

RULES AND REGULATIONS

of the
Architectural Design Competition

for Rehabilitation of the Chisinau “Serghei Lunchevici” National Philharmonic Hall

1. GENERAL PROVISIONS

1.1. Organizer of the competition: the Ministry of Culture.

The Organizer of the competition provides the financial means for judging and for the design services that will be contracted with the winner of the competition.

1.2. Competition objective:

The aim of this competition is to obtain solutions/ideas for the rehabilitation of the building of the Chisinau "Serghei Lunchevici" National Philharmonic Hall.

The competition encourages creativity, technical quality of the solutions, their substantiation and sustainability as basic criteria in the project review.

1.3. Competition type: one-stage type, international open architectural design competition with contracting of design services.

The design competition is defined in art. 1 of Law no. 131/2015 on public procurement, as “the procedure that allows the contracting authority to purchase a plan or a project, especially in the field of land development, urban and landscape design, architecture or data processing, by selecting it on a competitive basis by a jury, with or without awarding prizes”.

The design competition is organized in compliance with the provisions of the national legislation on public procurement. Also, the competition respects the Competition Regulations of the International Union of Architects (UIA) and the provisions of the Recommendation concerning International Competitions in Architecture and Town Planning adopted in the UNESCO General Conference of 1956, revised on November 27, 1978.

The decision of the Competition Jury is binding for the Organizer regarding the selection of the projects submitted in the competition and the solution designated as the winner.

1.4. Language of the competition: the competition documentation, all the competition pieces (plans, estimate), the documents requested and inserted in the classified envelope, as well as the documents necessary in order to start the negotiation with the winner will be written in Romanian and English.

1.5. The Competition Jury

The international jury will be made up of architects and specialists in the field of acoustics.

The decision of the Jury is binding for the Organizer. Each member of the Jury has one vote. The decisions of the Jury will be made by majority vote. In the event of a tie, the President of the Jury has the deciding vote. The Jury is appointed and paid by the Organizer.

The Competition Jury has the following responsibilities:

- During the first judging session, the members appoint the President of the Jury by vote;
- The Jury establishes its working methodology by common agreement;
- The Jury evaluates all submitted projects based on the Assessment Criteria indicated in the Task Book and the participation notice;
- The Jury determines the final ranking;
- The Jury prepares and forwards to the Organizer the judging minutes reports regarding the work of the Jury and the results of the contest, explaining the choices made and including its recommendations to the Organizer. The judging minutes report is a document drawn up in Romanian and signed by all the members of the Jury.

The jury reserves the right not to appoint a winner if it deems it justified, depending on the value (quality) of the submitted works.

1.6. Competition secretariat – will be provided by the Organizer.

Communication between competitors and the Competition Secretariat is carried out exclusively by e-mail at rising@philharmonic.md.

The Secretariat has the following duties:

- Ensures the completion of all procedures prior to the launch of the competition;
- Ensures the online promotion of the competition;
- Registers the questions of the competitors sent by e-mail, ensures the drafting and communication of the answers to their questions;
- Publishes on the competition page on the website rising.philharmonic.md “Questions and Answers” documents according to the competition calendar;
- It is responsible for monitoring the conduct of the competition, in accordance with the Competition Documentation, supervises the correct conduct of each phase of the Competition and provides the Jury with all the documents necessary for the assessment and evaluation of the projects;
- Ensures the registration of projects submitted by competitors;
- Assists the Jury in drawing up the judging report;
- Ensures the communication and announcement of the judging results.

2. COMPETITION SUBMISSION:

2.1. Competition Participants

- Competition participants can be individual architectural offices, associations formed by individual architectural offices, civil architectural societies, or other legal forms of exercising architecture, according to the national legislation of the state of origin or legal entities (commercial design companies) from the Republic of Moldova or from other countries, either individually or in association. In the case of an association, its leader will enter the project in the competition.

- National architects must be certified in the field of historical architectural heritage.
- International architects must affiliate with a national architect, certified in the field of historical architectural heritage.
- It is recommended that the teams also include urban planners, designers, acoustic specialists, civil engineers or people with other training considered by the participants to be relevant for the developed design, from the country or abroad.

- There is no private communication between competitors and the Organizer. Competitors can ask questions and request clarifications regarding the Competition Documentation exclusively in writing. The requests, along with the answers, are the subject of public communications addressed to all participants.

