</sup>. Please confirm.

**Answer:**

Based on the modified p. 5.2.1) chapter I of the competition rules and regulations, the modification introduced by the competition organiser on 6 June 2008, preparing a construction and implementation design of the object meets the requirements of participating in the competition, provided that other requirements specified in the competition rules and regulations are met.

**Question 4:**

We are very interested in taking part in the competition for the development of a concept for the Museum of Modern Art in Wrocław. We would like to know whether it will be possible for you to qualify us for the competition if we prove that we have designed public utility objects other than "an exhibition building (a museum, a gallery, an exhibition hall and accompanying facilities), an auditorium (a theatre, an opera, a concert hall, a cinema, a cabaret, a planetarium and accompanying facilities), a culture promoting facility (a community centre, a library, media library, an information centre, a theme club with accompanying facilities) or an artist studio.

**Answer:**

Based on the modified p. 5.2.1) chapter I of the competition rules and regulations, such modification introduced by the competition organiser on 6 June 2008, developing at least one construction and implementation design of a public utility building, with the total area not less than 2 000 m<sup>2</sup>, meets the requirements of participating in the competition, provided that the other conditions specified in the competition rules and regulations are met.

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**12 June 2008**

**Question 5:**

Is this competition open for architects from the whole world, or only for citizens from the European Union Member States, the Swiss Confederation or the states belonging to EFTA - European Economic Area?

If the competition is open for architects from the whole world, which documents must be submitted by citizens from outside the abovementioned area (e.g. from the USA) in order to prove their experience and qualifications?

**Answer:**

Due to the implementation nature of the competition, the Principal, in accordance with the Public Procurement Act (art. 22(1)) , requires that a participant is authorised to perform a specific activity, i.e. independent technical function in construction, such authorisation being imposed by the Construction Law. Pursuant to art. 12a of the Construction Law, the citizens of the EEA and Swiss Confederation who are in these countries authorised to perform activities equivalent to independent technical functions in construction, graduated from universities which are considered equal to Polish universities and have worked as trainees developing designs or at building sites, are deemed to meet the above requirements. Every person who meets the above requirements can participate in the competition. The participants submit documents and declarations mentioned in p. 5.9. chapter I of the Competition Rules and Regulations.

**Question 6:**

Construction qualifications in architectural specialty to design without any limitations. In case of participants from Germany, is it enough to submit a document which confirms joining a professional chamber - which is the only equivalent of Polish qualification certificates?

**Answer:**

In order to confirm the required qualifications, German citizens submit a certificate of being a member of a relevant professional chamber, valid as of the day of adjudicating the competition, issued by entities having their registered seats in a state of the European Economic Area and recognised in the Republic of Poland

**Question 7:**

Is it necessary to fill in the application together with the appendixes using the original documents from the competition rules and regulations, or is it possible to prepare the abovementioned documents in an electronic form, using the documents from the rules and regulations as specimens? Inaccuracies resulting from the rules and regulations:

Chapter 1

5.9.1 1) "of the same content as the specimen constituting Appendix 1 to the Rules and Regulations of the Competition"

Chapter 2

3.2 "To the application made using the form constituting Appendix 1 to the competition rules and regulations"

**Answer:**

Since the competition rules and regulations are available only in an electronic form, the term "form" means the same as "specimen".

**Question 8:**

The issue of power of attorney is not completely clear. The application (Appendix 1), point 7 has an asterisk, which is not explained. Should a design team which is developing a competition design, submitted under one architecture office (Professional Partnership) appoint a power of attorney?

**Answer:**

There should be an explanation in Appendix 1, p. 7:

\*) In case of entities acting jointly.

Appendix 8, p. 7 should have additional wording: \*) and the explanation:

\*) In case of entities acting jointly.

**Question 9:**

Where should we enter the names of persons participating in the competition? We mean the team of architects working under one architecture office.

**Answer:**

In Annex no. 5

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**Question 10:**

I would like to ask whether the documents and appendixes concerning the application should be translated by a sworn translator, or is it enough for them to be translated by an authorised person, together with a signature and a declaration confirming authenticity and conformity to the original?

**Answer:**

According to p. 5.9.3. chapter I, documents should be submitted together with their translations into Polish language, certified by a person authorised to submit declarations of intent on behalf of a participant. Translation by a sworn translator is not necessary.

**Question 11:**

Please explain whether there is a legal possibility for a design team composed of two design units (architecture offices) where only one of them meets the condition specified in p. 5.2.1. of the Rules and Regulations, to enter the competition?

