

REVITALIZATION OF CHARLES SQUARE  
Stage II. – the park

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# Notification of Commencement of a procurement procedure involving competitive dialogue



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*In the event of inconsistency or discrepancy between the Czech version and English version of this document, the Czech language version shall prevail.*

The Prague Institute of Planning and Development (IPR Prague), a public-benefit organization, and the Capital City of Prague hereby give notice, in accordance with provisions of Section 68 paragraph 2 of Act No. 134/2016 Coll., on Public Procurement, as amended (hereinafter the “Public Procurement Act” or “PPA”), on commencement of an above-the-limit procurement procedure involving competitive dialogue, and invite unlimited number of potential suppliers to submit their applications to participate in a project entitled:

*“Project No. 0042804 Revitalization  
of Charles Square, Stage II. – proceedings  
involving competitive dialogue for  
design and engineering services”*

(hereinafter the “Public Contract”)  
VU 17-0047

# I. BASIC INFORMATION ON THE PUBLIC CONTRACT

## 1. INFORMATION ON THE CONTRACTING AUTHORITY:

### **PRAGUE INSTITUTE OF PLANNING AND DEVELOPMENT (IPR PRAGUE), A PUBLIC-BENEFIT ORGANIZATION**

Represented by: Mgr. Ondřej Boháč, Director  
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(hereinafter “**IPR Prague**”)

and

### **THE CAPITAL CITY OF PRAGUE**

Represented by: Ing. Karel Prajer,  
Director of the Strategic Investment Department  
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(hereinafter “**City of Prague**” or “**City**”)

IPR Prague and City of Prague have concluded an Agreement on 24 February 2017 to jointly commission / assign a public contract for “Project No. 0042804 Revitalization of Charles Square, Stage II (park)” in accordance with provisions of Section 7 paragraph 2 Act No. 134/2016 Coll., on Public Procurement, as amended, and pursuant to Act No. 89/2012 Coll., Civil Code. IPR Prague and City of Prague will be referred to hereinafter as the “**Contracting Authority**” or “**Contracting Authorities**”. The Agreement between IPR Prague and the City is attached hereto as Annex 1.

### **Contracting Authority representation vis-a-vis third parties**

**during the proceedings:** IPR Prague will represent both organizations (i.e. IPR and the City of Prague) and act on their behalf, in its own name and account, during the 1st and 2nd phases of the proceedings (as described below), while the City of Prague will represent both organization and act on their behalf, in its own name and account, in the 3rd and final phase.

## 2. SUBJECT-MATTER OF THE PUBLIC CONTRACT

Charles Square is an important public space for the entire city; it is also a heritage site – landscaped park from the end of the 19th century. The park, respective its landscaping concept, is listed; due to the overall change in requirements for use of the city and due to greatly increased

traffic, the park requires a thorough re-evaluation and a sensitive proposal to adapt it to the current needs, in the context of the entire square and its broader relations, as defined in the Framework assignment, which is also attached to this notification / tender documentation.

The subject-matter of the Public Contract will be:

- Update of the concept for entire Charles Square (master plan),
- completion of all project documentation phases for the Charles Square Stage II revitalization, (the park),
- provision of engineering services and author’s supervision of the Charles Square Stage II revitalization (the park), including a study (which is to be prepared as a part of the proposal during the competitive dialogue proceedings).

The objective of the Charles Square Stage II revitalization (the park) is to present a solution for adaptation of the park, aiming to build a versatile and high-quality public space within the context of today’s Prague while preserving, renewing and developing the park’s main natural and historical treasures. Achieving a versatile and top-quality result implies finding a comprehensive solution to all the essential aspects and expectations, and harmonising them into a single entity. Given the importance of this space and the need to find a solution that enjoys widespread support, the contracting authority expects a high quality of overall performance and a first-class landscape architecture project, including a proposal how to approach valuable standing vegetation and provide for a sustainable management of rain water.

Project documentation shall be understood, in line with Act No. 183/2006 Coll., on town and country planning and building code (Building Code), as amended, and Regulation No. 499/2006 Coll., on Building Documentation, as amended, as:

- Project documentation for the issue of a decision to locate a construction
- Project documentation for the issue of construction permit
- Project documentation for construction implementation

The Public Contract shall also include:

- Engineering services required to obtain land use decision,
- Engineering services required to obtain building permit,
- Author’s supervision during construction phase,
- Cooperation during use permitting procedure and commissioning.

The project’s objective is to update the entire concept of the Charles Square master plan and to propose a solution on how to integrate the park within the context of the square as a whole, a conceptual architectural plan for the streets on the square and a verification of the suitability and location of underground garages in its south-eastern part in the overall context of traffic solutions for the square. The aim of this part of the proposal is to determine an optimal location for the exits and the method of working with all the ground-level elements of underground garages. This part of the proposal will not be the subject of further stages of the project documentation for this public contract, it will remain in the form of a concept.

Specification of the Public Contract subject-matter is provided in **Annex 2 to the Framework Assignment with rationale**, and will be worked out in more detail during the competitive dialogue proceedings.