2.2. Submission requirements

In order to be admitted to the judging, the projects must comply with:

- the competition context and rules;
- submission requirements;
- anonymity.

The deviations detected by the Competition Secretariat before the judging and which lead to the rejection of submission are:

- exceeding the deadline established in the calendar of the procedure (date and time) for direct submission to the secretariat established by the notice of participation and regulation, noted by the secretariat upon receipt of the submission;
- handing in separately or gluing the classified envelope to the outside of the packaging/tube, noted by the secretariat upon receipt of the submission.

The competition secretariat will draw up a report in which the manner of meeting the conditions set out above will be recorded. Projects that do not meet the requirements will be rejected.

The deviations found by the competition secretariat before the judging and which may lead to the Jury's decision to remove a project from the judging are:

- the absence of the classified envelope or not inserting it in the packaging/tube as specified in the present competition regulations, found when checking the projects from the content point of view;

- the lack of inscription of the identity symbol on the submission contents and on the classified envelope or not covering it with black paper on the submission contents, found by the secretariat when checking the projects from a formal point of view;
- lack of financial offer (quote with performance schedule);
- violation of the provisions on anonymity.

The Competition Secretariat will draw up a report in which it will record the fulfillment of the formal requirements for the presentation of the projects and the conditions of participation in the competition, which it is obliged to present to the Jury at the start of the judging procedure.

2.3. Documents supplied by competition participants

A. Participation forms

The competitor must submit the following forms in a white, opaque, A4-format, classified (closed) envelope, on which the chosen alphanumeric identification symbol will be written and which will be submitted together with the sheets in the package/tube:

A1. Dated, completed, signed and/or stamped registration and identification forms, accompanied by:

- agreement or disagreement regarding the disclosure of the identity of the author/team when exposing or publishing the project;
- the affidavit that, in the event of being awarded the design services contract, the competitor, individually or in association, will provide the complete design services for all specialties and design phases requested by the Organizer;

A2. Single European Procurement Document (DUAE Form) (use the model in the annex);

A3. Offer form

The offer form for the design services will be completed in mdl without VAT, including the values and deadlines related to each individual design stage, and will fall within the estimated value made available by the Organizer for this purpose; the financial proposal and the delivery will be the elements of negotiation with the first-place winner designated by the Jury.

The contents of the classified envelope will be checked by the competition secretariat after the judging report is signed and anonymity is lifted.

3. COMPETITION PROCEDURE:

3.1. The submission

- Launch of the contest: the date of publication of the participation announcement in the contest on the website rising.philharmonic.md, in the Public Procurement Bulletin and the Official Journal of the European Union.
- Enrollment in the competition is allowed throughout the entire competition period.

- The participants have the following registration method: registration through an application addressed to the Competition Secretariat.
- Registration entitles the contestant to receive answers to questions regarding the conduct of the competition.
- Registration does not condition participation in the competition.

3.2. Documentation made available to the competitors

The competition documentation is in digital format exclusively and can be downloaded from the website rising.philharmonic.md.

- Competition Context and Task Book;
- Competition Rules and Regulation with related annexes

Reference documentation will be sent by email to each participant.

The use of the above graphic and photographic documentation outside the purpose of this competition is prohibited.

3.3. Competitors' right to request clarifications

The deadlines for receiving requests for clarifications or questions, as well as the deadlines for submitting answers, are established in the competition calendar.

Any interested competitor has the right to request clarifications in writing regarding the competition documentation.

Requests or questions can only be sent in writing to the e-mail address rising@philharmonic.md.

The competitor will ensure that requests for clarifications or questions have been received from the Competition Secretariat.

The Organizer of the contest, through the Contest Secretariat, will make sure to post the answers to questions or to requests for clarifications accompanied by the related questions on the website of the contest rising.philharmonic.md, clearly, completely and unambiguously, respecting the deadlines set out in the competition calendar and taking steps not to reveal the identity of those who requested such clarifications.

Answers to requests for clarifications or questions may detail, complete or modify some provisions of the competition documentation and become an integral part of the competition documentation.

3.4. Submission contents – according to the design theme, each participant can submit only one project in the competition, under the conditions provided by these regulations.

