

# New JRC Seville Building

ARCHITECTURAL DESIGN CONTEST





EUROPEAN COMMISSION  
JOINT RESEARCH CENTRE  
Directorate R – Support Services  
Unit R1 - Support Services Seville

**Procurement procedure N° JRC/SVQ/2021/DC/0327**

**New JRC Building in Seville**

**International restricted interdisciplinary architectural design contest**

**PROCEDURE RULES**

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## GLOSSARY

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**“Applicant”** or **“candidate”** means the economic operator or group of operators who submits a request to participate or application in the architectural contest, alone or as a team (joint application).

**“Contest”** means a design contest carried out under the terms of article 164 1.c) and subsection 8 of Annex I of the EU Financial Regulation (Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018).

**“Architect”** means the professionally qualified natural person or legal person in the field of Architecture capable of producing a design concept to participate in this contest according to the Contest rules.

**“Basic Team”** means the team of professionals presented by the candidate to perform the key competences in case of being selected as participant (ref §2.4.3.1)

**“Contest Architectural Brief”** or **“contest programme”** means the documents provided to the participant comprising technical specifications and further description of the task

**“Contest Notice”**, the notice published in the Official Journal of the European Union (OJEU) launching the selection phase of the procedure.

**“Contracting Authority”** the European Commission or **“Commission”**, represented by the Director of the JRC-R Support services

**“Design concept”**, **“Entry”** or **“Proposal”** the proposal or project submitted by the participant in the Contest

**“Direction of construction works”** means the direction of the works in its technical, aesthetic, urban and environmental aspects, in accordance with the project, the works permit and administrative authorisations and works contract conditions, with the aim of ensuring its adequacy to the proposed end, as described in Spanish law art 12., *“Ley de Ordenación de la Edificación 38/1999 of 5 November”*

**“Economic operator”** means any natural or legal person, including a public entity, or group of such persons, who offers to supply products, execute works or provide services or supply immovable property (cf. Financial Regulation, Art 2)

**Financial Regulation (FR)** Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union

**JRC:** Joint Research Centre of the European Commission

**“Key competences”** means the professional expertise that the participant must provide in the following fields:

- architecture,
- structural engineering,
- landscape architecture and
- building services engineering

**“Participant”** or **“competitor”** means the applicant selected to participate in the Contest, i.e. invited to submit a Design Concept or proposal for the Contest.

**“Procedure”** means the ensemble of processes, pre-qualification (or selection) and Contest.

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## 1. INTRODUCTION

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### 1.1. THE JRC

[The Joint Research Centre](#) (JRC) is the European Commission's Science and Knowledge service. Its mission consists in supporting EU policies with independent evidence throughout the whole policy cycle. The JRC has sites in five EU countries, including Spain (Seville).

The JRC site in Seville works closely with sister services of the European Commission to provide socio-economic and techno-economic research supporting the conception, development, implementation and monitoring of EU policies.

Established in 1994, it is today the JRC's second largest site, with some 400 staff. Economists, engineers, computer and social scientists are the most frequent profiles among its research staff. The JRC in Seville performs policy-driven techno-economic research, covering the following policy areas:

- Circular economy and industrial leadership
- Digital economy
- Economics of agriculture
- Economics of climate change, energy and transport
- Fiscal policy analysis
- Human capital and employment
- Territorial development

Core activities and competences include:

- Conducting policy studies: policy option analysis.
- Developing and running economic models to perform scenario analysis and policy impact assessment.
- Manage EU-wide information exchange and consensus-building processes on highly complex techno-economic issues.
- Providing policy intelligence platforms.

The working modalities of the JRC Seville involve frequent and intensive interaction with stakeholders and scientific partners, which take the shape of physical and virtual meetings, workshops and conferences.

### 1.2. THE NEW JRC BUILDING IN SEVILLE

The Joint Research Centre is organizing an international restricted interdisciplinary architectural contest to find the best concept design for the new JRC Site Headquarters in Seville.

The contest aims at obtaining design concepts that must be excellent examples of multidisciplinary integration of architecture, design and sustainability. It will contribute to the development of European Commission President Ursula von der Leyen's [New European Bauhaus initiative](#).