Contracting Authority chose the competitive dialogue proceedings

as the Public Contract cannot be awarded without prior negotiations due to special circumstances resulting from the nature, complexity and legal and financial conditions relating to the subject-matter of this Public Contract. At this stage, the Contracting Authority is not able to objectively define all technical conditions, or legal and financial requirements for this Public Contract so it would be able to prepare a complete tendering documentation.

The maximum investment is capped at 320 000 000 CZK excl. VAT. In order to avoid any doubt, this investment amount includes the maximum anticipated value of this Public Contract and the anticipated max. cost of construction work, which is to be carried out based on project documentation prepared within this Public Contract.

This method of awarding public contracts enables effective and desirable interconnection of the first 3 preliminary phases of preparing documentation for the revitalisation of the park (creating the assignment + selection of authors + preparing the revitalisation proposal) into a single process. The on-going formulation of the assignment, based on proposals from the participants, and discussion of all aspects of the proposed solutions is only possible under the competitive dialogue procedure, of all the different procurement procedures detailed in PPA.

### 3. CPV CODES

71000000-8	Architectonic, construction, technical and inspection services
71222000-0	Outdoor architectonic services
71240000-2	Architectonic, technical and planning services
71246000-4	Determining and completing bills of quantities for construction
71247000-1	Supervising construction work

### 4. ANTICIPATED VALUE OF THE PUBLIC CONTRACT

The maximum anticipated value of the Public Contract is **22 500 000 CZK excl. VAT** (anticipated value of the Public Contract has been defined by the Contracting Authority pursuant to provisions of Section 16 at seq PPA).

### 5. PAYMENTS RELATING TO PARTICIPATION ON THE COMPETITIVE DIALOGUE

Contracting Authority has reserved the right, pursuant to provisions of Section 36 paragraph 9 PPA, to pay the following remuneration to participants, under the following rules:

1. for submission of starting points for Charles Sq. Park solution 30.000 CZK
2. for submission of the Concept for the proposal 70.000 CZK
3. for submission of the Proposed solution (during Workshop III) 300.000 CZK

All amounts are exclusive of VAT and will be paid out to participants in the proceedings after completion of the competitive dialogue proceedings. In case where any participant is excluded from proceedings, withdraws from the proceedings or the competitive

dialogue is cancelled, such participant will have the right to payment for the last properly submitted work according to the schedule.

### 6. ANTICIPATED TIMEFRAME OF THE COMPETITIVE DIALOGUE PROCEEDINGS

Contracting Authority defined the following anticipated timeframe; it is only a conditional timeframe which may change during the proceedings depending on the actual progress of the tendering procedure. The anticipated length of the proceedings, including the competitive dialogue from its commencement until completion is 9 months, respective 11 months until the most advantageous bid is selected.

- **Commencement of the tendering procedure** by posting the notification on commencement for publication, in the manner required by Section 212 PPA, on 9th August 2017 (commencement)
- Period for submission of applications to participate: 63 calendar days (9 weeks) from commencement  
*Submission of applications to participate till 12th October 2017*
- Invitation to participate in the competitive dialogue and assignment for preparation of the Professional approach to the solution  
*Submission of the Professional approach to the solution (3 weeks)*
- Notifications on selection of participants, invitation to participate in subsequent stages of the competitive dialogue + provision of additional documentation (draft of the more detailed assignment, documentation + assignment for the starting points for the Charles Sq. Park solution)
- **Workshop I (2 days)**  
Integration of the recommendations from Workshop into the more detailed assignment + approval of the more detailed assignment by the evaluation committee  
*Production of concepts for solution (4 weeks)*
- **Workshop II (1 day)**  
Production of proposals and preliminary bids incl. Calculations of investment costs, design work costs and public contract timeframe (4 weeks)
- Submission of proposals  
*Evaluation in committee (2 weeks)*
- **Workshop III (2 days)**
- **Completion of the competitive dialogue**
- **Invitation to submit bids**  
*(4 weeks to put bids together)*
- Completion of the tendering procedure

## II. PHASES OF THE COMPETITIVE DIALOGUE PROCEDURE

The tendering procedure involving competitive dialogue will have three phases. The text below describes the course of proceedings therein including requirements placed on its participants.

### 1. PHASE 1

1. For this phase, the Contracting Authority invited an unlimited number of potential suppliers to submit their applications to participate in the procedure. The deadline for submitting an application will be 63 calendar days after the commencement of the tendering process.

2. In the application, the applicants shall demonstrate the following:

#### 2.1. BASIC QUALIFICATION

Contracting Authority requires that suppliers demonstrate their basic qualification pursuant to Section 74 paragraph 1 PPA in the following extent:

- a. They have not been finally convicted, in the last 5 years prior to the commencement of this tendering procedure, of any of crimes listed in Annex 3 to the PPA, or of a similar criminal offence according to the laws of their country (where they are headquartered); convictions that had already been expunged will not be considered;
- b. do not owe, in the Czech Republic or where headquartered, any tax (no tax arrears);
- c. do not owe, in the Czech Republic or where headquartered, any payments against their healthcare insurance or penalties related to public health insurance;
- d. do not owe, in the Czech Republic or where headquartered, any payments against their social security insurance or penalties relating to social security, or unpaid contributions to the state employment policy;
- e. are not in the process of liquidation, or subject to a decision declaring bankruptcy, or subject to forced administration regime under applicable legislation, or under the laws of the country where headquartered.

