

## **REGULATIONS OF THE COMPETITION**

to develop the concept of a view point  
on the construction site of the MUSEUM OF MODERN ART IN WARSAW

The value of the competition does not exceed 30,000 EU

## **COMPETITION ORGANIZER:**

MUSEUM OF MODERN ART IN WARSAW

ul. Pańska 3, 00-124 Warsaw

WARSAW, JULY 2019

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**Regulations of the competition to develop a concept VIEW POINT on the construction site of the MUSEUM OF MODERN ART in Warsaw next as: "Competition Regulations"**

**CHAPTER I**

**GENERAL PROVISIONS**

**1. ORGANIZER AND CONDUCTOR**

1) The competition is organized by the Museum of Modern Art in Warsaw with headquarters in Warsaw (00 124) at ul. Pańska 3, represented by: Mr. Mikołaj Mundzik - Deputy Museum Director, hereinafter referred to as the "Competition Organizer" or "MSN".

2) Correspondence related to this contest should be sent to: ul. Pańska 3, 00-124 Warsaw, e-mail: [newbuilding@artmuseum.pl](mailto:newbuilding@artmuseum.pl)

**2. LEGAL BASIS**

1) The competition is organized in accordance with:

a) Act on copyright and related rights of 04/02/1994 (Journal of Laws of 2019, item 1231).

b) the Construction Law of 7 July 1994 (Journal of Laws of 2018, item 1202, as amended) and executive provisions to the Act.

c) Regulation of the Minister of Infrastructure of April 12, 2002 on technical conditions that should be met by buildings and their location (ie Journal of Laws No. 2019, item 1065).

2) The competition is not subject to the provisions of the Public Procurement Law.

**3. FORM AND TYPE OF THE COMPETITION**

The competition is organized in the form of an open, limited, one-stage, international competition, addressed to a specific group of Participants, in which persons fulfilling the conditions for participation in the competition submit Competition entries under the requirements set out in the Competition Regulations.

**4. OBJECTIVE, TASK, PROGRAM ABOUT THE INSTITUTION - THE MUSEUM OF MODERN ART IN WARSAW**

The Museum of Modern Art in Warsaw is a national cultural institution established by the Ministry of Culture on April 26, 2005. Since 2008, the institution has been

conducting an extensive program, organizing exhibitions and events. The Warsaw City Hall, in accordance with the bilateral agreement with the Ministry, took responsibility for the construction of the new Museum building. In 2014, the Museum signed a contract for an architectural design with the American architectural studio Thomas Phifer and Partners. From April 2019 on the Plac Defilad, the new headquarters of the Museum is under construction, which is being carried out by the general contractor Warbud S.A. The planned date of completion of the construction is December 2022.

## OBJECTIVES AND MISSION

The aim of the competition is to implement a temporary facility that is a lookout point that also combines the function of an information point, which will be located directly at the construction site of the new headquarters of the Museum on Plac Defilad. The object implemented on the basis of the concept selected in the competition will be a temporary installation, existing until the completion of the construction of the new Museum building.

Its form should intrigue, attract and encourage entry and familiarization with information about the Museum and its construction. The object being the subject of the competition is to support the idea accompanying the Museum, stimulate intellectually, involve and bring the institution closer to the recipients as well as the process of creating its new headquarters.

Our intention is to make the object a sign of ongoing investment. We would like his form to indicate that the building of the Museum of Modern Art in Warsaw, an institution that will share, interpret and exhibit a collection of modern and contemporary art, presents it to the widest possible audience from all over Poland and foreign visitors to the Polish capital.

## THE TASK OF THE COMPETITION

The task of the competition is to choose the best viewpoint concept, based on which the general contractor, the company Warbud S.A., will prepare, in agreement with the author of the winning work, detailed designs and build this object in the designated area, separated from the construction site. The direct cost of the works related to the construction of the facility may not exceed PLN 45,000.00 net.

## FOR WHOM A CONTEST IS ADDRESSED

We invite young artists - students and graduates of the university of science:

- 1) Artistic,
- 2) Architecture
- 3) Construction

We hope that the competition will be a chance for people who are at the beginning of their career. We would like its free formula to release the unfettered creative potential of the most talented young designers. We believe that the works highlighted in the competition will be an interdisciplinary inspiration for discovering new forms of expression.

## **CHAPTER II**

### **DETAILED DESCRIPTION OF THE SUBJECT OF THE COMPETITION**

#### **1. OBJECT OF THE COMPETITION - FUNCTIONAL, TECHNICAL, FORMAL AND MATERIAL EXPECTATIONS**

The subject of the competition is the development and presentation by the Competition Participants of the concept of a temporary viewing point, in accordance with the following assumptions:

- 1) The basic function of the building is the function of a viewpoint to the construction site.
- 2) The object is also to combine the function of an information point.
- 3) The object will be located on the elevation, which will provide a natural view of the construction site without the need to create additional viewing platforms. However, it is allowed to take out part of the floor, no more than 2 (two) meters above the surrounding area, with the assumption that its main part will be at ground level and will be accessible to people with disabilities.
- 4) The surface of the object's base should not be larger than 25 m<sup>2</sup>. The surface of the object should allow up to 10 people to be able to stay there.
- 5) The object should be designed so that it is possible to transfer it using a crane in whole or in parts to a place other than that indicated in the terms of the competition.
- 6) The concept of the facility should enable designing it from materials classified according to the reaction to fire class according to PN-EN 1350, as A1, S1, D0;
- 7) within the facility, the place of installation of the information board with dimensions of 100 x 70 cm should be provided;
- 8) The object should be characterized by high resistance to damage and durability, it is preferable to use vandal resistant materials and use environmentally friendly materials, and due to the temporality of the facility, the possibility of later recycling of used materials is preferred;
- 9) The facility should allow easy and possibly all-year-round maintenance;
- 10) The facility should be safe and friendly for visitors, including children.
- 11) The lighting of the facility should be provided, ensuring that the viewing point can be used in the evening and at night. Additionally, please indicate the location of the power point.
- 12) Expectations as to the height and volume of the object are not specified.
- 13) The total direct cost of the observation point established by the Competition Promoter is no more than PLN 45,000.00 net.

