



**THE GOVERNMENT OF ROMANIA**

*The "Elie Wiesel" National Institute for Studying the Holocaust in Romania*

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**APPROVED,**

**GENERAL DIRECTOR,**

**Alexandru Florian**

## **BEST DESIGN COMPETITION**

"Design of the permanent exhibition and auxiliary spaces of the National Museum of Jewish History and of the Holocaust in Romania (MNIEHR)"

**MNIEHR**

**Contest Regulations**

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## **1. BACKGROUND DATA**

### **1.1 Organizer of the contest**

**1.1.1** The Organizer of the contest is the “Elie Wiesel” National Institute for Studying the Holocaust in Romania (INSHR-EW). The contact details of the organizer are INSHR-EW, Bd. Dacia nr. 89, Sector 2, București, 020052, Tel.: 0040.021.318.09.39, Fax: 0040.021.318.09.39 E-mail: [office@inshr-ew.ro](mailto:office@inshr-ew.ro), Web: [www.inshr-ew.ro](http://www.inshr-ew.ro). The Organizer of the contest provides the budget funds for the design services to be contracted with the winner of the contest.

**1.1.2** The Secretariat of the contest (office work) is provided by the “Elie Wiesel” National Institute for Studying the Holocaust in Romania. The contact details of the organizer are INSHR-EW, Bd. Dacia nr. 89, Sector 2, Bucharest, 020052, Tel.: 0040.021.318.09.39, Fax: 0040.021.318.09.39 E-mail: [office@inshr-ew.ro](mailto:office@inshr-ew.ro), Web: [www.inshr-ew.ro](http://www.inshr-ew.ro), Internet page of the contest [www.inshr-ew.ro/concursmuzeu](http://www.inshr-ew.ro/concursmuzeu) .

### **1.2 Purpose of the contest**

**1.2.1** The design contest aims at selecting the best solution for developing a new spatial and design concept of the National Museum of Jewish History and of the Holocaust in Romania, in order to award the design contract.

**1.2.2** The design contest is organized as an independent procedure, under art. 105 let. a) of Law no. 98/2016 for public procurement. Subsequently, the design service contract will be awarded to the winner of the contest, following a negotiation on possible changes of display in the permanent exhibition in the timeline for submitting the final drawings.

### **1.3 Type of contest**

**1.3.1** The design contest is public, international, has a single phase, having been approved and endorsed by the General Secretariat of the Government and by the “Elie Wiesel” National Institute for Studying the Holocaust in Romania.

**1.3.2** The design contest is regulated by art. 3 para. (1) letter j) of Law no. 98/2016 on public procurement as "the procedure allowing the contracting authority, mainly in the field of land and urban planning, architecture and engineering or data processing, to acquire a plan or a design selected by a jury on a competitive basis, with or without granting awards".

**1.3.3** The design contest is organized in compliance with the national legislation on public procurement (Law no. 98/2016 on public procurement and Government Decision no. 395/2016 approving the Methodological Norms for applying the provisions on awarding the public procurement contract / framework agreement of Law no. 98/2016 on public procurement).

**1.3.4** Anonymity will be lifted for all the projects to be admitted for judging after all the members of the jury have signed the Report of the jury. (according to art. 109 par. (3) of Law no. 98/2016 on public procurement).

**1.3.5** The decision of the jury is binding upon the Organizer, regarding the compliance with the selection of projects submitted in the contest, i.e. the design that has been deemed “winner”.

## **1.4 Language of the contest**

**1.4.1** The documentation of the contest is written in Romanian and English languages. The reference language of the documentation and the report of the jury is / will be written in English. The written record of the jury will be written in English, to be signed by all judges. After it has been signed, the Organizer will employ a sworn translator to make a legalized translation of it, into Romanian, and keep it in the archives.

**1.4.2** All parts of the contest (sheets, memorandum, estimated costs) will be written in English.

**1.4.3** All documents required and placed in the sealed envelope will be: in English for foreign contestants and in Romanian for Romanian contestants.

**1.4.4** All documents needed to start negotiations with the winner will be presented by the winner in original or certified copies, accompanied by their translation into Romanian. It is mandatory that these materials be translated by sworn translators at the date when the negotiation begins.