If the supplier is a legal entity, the conditions under letter a) shall be demonstrated for the entity and for each of its statutory representatives (directors etc.). If the supplier's statutory representative is again a legal entity, the conditions stipulated under letter a) need to be met by that legal entity and all members of its statutory representatives / bodies and the person representing this legal entity in the statutory representative / body of the supplier. Should the participant have the form of a branch of a foreign legal person, the conditions under letter a) needs to be met by the foreign legal entity and the branch manager, or the branch of a Czech legal entity provided that conditions under letter a) shall be met by all persons mentioned in preceding two sentences and the branch manager.

Contracting Authority will require that these facts are demonstrated by submission of the following documents:

- ad a) extract from Criminal Records Registry;
- ad b) confirmation issued by locally competent financial authority and affidavit in writing with respect to consumption tax;
- ad c) by affidavit in writing;

- ad d) by confirmation issued by the locally competent social security administration office;
- ad e) extract from the Commercial Registry.

#### 2.2. PROFESSIONAL QUALIFICATION

Contracting Authority requires that suppliers demonstrate their professional qualification pursuant to Section 77 paragraph 1 PPA in the following extent:

- extract from the Commercial Registry or other similar records, where required by applicable legislation.

Contracting Authority also requires that suppliers submit, pursuant to Section 77 paragraph 2 letter c) PPA, certificate of authorization within the meaning of Act No. 360/1992 Coll., on the Professional Practice of Certified Architects and on the Professional Practice of Certified Engineers, as amended, for the following specializations:

- **landscape architecture (ČKA authorization A3 or AO)**
- **architecture (ČKA authorization A1 or AO)**
- **authorized civil engineer for traffic infrastructure (ČKAIT IDOO)**  
or similar certifications / authorizations from other countries, if required for the performance of the above mentioned specialisations in the participant's country of residence. If an authorization is not required for the above mentioned specialisations in the participant's country of residence, the participant submit an affidavit stating that it is not required.

#### 2.3. TECHNICAL QUALIFICATION

Contracting Authority requires that suppliers submit, pursuant to Section 79 paragraph 2 letter c) and d) PPA, a list of technicians or technical departments, which will participate in this Public Contract (hereinafter “**Supplier's Team**”) and documentation demonstrating their professional qualification relating to the services to be provided, which shall at least demonstrate the composition of such team and its qualification. Contracting Authority requires that the Supplier's Team comprises of at least the following three professionals:

- **one natural person, who is an authorized architect in the field of landscape architecture (in case of ČKA authorizations – holder of A3 or AO authorization),**
- **one natural person, who is an authorized architect in the field of architecture (in case of ČKA authorizations – holder of A1 or AO authorization),**
- **one natural person, who is an authorized engineer for traffic infrastructure (in cases of ČKAIT authorization – holder of IDOO authorization) pursuant to Act No. 360/1992 Coll., on the Professional Practice of Certified Architects and on the Professional Practice of Certified Engineers, as amended.**

Contracting Authority furthermore requires that foreign Supplier's Team has a member, who is authorized to prepare documentation for the issues of a land use decision and project documentation for buildings in CR pursuant to Section 4 paragraph 4 of Act No. 360/1992 Coll., on the Professional Practice of Certified Architects and on the Professional Practice of Certified Engineers, as amended.

**List identifying individual members of the Supplier's Team shall contain certificates demonstrating that this requirement is met by the supplier.**

Furthermore, the Contracting Authority claims that the members of the Supplier's Teams having authorisation for the field of architecture and/or landscape architecture document, in summary, that they have worked as authors or co-authors on the following projects during the last 10 years:

- a) Project of a public park that has been officially approved for use, where the aggregate investment costs equalled at least CZK 10,000,000 excl. VAT.
- b) Project of an immovable heritage object that has been officially approved for use, where the aggregate investment costs equalled at least CZK 10,000,000 excl. VAT.
- c) Project of public space that have been officially approved for use, in the position of the main designer, where the aggregate investment costs equalled at least CZK 10,000,000 excl. VAT.

The mentioned criteria may be met cumulatively, i.e. by being involved in one to three projects.

Involvement in a project will only be acknowledged if the given person fully participated in the preparation of at least one of the following stages of design documentation for a structure that has been officially approved for use:

- a) project documentation for the planning permit;
- b) project documentation for the building permit;
- c) project documentation for the detailed design for construction

In order to demonstrate provision of such services, the Contracting Authority requires a list of these services, providing their price, time when provided and client identification information. A contract with a client for such services or other documentation demonstrating performance of such services will be also accepted.

#### **2.4. DEMONSTRATING QUALIFICATION**

Contracting Authority will exclude the possibility to replace documentation demonstrating qualification in a bid by a simple affidavit. Contracting Authority will accept simple copies of documentation demonstrating qualification. Originals of such documentation will be only required prior to signing the contract with the selected supplier.

Documentation demonstrating basic and professional qualification shall demonstrate fulfilment of the required qualification (be dated), pursuant to Section 86 paragraph 5 PPA, no later than 3 months prior to the commencement of the tendering procedure.

Should a supplier demonstrate fulfilment of the basic or professional qualification by a method prescribed by Section 228 PPA by providing an extract from the list of qualified suppliers, such extract shall not be, as of the last day on which qualification may be demonstrated, older than 3 months.