In particular, would it be possible to accept a consortium composed of two architecture offices, where only one office performed a task specified in p. 5.2.1 of the Rules and Regulations, and the designers of this office will be named in Appendix 5 to the application (the appendix does not include, unlike appendixes 2, 3, 4, the note that "in case of a design team/joint application, each of its members/participants submits the above declaration")?

Can a "team of authors" be composed of entities/natural persons that altogether meet the condition specified in p. 5.2.1., or does each legal/natural person included in a team or authors have to meet this requirement separately?

My question arises out of doubts concerning the interpretation of p. 5.8.4 of the rules and regulations - especially in connection with the answer to question 2 placed on the organiser's webpage, from which it appears that each member of a consortium should meet the requirements separately (I may have misunderstood this, especially that the question concerned a situation architecture office/engineer office, not architecture office/architecture office).

**Answer:**

The nature of **participating** in the competition decides about whether the requirements specified in p. 5.2 chapter I are met.

A participant being:

**A** - a natural person (an architect) - must meet the requirements specified in p. 5.2. chapter I.

**B** - a legal person, a non-corporate organisational unit - must include a person/persons (an architect/architects) who meet the requirements specified in p. 5.2. chapter I.

**C** - entities acting jointly (e.g. consortium), each entity acting jointly must include a person/persons (an architect/architects) who meet the requirements specified in p. 5.2. chapter I.

**D** - entities acting jointly (e.g. a team of authors [architects]) - each person (an architect) must meet the requirements specified in p. 5.2. chapter I.

**Question 12:**

Irrespective of the question above, can I name, in appendix 5, ONLY persons (designers) who have done studies specified in point 5.2.1., or is it enough to name one such designer in every space provided, and additional team members who do not meet the above requirement can be given in the list?

**Answer:**

In Appendix 5 you must give the list of names of a design team developing a competition design, and specify the type of contribution (author, co-author, cooperation...), Other persons who participate in developing a competition design, and do not meet the requirements specified in p. 5.2., chapter I, must be included in the composition of a design team, (team or authors), besides an architect, who must meet the requirements specified in p. 5.2, chapter I.

In case of a **competition participant** being a team of authors, persons (architects), who are not members of the team of authors must be given. Each of these persons should meet the requirements specified in p. 5.2. chapter I.

**Question 13:**

Do all designers mentioned in p. 1 of the table - appendix 5 have to have qualifications for designing, or is it enough for the main designer to have such qualifications, if s/he also meets the requirements specified in point 5.2.1. of the rules and regulations, and when it is allowed to name persons who do not have appropriate qualifications?

**Answer:**

Answer has been given at question 12.

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**Question 14:**

In the light of changes made to the point 5.2.1) of the rules and regulations, please explain whether the term “public utility building” is understood according to the definition in the regulation “on the technical conditions to be met by buildings and their location”, in particular, whether an office building is considered a public utility building.

**Answer:**

The term “public utility building” is understood according to the definition included in the Regulation of the Minister of Infrastructure of 12 April 2002 on the technical conditions to be met by buildings and their location (Journal of Laws No. 75 of 2002, item 690 as amended.) An office building is a public utility building.

**Question 15:**

Which document (Appendix 5) proving professional qualifications must be submitted by a participant from an EU state? In the country of the participant, documents necessary for performing the profession are: university diploma and an entry to a professional chamber.

**Answer:**

In order to prove the required professional qualifications, citizens of the European Union submit a certificate of being a member of a relevant professional chamber, issued by entities which registered offices are located in a Member State of the European Economic Area, valid as of the day of adjudicating the competition and recognised in the Republic of Poland.

**Question 16:**

Who translates documents written in a language other than Polish? As we understood from the point 5.9.3. of the competition rules and regulations, translation does not have to be done by e.g. a sworn translator.

Is it enough that a participant's power of attorney (a person authorised to submit declarations of intent on the behalf of a participant) certifies that the translated document conforms to the original?

**Answer:**

Answer has been given at question 10.

**Question 17:**

Are all members of a team of authors obliged to have the qualifications? Where should we put the names of persons participating in developing a design, who do not have qualifications or are not members of a chamber, or persons who are not architects but are cooperating at developing the design? In this case, is it possible to add a point to the table in Appendix 5?

**Answer:**

Answer has been given at questions 11, and 12. It is possible to supplement the table.

**Question 18:**

Are all designers participating in a design (named in the table of Appendix 5) obliged to demonstrate their contribution to the project mentioned in p. 5.2. of the competition rules and regulations, or does this requirement concern only the main designer (p. 1 of the appendix table)?