#### **2. THE AREA OF THE COMPETITION TASK**

The area of development / location of the object of the view point is the area within the limits marked on the information board (Annex C1) on the construction site of the new MSN building. Access to the point facility will be provided by the General Contractor for the construction of MSN from the public area, subject to the general principles of safety of use and health and safety.

The object of the view point being the subject of the competition task, as a temporary object, is directly connected with the construction site and the period of its use will not exceed the date of commissioning of the new MSN headquarters. The observation and

it also works as an information function, as a temporary object, is not bound by regulations of the local zoning plan binding for this area.

### 3. SCOPE OF DEVELOPMENT

1) The competition design should contain:

a) land development project within the limits specified on the information board (Appendix C1) in the scale 1: 200;

b) conceptual design of the View Point;

c) a technical description containing basic information on the adopted functional, material and technical solutions together with a list of implementation costs;

d) to enable the use of works in accordance with the Competition Regulations, participants should provide the Organizer with the content of the elaboration in the form of an electronic record on electronic media (CD, flash drive) in the following formats:

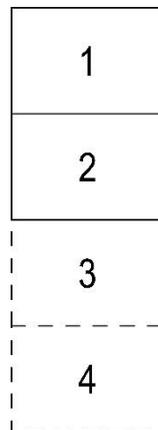
- for drawings (\* .jpg) or (\* .tif) in 300 dpi resolution.

- for text (\* .doc) for Windows 2000.

### 4. GENERAL RULES FOR DEVELOPING COMPETITION ENTRIES

1) Form of the competition work

All elements of the competition work should be carried out on lightweight rigid boards in A3 format. The number of boards is defined as 2 to 4. The boards in the horizontal layout should be arranged vertically according to the diagram shown next: Engineering technique - any, durable, legibly illustrating the project.



2) Graphic part:

a) The land development plan should be made using the provided electronic copy of the geodetic map in scale 1: 200 (Annex C2). The land development project should show the closest area necessary to illustrate the concept of a spatial object.

b) In the graphic part of the conceptual design of the viewpoint, all the projections, facades and characteristic cross-sections in the 1:50 scale, details of the elevation and

views, visualizations, sketches, should be presented. The minimum number of technical and graphic drawings is not set.

c) The graphic part of the project may contain diagrams, details, fragments of the object - necessary, in the opinion of the authors of the project, to clearly present the adopted concept.

3) Descriptive part:

a) The descriptive part should contain a short description of the adopted concept, including its elements difficult to represent graphically.

b) A table with the list of all spaces and the balance of the area should be attached to the descriptive part.

c) A cost estimate should be attached to the descriptive part.

4) The digital part

The digital part should be transferred with the project in a separate envelope. This part will not be evaluated, it will be opened after the competition is resolved and it will be used for exhibition purposes and promotion of competition results.

## 5. EXISTING STATUS AND TERRITORY MANAGEMENT GUIDELINES

1) The condition of the existing land development.

Currently, on the area designated for the viewpoint there is a paved surface of the parking lot with access, raised to about 2m above the area allocated for the new museum building. The area is open to the public and is adjacent to the fenced construction area.

2) Land development guidelines

The development of the area around the viewing point is left to the participants.

## CHAPTER III

### DATES, COMPETITION COURT, JUDICIAL TASKS, CRITERIA FOR EVALUATION OF COMPETITION ENTRIES

#### 1. DATES

- 1) Announcement of the competition - 10/07/2019
- 2) Submission of competition entries at the seat of the Competition Organizer on: Monday - Friday from 9:00 am to 3:00 pm, until 3:00 pm on ~~42/08/2019~~. **19/08/2019**  
The date of delivery of the work to the seat of the Organizer of the Competition is ul. Pańska 3, Warsaw.
- 3) Deciding and announcing the results of the competition, opening the exhibition - at the seat of the Competition Organizer - 11/09/2019;
- 4) The organizer of the competition reserves the right to change the above dates, which will be immediately notified to the Competition Participants.
- 5) Closing the exhibition - 25/09/2019

#### 2. COMPOSITION OF THE COMPETITION COURT

- 1) The following Judges were appointed to conduct and settle the contest:
  1. MSN W WARSZAWIE – Pan Mikołaj Mundzik
  2. MIASTO ST. WARSZAWA – Pani Małgorzata Nowaczyk
  3. WARBUD S.A. – Pani Justyna Siemiradzka
  4. APA WOJCIECHOWSKI Sp. z o.o. – Pan Szymon Wojciechowski

#### Deputies of the Judges

5. MSN W WARSZAWIE – Pan Wiktor Kazimierczak
6. APA WOJCIECHOWSKI Sp. z o.o. – Pan Marcin Grzelewski

#### **Organizational Secretary** of the competition: **arch. Adela Lenart**

2) In the event of dismissal of a member of the Competition Jury from its composition in connection with the reasons preventing the performance of the function of a member of the Competition Jury, the Competition Organizer may appoint in their place persons who are Substitutes of Judges.