Should a supplier demonstrate qualification by a method prescribed by Section 239 PPA by providing a certificate issued within the framework of certified suppliers system and such certificate meets the requirements stipulated in Section 239 paragraph 1 PPA, such certificate shall not be, as of the last day on which qualification may be demonstrated, older than 1 year.

Should a joint bid of several persons / entities be submitted, the Contracting Authority will require that basic and professional qualification be met by each of the joint suppliers. Contracting Authority required, in accordance with Section 103 paragraph 1 letter f) PPA, that joint suppliers demonstrate how their responsibilities for the performance of the Public Contract will be shared/distributed among themselves, and will require that their liability for the Public Contract is joint and several.

Suppliers may demonstrate specific parts of the technical or professional qualification, with the exception of qualification required under Section 77 paragraph 1 PPA, via third parties. In such cases, suppliers will be required to submit to the Contracting Authority the following

- a. documentation demonstrating professional qualification under Section 77 paragraph 2 PPA by such third person,
- b. documentation demonstrating qualification via another,
- c. documentation demonstrating basic qualification pursuant to Section 74 by another, and
- d. a commitment (agreement) in writing signed by such other person/ third party agreeing to provide performance required for the fulfilment of the Public Contract or things or rights that will be used by the supplier to perform the Public Contract, and in the extent in which such other person demonstrated its qualification instead of the supplier.

3. Contracting Authority shall evaluate all delivered applications and exclude those applicants who have not met the tendering conditions defined in the tender documentation.

4. Participants who will not be excluded by the Contracting Authority from further proceedings will be invited to participate in the competitive dialogue. The invitation to take part in the competitive dialogue will provide documentation for preparation of the professional approach to creating the proposed solution, and requirements concerning reference portfolios. Professional approach to the solution is defined in point 10.1 of Annex 2 hereto. The reference portfolio shall comprise no more than 6 projects, including those projects that were presented as proof of technical qualification, and an affidavit attesting to the veracity of the submitted information. The reference portfolio shall be submitted in the template that will be a part of the materials provided for the preparation of the professional approach to creating the proposed solution (design approach). A preliminary template was provided within the already published materials.

5. For avoidance of doubt, the Contracting Authority states that it will not reduce the number of participants in the tendering procedure in accordance with Section 111 PPA.



## 2. PHASE 2 – COMPETITIVE DIALOGUE

The competitive dialogue phase will be conducted in the Czech language, in case of foreign participants the proceedings will be interpreted into English.

This phase will consist of several subsequent steps, as follows:

### 1. PROFESSIONAL APPROACH TO CREATING THE PROPOSED SOLUTION AND REDUCING THE NUMBER OF SOLUTIONS

- 1.1 Contracting Authority will provide 3 weeks (from delivery of invitation to participate in the competitive dialogue) to prepare the professional approach to creating the proposed solution. The professional approach to creating the proposed solution will represent the first output within the framework of creating the proposal to revitalize the Charles Square park. The professional approach to creating the proposed solution is defined in point 10.1 of Annex 2 to this documentation.
- 1.2 The evaluation committee will subsequently reduce the number of submitted solutions pursuant to Section 69 paragraph 4 PPA following procedure stipulated in Section 112 PPA.
- 1.3 Reduction of the number of solutions pursuant to Section 112 PPA:
  - Contracting Authority reserves the right to conduct the competitive dialogue in several phases in order to reduce the number of solutions, which shall be processed pursuant to Section 69 paragraph 4 and Section 112 PPA.
  - Contracting Authority sets the minimum number of solutions which need to remain in the process after reduction to 5, if there will be sufficient number of solutions.

**In order to reduce the number of solutions, the Contracting Authority defined the following quality-based criteria for this procedure:**

#### Solution of urbanistic relations (maximum 7 points)

The following shall be evaluated:

- adequacy of the proposed solution
- integration of the proposal into the context of the city or its part
- protection and development of the site-specific values
- support to the permeability of the site

*Notes for the evaluation:*

*Adequacy shall be understood, in terms of urban relations, primarily as a correct estimate of programme content / facilities and the chosen urbanistic-architectonic typology in comparison with other sites within the neighbourhood and the city. A good quality proposal, well integrated into the context of the city, shall be understood as a proposal which takes into consideration broader urbanistic composition principles (historical and current) or natural configurations, and which will work well with their potential connotations. Positive evaluation will be awarded to the demonstrated ability to integrate the proposal into the context of social and cultural discourses at the site and to conscious work with such discourses as well as to good understanding of broader traffic-related and technical contexts, their problems and opportunities and the participant's ability to accommodate such circumstances in their proposal.*

#### Landscaping modifications and park design (maximum 7 points)

The following shall be evaluated:

- adequacy and expediency of the proposed solution
- integration of the proposal into the context and character of the site
- technical and aesthetical quality of the proposal
- recreational and spatial quality of the space
- utility and variability of the space
- technical, functional and aesthetical quality of details within the proposal