## **1.5 Jury of the contest**

**1.5.1** The jury consists of:

***Full members:***

1. Mihnea Constantinescu, the Ministry of Foreign Affairs
2. Andreea Lambriu, the General Secretariat of the Romanian Government
3. Sergiu Nistor, "Ion Mincu" University of Architecture and Urbanism
4. Aurel Vainer, the Federation of Jewish Communities of Romania
5. Liviu Beris, the Association of Romanian Jews – Victims of the Holocaust
6. Virgil Nițulescu, the Ministry of Culture and National Identity
7. Florin Manole, Roma Cultural Center "O Del Amencia"
8. Lucian Alexandru Găvozdea, Romanian Order of Architects
9. Lăcrămioara Stratulat, the Moldova National Museum Complex
10. Ciprian Anghel Ștefan, the Astra Sibiu Museum Complex,
11. Elisabeth Ungureanu, "Elie Wiesel" National Institute for the Study of the Holocaust in Romania
12. Radu Ioanid, the United States Holocaust Memorial Museum
13. Paul Shapiro, the United States Holocaust Memorial Museum
14. Jacques Fredj, Mémorial de la Shoah
15. Rabin Andrew Baker, American Jewish Committee
16. Alexander Avraham, Yad Vashem
17. Constanting Gorcea, Graphique Design Architecture, Suceava

***Substitute members:***

1. Adrian Crăciunescu, "Ion Mincu" University of Architecture and Urbanism
2. Mihaela Criticos, "Ion Mincu" University of Architecture and Urbanism
3. Alis Vasile.

**1.5.2** The deliberations of the jury will take place in Bucharest, in a venue provided by the “Elie Wiesel” National Institute for Studying the Holocaust in Romania.

**1.5.3** All jury members will attend all judging sessions.

**1.5.4** Substitute members will participate in all jury deliberations, without having the right to vote, unless they are called to replace a full member of the jury.

If a full member of the jury is missing any judging session, a substitute member will replace the missing member and will have the right to vote throughout the judging period. If, for any reason, a jury member is missing for a short time, he or she will be replaced by a substitute member of the jury, and any decision made during that time is irreversible. If a jury member is absent for an extended period or leaves before the completion of the judging procedure, his or her right to vote will be transferred to a substitute member. After the former full member has been replaced, the position of full member of the jury is taken by the substitute member, who will have the prerogatives of a full member, until the completion of the contest.

**1.5.5** The jury reigns supreme. Its decision cannot be appealed and is binding upon the organizer. Each jury member has one vote. The jury's decisions will be taken by a majority vote. In case of a tie vote, the chairperson of the jury has the casting vote.

**1.5.6** The chairperson of the jury is appointed by the Organizer.

**1.5.7** The jury of the contest has the following duties and responsibilities:

- to examine and decide upon the report submitted by the technical committee;
- to jointly establish the working methodology;
- to judge all submitted projects, based on the criteria applied to determine the winning project, as indicated in the contest theme and participation announcement;
- to establish the final hierarchy and the only winner of the contest;
- to prepare and submit the written records to the Organizer, on the judging procedure, on the deliberations of the jury and on the results of the contest, explaining the choices they made and including their recommendations to the Organizer. The written record of judging is a document written in English and signed by all the members of the jury. The written record of judging will be translated and made public in the two official languages of the contest, and will be sent to all the participants.

**1.5.8** The judging sessions will be attended, without the right to vote, by the professional councilor of the contest, designated by the Organizer, and by the expert consultants of the jury.

**1.5.9** The secretariat of the jury is performed by a person appointed by the Organizer.

## **1.6 Secretariat of the contest**

**1.6.1** Communication between contestants and the Secretariat of the contest is performed exclusively by SEAP at [www.e-licitatie.ro](http://www.e-licitatie.ro) and via e-mail at: [conkurs@inshr-ew.ro](mailto:conkurs@inshr-ew.ro)

**1.6.2** The secretariat of the contest consists of:

- The reception secretariat,
- The jury secretariat.

**1.6.3** The reception secretariat has the following tasks:

- to ensure the registration of contestants,

- to receive, register and manage the projects that participate in the contest,
- to insert the envelopes with the guarantee of participation in a sealed envelope; this envelope will be handed over to the technical committee,
- to supports contestants in downloading the documentation, as well as to provide technical assistance in writing via e-mail, at: [conkurs@inshr-ew.ro](mailto:conkurs@inshr-ew.ro),

**1.6.4** The jury secretariat has responsibilities pertaining to assisting the jury in writing the Judging Report and to providing all materials requested by the members of the jury.

The secretariat also ensures communication and announces the results of the judging.

## **2. CONTEST PARTICIPATION**

### **2.1 The position of contestant**

**2.1.1** Contestants may be individual offices of architecture, associations established by individual offices of architecture, civil companies of architecture or other legal units that exercise the profession of architect, according to the national law of their country of origin or legal persons (design companies) based in Romania or in other countries, either individually or in joint ventures. In the case of joint ventures, the designated leader will sign the project in the contest.

**2.1.2** Contestants which are legal persons are required to have a partner, employee or collaborator, on the basis of commitments / agreements to participate, who is an architect having rights of signature and is a member of the Order of Architects of Romania or of a similar organization in his / her country, legally exercising the profession of architect, under the national law of their country of origin. Individually or in a joint venture, contestants must have the capability to sign a contract for design services in Romania. This capability will have to be proven to the Organizer in case they win the contest.