The main goal of the architectural contest is to select a design concept for a new bespoke building offering a flexible and modern working environment for JRC staff in Seville. The building envisaged should have a maximum gross floor area above ground of 11.500 sqm, and total gross surface of 20.000 sqm including below ground areas. Urban layout options for possible future extensions or separate building(s) on the site will also be requested.

The new building should provide office space for some 450 employees, as well as meeting rooms, catering, social and cultural areas and a car park. The maximum expected construction cost is 25 M €, excluding project fees and taxes. The calculation of this amount has been based on a cost benefit analysis carried out by a specialist in Real Estate investments, with additional consultation of databases of construction costs for similar buildings in Spain and a comparative analysis of the estimations of different experts in building costs in Seville. The reference parameters used for the cost estimation will be indicated in the Architectural Brief.

The present Contest is part of a multi-stage process to assess the project's viability and actual project realisation is subject to future approval by the European Commission and the EU's Budgetary Authority Contest participants should be aware that the European Commission is not in a position to prejudge the result of such decision-making process and can therefore provide, at this stage, no assurance about the project realisation. Should the decision to realize the project be taken, the Commission shall undertake a negotiated procedure with the Contest winner for a service contract for the project design and the direction of works, under the conditions established in section 4 of this document.



Bird's eye view of the contest site

The designated site for the new building (henceforward: the site) is a plot owned by the Seville City Council situated in the heart of the "Isla de la Cartuja", in the Triana district) in Seville. The "Isla de la Cartuja", which hosted the 1992 Universal Exhibition, is an area situated between the two branches of the Guadalquivir River and is very close to the historical city centre. The building site, empty today but for the foundations of a former construction, is surrounded by the streets Inca Garcilaso, Francisco de Montesinos, Camino de los Descubrimientos and López Pintado. The present Design Contest is carried out under an agreement with the city's local authorities.

### 1.3. THE VISION

The future JRC building in Seville is expected to constitute an exemplary contribution to the New European Bauhaus initiative launched by European Commission President Ursula von der Leyen: a movement "intended to be a bridge between the world of science and technology and the world of art and culture" with a view to bringing the European Green Deal closer to people's minds and living spaces and making tangible the comfort and attractiveness of sustainable living and working.

The architectural intervention should be a forward-looking, innovative and cost-efficient construction, aiming at integrating multiple disciplines to achieve the highest sustainability targets for a new construction project.

Participants are also requested to integrate in their proposal a reflection on the future of office workspaces in the aftermath of the COVID-19 crisis.

### **Urban integration**

We expect the best urban planning solutions for the JRC Seville building and its surrounding area. The future building(s) must create links between the urban and the natural space and should be fully integrated in the urban environment, while aiming at becoming a landmark element for the area. The functional integration of exterior spaces and their landscape design is very important.

### **Architectural identity**

We seek an adequate and strong visual identity for the building. The design should contribute to the architectural quality of the city, take duly into account the historical and cultural heritage of the area, and resonate with the European citizens as a representation of the spirit of common endeavour. It should convey the building's scientific research function and institutional character, reinforce the relationship with Seville and its citizens and embody the Commission's strong commitment to sustainability policies integrated with aesthetics.

### **Future workplace**

Design teams are expected to integrate concepts and visions about the future of the workplace. The future JRC Seville headquarters must be a post-Covid and "future proof" building, able to adapt to new forms of work organisation, in which physical and virtual presence and interaction are seamlessly combined and interchangeable. We seek a building that offers flexible spaces, maximises the opportunities for the meeting of minds, collaboration and co-creation in research projects, and which must be able to adapt easily to the development of JRC's needs over time. Researchers working in the new building will have to shift easily between spaces for high concentration work, informal collaboration, structured meetings and videoconferencing; and social interaction.

### **Sustainability**

We seek a strong example of sustainable and regenerative building. The design should feature bio-climatic principles, environmentally friendly solutions and a circular economy approach to reusing materials. The building must strive to set an example in terms of well-being, accessibility and environmental parameters. It should achieve carbon neutral status, ideally with a positive energy balance, based on renewable energy production, adequate architectural choices and energy storage on site. A mark of "outstanding" under the BREEAM label certification system, or equivalent, and near zero-energy-status are key project objectives.