3) Other advisors or appraisers may be appointed to cooperate with the Competition Jury in an advisory capacity, but not taking part in the final evaluation of the competition entries. The Competition Jury decides about the need to appoint them.

#### 3. TASKS OF THE COMPETITION COURT

1) The tasks of the Competition Jury include in particular:

- a) assessment of fulfillment by the Participants of the requirements set out in the Regulations of the Competition,
- b) evaluation of competition works,
- c) preparation of an opinion on competition entries,
- d) selection of the best competition entries and awarding prizes,
- e) possible applications for cancellation of the competition,
- f) preparation of justification for the outcome of the competition,
- g) development of post-competition recommendations for the highest rated work,
- h) conducting a post-competition discussion.

2) The proceedings of the Competition Jury are recorded in minutes.

3) The Competition Jury in the scope of tasks referred to in item 1 above is independent.

4) After the decision, the Competition Jury identifies all works, assigning works to individual Competition Participants, based on the number placed on the ID card.

## 5. CRITERIA FOR EVALUATION OF COMPETITION ENTRIES

1) The main prize and distinctions will be given to the author (s) for the concept that will fulfill the organizer's expectations in the highest degree in terms of compliance with the objectives and mission of the competition and expectations regarding its subject. At the same time, the condition for receiving the main prize is the possibility to implement the object based on the winning concept up to PLN 45,000 net.

2) The evaluation of the works will be made only on the basis of the graphic part and the descriptive part of the competition work. Works will be evaluated according to the following criteria:

a) Degree of compliance of competition entries with the objectives and mission of the competition, included in Chapter I, section 4 of the Competition Regulations,

b) Degrees of compliance of the competition entries with the organizer's expectations set out in Chapter II in sub-point 1 in the field of functional and spatial solutions,

c) Construction, material, operational and implementation solutions,

d) Possibility to implement the object based on the concept in the budget.

3) The criteria mentioned above are equivalent and decide in total on the assessment in 100%.

4) Each Judge evaluates the work in a holistic manner, according to the above criteria, individually.

5) Member of the composition of the Competition Jury representing the company Warbud S.A. it has the right of veto in relation to the choice of a project, whose implementation in the opinion of the judge exceeds PLN 45,000 net.

## CHAPTER IV

### CONDITIONS FOR PARTICIPATION IN THE CONTEST

#### 1. CONTEST PARTICIPANTS

- 1) A Contest Participant may be a natural person, legal person or organizational units without legal personality, or entities acting jointly, meeting the conditions set out in the Competition Regulations, hereinafter referred to as "Contest Participants".
- 2) Each Participant of the Competition is required to read the Competition Regulations.
- 3) Each of the Competition Participants may submit only one competition entry. A Contest Participant who submits more than one entry will be excluded from the competition and all competition entries made with his participation will be rejected. The submission of the application and the competition entry is also considered to be performed jointly with another Competition Participant.
- 4) Each Participant of the Competition may appoint a proxy authorized to submit a competition entry as well as statements and documents required by the provisions of these Competition Regulations.
- 5) The person authorized to represent the Competition Participant is a natural person or authorized person (authorized persons), in accordance with the principle of representation to submit declarations of will on behalf of a legal person or an organizational unit without legal personality, being a Competition Participant.
- 6) In the case when several Contestants compete together in the competition, the competition entry should be accompanied by a document of power of attorney to submit the competition entry and statements and documents required by the Competition Regulations by the Participant representing the participants participating jointly.
- 7) The competition may be attended by natural persons, legal persons or organizational units without legal personality, using natural persons meeting the conditions specified in these Regulations, or entities acting jointly.
- 8) The contest may be attended by people who meet the following conditions:
  - a) Are of age,
  - b) They were born after 01/01/1990,
  - c) Are University students or graduates with the following degrees:
    - fine arts and design,
    - architecture,
    - civil engineering.
- 9) Competition Participant who is a legal person or an organizational unit without legal personality must have a person who meets the conditions set out in point. 8) above.
- 10) Contest Participants who do not meet the requirements specified in the Competition Regulations are subject to exclusion.
- 11) Excluded from participation in the competition, with the consequence of excluding the competition work from the evaluation in the competition is also anyone who:
  - a) is an employee or co-worker of the Competition Organizer;
  - b) is a member of Competition Jury;
  - c) performed directly activities related to the preparation of this competition;
  - d) use, during the performance of the competition work, persons participating in the preparation of this competition;
  - e) in relation to the Competition Organizer, members of the Competition Jury, their legal substitutes, or members of the governing bodies or supervisory bodies, he is married, in a relationship of kinship or affinity in a straight line, relationship or affinity

- to the second degree or is associated with the title of adoption, care or guardianship,
- f) in relation to the Competition Organizer or members of the Competition Jury, their legal deputies or members of the management bodies or supervisory bodies, before the lapse of 3 years from the day of announcement of this competition, he remained in an employment or commission relationship,
  - g) stay with the Competition Organizer or members of the Competition Jury in such a legal or factual relationship that it may raise doubts as to the impartiality of these persons.
- 12) Participant of the Competition, whose competition entry will be considered the best by the Competition Jury, is hereinafter referred to as: "**Designer**".