**2.1.3** The capability to perform a certain professional service, which is also among the qualifying conditions:

- contestants must prove that they had a turnover of at least 3.720.000 lei in 2017 (equivalent of 800,000 Euro);
- contestants must prove that they have designed at least a permanent exhibition or a museum.

**2.1.4** The building which is the subject of this design contest is located in Bucharest, 18-20 Lipsani Street, and is registered in the list of monuments of historical relevance, having been classified as a monument of national interest (class A). Under the legislation in use, contestants are required to have architects and engineers in their team, as well as experts or certified specialists, under the applicable national regulations or legislation in their home countries, for the design and interventions in heritage buildings.

**2.1.5** It is recommended that the team will also include or consult other specialists, as well: designers of exhibition spaces, museographers, experts in the restoration of historical monuments, structural engineers, etc. Contestants may collaborate with experts in all areas that require specialized expertise.

**2.1.6** The following persons are not entitled to participate in the contest:

- jurors and substitute members;
- the professional consultant of the contest;
- members of the technical committee;

- members of the contest secretariat;
- members of the team that developed the theme and regulations, including specialized consultants;
- the organizer and relatives thereof, up to the third degree;
- third degree relatives of those mentioned above, as well as the persons belonging to any organization that the ones mentioned above are associated to, as people in leadership positions, officials and advisers.
- other persons about whom there are reasonable indications or specific pieces of information that, directly or indirectly, they may have a personal, financial, economic or other interest, or he or she is in a situation likely to compromise his or her independence and impartiality during the evaluation process, as well as those who are deemed as being in a conflict of interest, under Law no. 98/2016.

## **2.2 Participation documents filed by contestants**

### **2.2.1 Guarantee of participation in the public procurement procedure**

(1) Each participant will attach a transparent envelope, to the package of the sheets / tube, that contains an original document attesting to the deposit of a bank guarantee amounting to **4.650 lei (equivalent of 1000 Euro)**, in one of the following ways:

- bank transfer to the “Elie Wiesel” National Institute for Studying the Holocaust in Romania (INSHR-EW).

In RON:

Beneficiary: INSHR Elie Wiesel

Fiscal code: 18098352

Bank account for the transfer of the guarantee (RON): **RO91TREZ7025005XXX019160 - TREZORERIA SECTOR 2**

In Euro:

Beneficiary: INSHR Elie Wiesel

Fiscal code: 18098352

Bank account for the transfer of the guarantee (EUR) IBAN: **RO60BRDE441SV34638114410 - BRD SWIFT: BRDEROBU**,

confirmed by the bank until the date and time of opening the bid, in accordance with the timeline of the contest.

- a bank guarantee instrument issued, under the law, by a bank or an insurance company and presented in the original copy, amounting to **4.650 lei (equivalent of 1000 EURO)**, as follows:

- letter of banking guarantee for the guaranteed amount or
- insurance policy for the guaranteed amount.

(2) The guarantee instrument issued by a bank / insurance company from abroad will be presented in original and shall be accompanied by a legalized and certified translation into English.

(3) Whatever the circumstances, the proof of making the deposit of the participation guarantee must be submitted no later than the date stated in the timeline of the contest for opening the bids (when the Technical Commission starts working).

(4) The guarantee of participation must be valid until December 31, 2018.

(5) The contracting authority will retain the participation guarantee, and the contestant will lose the respective amount if he / she is in one of the situations specified in Art. 37 of the Methodological Norms adopted by Government Decision no. 395/2016, for the implementation of the provisions on awarding public procurement contracts / framework agreements, under Law

no. 98/2016 on public procurement, as follows:

- a) withdraws his / her bid during the period of validity thereof;
- b) in case his / her bid wins the contest, they will not make the deposit for guaranteeing the proper performance, within the validity period of the bid and, in any case, not later than 5 working days after signing the public procurement contract, under art. 39 paragraph (3) of the Methodological Norms adopted by Government Decision no. 395/2016, for implementing the provisions on awarding public procurement contracts / framework agreements, under Law. 98/2016 on public procurement.
- c) After his / her bid wins the contest, he or she refuses to sign the public procurement contract / framework agreement within the validity period of the bid.

(6) If the participation guarantee was sent by bank transfer to INSRH-EW, the refund of the participation guarantee will be made on the basis of a request submitted to INSHR-EW by the contestant (Guarantee Refund Form).

(7) The contestant will bear all fees and bank charges entailed by the refund of the participation guarantee.

(8) Bids not accompanied by the participation guarantee in the amount, form and not having the validity period required by the bid documentation will be rejected as unacceptable.

### **2.2.2 Participation forms**

The contestant must submit the following documents in a white, opaque, size A4 envelope, sealed (closed), which will bear one's chosen alphanumeric identification symbol and will be filed together with the sheets, as well as introduced in the package / tube:

1. Application request- Form no. 1;
2. DUAE;
3. Joint-venture Agreement- Form no. 2;
4. Financial bid- Form no. 3.

**2.2.3** Anonymized financial offer (should include also an estimation of the design period and delivery of the work plans).