The European Commission has developed a framework of core indicators to help design and construct sustainable buildings: [Level\(s\)](#). The possible future building(s) shall take full account of this framework to achieve the highest Level(s) performance.

Moreover, the architecture of the new JRC building should fully take into account the context of the ["eCity Sevilla" project](#), a strategic initiative aimed at converting the entire Isla de la Cartuja into a 100% energy neutral area by 2025.

## **1.4. THE DESIGN CONTEST- OVERVIEW**

### **1.4.1. UIA APPROVAL AND ENDORSEMENT**

This Contest is endorsed by the International Union of Architects (UIA), which certifies that the rules governing it (present document and annexes thereto) are in accordance with the UNESCO Standard Regulations for International Competitions in Architecture and Town Planning and the UIA best practice recommendations (See: [Competition Guide for Design Competitions in Architecture and Related Fields](#)).



### 1.4.2. STRUCTURE AND RULES

The Contest will be preceded by an **open selection (pre-qualification) phase** (described in Section 2 of this document) through which 15 applicants will be selected and invited to participate in the **Contest**. These selected candidates shall hereafter be referred to as ‘competitors’ or ‘participants’.

**The Contest** (Section 3 of this document) **shall be carried out in one stage** (“single stage competition”<sup>1</sup>): participants will be invited to submit a **design concept** (or “proposal”) according to specific requirements defined in the Contest’s Architectural Brief. The proposals will be assessed and ranked by the Contest jury (the Jury) in order to determine the winner. The Jury will submit a report to the Contracting Authority indicating the Contest winner and the ranking of received proposal. It may include in its report recommendations about the future commissioning of a service contract and recommendations about the need for further development of the winning concept following the contest.

#### Contest Deliverables

Preselected candidates will be expected to submit documents describing the following aspects of their design concepts:

- Area Plan, Scaled 1: 1,000
- Freestyle Plan “Urban Design”
- Floor Plan Level 0 and Outdoor Spaces 1: 250
- Freestyle Plan “Architecture” with 3-dimensional freestyle representation
- Main entrance Elevation, scaled 1: 250
- Further Sections and Elevations, necessary for the comprehension of the project, scaled 1:250
- Typical office floor plan, scaled 1: 250
- Interior design and office layout
- Other Floor Plans, scaled 1: 500
- Utilization Concept - Distribution of Functions
- Security Concept
- Circulation Concept
- Phasing concept
- Fire compartments
- Structural Design Concept
- Energy and Building Services Concept
- Façade Detail, Scaled 1: 50

#### Calculations and Reports

- Calculation of Areas and Volumes
- Explanatory Report on Urban Design, landscape and Architecture
- Sustainability and energy performance
- Summary building Specifications
- General bill of quantities

**The Contest Documents**, governing both the selection of participants and the Contest itself, consist of the **Contest Notice** published in the Official Journal of the European Union (OJEU), the present **Procedure Rules** and its annexes, and the **Contest Architectural Brief** and annexes. The present document and annexes are available on the TED e-Tendering website indicated in the Contest Notice. The **Architectural Brief** and its

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<sup>1</sup> See UIA Competition Guide, section 4.1

annexes will be provided to the Contest competitors and will include further information on the architectural programme and building requirements, the proposals material and the relevant modalities for submission.

Submission of a request to participate and participation in the Contest imply full acceptance without reservation of all the terms and conditions set out in the Contest Rules and documents provided to candidates during the selection phase of the procedure.

## Contest follow-up

Should the project be cleared for the project design phase, the Contest winner will be invited to participate in a negotiated procedure for the procurement of a services contract for the development of the design concept into a detailed construction design (see sections 1.4.5 and 4) and - should the project be eventually cleared for realization - the Direction of construction works.

### 1.4.3. WHO CAN PARTICIPATE- ELIGIBILITY

Without prejudice to the provisions of Section 2 in this document, participation in this Contest is open on equal terms to all natural or legal persons coming within the scope of the EU [Treaties](#). Economic operators can request to participate and, if selected, subsequently submit a design concept either as a sole economic operator or as a group of economic operators (joint application).