*Notes for the evaluation:*

*Adequacy shall be understood, in terms of landscaping modifications and park design, as a corresponding choice and parameters of individual park elements (such as the size and location of paved surfaces, urban furniture, play areas / elements, terrain modifications etc.) in relation to the programme and the currently existing values. Furthermore, as adequate use of materials (types of paving, shape and species of vegetation, elements of newly planted vegetation etc.) in relation to the programme and the existing character of the perceived environment, appropriateness of the chosen typology with regard to the site and adequacy of the proposed elements in relation to the chosen typology. Adequacy shall be also understood as appropriate choice of quality of materials or furnishings from the perspective of their price and, potentially, their perceived hierarchy in relation to the economic potential of the city, prior conventions and the importance/significance of the site. Integration into the context shall be understood as the ability to correctly evaluate the specific character resulting from the evolution of the site and its suitable reflection in the proposal.*

#### Architectonic solution and solution of the public spaces – streets and the square (maximum 7 points)

The following shall be evaluated:

- adequacy and utility of the proposed solution
- integration of the proposal into the context and character of the site
- technical and aesthetic quality of the proposal
- recreational and spatial quality
- utility and variability
- technical, functional and aesthetic quality of the details in the proposal

*Notes for the evaluation:*

*Adequacy shall be understood, in terms of architectonic solution and public space-related solutions, similar as in the case of landscaping modifications with the difference that in this case the subject of evaluation will be building and constructions and spatial solutions of street adjoining the park.*

#### Quality of adaptation/regeneration of the listed objects (maximum 7 points)

The following shall be evaluated:

- manifested sensitivity to the listed object
- successful adaptation to the current conditions
- coherence and strength of the chosen architectonic language
- quality of the dialogue between the current context and the listed object / landmark

*Notes for the evaluation:*

*Coherence and strength of the architectonic language shall be understood as overall lucidity and content quality of the proposal using architectonic and graphical means.*

### **Suitable concept of infrastructure (especially transport and rainwater management system) (max. 7 p.)**

The following shall be evaluated:

- suitability of the transport measures in view of the objectives of the revitalization, broader context and feasibility
- suitability of the rainwater management system in terms of preventing flooding of streets and erosion, and in terms of minimising the outflow into sewerage
- suitability of the rainwater management system in terms of irrigating vegetation, and in terms of the cooling function of the evaporating water
- suitability of the rainwater management system in terms of the system's efficiency and incorporation in the overall design of the square
- creative approach to issues related to technical infrastructure"

### **Efficiency and economy of the solution (maximum 7 points)**

The following shall be evaluated:

- adequacy of the cost
- economy of the proposal from the perspective of long-term management and maintenance of the park

### **Expediency in the choice of professional approach – proposed performance (maximum 7 points)**

Choice of the required steps and methods, which will result in high quality of the public park, including definition of the role which is taken in this process by architect (as the author of the design and project documentation).

The following shall be evaluated:

- knowledge and understanding of professional specifics related to revitalization of a public park
- appreciation of the architects role within the process
- strength of choice of methods and steps to be taken in order to achieve high quality public space

- 1.4 Each individual proposal will be awarded points, for each partial criteria, reflecting the success of the proposal within the partial criteria. Each of the seven criteria shall be evaluated by an Evaluation Committee using a point scale from 0 to 7. Based on the number of points awarded, the total average quality of the proposal will be determined; the total average quality multiplied by 10 will determine the number of % for qualitative criteria.
- 1.5 This process will result in the selection of maximum 5 participants, who will be invited to take part in the next phase of the competitive dialogue.
- 1.6 The invitation to the next round will provide documentation for preparation of the starting points with respect to the Charles Square park revitalization; starting points are defined in point 10.2 of Annex 2 to this documentation. The remaining participants will be provided approximately 14 days to elaborate these starting points.

## **2. WORKSHOP I**

- 2.1 The initial Workshop will bring together participants' teams which were invited to take part in the subsequent stages of the tendering procedure pursuant to Part II point 2) paragraph 2.1, and representatives of the Contracting Authority, evaluation committee members, experts and stakeholders.
- 2.2 It will be a 2-day Workshop and the participant's attendance (entire teams) will be mandatory.
- 2.3 Format of presentations and structured discussions over the proposals during the Workshop process will be determined at this 1st Workshop. Participants will be asked to declare whether they consider presented information constituting information relating to the solution and confidential information in accordance with Section 69 paragraph 3 PPA and inform the Contracting Authority whether it is authorized to disseminate this information during the competitive dialogue process to other participants in the tendering procedure. Public debate on the proposals will only take place if all participants declare their consent there with.
- 2.4 The initial Workshop will also serve as the venue where the participants will be provided, on its first day, with more detailed information relating to the Charles Sq. park and its history, subjects of protection as a heritage / landmark site, issues surrounding current use, as well as description of other similar successful projects that are comparable with the revitalization project for the Charles Square. On the second day, there will be a structured discussion where the participants will present their professional approaches to creating the solution for the proposal and the starting points to the solution of the Charles Square park elaborated on the basis of previously provided documentation; there will be discussions with participants where the participants will be able to make comments, ask questions and provide impulses to the subject-matter of this Public Contract.
- 2.5 The Workshop's objective is to gain a comprehensive compendium of information for work during the later stages of the competitive dialogue and to gradually formulate, in discussions with the participants, and detail the precise contents of the subject-matter of this Public Contract.
- 2.6 Evaluation committee will prepare, after each Workshop, a summary of its proceedings and distribute this summary to all remaining participants. This summary will represent a binding partial specification of the previous framework assignment.
- 2.7 On the basis of this more specific assignment, the participants will be asked to prepare a concept for the proposal. Concept for the proposal is defined in point 10.3 of Annex 2 to this documentation. Participants will be provided 4 weeks from completion of Workshop I to elaborate this concept.