## 2. REQUIRED DOCUMENTS REPRESENTING THE FULFILLMENT OF THE CONDITIONS FOR PARTICIPATION IN THE CONTEST

- 1) Documents are required to be submitted in the form of an original or photocopy certified for compliance with the original by a person authorized to represent the Competition Participant.
- 2) In order to confirm fulfillment of the conditions set out in the Regulations of the Competition, Competition Participants are required to submit:
  - a) Declaration on meeting the conditions for participation in the competition and not being subject to exclusion from the competition on the basis of the Competition Regulations, with the content in accordance with the template set out in Appendix A1 to the Competition Regulations,
  - b) Declaration on binding the Competition Rules and acceptance of its conditions with the content in accordance with the template set out in Appendix A2 to the Competition Regulations. In the case of submitting a joint Application for admission to the competition, the above-mentioned declaration is submitted by the attorney on behalf of the Competition Participants taking part in the competition together,
  - c) Declaration on the transfer to the Organizer of the author's contest of proprietary rights in the event of the award / distinction of his competition work in the scope and on the terms specified in these Regulations (Appendix A3 of the Competition Regulations),
  - d) List of members of the authors' team with an indication of the manager's designer, prepared as part of the Participant's identification card, according to Annex A4 to the Competition Regulations. Each of the persons mentioned in the list must sign with their name, which is a confirmation of participation in the authors' team,
  - e) Declaration of consent for the free use of the competition entry, with the content in accordance with the template set out in Appendix A6 to the Competition Regulations,
  - f) Declaration of consent to the processing of personal data, with the content in accordance with the template set out in Appendix A7 to the Competition Regulations.

## CHAPTER V

### MODE OF COMPETITION

#### 1. A METHOD OF COMMUNICATION WITH PARTICIPANTS OF THE COMPETITION AND TRANSFER OF DOCUMENTS AND REPRESENTATIONS

- 1) The announcement of the competition will be posted on the website: [www.artmuseum.pl](http://www.artmuseum.pl)
- 2) The competition rules and competition materials will be available for download at the website: [www.artmuseum.pl](http://www.artmuseum.pl)
- 3) Questions, notifications, information, answers to questions will be sent via email. Each party immediately confirms the fact of receiving them by the same route.
- 4) For organizational matters related to the competition, please contact the Organizational Secretary of the competition:

arch. Adela Lenart: mobile phone +48 600 023 365

e-mail: [ada.lenart@artmuseum.pl](mailto:ada.lenart@artmuseum.pl)

5) Correspondence address for the purposes of this competition: ul. Pańska 3, 00-124 Warsaw, tel. : 22 656 69 72, e-mail: [newbuilding@artmuseum.pl](mailto:newbuilding@artmuseum.pl)

6) Competition Organizer's Office is open: Monday - Friday from 09:00 to 17:00.

#### 2. HOW TO GIVE EXPLAINTS

- 1) The Contest Participant has the right to make inquiries regarding the provisions of the Competition Regulations.
- 2) Questions should be sent via e-mail to the address given in point 1, item 5) above, no later than by ~~20/07/2019.~~ ~~29/07/2019~~ **05/08/2019**
- 3) Replies of the Competition Jury to anonymous questions (including the content of queries) will be published immediately on the website: [www.artmuseum.pl](http://www.artmuseum.pl), without disclosing the source of the inquiry.
- 4) All information addressed to the Competition Participants will be posted on the website: [www.artmuseum.pl](http://www.artmuseum.pl).
- 5) Answers, explanations and possible changes in the Competition Regulations are binding for all Participants of the Competition as soon as they are posted on the website: [www.artmuseum.pl](http://www.artmuseum.pl).

#### 3. LANGUAGE USED IN THE CONTEST

- 1) The competition is conducted in Polish and in English. All information on the boards and technical description should be prepared in Polish or in English.

2) Statements referred to in Chapter IV, point 2, point 2 and other documents in the competition may be submitted in another language together with a certified translation into Polish or English.

3) Documents, materials and other information submitted in a language other than Polish or English, without the required translation referred to in point 3 (2) above, will not be considered.

#### 4. METHOD OF SUBMITTING COMPETITION ENTRIES

1) In order to enable the use of the works, in accordance with the Competition Regulations, the Competition Participants are required to provide the Competition Organizer with the content of the study in a form corresponding to the content of section 4 of Chapter II of the Competition Regulations.

2) A competition entry or any of its elements may not be signed by the Competition Participant nor may it contain the name of the Contest Participant.

3) The entire competition work, specified in point 4 of Chapter II of the Competition Regulations, must be written in Polish or in English.

4) Materials not covered by the scope of the competition, specified in the Competition Regulations, will not be considered.

5) All documents for the competition entry: receipt card for the competition entry, files, charts, attachments, descriptions, envelope containing the identification card and the work package itself should be marked with a six-digit identifying number. The identifying number should be written in black in the top right corner of the document, but it should not exceed 1 cm in height and 5 cm in length.

6) Participants of the Competition submit their entries in person or by post. In the case of posting of works by post, to work prepared in accordance with the instructions contained in item 4 (8) below, an unsealed envelope marked "ENVELOPE C" and an identification number prepared in accordance with the description in item 4, item 5 above must be attached, containing :

a) unsealed envelope addressed to the Competition Participant with a return address and stamped, as per a registered letter,

b) Receipt of receipt of the competition entry marked by the Competition Participant with the identifying number identical to the number indicated on the packaging of the work.

7) The works are accepted by the Organizational Secretary of the competition. The receipt of the competition entry on the form constituting Annex A5 to the Competition Regulations, marked by the Competition Participant with the identifying number identical to the number indicated on the packaging, is completed by the date and time of accepting the work and the signature of the Organizing Secretary of the competition. In the case of works sent by post, the receipt of the competition entry will be sent back to the address given as the return address according to point 6) above. The receipt of the competition entry is the only document entitling the Competition Participant to receive the prizes, as well as works not awarded and not awarded in the competition.