The Contest is also open to natural and legal persons established in a third country that has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement. Where the Agreement on Government Procurement<sup>2</sup> concluded within the World Trade Organization applies, the participation to this Contest is open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions laid down therein.

#### Ineligible for participation are:

- Those who, due to their collaboration in the preparation or running of the contest or preliminary studies, might be in a favoured position or be able to influence the jury's decision, including, but not limited to: members of the jury, Commission staff, employees and other collaborators **of participants**, as well as their spouses, first- and second-degree relatives or in-laws, their permanent business or project partners, and the immediate superiors and staff of ineligible persons.
- Those having a business interest in the object of the contest beyond the scope of the contest's planning services, if this is apt to influence bidding processes for services required for the physical implementation of the contest object.

To enable *the Contracting Authority* to verify candidates' access to this procurement procedure (pre-qualification and Contest), each candidate must indicate its country of establishment (and in case of joint application – the country of establishment of each group member) and must present the supporting evidence normally acceptable under the law of that country/-ies.

The rules on access to procurement do not apply to subcontractors (subcontracting is allowed); however, subcontracting may not be used with the intent to circumvent the rules on access to procurement.

Candidates may submit either a single application or a joint application.

**Single application** is an application submitted by a single legal entity covering **all key competences**, i.e. the professional fields covered by the members of the **basic team** defined in point 2.4.3.1 of this document.

**Joint application** is an application submitted by a group of economic operators jointly covering the key competences, regardless of the link they may have between them. **The group leader** shall be the economic operator representing the professional field of Architecture ("the Architect").

**One economic operator can only be part of one candidature.** Should two or more applications include a same basic team member, provisions in sub-section 2.4.3.1 shall apply.

The modalities for identification of applicants (single or group) are defined in sections 1.5 and 1.6.

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<sup>2</sup> [https://www.wto.org/english/tratop\\_e/gproc\\_e/gp\\_gpa\\_e.htm](https://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm).

#### 1.4.4. EXPENSES

Expenses incurred by the applicants in preparing and submitting the requests to participate are borne by the interested applicant and will not be reimbursed.

Expenses incurred by the participants in preparing the design concept will be compensated under the conditions established in section 3.7 of this document.

#### 1.4.5. LEGAL FRAMEWORK

The Contest is governed by the provisions of [Regulation \(EU, Euratom\) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union](#) (the Financial Regulation<sup>3</sup> or FR), in particular point 8 of Annex I to the FR.

Upon completion of the Contest, should the Commission take a decision to proceed with the project's design, the *Contracting Authority* will launch a negotiated procedure with the Contest winner, with a view to awarding a service contract for the design and supervision of construction works, pursuant to Annex I point 11.1 (d) of the Financial Regulation.

Applicants/candidates and participants in the Contest must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU. These law obligations shall be observed throughout the entire duration of the Contest and the entire execution of the subsequent design and direction of works services contract (see section 4). Compliance with these requirements is mandatory and cannot be subject to any assumptions or limitations.

#### 1.4.6. LIABILITY AND RESTRICTION

Contest applicants and participants are expected and deemed to possess the capability and experience to assess any risks involved in participation in the present Contest procedure and to understand and evaluate the information contained in this document and in the other documents provided in the course of the procedure. Applicants and participants shall analyse and verify the completeness and the correctness of the content of these documents. In this regard, they are given the possibility to request clarifications or to indicate shortfalls on the procedure documents as provided for in section 1.7.1 below.

The Commission provides no express or implied warranty declaration concerning the completeness, relevance and interpretation of the information included in this document or other documents provided in the course of the Contest and does not assume any liability in this respect, except for factual errors contained in documents drawn up by the Commission if the applicant could not be expected to be aware of such errors.

The Commission does not assume any liability for damages and/or losses resulting from or connected to the use of this document or other procurement documents, be in their original version or in any revised version subsequently published.

#### 1.4.7. CONFIDENTIALITY

Documents provided **during the pre-qualification (selection) stage** of the procedure are not subject to handling restrictions.