## **3. WORKSHOP II**

- 3.1 Workshop II will be attended by participants' team which took part in Workshop I, representatives of the Contracting Authority, evaluation committee members, experts and stakeholders.
- 3.2 Workshop II will serve as the venue for presentations of proposal concepts elaborated by individual participants. Participants will present their concepts in the manner agreed on during Workshop I.
- 3.3 The objective of Workshop II is to facilitate discussion between the participants in the proceedings, stakeholders and the committee,

and to provide the participants with feedback to their concepts, which they may use in elaborating the final proposal.

- 3.4 Final proposals for solution are defined in point 10.4 of Annex 2 to this documentation. Participants will be provided 4 weeks, from the end of Workshop II, to prepare the proposals, including calculation of required investment, price of project documentation stage and timeframe for the performance of the Public Contract.

#### 4. WORKSHOP III

- 4.1 Workshop III will be dedicated to presentations of participants' proposals. These proposals will be evaluated by the evaluation committee. There will be a discussion where the participants will be given an opportunity to explain their solutions.
- 4.2 On the second day of this Workshop, the committee will draw up ranking of participants and, acting according to Section 69 paragraph 5 PPA, exclude any participants whose proposals will have been found inappropriate while maintaining at least three proposals.
- 4.3 The remaining participants will be invited to discuss the price and manner of performance, timeframe and finalisation of proposals. The Contracting Authority will attempt to facilitate a competitive environment and room for negotiation on the price of the Public Contract.
- 4.4 Workshop III will result in further finalisation of the assignment for the 3rd phase of the competitive dialogue procedure.

#### 5. COMPLETION OF THE COMPETITIVE DIALOGUE AND THE 2<sup>ND</sup> PHASE OF THE COMPETITIVE DIALOGUE.

### 3. PHASE 3

1. Contracting Authority will determine tender conditions for submission of bids which are acceptable for the Contracting.
2. Suppliers (participants) will be invited to submit their bids containing the proposal finalised during phase 2 of the competitive dialogue procedure.
3. The invitation to submit bids will contain fundamental commercial terms and conditions defined by the Contracting Authority, including requirements relating to the suppliers' insurance coverage.
4. Evaluation committee will assess all submitted bids and may invite the participants, via the Contracting Authority, to provide any explanations, more details or amendment of their bids.
5. Evaluation committee will subsequently evaluate the bids and recommend to the Contracting Authority to conclude a contract with that participants whose bid will have been selected as the most suitable.
6. Bid evaluation method:
  - Contracting Authority states that in accordance with Section 114 paragraph 1 PPA, the bids submitted in the 3rd phase of the tendering procedure will be evaluated on the basis of their economic expediency.
  - Contracting Authority determined the following weight of partial criteria in per cent:

#### A. QUALITY CRITERION = 70%

##### Solution of urbanistic relations (maximum 7 points)

The following shall be evaluated:

- adequacy of the proposed solution
- integration of the proposal into the context of the city or its part
- protection and development of the site-specific values
- support to the permeability of the site

*Notes for the evaluation:*

*Adequacy shall be understood, in terms of urban relations, primarily as a correct estimate of programme content / facilities and the chosen urbanistic-architectonic typology in comparison with other sites within the neighbourhood and the city. A good quality proposal, well integrated into the context of the city, shall be understood as a proposal which takes into consideration broader urbanistic composition principles (historical and current) or natural configurations, and which will work well with their potential connotations. Positive evaluation will be awarded to the demonstrated ability to integrate the proposal into the context of social and cultural discourses at the site and to conscious work with such discourses as well as to good understanding of broader traffic-related and technical contexts, their problems and opportunities and the participant's ability to accommodate such circumstances in their proposal.*

##### Landscaping modifications and park design (maximum 7 points)

The following shall be evaluated:

- adequacy and expediency of the proposed solution
- integration of the proposal into the context and character of the site
- technical and aesthetical quality of the proposal
- recreational and spatial quality of the space
- utility and variability of the space
- technical, functional and aesthetical quality of details within the proposal

*Notes for the evaluation:*

*Adequacy shall be understood, in terms of landscaping modifications and park design, as a corresponding choice and parameters of individual park elements (such as the size and location of paved surfaces, urban furniture, play areas / elements, terrain modifications etc.) in relation to the programme and the currently existing values. Furthermore, as adequate use of materials (types of paving, shape and species of vegetation, elements of newly planted vegetation etc.) in relation to the programme and the existing character of the perceived environment, appropriateness of the chosen typology with regard to the site and adequacy of the proposed elements in relation to the chosen typology. Adequacy shall be also understood as appropriate choice of quality of materials or furnishings from the perspective of their price and, potentially, their perceived hierarchy in relation to the economic potential of the city, prior conventions and the importance/significance of the site. Integration into the context shall be understood as the ability to correctly evaluate the specific character resulting from the evolution of the site and its suitable reflection in the proposal.*