The projects will be presented on A0 format sheets, 841 x 1600 mm, which will include the following pieces:

1. Site plan scale 1:200 or 1:500, which includes:
 - marking of car and pedestrian accesses, height regime, North indication, characteristic indexes (site area, built-up area, developed built-up area, Floor Area Ratio (FAR) and Building Coverage Ratio (BCR)
 - the contour of the building (the projection of the closed volume in plan); roof plan with drainage slopes;
 - other elements - pergolas, alleys, trees, cars, carport, etc.;

2. Floor Plans scale 1:100 or 1:200; ground floor landscaping;
 3. Section views scale 1:100 or 1:200;
 4. Elevation views scale 1:100 or 1:200;
 5. Street elevations;
 6. Axonometry/street view perspectives/aerial perspectives, characteristic for a better understanding of the solution;
 7. Interior perspective view of the main hall;
 8. Other visual materials, considered to be appropriate for understanding the solution;
 9. Text presenting the proposed solution, maximum 1,000 words.
- Submitting will be done both in physical and digital format (pdf).

3.5. Anonymity of projects

To preserve anonymity, each project will have an alphanumeric identity symbol. It will be composed of 2 letters followed by 4 digits, at the contestant's choice.

The identity symbol will be written on the face of each sheet, and on the financial offer in the upper right corner, in a rectangle covered with black paper of 5x3 cm, glued only on the outline, on both sides.

The identity symbol will be written and not covered with black paper, on a white, perfectly opaque, A4 format envelope, in which the following will be inserted:

- a. the participation form and the identity form;
- b. the data stick with the digital version of the project.

The envelope will be delivered sealed/taped and will not be placed in another envelope, but directly in the package/tube containing the sheets.

The ID symbol will be written on the data stick with a black permanent marker. The stick will be included in the classified envelope.

The Competition Secretariat ensures anonymity by assigning each project a random number of two or three digits, which will be used throughout the judging (competition number).

Under penalty of elimination from judging, the competition contents will not contain any indication of the contestant's identity. Highly customized graphic presentations, such as the company logo, which could endanger the assurance of anonymity, will be avoided.

The lifting of the anonymity will be done only after the Jury members have signed the judging report, by opening the classified envelopes. The identification data of the authors of the project designated as the winner will be made public with the announcement of the judging results.

3.6. Project delivery

Competitors are advised to choose a package/tube that preserves the integrity of the rolled boards and the stick. On the packaging/tube it will be written: FOR THE ARCHITECTURAL DESIGN COMPETITION FOR THE REHABILITATION OF THE CHISINAU "SERGHEI LUNCHEVICI" NATIONAL PHILHARMONIC HALL".

The projects will be delivered directly or sent by courier to the headquarters of the receiving Competition Secretariat. Delivery address: 21 Nicolae Iorga Street, Chisinau, MD-2012, office 16.

The deadline date and time for handing over submissions or sending them by courier to the Competition Secretariat is the one established in the competition calendar. Exceeding the deadline date and time will result in the rejection of the offer.

For projects submitted directly to the secretariat, competitors will receive a registration number on a receiving table. The table only contains the registration number and the time the project was received.

Projects sent by courier will have to reach the same submission deadline according to the competition calendar. Competitors will send the projects by courier only with confirmation of receipt. For projects sent by courier, contestants must ensure that the date and time of dispatch is written on the packaging/tube and that it will arrive at the Competition Secretariat by the date and time specified in the competition calendar. Parcels arriving after the time specified in the calendar will be rejected and the authors notified within 24 hours.

Projects sent by courier will also receive a registration number recorded in a receiving table.

After handing in a project, additions or replacements of sheets, envelopes or data sticks are not allowed.

If a competitor requests the withdrawal of a submitted project, this is allowed only up to the deadline date and time established in the competition calendar for submission, with the obligation to conclude a protocol of withdrawal.

3.7. Evaluation procedure

The Competition Secretariat will remove any mention of the sender's identity from the packaging/tube.

At the date and time set in the competition calendar, the Competition Secretariat will hand over to the Jury all the projects where no deviations were found, based on a report.

The contest secretariat will open the packages/tubes containing the projects and assign a random number of two or three digits (competition number), a number that will also be written on the package/tube and on the submission contents.