**During the Contest**, competitors undertake not to disclose any information or document (administrative, budgetary, technical, organisational and operational information, etc.) received or obtained in connection with the contest, which must be considered and treated as confidential. Any infringement of confidentiality as defined above may result in rejection of the offending candidate's application at any stage of the procedure.

In particular, participants in the Contest shall treat all documentation received with the invitation to participate (i.e. Contest Architectural Brief and its annexes, draft service contract and technical specifications) in a strictly

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<sup>3</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p.1).

confidential manner. The publication of the material or their disclosure to third parties is prohibited. All participants shall be required to sign and comply with a non-disclosure agreement before the distribution reception of said material.

All documents and digital files provided to participants by the Commission in the course of the Contest shall be only used in the context of this Contest. Any other use is conditional on prior written consent by the Commission.

#### **1.4.8. PERSONAL DATA PROCESSING**

Submission of a request to participate in this design contest involves the collection and treatment of personal data provided by applicants. Such data will be processed pursuant to Regulation (EU) 2018/1725<sup>4</sup> of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. Unless indicated otherwise, any personal data or other information required by the Contracting Authority to evaluate applicants' requests to participate in accordance with the specifications set forth herein will be processed solely for that purpose.

Details concerning the processing of your personal data are available in the privacy statement at: [https://ec.europa.eu/info/funding-tenders/rules-public-procurement/data-protection-publicprocurement-procedures\\_en](https://ec.europa.eu/info/funding-tenders/rules-public-procurement/data-protection-publicprocurement-procedures_en).

To exercise any rights under Regulation (EU) 2018/1725 or to submit a complaint regarding the collection and use of personal data applicants can contact the data controller at [jrc-seville-offers@ec.europa.eu](mailto:jrc-seville-offers@ec.europa.eu).

The applicant's personal data may be registered in the Early Detection and Exclusion System (EDES) if the applicant is in one of the situations mentioned in Article 136 of the Financial Regulation. For more information, see the Privacy Statement at [http://ec.europa.eu/budget/explained/management/protecting/protect\\_en.cfm](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm).

#### **1.4.9. PROCEDURE LANGUAGE**

**The Contest language is English.** The Contest Notice published in the OJEU is available in all official languages of the European Union.

##### **Pre-qualification:**

Although applications may be submitted in any EU official language (cf. Contest Notice point IV.2.4), they shall be assessed on the basis of documents originally written in English (if so submitted), or translated into English, either by the applicant or by the Commission. Candidates submitting documents in an EU official language other than English, without enclosing English translation, accept that their application will be assessed based on translations into English by the Commission.

Official supporting documents, i.e. from national authorities, national professional organizations or similar bodies, relating to exclusion and selection criteria, written in one of the European Union's official languages shall be accepted without translation into English.

##### **Contest**

Design contest documents (i.e. the Invitation to participate, the Contest Architectural Brief and annexes, the service draft contract and its term of reference) will only be available in English. National and local regulations shall be provided in the Spanish original (relevant abstracts in English may however be provided as appropriate).

All documents submitted by participants in connection with the design contest (i.e. Contest proposals and any texts accompanying design concepts) must be written in English.

The Jury's working language shall be English.

##### **Contest follow up- Design services contract**

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<sup>4</sup> OJ L 295, 21.11.2018, p. 39

The working languages for the performance of any contract resulting from the negotiated procedure referred to in section 4 shall be Spanish and English.

## 1.5. HOW TO APPLY

Applications must be submitted exclusively via the electronic submission system (eSubmission) available at <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=7901> and accessible on the Funding and Tenders Opportunities portal (F&T portal). Applications submitted in any other way (e.g. e-mail or by letter) will be disregarded.

In order to submit an application using eSubmission, economic operators (each member of the group in the case of a joint application) will need to register in the European Commission's Participant Register - an online register of organisations participating in EU calls for tenders or proposals. Upon registering, each organisation obtains a Participant Identification Code (PIC, 9-digit number) which acts as its unique identifier in the above register. Instructions on how to create a PIC can be found on the [European Commission Organisation's roles and data website](#). Economic operators already registered in the Participant Register must use their existing PICs when preparing tenders/applications in eSubmission.