## **2.3 Conditions for the admission of projects to be judged**

**2.3.1** To be admitted for judging, projects must comply with:

- the theme and regulation of the contest;
- the deadline (under the terms of Art. 137 of the Government Decision no. 395/2016, exceeding the deadline set in the timeline of the procedure – the date and time of project submission, or the submission to a different address, automatically entail the rejection of the contestant) and the presentation requirements;

- anonymity,
- the validity of the submitted offers will have to be maintained until December 31, 2018.

**2.3.2** Situations of lack of compliance of the projects, noted by the Secretariat before judging, that automatically entail the rejection of a project, under the Government Decision no. 395/2016, are:

- exceeding the deadline set in the timetable of – the date and time of direct delivery to the secretariat or delivery of the project by courier or submission to a different address than the one that was mentioned in the participation announcement and in the regulation, noted by the



secretariat upon receipt of the project;

- lack of a valid document regarding the participation guarantee in the amount, form and period of validity requested under the current contest regulation, noticed by the secretariat upon receipt of the project;

- separate delivery or sticking the sealed envelope outside the package / tube.

**2.3.3** The reception secretariat will prepare a written record that will mention the way in which the conditions stipulated in art. 2.3.2. have been fulfilled. The projects that do not meet these conditions will be rejected without being opened, under Art. 64, paragraph (7) of Government Decision no. 395/2016.

**2.3.4** Situations of lack of compliance found by the technical committee before judging, that entail the elimination of the project from judging, are:

- the lack of a sealed envelope in the package / tube, as specified in the current contest regulations, found by the committee upon verifying the projects in terms of content;

- no identification symbol inscribed on the sheets and on the sealed envelope, or it was not covered with black paper on the sheets;

- the lack of the anonymized financial bid (estimated design period and deadline for submitting the work plans);

- violation of the provision on anonymity, under art. 3.7.

**2.3.5** The Technical Committee will prepare a report which will record the fulfillment of the formal requirements for submitting the projects and the conditions to participate in the contest, which they must present to the jury upon the beginning of judging.

### **3. TIMELINE OF THE CONTEST**

#### **3.1. Launch of the contest**

The launch date is the publication date of the announcement of participation in the contest, in the Electronic System of Public Procurement, the Design contests section.

The organizer will manage the design and operation of an Internet page of the contest at [www.inshr-ew.ro/concursmuzeu](http://www.inshr-ew.ro/concursmuzeu). The contest page will include the general presentation of the contest in Romanian and English, the contest documentation, answers to the requests for clarifications, the judging results, other relevant announcements and the answer to appeals.

#### **3.2 Entering the contest**

**3.2.1** Launch of the contest: the publication date of the announcement of participation in the contest, in the Electronic System of Public Procurement. The registration in the contest will be made under the schedule given in the timeline of the contest.

**3.2.2** Participants have the following means to register: [www.e-licitatie.ro](http://www.e-licitatie.ro).

**3.2.3** Registration entitles the contestant to receive answers to their questions, as well as the announcements regarding the contest.

**3.2.4** Registration is not conditioned upon one's participation in the contest.

#### **3.3 Documentation provided to contestants**

**3.3.1** Contest documentation is provided exclusively in electronic format and can be

downloaded from [www.e-licitatie.ro](http://www.e-licitatie.ro) and from the website of the contest at [www.inshre-ew.ro/concursumuzeu](http://www.inshre-ew.ro/concursumuzeu).

**3.3.2** The contest documentation includes:

1. The Contest Theme (Tender Book)
2. The Contest Regulation
3. Historical-Architectural Study Of The National Museum Of History Of Jews And Of The Holocaust In Romania
4. Report Of Technical Expertise
  - 4.1 The strength technical expertise report,
  - 4.2 Geotechnical study
  - 4.3 Test report
  - 4.4 Architectural memo
  - 4.5 Drawn sheets.
5. The Narrative (Storyline) Of The Permanent Exhibition
6. Support Plans Of The Building (Dwg And Pdf Files)

**3.3.3** The graphical documentation described above cannot be used outside the scope of this Contest.

### **3.4 Right of contestants to ask for clarifications**

**3.4.1** Requests for answers to clarifications or questions are to be submitted in a single round. The deadline for receipt of requests for clarification or questions, as well as the deadline for sending the answers are set in the timeline of the contest.

**3.4.2** Any interested contestant shall be entitled to request clarifications regarding the contest in writing. Requests or questions can only be sent in writing, in the SEAP [www.e-licitatie.ro](http://www.e-licitatie.ro) at the "Questions" section, the rubric "Add a Question" linked to the contest announcement. The contestant is required to comply with the deadlines set out in the timeline of the contest and to make sure that the requests for clarifications or questions were received by the Technical Committee.