**Answer:**

Answer has been given at question 12.

**Question 19:**

According to p. 5.2.2 of the competition rules and regulations, we understand that architects taking part in the competition (in our case this will be a team of authors composed of two architects - natural, not legal persons), not a whole team given in the table of Appendix 5 are considered participants in the competition. In such case, these two persons will choose their power of attorney (being one of the above persons), named in Appendix 7. Do we understand the rules and regulations correctly?

**Answer:**

Answer has been given at question 12.

**Question 20:**

Should the objects mentioned in Appendix 6, illustrating the professional experience of a participant, include (and be confirmed by the Principals) only the objects listed in Appendix 5?

Is it possible to mention other objects, not being public utility buildings (e.g. social residential buildings, education facilities), which confirm professional experience?

**Answer:**

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Appendix 5 cannot include objects other than those required in p. 5.2.1) chapter I.

**13 June 2008**

**Question 21:**

I have two questions concerning the language that may be used in application documents for the competition:

- do we have to complete all "English" application forms in Polish?
- do we have to translate all documents (certificates) into Polish?

**Answer:**

All application documents have to be submitted on Polish forms completed in Polish.

Yes.

**Question 22:**

Is a project team from Argentina authorised to participate in the competition?

**Answer:**

Yes provided that it meets the participation criteria specified in item 5 chapter I of the competition rules and regulations.

**Question 23:**

Do three architects from one company constitute a team of authors or not, and do they need to have a proxy to represent them in the competition in both cases?

**Answer:**

Answer provided in question 11.

**Question 24:**

What does the expression "certified by an authorised person" mean, does it have to be a proxy or a person authorised to make statements of will on behalf of a company?

**Answer:**

It is a person authorised to make statements of will on behalf of a competition participant.

**Question 25:**

Are documents certifying company's experience (references) to be understood as a company's CV?

**Answer:**

No. References are understood as opinions (certificates) of Principals, certifying the execution of projects specified in item 5.2. chapter I, including the amendment to the competition rules and regulations introduced on 06.06.2008, certifying due diligence of the execution of the presented documentation.

**Question 26:**

Are Americans allowed to participate in the competition?

**Answer:**

Answer provided in question 5.

**Question 27:**

Is an architect that is currently supervising the execution of their own design that has already been approved, but has not been not constructed as of today (it concerns a public utility facility in the field of culture of the surface area of 12,000 m<sup>2</sup>, project for 2009), who is unable to prove other experience required under the rules and regulations, allowed to participate in the competition?

**Answer:**

Yes.

**Question 28:**

Is it necessary to fill in items 2, 3, 4 in Annex no. 5 when submitting a competition admittance application since there are no specific requirements as in the case of item 1.

**Answer:**

No.

**Question 29:**

Is a stadium qualified as a public utility facility in accordance with item 5.2.1?

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**Answer:**

Yes if it is a building.

**Question 30:**

Our office has two registered head designers. We are seated outside the territory of the European Union and the EFTA (in New York). I am unable to find a reference to article 12(a) of the Construction Law mentioned in the quoted item 22.1 of the Public Procurement Law. Please, explain how to verify the guidelines of the said item 12(a).

**Answer:**

In accordance with the act of 7 July 1994 – Construction Law (consolidated text Journal of Laws of 2006 No. 156, item 1118 as amended).

**Question 31:**

Our office is located outside the territory of the European Union, however, one of our head architects is a British citizen and holds a valid licence of "The Architects Registration Board" with its registered seat in Great Britain enabling them to practice their profession. Therefore, please state if our office meets the qualifications of European Union member states despite the fact that our business address is outside the EU?

**Answer:**

Yes.

**Question 32:**

In Annex no. 6 (Declaration of professional experience of the competition participant) it is required to attach documents (references) issued by Principals certifying due diligence of the execution of the presented documentation:

- can some of the above-mentioned references be issued by customers that commissioned the execution of designs developed by a Mechanical Engineer and an Electrical Engineer, with whom our company cooperates?
- can some of the above-mentioned references be issued by Principals commissioning designs that have not been constructed yet, but have already been successfully completed to the design submission phase (obviously assuming that at least one of the designs is a design meeting the requirements specified in item 5.2.1. of the competition rules and regulations)?

**Answer:**

References from Principals are required.

Yes.

**Question 33:**

Does Annex no. 6 have to be completed and signed by the Principal for the construction engineer, mechanical engineer, electrical engineer?

**Answer:**

No.

**Question 34:**

Do the following buildings qualify us for the competition (surface areas in square feet)?