8) Together with the competition work, two envelopes should be submitted separately to the Organizing Secretary of the competition:

a) an envelope bearing only the words "ENVELOPE A" and a six-digit identifying number, which will be identical to the number placed on its own competition work. Inside this envelope, the participant's statements should be placed in accordance with Annexes A1, A2, A3 to the Competition Regulations. The envelope should be closed in a way that makes it impossible to read its contents. The undamaged envelope will be kept by the Organizational Secretary of the competition. The envelope will be opened by the Organizing Secretary of the competition together with the Judge's clerk to determine that the Competition Participants have met the requirements before opening the work evaluation wire. The Competition Jury will be acquainted with the report of the Organizational Secretary of the competition without revealing the data of the authors of the work and will decide whether to accept the work for evaluation by the Competition Jury.

9) Works submitted after the deadline will be immediately returned to the Contest Participants.

10) The Organizer of the Competition ensures that it is impossible to identify the authors of the competition works until the Competition Jury has settled the competition.

11) Reconnaissance numbers accepted by the Competition Participant will be permanently taped and encrypted by the Organizing Secretary of the competition with the participation of the Referee Leader and will be replaced permanently by a new numbering, which will be the mandatory designation of work throughout the duration of the Competition Jury. A protocol will be drawn up with this activity, which will be placed in a sealed envelope. Envelope will be kept by the Organizational Secretary of the competition until the results of the competition are announced.

12) Competition entries submitted by a Competition Participant may be withdrawn only prior to the deadline for submission of competition entries specified in Chapter III, point 1, point 2 of the Regulations. The withdrawal of works may take place after presentation of the original receipt of the competition entry.

13) The introduction of changes and additions is possible only before the deadline for submission of competition entries, specified in Chapter III, point 1, point 2 of the Regulations. The introduction of changes or additions to the competition work must take place in compliance with the requirements set out for the competition entry, with the proviso that the envelopes will contain the additional designation "CHANGE / ADDITION".

14) The organizer does not provide for the reimbursement of work costs.

## 5. RESOLUTION OF THE COMPETITION

1) The Competition Jury eliminates works that do not meet the formal requirements set out in Chapter II, points 3 and 4, based on the verification of the content of declarations submitted by the Competition Participants (envelope A).

2) The Competition Jury evaluates competition entries at closed meetings, in accordance with the criteria set out in the competition notice and the Competition Regulations.

3) The Competition Jury is deciding the competition, choosing the best competition entry from the competition entries.

4) After the competition has been resolved, the awarding and justification for the awarding of prizes, the Competition Jury will identify all competition entries. At the same time, the names of the authors of the works (envelope B) will be revealed.

5) Organizer at the request of the Competition Jury will annul the competition if:

a) no competition work has been submitted, which meets the conditions of the Competition Regulations,

b) the competition is burdened with an unlawful legal defect that prevents the proceedings following the competition provided for in the Competition Regulations.

## 6. ANNOUNCEMENT OF COMPETITION RESULTS, RETURN OF COMPETITION ENTRIES

1) Announcement of the results of the competition, opening of the post-competition exhibition and discussion will take place at the seat of the Competition Organizer on 11/09/2019.

2) The Competition Organizer reserves the right to present all competition entries during the post-competition exhibition referred to in item 1 above.

3) The announcement of the results will be made public and published on the website: [www.artmuseum.pl](http://www.artmuseum.pl). The participants will be informed about the time and place of the announcement of results and post-competition discussion participants by e-mail.

4) Immediately after the competition has been resolved, the Competition Organizer will provide an announcement of the results of the competition to the Office for Official Publications of the European Communities.

5) Immediately after determining the results of the competition, the Competition Organizer will notify all Participants of the competition about its results by publishing it on the website: [www.artmuseum.pl](http://www.artmuseum.pl). The notification will also be sent electronically to the author of the selected competition work or to the authors of selected competition works and awarded works.

6) Competition entries that have not received prizes will be available for pickup at the seat of the Organizer of the Competition, for the return of the original Receipt of the competition entry, but not earlier than two months after the announcement of the competition results. Competition entries will be kept by MSN for 6 months from the date of announcement of the results of this competition. If the Contest Participant does not collect the competition entry within the time specified in the previous sentence, this work will be destroyed.

## 7. AUTHOR PROPERTY RIGHTS

- 1) All Participants of the Competition declare their will to transfer all their proprietary copyrights free of charge to the competition works they have made to the Competition Organizer. After the competition is settled, the Contest Organizer signs with the authors of the awarded and highlighted work agreements the transfer of the proprietary copyrights to the awarded competition entries.
- 2) All Contest Participants retain their personal copyrights to the competition entries made, in accordance with the Act on Copyright and Related Rights of 04/02/1994 (Journal of Laws of 2019, item 1231).
- 3) The Competition Organizer has the right to use all competition entries, based on the Participant's Statement contained in Appendix A6 to the Competition Regulations, in the scope of:
  - a) publication of the work in whole or in parts in the post-competition catalog,
  - b) public presentation of the work at the post-competition exhibition,
  - c) dissemination by presenting the work in whole or in part in the publications of the Competition Organizer,
  - d) publication of the work in whole or in fragments in the press or electronic media,
  - e) publication of the work in whole or in part in the publishing houses promoting the investment or the Organizer of the competition.