The deadline for reception of applications is indicated under Heading IV.2.2 of the Contest Notice. Local time shall be understood as local time at the Contracting Authority's location (the location indicated under Heading I.1 of the Contest Notice).

Applications received after the established deadline will be automatically rejected. The application receipt provided by eSubmission, with the official date and time of reception (timestamp) shall constitute the only evidence of timely submission of applications.

Applicants must ensure that their submitted applications contain all the information and documents required by the Contracting Authority to carry out the prequalification process, as set out in the contest documents (Cf. section 1.6.1 of this document and listed in the Check List in annex 7).

After submitting an application, but before the deadline for receipt of applications, an applicant may withdraw its application, or withdraw it and replace it with a new one. A withdrawal receipt will be provided by eSubmission as proof of withdrawal.

Requests to participate and the accompanying documents must be accurate, concise, complete and perfectly legible so that there can be no doubt as to words and figures, as they will provide the Contracting Authority with the information needed for evaluating the applications and selecting the candidates for participation in the Contest. Incomplete or illegible information could result in lower rating or in disqualification.

## 1.6. DOCUMENTS TO BE SUBMITTED WITH THE APPLICATION - SIGNATURE POLICY

### 1.6.1. Documents

Applications must include the following documentation:

- **“Applicant’s identification” (form in Annex 1)**
  - Dated, stamped with the company's stamp and signed by the **applicant’s representative**, who is:
    - In case of single application, the legal representative (or a duly authorized representative) of the interested applicant.
    - In case of a joint application (see I.4.3), the legal representative (or a duly authorized representative) of the group leader.
  - Including complete information about the applicant entity
  - Identifying the components of the Basic Team (ref. 2.4.3.1 below)
- **“Agreement/Power of attorney” (form in Annex 2), in case of joint application**
  - To be filled in and signed in case of joint application by the legal representative (or a duly authorized representative) of each group member.

- **The documentation requested in section 2.3 concerning exclusion criteria: the Declaration on Honour (form in Annex 3 to this document),**
  - Duly filled in, signed and submitted by:
    - In case of single application, the legal representative (or a duly authorized representative) of the interested applicant.
    - In case of a joint application (see 1.4.3), the legal representative (or a duly authorized representative) of each group member.
- **The documentation requested in section 2.4 concerning selection criteria (see also Annex 4)**
  - Forms in Annexes 5 and 6 duly filled in when required. Not needing signature.
- **Checklist of application documents (form in Annex 7)**
  - to be checked and signed by applicant's representative (see above)

Once the Commission has opened the request to participate or application, all documents contained therein shall become the property of the Commission and shall be treated confidentially.

#### 1.6.2. Signature policy

Where a document needs to be signed, the signature must be either hand-written or a qualified electronic signature as defined in [Regulation \(EU\) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market \(the eIDAS Regulation\)](#).

For hand-written signatures, a scanned copy of the original signed document must be submitted.

For electronic signatures see: <https://webgate.ec.europa.eu/fpfis/wikis/x/Ylrglw>

Submitted documents must be signed by the persons indicated in 1.6.1 above.

The delegation of the authorisation to sign on behalf of the signatories must be supported by appropriate written evidence (copy of the notice of appointment of the person/s authorised to represent the legal entity in signing contracts, or a copy of the publication of such appointment if the legislation which applies to signatory requires such publication or a power of attorney). A document that the *Contracting Authority* can access on a national database free of charge does not need to be submitted if the *Contracting Authority* is provided with the exact internet link and, if applicable, the necessary identification data to retrieve the document.

### 1.7. CONTACTS BETWEEN APPLICANTS AND CONTRACTING AUTHORITY

Contacts between the Contracting Authority and candidates are prohibited throughout the selection phase of the procedure save in exceptional circumstances and under the following conditions only:

#### 1.7.1. Contacts during submission phase (before the time-limit for receipt of applications)

Upon request from interested economic operators, the Contracting Authority may provide additional information solely for the purpose of clarifying the procurement documents.

Any request for additional information must be made in writing only through the above-mentioned [TED eTendering website](#) in the "questions and answers" tab, by clicking "create a question"(registration on [TED eTendering](#) is required to be able to create and submit a question).