- 180,000 sf computer centre/server room, Loudoun VA, 2007-08,
- 60,000 sf electronics plant, unexecuted project 2006,
- university campus designs, unexecuted 2004,
- 100-room hotel designs, unexecuted, NC 2002,
- two cinemas of the surface area of 500,000 sf (46.451 m<sup>2</sup>), executed, TX and Valleyview, OH 1997-98.

**Answer:**

The computer centre may be qualified provided that it is a public utility facility and that the design was developed during the period of the last 3 years before the announcement of the competition or during a shorter period if the period of conducting business activity is shorter.

**Question 35:**

Our company has been operating for a year now. During this period, we have executed a few designs in accordance with item 5.2.1, but they will not be completed until 2010. Our key project is a research laboratory of the surface area of 3,600 m. Does it meet the requirements included in item 5.2.1?

**Answer:**

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A research laboratory may be admitted provided that it is a public utility facility and that the design was developed during the period of the last 3 years before the announcement of the competition or during a shorter period if the period of conducting business activity is shorter.

**Question 36:**

Is a company from outside the territory of the European Union, Switzerland and EFTA / EEA allowed to participate in the competition? How can this be achieved?

**Answer:**

Answer provided in question 5.

**14 June 2008**

**Question 37:**

Is it required to have structural engineering and MEP consultants at the first stage of the competition, or is it to be determined later?

**Answer:**

The competition rules and regulations do not include such requirements

**Question 38:**

Will we receive CAD designs of plots after registration?

**Answer:**

All necessary maps constitute annexes to the competition rules and regulations (no. 13, 14, 15).

**Question 39:**

Will you invite only selected Architects after submission of competition admission applications, or will the verification process be more focused on the required qualifications?

Is there a specific number of architects to be invited / admitted to the next stage?

**Answer:**

In accordance with item 4.2. chapter II of the competition rules and regulations.

**Question 40:**

Do you plan to provide architects participating in the competition with any remuneration?

**Answer:**

In accordance with item 2.4. chapter VII of the competition rules and regulations.

**Question 41:**

What language is to be applied in the competition?

**Answer:**

Polish.

**Question 42:**

What materials must be submitted in the competition: charts, drawings, slides, files, etc.? What is the required size of charts, what is the required content and scale of drawings?

**Answer:**

In accordance with chapter V of the competition rules and regulations.

**Question 43:**

How to register in the competition: via e-mail, fax, mail? To what address are the required documents to be sent?

**Answer:**

Participants are to submit written competition admission applications in accordance with item 3 chapter II of the competition rules and regulations in a sealed envelope with the following notice "COMPETITION FOR THE DEVELOPMENT OF ARCHITECTURAL DESIGN CONCEPT OF THE MUSEUM OF MODERN ART IN WROCLAW" by 27.06.2008 till 3.00 p.m. in person, by courier mail or post to the registered office of the Organisational Secretary of the Competition. Applications sent by post must reach the registered office of the Organisational Secretary of the Competition by the above-mentioned date. Applications that will come after this date will not be considered.

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**Question 44:**

Does an architect that is registered in a EU member state, but that is currently staying outside the EU meet the competition requirements?

**Answer:**

Yes.

**Question 45:**

Our office is seated in Lebanon, where many of the required documents do not exist: business activity register, tax identification number, social insurance, national criminal record, documents certifying the financial situation of a company. In this situation, can we present similar translated and certified documents?

**Answer:**

In accordance with the competition rules and regulations, a contest participant that has its registered office or place of residence outside the Republic of Poland submits the above-mentioned documents at the stage of awarding public procurement to an author/a team of authors awarded the first prize, specified in item 5.6.1. and 5.6.2. chapter I of the competition rules and regulations. A contest participant that has its registered office or place of residence outside the Republic of Poland submits a competition admission application containing documents specified in item 5.9.1. chapter I of the competition rules and regulations, including a declaration on submission of the above-mentioned documents at the stage of public procurement award, whose content is in accordance with the specimen that constitutes Annex no. 4 to the competition rules and regulations.

**Question 46:**

Our question concerns the requirement presented in the competition rules and regulations in chapter I, item 5.2 concerning experience in the execution of designs – what is necessary to certify it? Our office designed and supervised the execution of the seat of the world-famous fashion designer Elie Saab in Beirut. Are photos enough, or other documents, such as a planning permission and operation permit, are required?

**Answer:**

Only references from the Principal, certifying due diligence of the execution of designs mentioned in the competition rules and regulations, are required

Wacław Hryniewicz – Reporting Juror