## CHAPTER VI

### AWARDS

#### 1. PRIZES AND AWARDS

- 1) The Organizer of the Competition will award prizes to the Competition Participants who will receive the highest marks of competition entries and at the same time meet the conditions specified in the Competition Regulations.
- 2) The type of prizes awarded depends on the assessment of the work done by the Competition Jury based on the evaluation criteria of the works indicated in the Competition Regulations.
- 3) The basic prize will be awarded to the Contest Participant who - in the opinion of the Competition Jury - meets the criteria of the work evaluation in the most appropriate way. The distinctions will be awarded to the Contest Participants who, after ranking the works by the Competition Jury, will take the next places in the competition.
- 4) The main prize in the Competition is the implementation of the winning project made by the efforts of the General Contractor of the new MSN building - WARBUD S.A. The winner of the winning design will be the work the Competition Jury will award the basic prize. The immanent part of the Basic Award is the co-creation of the implementation concept of the point facility, which will be used to carry out detailed designs by Warbud SA project designers.

- 5) The prizes for the distinctions in the competition are three two-month internships (each one-person internship for one person from the composition of each distinguished Competition Participant):
  - a) one in MSN - an internship addressed exclusively to the awarded Competition Participants who are students or graduates of higher schools with the following majors: fine arts and design,
  - b) one in APA Wojciechowski sp. z o.o. - internship addressed exclusively to the awarded Competition Participants who are students or graduates of higher education schools: architecture
  - c) one in Warbud S.A. - internship addressed only to the awarded Contest Participants who are students or graduates of higher education schools: construction (internship will be carried out on the basis of a paid internship contract).
- 6) Admission for a specified internship takes place in accordance with the education held, in the manner indicated in item 5 above. Featured Participants do not have the opportunity to choose an internship. There is no possibility of accepting a person who has an education incompatible with the business profile of the receiving entity for the internship. In the case when there are more than one person with the same education among the awarded Participants, the place in the competition will decide about the award in the form of an internship.
- 7) The Competition Jury reserves the right to change the number and type / nature of distinctions within the current possibilities, but without the possibility of reducing their number indicated in point 5. The court may award honorary distinctions.
- 8) On the basis of the best competition work, an executive design of the viewpoint by Warbud S.A. will be prepared.
- 9) The designer who is the author of the winning project (hereinafter referred to as the "Designer") will be invited to co-operate the implementation project of the viewpoint together with Warbud S.A.
- 10) The basis for co-working on the implementation project of the viewing point will be the contract concluded between MSN and the Designer. Remuneration for cooperation under the signed agreement will amount to PLN 5,000 gross (in words: five thousand zlotys 00/100).
- 11) After the competition is resolved, an exhibition will be presented presenting the highlighted works.

## **CHAPTER VII**

### **MEANS OF LEGAL PROTECTION. BINDING AND DESIGNER ARRANGEMENTS**

#### **1. INSTRUCTION ON LEGAL AID MEASURES PARTICIPANTS OF THE COMPETITION**

The means of legal protection enjoyed by the Participants of the Competition result from the law generally applicable on the basis of civil law.

#### **2. BINDING ARRANGEMENTS OF THE DESIGNER- THE AUTHOR OF THE WINNING PROJECT AND ORDERING PARTY, AND RELEVANT PROVISIONS THAT WILL BE INTRODUCED TO THE AGREEMENT FOR THE DEVELOPMENT OF THE FINAL CONCEPT OF THE REALIZATIONAL CONCEPT**

1) The Organizer of the Competition declares that he is bound by the Competition Regulations for the duration of the competition and the duration of the contracts concluded as a result of the competition to develop the final concept and to supervise the object being carried out.

The results of the competition are subject to approval by the Director / deputy of the Museum of Modern Art in Warsaw.

2) The subject of the contract / agreements concluded by the Competition Promoter with the Competition Participant whose work will be awarded will be cooperation with Warbud S.A. in the preparation of the final implementation concept of the facility and transfer to the Competition Organizer of property copyrights for the competition work and documentation of the aforementioned concept.

3) The construction and executive design of all industries will be prepared in accordance with applicable law by the designers of the General Contractor of WARBUD S.A. on the basis of the final executive concept of the facility agreed with the Designer and by transferring to the WARBUD S.A. copyright to her.

4) The designer, after completing the subject of the contract for the development of the final executive concept, should submit a statement about the completeness of the documentation, in accordance with the purpose it is to serve.

5) The subject of the contract will be made on the basis of the architectural concept of the lookout and information point constituting the selected competition work, however the Competition Promoter reserves the right to order the designer to introduce changes to the design documentation to the project documentation if he deems it necessary due to the conditions implementation and purpose of the object.

6) Detailed deadlines for the implementation of project work will be included in the contract for the development of the final implementation concept. The Competition Organizer reserves the shaping of the contract / agreements in accordance with the approved construction stage.

7) The designer (project team) declares in writing that he is entitled to proprietary copyrights to all studies being the subject matter of the contract and that in the performance of the contract he will not infringe any copyrights or other intellectual property rights vested in third parties.

8) The designer (project team) will transfer to the Competition Promoter proprietary copyrights for the competition work and all studies being the subject of the agreement referred to in item 2 above and any copies of these studies in the following fields of exploitation listed in the Copyright and Rights Act related (Journal of Laws 2019, item 1231), concerning in particular:

a) project implementation,

b) duplication,

c) reproduction by any possible technique, in particular by printing, making prints, using magnetic, magneto-optical, digital, video techniques, computer technology,  
d) placing on the market,

e) the performance or commissioning of subsidiary copyright,

f) public access, in particular on a public exhibition or exhibition, to the computer memory,  
transmission via a multimedia, computer and ICT network, including the Internet,

g) making corrections during the preparation of the final design and construction, which do not significantly affect the spatial design of the project,

h) making changes in the decor and equipment.