**3.4.3** Questions asked during the site visit will be written down and will become part of the Questions and Answers document.

**3.4.4** The Organizer of the contest will make sure to post answers to the requests for clarifications or questions, accompanied by the respective questions, in a clear, complete and unambiguous way, in compliance with the deadlines set in the timeline of the contest and making the proper measures so as not to reveal the identity of those seeking the respective clarifications.

**3.4.5** Answers to requests for clarifications or questions may provide more details, complete or modify certain provisions of the contest documentation and become part of the contest documentation.

### **3.5. Site visit**

**3.5.1** The organizer of the contest has the obligation to visit the site within 10 calendar days of the publication of the announcement in SEAP (The Electronic System of Public Procurement). The costs and travel arrangements to the site are to be paid by the participants.

**3.5.2** Participants will be able to ask questions during the visit to the property located at 8-20 Lipsyani St. All questions, as well as the answers given by the Organizer, will be written

down and will become part of the **Questions & Answers** document. The document will be posted on the [www.e-licitatie.ro](http://www.e-licitatie.ro) platform for all the participants which have registered in the contest up to that date.

**3.5.3** Participants interested in visiting the site will register by email at [concurs@inshre.ro](mailto:concurs@inshre.ro), at the secretariat of the contest, within seven calendar days of the date of publication of the announcement in SEAP (The Electronic System of Public Procurement). The subject of the e-mail to be sent for this purpose will be "Visit to the museum site."

### **3.6. Content of the projects**

**3.6.1** A contestant may submit one project in the contest, under the provisions of this Regulation.

**3.6.2** Each project will include the following, in a single package / tube:

- a. 4 rolled sheets in the package / tube, numbered I-III;
- b. 4 sheets with 3D images, rolled in the package / tube, numbered IV-VII;
- c. an estimate anonymized financial bid in English, on white, size A4 paper.

Each project will include a list of estimated costs of the design services (the documentation necessary for obtaining the Urbanism Certificate, P.A.C., P.T., D.T.O.E., D.E.) and a list of estimated costs of the investment also an estimation of the design period and delivery of the work plans. The estimated costs will be given in Lei. This will be the basis of negotiating for signing the contract of design services with the winner of the contest. At the negotiation, the winner must provide a certified translation of the document, in Romanian. The lack of the list of estimated costs will entail the disqualification of the contestant.

The list of estimated costs will not exceed the estimated maximum threshold for the investment, under the document "Estimated investment" from Tender Book.

**d.** an anonymized memorandum, a presentation text of the design of no more than four pages, written in English, A4 pages, Times New Roman, size 12 font, 1.5 spacing;

**e.** a sealed (closed) envelope of white, opaque, size A4 paper, which will include:

- ✓ the participation forms, as doc. documents, under art. 2.2.2;
- ✓ a memory stick / USB memory card, comprising:
  - thumbnail images of the sheets:
    - jpg format, 72 dpi resolution for online publication;
    - jpg format, 150 dpi resolution for the catalog of the contest;
  - the memorandum, the presentation text of the proposed design in a doc. format.

**3.6.3** The projects will be presented in 7 (**seven**) sheets, size A0, of white paper, with vertical pagination (portrait), unadorned, without glued papers, on a rigid frame, and will include the following elements:

#### **Sheet I:**

- Plan of the basement (1:100), size A1

- Plan of the ground floor (1:100), size A1

**Sheet II:**

- Plan of the 1<sup>st</sup> floor (1:100), size A1
- Plan of the 2<sup>nd</sup> floor (1:100), size A1

**Sheet III:**

- Cross-section (1:100), size A1
- Longitudinal section (1:100), size A1

Sheets I to III shall refer to the functions of the museum, the update and restoration strategy, as well as to display principles.

**Sheets IV-VII**

- Four 3D images, size A2. Each sheet will represent the permanent exhibition; a suggestive image for each section of the storyline, numbered 1 to 14, arranged in order of themes. The last sheet will have only two images, placed on top of the sheet. Sheets must be edifying as for the generic display scenario.

Drawings may also contain other elements, depending on what the contestants may consider important in order to convey the proposed design.

**3.6.4** Sheets will be numbered in the lower right corner – size "no. page / total pages "(e.g. 1/7, 2/7, 3/7, 4/7 ... 7/7).

**3.6.5** Sheet no. 1 will include the title "MNIEHR" DESIGN COMPETITION, on top.

**3.6.6** The sheets of the project will be rolled and placed in a package or tube. Folded sheets are not admitted.

**3.7 Anonymity of the projects**

**3.7.1** For anonymity purposes, each project will have an alphanumeric identification symbol.

**3.7.2** The identification symbol will be written on the front of each sheet in the upper right corner, in a rectangle covered with black paper, size 5x3 cm, glued only on the edges, on both sides of the sheet. It will consist of two letters followed by four numbers, chosen by the contestant and mentioned in the identification form.