**Architectonic solution and solution of the public spaces – streets and the square (maximum 7 points)**

The following shall be evaluated:

- adequacy and utility of the proposed solution
- integration of the proposal into the context and character of the site
- technical and aesthetic quality of the proposal
- recreational and spatial quality
- utility and variability
- technical, functional and aesthetic quality of the details in the proposal

*Notes for the evaluation:*

*Adequacy shall be understood, in terms of architectonic solution and public space-related solutions, similar as in the case of landscaping modifications with the difference that in this case the subject of evaluation will be building and constructions and spatial solutions of street adjoining the park.*

**Quality of adaptation/regeneration of the listed objects (maximum 7 points)**

The following shall be evaluated:

- manifested sensitivity to the listed object
- successful adaptation to the current conditions
- coherence and strength of the chosen architectonic language
- quality of the dialogue between the current context and the listed object/landmark

*Notes for the evaluation:*

*Coherence and strength of the architectonic language shall be understood as overall lucidity and content quality of the proposal using architectonic and graphical means.*

**Suitable concept of infrastructure (especially transport and rainwater management system) (max. 7 p.)**

The following shall be evaluated:

- suitability of the transport measures in view of the objectives of the revitalization, broader context and feasibility
- suitability of the rainwater management system in terms of preventing flooding of streets and erosion, and in terms of minimising the outflow into sewerage
- suitability of the rainwater management system in terms of irrigating vegetation, and in terms of the cooling function of the evaporating water
- suitability of the rainwater management system in terms of the system's efficiency and incorporation in the overall design of the square
- creative approach to issues related to technical infrastructure

**Efficiency and economy of the solution (maximum 7 points)**

The following shall be evaluated:

- adequacy of cost
- economy of the proposal from the perspective of long-term management and maintenance of the park

**Expediency in the choice of professional approach – proposed performance (maximum 7 points)**

Choice of the required steps and methods, which will result in high quality of the public park, including definition of the role which is taken in this process by architect (as the author of the design and project documentation)

The following shall be evaluated:

- knowledge and understanding of professional specifics related to revitalization of a public park
- appreciation of the architects role within the process
- strength of choice for methods and steps to be taken in order to achieve high quality public space

## **B. BID PRICE 30%**

The sum of per cent awarded for individual criteria equals 100%.

Evaluation method:

### Quality-based criteria

Each individual proposal will be awarded points, for each partial criteria, reflecting the success of the proposal within the partial criteria. Each of the seven criteria shall be evaluated by an Evaluation Committee using a point scale from 0 to 7. Based on the number of points awarded, the total average quality of the proposal will be determined; the total average quality multiplied by 10 will determine the number of % for qualitative criteria.

### Bid price

For the numerical expression of this sub-criterion, where the most suitable bid has the minimum value, the evaluated bid will be awarded a point value that is multiplied by 100 and the ratio of the most suitable bid to the evaluated bid.

Individual points awarded pursuant to partial criteria will be multiplied by respective weight of each partial criterion. Based on the sums of resulting point values awarded to the quality-based criteria and bid price for individual bids, the evaluation committee will draw up a ranking of submitted bids, with the most successful bid receiving the highest value.

7. Supplier (participant) receiving the highest value for their bid will be invited to conclude the contract.

8. Contracting Authority may invite participants to provide additional explanations, details or modifications to their proposals unless it would lead to such change in the bid or tendering conditions that would result in compromising economic competition or discriminatory effects.

# III. APPLICATIONS TO PARTICIPATE

## 1. APPLICATION FORM AND DOCUMENTS DEMONSTRATING QUALIFICATION

Suppliers shall submit their application in writing and deliver it to the address of the Contracting Authority. Applications shall contain identification information in this structure: suppliers' business name (in cases of natural persons their name and surname or firm, where applicable), legal form (a.s., s.r.o., natural person etc.), natural persons shall provide their birth numbers or date of birth, seat (offices) of the supplier (or natural persons their residence or place of permanent establishment if different from their residence), identification number and tax identification number, if assigned, name and surnames of statutory representatives or members, or another natural person appointed to act on behalf of the supplier (in this case the supplier shall submit a document demonstrating authorization to act for such person), telephone number and email of the supplier, their bank information and account number.

Applications shall also contain:

- documents demonstrating qualification criteria;

Suppliers shall submit their **Application to participate in one single bound file**. The application needs to be in Czech or English language (in accordance with Section 45 paragraph 3 PPA any documents in Slovak language and education certificates made out in Latin do not require translations). Individual sheets of the application shall be tightly bound together and sealed against tampering (for example by a string tied through punch holes in individual sheets, with the string sealed), and numbered by uninterrupted numerical sequence. The first page shall provide a table of contents and the last page shall contain the affidavit of the supplier specifying the number of sheets in the complete file.

Suppliers shall submit their application in 1 original (the front page carrying designation "original") and in 1 simple copy (front page shall carry the word "copy").

Should suppliers consider any part of the application constituting a trade secret or intellectual property, they shall visibly mark such information.

Applications may not be submitted in electronic form.

## 2. PLACE AND TIME FOR PERSONAL SUBMISSIONS

Suppliers shall submit their application by person or by post, so that the Contracting Authority receives the application at its address no later than by 12. 10. 2017.