9) The transfer of the above rights to the Competition Organizer in the scope of elaboration of the final implementation concept of the facility, carried out under the concluded contract referred to in item 2 above, will take place at the moment the Organizer of the Competition receives the individual works.

10) The designer shall be provided with unlimited rights to use, at home and abroad, exclusively for documentation (archiving), reference and promotional purposes, from projects subject to copyright in the fields referred to in point 8 lit. b, c, f, g, without the right to collect remuneration or other direct benefits in this respect by the designer or third parties.

11) The designer is responsible under the warranty for physical and legal defects of the work according to the rules set out in the Civil Code.

12) The Designer's responsibilities under the concluded agreement (s) with the Competition Organizer will include in particular:

- a) execution of the works referred to in point 2 item 2 above in a manner consistent with the requirements of the Construction Law, other regulations and Polish Standards and the principles of technical knowledge,
- b) explaining doubts regarding the project and the solutions contained therein to persons appointed to manage the project by the Competition Organizer,
- c) supplying design documentation or parts thereof with a statement that it is made in accordance with the contract, applicable regulations, including technical and construction regulations, and that it is delivered in a complete state from the point of view of the purpose it is intended to serve,
- d) to provide the Competition Organizer with completed documentation in the number of four copies, including also on an electronic medium in DOC format, PDF.

## CHAPTER VIII

### APPENDIXES TO THE REGULATIONS OF THE COMPETITION

#### A. FORMAL APPENDIXES

- 1) Model of declaration on fulfilling the conditions of participation in the competition and on not being subject to exclusion from the competition - Appendix A1.
- 2) Template of the Contest Participant's declaration on the binding of the competition regulations and acceptance of its conditions - Appendix A2.
- 3) Template of the Contest Participant's declaration on the transfer of proprietary copyrights to the Organizer of the Competition in the case of awarding a competition entry - Appendix A3.
- 4) Specification of the identification card - Appendix A4.
- 5) Specimen receipt for the competition work to develop the concept of the view point for the construction of the Museum of Modern Art in Warsaw - Appendix A5.
- 6) Template of the Contest Participant's declaration of consent for free use of the competition entry - Appendix A6
- 7) Model Contest Participant's declaration regarding RODO - Appendix A7

#### B. INFORMATION APPENDIX

- 1) The construction site organization chart - Appendix B1.

**1.1) The construction site organization chart - ALTERNATIVE LOCATION - Appendix B1.1 (new appendix)**

- 2) Design of the MSN building - [www.newbuilding.artmuseum.pl](http://www.newbuilding.artmuseum.pl)

#### C. GRAPHIC APPENDIX

- 1) Geodetic map with determination of the location of the vantage point in DWG format - Appendix C1.

**1.1) Geodetic map with determination of the location of the vantage point in DWG format - ALTERNATIVE LOCATION - Appendix C1.1 (new appendix)**

- 2) Photos - Appendix C2.

The above Competition Regulations have been approved by the Competition Promoter:

**Appendix No. A1 to the Competition Regulations**

**DECLARATION OF FULFILLMENT OF THE CONDITIONS FOR PARTICIPATION IN THE COMPETITION AND NOT BEING EXCLUDED FROM THE COMPETITION**

Behalf .....

First name and surname / name of the participant \*

Competition Participant at:

**DEVELOPMENT OF THE CONCEPT OF A VIEW POINT AT THE BUILDING PLACE OF THE MUSEUM OF MODERN ART IN WARSAW**

- 1. I declare that the Contest Participant I represent meets the conditions regarding:
  - 1) Participant's age (applies to all members of the authors team) described in Chapter IV, point 8, lit. a) -b) of the Competition Regulations.
  - 2) qualifications of the Participant (refers to the minimum of the person managing the designer) described in Chapter IV, point 8, lit. c) Competition Regulations.
- 2. I declare that I am not excluded from the proceedings on the basis of the provisions contained in the Competition Regulations.

.....  
place, date      signature of the authorized representative / Participant of the Competition

\* If participants jointly participate in the competition, please provide the above information for each partner.

**Appendix No. A2 to the Regulations of the Competition**

**DECLARATION OF THE COMPETITION PARTICIPANT CONCERNING THE RULES AND CONDITIONS OF THE COMPETITION AND ACCEPTANCE OF ITS CONDITIONS**

Behalf .....

Name and surname / Name of the Participant \*

Competition Participant at:

**DEVELOPMENT OF THE CONCEPT OF THE VIEW POINT ON THE BUILDING PLACE OF THE MUSEUM OF MODERN ART IN WARSAW.**

I hereby declare that:

a) we have read the competition rules and we do not raise any objections to it and have obtained the necessary information to prepare the competition entries,

b) we are bound by the Competition Regulations,

c) we undertake to include in the further studies guidelines and comments of the Competition Organizer,

.....  
.....

place, data signature of the authorized representative / Participant of the Competition

\* If participants jointly participate in the competition, please provide the above information for each partner.

**Appendix A3 of the Competition Regulations**

**DECLARATION OF THE PARTICIPANT OF THE COMPETITION ON THE TRANSFER OF AUTHOR'S PERSONAL PROPERTY RIGHTS TO THE ORGANIZER OF THE COMPETITION IN THE EVENT OF THE COMPETITION AWARD**

On behalf of the Participant.....  
Participants name

Participant in competition:  
DEVELOPMENT OF THE CONCEPT OF THE VIEW POINT ON THE BUILDING PLACE OF THE MUSEUM OF MODERN ART IN WARSAW.