**3.7.3** (1) The identification symbol will be written and not covered by black paper, on a white, perfectly opaque, size A4 anonymized envelope, which will contain:

- a. the participation forms provided for at point 2.2.2;
- b. the memory stick with the data and the electronic version of the project, upon which the identification symbol will be noted.

(2) The envelope directly inside the package / tube that contains the drawings.

**3.7.4** The Technical Committee will ensure anonymity by assigning a random number of two or three figures to each project, which will be used throughout the judging process (competition number).

**3.7.5** The competition number will be written on the package and on all items it includes: sheets; anonymized envelope; anonymized financial bid; anonymized statutory statement on one's turnover for 2017 and an anonymized statutory statement on the (previous) design of a museum or of a permanent exhibition.

**3.7.6** The Technical Committee will erase the tracking number from the package and will draft a correspondence table that will include the tracking number, the competition number and the alpha-numerical symbol. This table will be inserted in a sealed box, together with:

- an envelope with a synoptic table of the guarantees,
- anonymized envelopes of the checked projects.

**3.7.7** Under the penalty of removal from the judging procedure, the sheets will not include any indication of the identity of the contestant.

**3.7.8** Avoid highly customized graphical presentations, such as company logos, which will endanger one's anonymity.

**3.7.9** Anonymity will be lifted only after the members of the jury have signed the report, by opening the closed envelopes.

**3.7.10** The identification data of the projects' authors will be made public at the same time as the announcements about the results of judging.

### **3.8 Submission of projects**

**3.8.1** Contestants are advised to choose a package / tube that will keep the integrity of the rolled sheets and of the USB stick. The writing on the package / tube will be: FOR THE "MNIEHR" CONTEST.

**3.8.2** (1) The projects will be submitted directly or sent by courier at the headquarters of the reception secretariat, at the following address: Institutul Național pentru Studiarea Holocaustului din România „Elie Wiesel” (INSHR-EW) Bd. Dacia nr. 89, sector 2, București, cod poștal 020052.

(2) The date and hour up to which contestants may submit projects at the headquarters of the Secretariat of the contest, or send by courier, are set in the timeline of the contest.

**3.8.3** For projects delivered directly to the Secretariat, contestants will receive a registration number, mentioned in the table of receipt.

**3.8.4** Projects can also be delivered by courier. Contestants will send the projects by courier only with signature of receipt. For the projects sent by courier, contestants must make sure that the date and time of dispatch is stated on the packing / tube and will reach the secretariat of the contest until the date and time set in timeline of the contest for the beginning of activity of the Technical Committee (the opening of the bids) – under the timeline of the contest. Projects sent by courier will also get a registration number, written down in a receipt table. Packages that reach the headquarters after the time set in the timeline will be rejected and the authors will be notified within one business day.

The reception secretariat assumes no responsibility to confirm the receipt of the project,

to the sender.

**3.8.5** After a project has been submitted, no additions or replacements of sheets, of envelopes or of USB sticks are allowed.

**3.8.6** If a contestant requests to withdraw a submitted project, this is only allowed up to the date and time specified in the contest timetable for submissions, and a project withdrawal written record will be concluded.

### **3.9 Receiving and checking the projects**

**3.9.1** The reception secretariat will remove from the package / tube, after registration, any reference about the identity of the sender.

**3.9.2** At the date and time set in timeline of the contest, the reception secretariat will deliver, to the technical committee, all projects that comply with the provisions of paragraph 2.3.2 of this regulation, and will sign a written record.

**3.9.3** In order to verify the content of the received and registered projects, the Organizer will appoint a technical committee made of at least two architects and the designated representative of the Organizer. The chairperson of the technical committee will participate in the works of the jury, without voting rights. The membership of the technical committee can be supplemented by two members if the number of received projects exceeds 100. The technical committee will check the projects and submit their findings and observations to the jury, so as to facilitate the decision making process.

**3.9.4** At the date and time specified in the timeline of the contest, the committee will open the packaging / tubes that contain the projects and will assign a random number of two or three figures (competition number), which will be written on the packaging / tube and on the elements of the project.

**3.9.5** The committee will check the compliance with the formal conditions of submission, in accordance with the theme, regulation and anonymity requirement. The technical committee will verify whether each project includes all the parts required by the Regulation or theme, as well as the way in which they are presented.

**3.9.6** Projects that do not comply with the anonymity requirement will be proposed for removal from the contest, and the jury will decide on the matter.

**3.9.7** The sealed envelopes of the checked projects will be inserted in a sealed container the chairperson of the technical committee, to be kept in a place which is inaccessible to the public, at the headquarters of the Organizer.