The Competition Secretariat will verify the fulfillment of the formal delivery conditions according to the theme, the regulation, as well as the respect for anonymity, it will verify whether each project includes all the contents required by the regulation or theme, as well as their presentation method. The classified envelopes of the verified projects will be placed in a sealed box that will be kept in a place inaccessible to the public at the Organizer's headquarters.

3.8. Jury work

The Jury is responsible for evaluating and establishing the hierarchy of the projects, reviewing and judging the competition.

- The members of the jury receive the competition documentation, before the launch date of the competition;
- Project evaluation is based on the assessment criteria included in the Task Book.
- Jury members can request the consultation of specialists, to clarify some issues related to the reviewed field, through the Competition Secretariat;
- The work of the Jury will take place in the city of Chisinau, in a space provided by the Organizer;
- The Jury establishes its working methodology by common agreement;

The jury draws up and forwards to the Organizer the judging minutes report regarding the Jury's work and the competition results, explaining the choices made and including its recommendations to the Organizer. The judging report will be signed by all the full members of the jury.

The Jury's specialist consultants can participate in the judging without the right to vote.

3.9. Privacy

Competitors do not have the right to contact the Jury members in relation to the competition or their submissions.

The organizer or the secretariat can only be contacted about the competition in writing.

The members of the Jury, the Secretariat of the Jury and the invited consultants are obliged to keep the deliberations of the Jury confidential. The working sessions of the Jury are not public.

3.10. Assessment criteria

The Jury will review and select the winning solutions based on the following criteria:

A. The creativity, originality and landscape/urban/architectural/artistic quality of the design – 55% of the final assessment (maximum 55 points).

They are evaluated on a scale of 1 to 50: creativity (A1 – max. 20 points), originality (A2 – max. 15 points) and landscape/urban/architectural/artistic quality (A3 – max. 20 points) of the proposed solution.

It is counted by summing the points awarded by the jury for the following aspects:

- A1 – a symbiosis between the character and history of the place and contemporary needs (max. 20 points);
- A2 – originality of solutions regarding the proposed interventions in the public space in order to achieve the objectives detailed in the Task Book (max. 15 points);
- A3 – The character of the public space resulting from the proposed intervention and the overall atmosphere of the design (max. 20 points).

B. Viability, rationality and sustainability of proposals – 30% of the final assessment (max. 30 points).

There are evaluated on a scale of 1 to 30: the viability (B1 – max. 10 points), the rationality (B2 – max. 10 points) and the sustainability (B3 – max. 10 points) of the proposed solution, as follows:

It is counted by summing the points awarded by the jury for the following aspects:

- B1 – The degree of viability of the proposed solution regarding the technical aspects of the objectives established by the Task Book (max. 10 points);
- B2 – Proposing effective solutions in terms of price/quality ratio (max. 10 points);
- B3 – The degree of inclusion of the proposed solution in the concept of "sustainable development" (the development process that meets current needs without jeopardizing the ability of future generations to meet their own needs) (max. 10 points).

C. Achieving the objectives established by the Task Book – 10% of the final assessment (max. 10 points).

There is evaluated on a scale of 1 to 10 the degree of achieving the objectives mentioned in the Task Book.

D. The quality and clarity of the design presentation in such a way as to illustrate the competitor's ability to implement the proposed solution – 5% of the final evaluation (max. 5 points)

There is evaluated on a scale of 1 to 5 the competitor's ability to implement the proposed project.

Calculation algorithm:

$A + B + C + D = (A1+A2+A3) + (B1+B2+B3) + C + D = 55 + 30 + 10 + 5 = 100$ maximum points possible.

3.11. The recommendations of the Jury

The Jury prepares and forwards to the Organizer the judging report regarding the work of the Jury and the results of the contest, explaining the choices made and including its recommendations for the elaboration of the technical project.

3.12. Announcing winners

The official announcement of the competition results will be made in a press conference.

3.13. Appealing results

The decision of the Jury regarding the results of the solutions contest cannot be the subject of appeals.

3.14. Publication of the results of the competition

The results will be published on the competition page on the website rising.philharmonic.md.

4. HARNESS THE PROJECTS:

4.1. Submissions Ownership

All projects submitted in the contest are subject to copyright within the meaning of Law no. 139/2010 on copyright and related rights.