The Contracting Authority is not bound to reply to requests for additional information received less than six working days before the time limit for receipt of applications.

The Contracting Authority, on its own initiative, may inform interested parties of any error, inaccuracy, omission or any other type of clerical error in the text of the procurement documents.

Any additional information from the Contracting Authority, including answers and amendments referred to above, will be posted on the TED e-Tendering website. The website will be updated regularly and it is the economic operator's responsibility to consult it regularly during the submission period to check for possible updates and modifications.

### **1.7.2. During the opening of applications**

Applications will be opened in private (i.e. attendance by public or applicants representatives will not be allowed) at the time and place indicated under Heading IV.2.7 of the Contest notice.

### **1.7.3. During the evaluation of applications (after the opening of applications)**

Except in duly justified cases, applicants who have failed to submit evidence or to make statements as required in the procurement documents, shall be contacted by the Contracting Authority to provide the missing information or clarify supporting documents.

The Contracting Authority may correct obvious clerical errors in the application after confirmation of the correction by the applicant. Such information, clarification or confirmation shall not substantially change the application's content.

### **1.7.4. At the outcome of the selection**

Candidates will be notified of the outcome of the selection phase of this procurement procedure by e-mail. The notification will be sent to the e-mail address provided in the eSubmission application for the applicant (group leader in case of a joint application) under the section Contact Info. The same e-mail address will be used by the Contracting Authority for all other communications with the applicant. It is the applicant's responsibility to provide a valid e-mail address and to check it regularly.

## **1.8. CONTACTS BETWEEN CONTEST PARTICIPANTS AND CONTRACTING AUTHORITY**

Contacts between the Contracting Authority and Contest participants are admitted only during the proposals submission phase and in the exceptional circumstances and under the conditions that will be established in the invitation to participate in the Contest.

During the evaluation of Contest proposals, any contact with the Contracting Authority, the Jury or the Technical Committee is forbidden. Any attempt at influencing the evaluation process by contacting the Contracting Authority, the Jury or the Technical Committee or by other means may lead to disqualification of the proposals involved.

## **1.9. PUBLICITY**

Any reference to this contest in commercial advertising or publications with commercial purposes by candidates is subject to written authorisation from the European Commission. The European Commission cannot refuse its agreement unless it notifies in writing the candidate in a maximum delay of 10 working days after reception of the request presenting a serious justification for its refusal.

Any announcement concerning the Contest, including the first publication of Contest entries and of the Contest results shall be issued only by or through European Commission official communications.

## **1.10. MEANS OF REDRESS**

Applicants in the selection procedure and participants in the Contest may submit any observations concerning the procurement procedure to the Contracting Authority using the contact details under Heading I.1 of the Contest notice. If applicants believe that there is a case of maladministration, they may lodge a complaint to the European Ombudsman within two years of the date from which they become aware of the facts that form the basis for the complaint (see <https://www.ombudsman.europa.eu>).

Within two months of notification of the outcome of the selection (see section2.9) or the Contest outcome (see section3.12), applicants may launch an action for its annulment. Any request applicants may make and any reply from the Contracting Authority, or any complaint for maladministration, will have neither the purpose nor the effect of suspending the term for launching an action for annulment nor open a new period for launching an action for annulment.

The body responsible for hearing annulment procedures is indicated under Heading VI.4.1 of the Contest Notice.



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## 2. SELECTION OF PARTICIPANTS

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### 2.1. SCOPE AND EXPECTED OUTCOME

Applications received within the deadline set in the Contest Notice and deemed in conformity with the rules set out in the **Invitation to Apply**, will be assessed according to the exclusion, selection and ranking criteria defined below.

The Selection Committee appointed by the Contracting Authority (see 2.2 below) will select - in elimination rounds - the best 15 candidates who shall be invited to take part in the Contest, plus 5 reserve applicants in ranking order from 1<sup>st</sup> to 5<sup>th</sup>. Should any of the selected candidates fail to confirm, in accordance with the modalities established in the letter of invitation, their intention to participate in the Contest; the first reserve applicant shall be invited. The rest of the reserve applicants shall be invited, if necessary, in ranking order, with the objective of reaching a maximum of 15 actual participants in the Contest.