I declare that in the case of awarding / distinguishing his competition work, I transfer my proprietary copyrights to the work awarded / awarded in the scope and under the conditions specified in these Regulations in Chapter V, item 7.

.....  
Place, date                      signature of the authorized representative/Participant of the Competition

\* If the Participants jointly participate in the competition, the above data should be provided for each partner

## Appendix A4 of the Competition Regulations

### ID CARD

Participant in competition:

DEVELOPMENT OF THE CONCEPT OF THE VIEW-INFORMATION POINT  
ON THE BUILDING PLACE OF THE MUSEUM OF MODERN ART IN WARSAW.

ACTING ON BEHALF:

Name:.....

Address:.....

Phone:.....

Social security number: .....

Tax ID: .....

E-mail: .....

We declare that the competition entry has been marked with the following identifying number:

LIST OF MEMBERS OF THE AUTHOR TEAM IN THE COMPETITION FOR THE  
DEVELOPMENT OF THE CONCEPT OF THE VIEW POINT AT THE BUILDING SITE OF  
THE MUSEUM OF MODERN ART IN WARSAW

No	Name	Birth date	Qualifications	Character of work participation	Signature
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					

I DECLARE that the person indicated above will be made available to the Competition Participant if selected as the contractor

.....  
Signatures of persons providing human resources

.....  
Place, date

.....  
Participants signatures

\*If the Participants jointly participate in the competition, the above data should be provided for each partner.

**Appendix A5 of the Competition Regulations**

A copy for the organizer

RECONCILIATION OF THE RECEIPT OF THE COMPETITION WORK TO DEVELOP THE CONCEPT OF THE VIEW POINT FOR THE CONSTRUCTION OF THE MUSEUM OF MODERN ART IN WARSAW.

We declare that the competition entry has been marked with the following identifying number:

.....

**Adopted on (date):** .....

.....  
stamp of the Competition Organizer

.....  
signature of Competition Organizer Secretary

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A copy for the Competition Participant

RECONCILIATION OF THE RECEIPT OF THE COMPETITION WORK TO DEVELOP THE CONCEPT OF THE VIEW-INFORMATION POINT FOR THE CONSTRUCTION OF THE MUSEUM OF MODERN ART IN WARSAW

We declare that the competition entry has been marked with the following identifying number:

.....

**Adopted on (date):** .....

.....  
stamp of the Competition Organizer

.....  
signature of Competition Organizer Secretary

---

## Appendix A6 to the Competition Regulations

### STATEMENT OF THE PARTICIPANT OF THE COMPETITION FOR EXPRESSING THE FREE AND EQUIPPED PURCHASE OF THE COMPETITION

Behalf

.....

First name and surname / name of the participant \*

Competition Participant at:

### DEVELOPMENT OF THE CONCEPT OF A VIEWING POINT AT THE BUILDING PLACE OF THE MUSEUM OF MODERN ART IN WARSAW

I hereby authorize (allow) free of charge the Museum of Modern Art in Warsaw for the use of the competition work I have developed, which is a work within the meaning of copyright law, hereinafter referred to as "the Work", in the following fields of exploitation:

- a) publication of the work in whole or in parts in the post-competition catalog,
- b) public presentation of the work at the post-competition exhibition,
- c) dissemination by presenting the work in whole or in part in the publications of the Competition Organizer,
- d) publication of the work in whole or in fragments in the press or electronic media,
- e) publication of the work in whole or in part in the publishing houses promoting the investment or the Organizer of the competition.

At the same time, I declare (declare) that this work is free of legal defects. In the event that third parties report to the Museum of Modern Art claims for copyright infringement of these people in connection with the use of the Work, I oblige (oblige) to satisfy these claims and cover all kinds of damages incurred by the Museum of Modern Art on this account.

.....

place, date, signature of the authorized representative / Participant of the Competition

## Appendix A7 of the Competition Regulations

### DECLARATION OF THE COMPETITION PARTICIPANT CONCERNING PERSONAL DATA PROTECTION

I, undersigned, acting on behalf of and for the benefit of the Contest Participant, i.e.: (name)....., based in (address) ....., I declare that I have fulfilled the information obligations provided for in article 13 or 14 RODO<sup>1)</sup> towards natural persons, from whom I have directly or indirectly obtained personal data for the preparation / development of a competition entry\*\*.

.....  
Place, date

.....  
Signature

\* The Competition Participant submitting the work in the competition is obliged to fulfill all formal and legal obligations related to participation in the request for proposal. These duties include obligations arising from the RODO), in particular the information obligation provided for in Article 13 RODO towards natural persons whose personal data refers to and from which the data the contractor has directly acquired. However, the information obligation under Article 13 RODO will not apply if and to the extent to which the natural person to whom the data relates already has that information (see Article 13 (4)).

In addition, the Contractor will have to fulfill the information obligation resulting from Art. 14 RODO towards natural persons whose data is provided to the Ordering Party and which data has been obtained indirectly, unless at least one of the inclusions referred to in art. 14 par. 5 RODO.

\*\* In the case that the Contractor does not provide personal data other than directly related to him or there is an exemption of the obligation to provide information, pursuant to art. 13 par. 4 or art. 14 par. 5 The content of the declaration is not made by the contractor (deletion of the contents of the declaration by deleting it).

.....  
Place, date

.....  
Participants signature

- 1) RODO - Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46 / EC (general regulation on data protection) (Journal of the EU L 119 of 04/05/2016, page 1).