The winners, as authors of the submitted projects, will continue to have the recognition of moral copyright in accordance with Article 10 of Law no. 139/2010. **No alteration or modification can be made to the works without the written consent of the authors.**

Following the competition and the award of the public procurement contract, the realization of the winning project will be done in collaboration with the Organizer, which may undergo changes, without the architectural part being affected.

The authors of the winning projects cede the patrimonial rights over the works to the Organizer, based on the contract concluded later, according to Law no. 139/2010.

By assigning the patrimonial rights, the authors allow the Competition Organizer to publish the respective images in print or digital format, without any other agreement or payment, as well as the right to be presented in the exhibitions organized within the competition.

The Competition Organizer does not assume any responsibility regarding possible copyright infringements by the participants of the competition. Responsibility rests exclusively with the person who submitted the project.

4.2. Signing the contract for the feasibility study and the execution project

The decision of the jury regarding the designation of the winner is binding for the Organizer.

- Following this contest, the organizer can contract, according to the legal provisions, the development of design services and technical assistance with the winning team. The estimated value of the related contract is 4833333.33 mdl, without VAT, for the following design works:

- General layout plan;
- Public food technology;
- Architecture solutions;
- Reinforced concrete constructions, Metal structure constructions, Detailed metal structure constructions or Construction elements;
- Heating, ventilation and air conditioning;
- Internal water supply and sewage networks;
- External water supply and sewage networks;
- Gas supply. Indoor installations;
- Automation;
- Automation of electricity supply, External electrical lighting, Internal electrical lighting, Power electrical equipment;
- Telephone and signaling communications;
- Automated control systems;
- Fire extinguishing;

- Organizing construction works.

The winner of the competition to whom the work will be entrusted will be invited by the Organizer to the negotiation procedure without prior publication of a notice of participation according to the provisions of article 56 paragraph (4) of Law no. 131/20115 on public procurement and Government Decision no. 599/2020 for approval of the Regulation on public procurement using the negotiation procedure, in order to conclude the design services contract. The subject of the negotiation will be the price and duration of execution. The architectural solution cannot be the subject of the negotiation.

If the Organizer fails to conclude the design services contract with the winner, for reasons not attributable to him, in order to conclude the contract, has the right to invite to the negotiation procedure without prior publication of a notice of participation the competitors ranked on the following places, in descending order established by the Jury.

The organizer will ask the winning competitor, along with the invitation to the negotiation without prior publication of a notice of participation, to submit the following mandatory documents that prove the capacity to conclude and execute a design services contract on the territory of the Republic of Moldova, according to the law:

- All the documents that reflect the self-declaration according to the Single European Procurement Document (DUAE);
- Criminal record - its presentation (the criminal record for a legal entity) will be made only at the request of the contracting authority to the bidder ranked first; it must be valid on the date of presentation;
- Architect with signature right according to the provisions of Law no. 1350/2000 on architectural activity.

4.3 Public exposure of projects

The organizer will organize exhibitions with the participating works, promoted on its website and in the local, national and international media, as appropriate. The exhibitions will be set up in a public space, with free entry.

5. PROCESSING OF PERSONAL DATA

All contest participants are guaranteed their rights in accordance with Law no. 133/2011 on the protection of personal data, and the Organizer undertakes to fulfill all the conditions established by law, applicable to this Competition, for the protection of the rights of the participants.

Competitors give their consent for their projects to be published on the Organizer's website, photos, video recordings of them at exhibitions, etc.

6. LITIGATION

In the event of potential conflicts arising between the Organizer and the competition participants, they will be resolved amicably. If an amicable solution is not possible, the involved parties will submit the conflicts for a resolution to the competent courts of the Republic of Moldova.

7. CANCELATION OF THE COMPETITION

The cancellation of the design competition can only be done in compliance with the provisions of article 71 of Law no. 131/2015 on public procurement, or if less than 3 projects are presented in the competition.

COMPETITION CALENDAR

1	Official launch of the competition	September 24, 2022
2	Deadline for receiving questions	January 13, 2023
3	Deadline for answering questions	January 24, 2023
4	Submission deadline	February 13, 2023
5	Judging	February 20-24, 2023
6	Official announcement of the winner (press conference with the Jury)	March 1, 2023

8. ANNEX

- Participation form
- The DUAE form
- The offer form