### **3.10 Jury deliberations**

**3.10.1** During the deliberations of the jury, the only additional persons allowed to be present, without voting rights, are: the professional consultant of the contest, the chairperson of the technical committee that verified the projects, the secretariat of the jury and of the technical team of the Organizer.

**3.10.2** The deliberations of the jury will take place in English. The report of the jury will be written in English, and this version will be signed by the jury members at the end of deliberations.

**3.10.3** The jury is required to assess the submitted projects under the criteria applied to determine the winning project, indicated in the Tender Book (Contest Theme) and in the participation announcement. They must establish a hierarchy and declare the winner of the contest. At the end of their work, the jury must write the Judging Report on the deliberations of the jury and the results of the contest, which will be submitted to the Organizer.

**3.10.4** After the members of the jury have ended the deliberations and signed the judging written record, the secretary of the jury will proceed to opening the sealed envelopes, in order to identify the authors of the winning and mentioned projects, which will be recorded in an addendum of the written record to be submitted to the Organizer.

### **3.11 Confidentiality**

**3.11.1** No contestant has the right to contact any member of the jury about the contest or their project. The Organizer and secretariat may be contacted about the contest, only in writing.

**3.11.2** Jury members, the secretariat of the jury and invited consultants must keep the confidentiality of the jury deliberations. Working meetings of the jury are not public. No other person is allowed in the area where the jury is deliberating, except for those mentioned in art. 3.10.1. Except for the judges who are nominally announced at the beginning of the contest, all persons admitted inside the venue of the jury deliberations or who will be involved in receiving and verifying the projects, will sign privacy statements and will also declare that they are not in any conflict of interest, as far as the contest is concerned.

### **3.12 Criteria applied to determine the winning project**

**3.12.1** The criteria for determining the winning project are presented in the Tender Book (Contest Theme) and participation announcement.

### **3.13 Jury recommendations**

**3.13.1** Since the ultimate goal of the contest is to designate the winning project, the jury will mention, in the Judging Report the conclusions of their deliberations and their recommendations for the development of the technical project.

### **3.14 Communicating the results**

**3.14.1** The results will be made known to all participants and the general public by the Organizer, on the website of the contest.

**3.14.2** The award announcement will be published on the site [www.inshrew.ro/concursumuzeu](http://www.inshrew.ro/concursumuzeu), at the date mentioned in the timeline of the contest, as well as on the [www.elicitatie.ro](http://www.elicitatie.ro) site.

**3.14.3** Only entities that eligible from the jury point of view will be invited to negotiations.

### **3.15 Appeals**

**3.15.1** The jury's decision on the projects' evaluation cannot be appealed and will not be a topic of discussion.

**3.15.2** Any Appeals may be filed, under art. 2 and 4 of Law no. 101/2016 on the award of public procurement contracts, of public works lease contracts and of service lease contracts, amended and supplemented, at the National Council for Solving Appeals (*Consiliul National de Soluționare a Contestațiilor*), at the following address: Str. Stavropoleos nr. 6, sector 3, București, cod poștal: 030084, e-mail: [office@cnscl.ro](mailto:office@cnscl.ro), telephone (4) 021.310.46.41, fax (4) 021.310.46.42, website [www.cnscl.ro](http://www.cnscl.ro).

### **3.16 Publication of contest results and displaying the projects**

**3.16.1** The Organizers will publish the results of the contest within the period prescribed in the Regulation, mentioning the authors.

**3.16.2** The Organizer can later publish a virtual gallery of the projects that participated in the Contest and / or a Contest album.

**3.16.3** The management of received projects is the task of the Organizer, as follows:

(1) projects rejected because of lack of compliance with the requirements referred to in art. 2.3.2 can be picked up by the authors from the secretariat of the contest, immediately after receiving the notification of rejection, at their own expense.

(2) The projects that were not purchased by the Organizer can be picked up by the authors no later than 90 days after the publication of the results, at their expense.

## **4. USE OF THE PROJECTS**

### **4.1. Ownership of the projects**

**4.1.1** The project to be declared winner after the contest will be acquired only if payments have been made. Moral and patrimonial rights upon the project are subject to Law no. 8/1996 on copyright and related rights, as amended and supplemented.

**4.1.2** The submission of a project entails the acceptance of the contestant to give the Organizer the right to publish the respective images in print or in digital format, with the mention of the author's name, without any other agreement or payment.

**4.1.3** Following the contest and the award of the public procurement contract, the development of the winning project will be performed together with the Organizer. It can be modified without affecting the architectural situation.

**4.1.4** The author of the winning project waives all patrimonial rights, in favor of the Organizer, under the contract subsequently signed, according to art. 42 of Law no. 8/1996, as amended in 2018.

**4.1.5** The Organizer of the contest assumes no responsibility for any infringement of the copyright (possible case of plagiarism). The responsibility lies exclusively upon the person who submitted the project.