The decisive moment for delivery is the receipt of the application by the Contracting Authority.

The Contracting Authority delivery address shall be the following:

**Prague Institute of Planning and Development (IPR Prague)**

**Represented by: Mgr. Ondřej Boháč, Director**

**Offices at: Vyšehradská 57/2077, 128 00 Praha 2-Nové Město**

The mail room for personal deliveries is open on Mondays, Tuesdays and Thursdays between 7:30 and 16:00, on Wednesdays between 7:30 and 17:00 and on Fridays between 7:30 and 15:00.

The bids (original + copy) shall be submitted in opaque package (envelope), properly sealed against tampering and marked with words: **"Project No. 0042804 Revitalization of the Charles Square, Stage II – Park)" – DO NOT OPEN**, with attached stamp of the supplier and his signature or signature of his statutory representative, and providing the address of the supplier.

## IV. OTHER

### 1. SUB-CONTRACTORS

Contracting Authority requires that suppliers specify in their proposed bids:

- a. those parts of the Public Contract that they intend to perform using subcontractor(s), or
- b. provide a statement that the supplier will perform the subject-matter of the Public Contract himself without subcontractors.

Contracting Authority also requires that suppliers, who intend to perform part of the work using subcontractors, submit documentation demonstrating that each of these subcontractors meet the basic and professional qualification in the manner defined in Part II, paragraphs 2.1 and 2.2. hereof.

### 2. OTHER TERMS OF THE PUBLIC CONTRACT

- a. Contracting Authority reserves the right to cancel the Public Contract at any time before finally concluding a contract in accordance with provisions of Section 127 PPA.
- b. In case these proceedings are cancelled, the participants will be entitled to receive payment for any submission properly made in the relevant phase, see Art. I Section 5 hereof.
- c. Suppliers shall be obliged, in preparing their application to participate, to follow all terms and conditions defined in this tendering documentation, which has to be complied with without reservations.
- d. Contracting Authority will not allow bids containing alternative solutions (variants).
- e. Contracting Authority reserves the right to modify the anticipated timeframe of the proceedings involving competitive dialogue with regard to actual progress in the procedure and with regard to its own operational and organizational needs; participants in the proceedings will not be entitled to make any claims (such as damages or increased price) or penalize the Contracting Authority in any manner or form in connection with such timeframe modifications.
- f. Participants in the proceedings do not have any right to be reimbursed for their expenses relating to their participation in the tender, besides payments defined in Article 4 hereof.
- g. Should there be any change to data / information specified in the application to participate between its submission and conclusion of the contract with the selected supplier, the supplier shall inform the Contracting Authority of any such change without delay.
- h. Contracting Authority reserves the right to verify any information provided in the application with third persons.
- i. Contracting Authority states that it will require, as a prerequisite to concluding a contract hereunder, where the selected supplier will be a legal entity, to be provided with identification information, pursuant to Section 104 paragraph 4 PPA, on all persons who are the actual owners of the corporation under the requirements defined by PPA and other measures combating legalization of proceeds of crime and financing of terrorism as well as any documentation, which will demonstrate relationships of all such persons with the supplier (i.e. extract from the commercial registry, decisions of the statutory body on distribution of profits etc.).
- j. Participants in the proceedings agree, by virtue of submitting their application in the tender proceedings, with free-of-charge reproduction and potential exhibition of their work/proposals/solutions, including publication in print/catalogue and presentation at websites without any limitation as to the volume (print), territory or time, once the proceedings and the competitive dialogue will have

been completed. Contracting Authority shall make the decision on the format and parameters of such publications at its sole discretion.

- k. Contracting Authority declares that proposals for solution will be considered to constitute author's work under Act No. 121/2000 Coll., on Copyright and Rights Related to Copyright and on Amendment to Certain Acts (the Copyright Act), as amended.

### 3. EVALUATION COMMITTEE

Evaluation committee will meet for the 2nd and 3rd phase of the competitive dialogue. Evaluation committee may choose to invite other experts or professional to their deliberations. The list of members of the Evaluation Committee is part of a separate document „Information on the Evaluation Committee“.

### 4. PUBLICITY

Suppliers acknowledge that by submitting an application hereunder, the Contracting Authority will have the right to publish at its profile/ website information required by law, which includes identification of all suppliers who filed an application or bid as well as information on prices included in their bids, with which they expressly agree.

Suppliers acknowledge that any contract concluded hereunder will be published in the Register of Public Contracts pursuant to Act No. 340/2015 Coll., on Special Conditions for the Effectiveness of Certain Contracts, the Disclosure of These Contracts and the Register of Contracts (Act on the Register of Contracts).

### 5. TENDER DOCUMENTATION

This tender documentation comprises of the following:

This invitation to submit Application to participate in the tender (designated as the tender documentation)

- Annex 1 – Agreement between IPR and City of Prague on joint assignment of this Public Contract
- Annex 2 – Framework assignment with rationale
- Annex 3 – Information on the Evaluation Committee

In accordance with Section 96 paragraph 3 PPA, the Contracting Authority's internet profile / website where this tender documentation is publicly available is located at: <https://www.tenderarena.cz/profile/IPRPraha>.

Mgr. Ondřej Boháč

NOTES