**4.1.6** Contestants are required, by submitting the contest documentation in the sealed envelope, together with the sheets, to agree in writing that the real identity of the author and / or of the project team will be publicly disclosed, after lifting the anonymity, when displaying or publishing the projects.

## **4.2. Signing the contract for the technical project**

**4.2.1** The jury's decision on the designated winner is binding upon the Organizer.

**4.2.2** The author of a project retains the copyright of his / her work; no alteration or modification will be brought to it without his / her formal agreement thereof. At the end of the contest, the completion of the project is performed with the help of the Organizer and it can therefore evolve, without affecting the architectural situation.

**4.2.3** The maximum estimated value of the contract to be awarded to the winner, after the contest, is 2.645.408 lei, excluding VAT, for the following design missions:

- The documentation for the Urbanism Certificate;
- The Technical Project (P.T.) + The Project for Construction Authorization (P.A.C.), the Technical Documentation for the Organization of Works to be Performed (D.T.O.E.);
- Performed Works Details (D.E.);
- Technical assistance provided by the designer.

**4.2.4** The draft of the contract for design services is included in the documentation of the contest, in the Regulations.

**4.2.5** The winner of the contest, who will develop his / her project, will be invited by the Organizer to take part in the negotiation procedure, so as to sign the contract of design services.

**4.2.6** In case the Organizer cannot sign a contract of design services with the winner, for reasons beyond their control, the Organizer has the right to invite the contestants placed on the following positions, to sign the contract, in the descending order set by the jury.

**4.2.7** The organizer will request that the winning contestant submit the following mandatory documents, translated and certified in Romanian, in order to prove their capability to sign and perform a contract of design services in Romania, under the law:

ROMANIAN NATIONALS	FOREIGN NATIONALS
<b>1. All supporting documents</b> referring to the affidavit, under the European Single Procurement Document (DUAE)	
<b>2. The following forms, under the provisions of the data sheet:</b> Application Request- Form no.1; Joint-Venture Agreement (if applicable)- Form no. 2; Financial Bid- Form no. 3.	
<b>4.</b> Criminal record statement, supporting the fact that the contestant was not convicted by a final court decision for participating in activities of a criminal organization, for corruption, fraud and / or money laundering and Tax certificate supporting the due payment of taxes and duties, both in case of the local and state budgets.	<b>3.</b> Foreign legal entities / expatriates will submit supporting documents issued by the authorities of their country of origin: certificates, criminal record, tax record or equivalent documents proving that they have not been convicted, by a final court decision, for participation in the activities of a criminal organization, for corruption, fraud and / or money laundering, and also supporting the fact that they have fulfilled their obligations

	to pay taxes and contributions to the state / local budgets, in accordance with requirements of the contracting authority.
<b>4.</b> Support certificate issued by the Trade Register, valid at the date of signing the contract, in original and a certified copy. The class of activity of the entity that will sign the contract must include design services and have a corresponding NACE code.	<b>4.</b> For foreign legal / natural persons: Documents supporting a form of registration / certification or professional membership, in accordance with the provisions of the country where the contestant is residing, in the language in which they were issued, accompanied by a certified translation thereof into Romanian or English. The object of the contract (i.e. design services) must correspond to the fields of activity presented in the submitted documents.
<b>5.</b> Supporting documents for the list of main design services provided in the last two years	
<b>6.</b> Supporting documents on one's turnover in 2017.	
<b>7.</b> Supporting documents according to which they designed at least one permanent exhibition or a museum;	
<b>8.</b> Supporting documents for the members of the design team who are certified or licensed for Class A heritage works. Equivalent certificates for foreign contestants.	

## 5 PERSONAL DATA PROCESSING

**5.1** All participants in the contest are guaranteed their rights, under Regulation no. 679/2016 on data protection, for the protection of individuals in regard to the processing of personal data and the free movement of such data, as well as under the Romanian legislation on commercial communications, and the Organizer undertakes to meet all conditions set by the law, as applicable to this Contest, for the protection of the contestants' rights.

## 6 LITIGATIONS

**6.1** If potential conflicts arise between the Organizer and the participants in the Contest, they will be settled amicably. If they cannot be settled amicably, the parties will submit the litigation to the competent courts of law in Romania, for settlement.

## 7 CONTEST CANCELLATION

**7.1** The Contest may be canceled only in compliance with art. 212 of Law no. 98/2016 on public procurement, or if less than three projects are registered in the contest.

## 8 CONTEST REGULATION

**8.1** The contest regulation is part of the contest documentation and can be downloaded from the sites [www.e-licitatie.ro](http://www.e-licitatie.ro) and [www.inshr-ew.ro/concursmuzeu](http://www.inshr-ew.ro/concursmuzeu). By entering this Contest, participants agree to comply with this Regulation. Any changes to this Regulation shall be communicated to the participants.