The invitation to submit an application (including the publication of the Contest Notice, the Invitation to apply and the present Rules and annexes thereof) is not binding on the Commission. The Commission may cancel the present procedure at any moment during the selection process, without applicants being entitled to claim any compensation. Where appropriate, the decision will be substantiated and brought to the attention of the applicants and duly published in the Official Journal of the European Union.

### 2.2. SELECTION COMMITTEE AND TECHNICAL COMMITTEE

The Selection Committee will be composed of:

- a) Two architectural member(s) of the Jury (see 3.2 below).
- b) The "Technical advisor" to the Jury (see 3.3 below).

A Technical Committee appointed by the Contracting Authority and composed of JRC staff and consultants hired by the Commission to provide technical support will assist the Selection Committee (see section 2.6). The Technical Committee members will cover the professional fields related to the Contest such as architecture, landscape architecture, building services engineering structural engineering, and sustainability, and verify the compliance of the candidatures with the legal and regulatory, economic and financial criteria. The Technical Advisor shall chair the Technical Committee.

The tasks of the selection committee and the technical committee are described in sections 2.6.1 and 2.6.2, respectively.

### 2.3. EXCLUSION CRITERIA

The objective of the exclusion criteria is to assess whether the candidate is in any of the exclusion situations listed in Article 136(1) and 141 of the Financial Regulation, also quoted in the Declaration of Honour in Annex 3. Applications received from candidates established to be in an exclusion situation will be rejected.

**During the pre-qualification**, the exclusion criteria will be assessed on the sole basis of:

- Consultation of the [European Union's Early Detection and Exclusion System \(EDES\)](#)<sup>5</sup>.

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<sup>5</sup> EDES is the EU database containing data about economic operators representing a threat to the EU financial interests because there is suspicion of fraud/irregularity (early detection of risk) or administrative sanctions (exclusion case, financial penalty, publication of related information). EDES contains information about: a) early detection cases for presumed irregularity/fraud/grave professional misconduct/serious breach of contract., b) exclusion cases for exclusion situations under Art.106 FR.. Mandatory referral to a Centralised Commission Panel for all exclusion cases. c) financial penalties: an alternative or in addition to an exclusion case; when the economic operator has made false declaration for the exclusion criteria. Referral to the panel is also mandatory here.

- The “*Declaration on honour on exclusion criteria and selection criteria*” (form in Annex 3 to this document), duly filled in, signed and submitted by an authorised representative of the entity providing the declaration.

**Evidence documents** supporting said declaration (listed in the Declaration form, Annex 3 to this document) will be requested and assessed only following the pre-qualification, before the Contracting Authority takes the final selection decision (see section 2.7). However, applicants are encouraged to obtain such documents as soon as possible, in order not to delay the final selection decision and subsequent launch of the Contest phase.

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## 2.4. SELECTION CRITERIA

The objective of the selection criteria is to assess whether the candidate has the legal, regulatory, economic, financial, technical and professional capacity to perform the future service contract that may result from the expected negotiated procedure with the Contest winner.

The selection criteria, including the minimum levels of capacity, the relevant basis for assessment and the evidence required, are specified in the following subsections.

Applications not meeting the minimum levels of capacity will be rejected and not assessed for ranking.

### 2.4.1. LEGAL AND REGULATORY CAPACITY

Applicants must present a **basic team** (see section 2.4.3.1), the members of which must have the legal and regulatory capacity to pursue the relevant professional activity in their country of establishment. The evidence of professional qualification / admission to the profession shall be provided with the application, in the form of the following:

- Evidence of registration in a chamber of architects or a chamber of engineers in their country of establishment or, in accordance with to Directive 2005/36/EU “recognition of professional qualifications” as subsequently amended, respective records of study and/or, as the case may be, any other evidence regarding such professional qualification or any other equivalent proof of practice.

**The Architect will be the team leader as general planner** and will assume the full architectural responsibility of the proposal. Legal and regulatory professional capacity in Spain will be necessary to successfully deliver the services expected in the negotiated procedure that will follow the Contest. For those that are not registered architects in Spain, to obtain this capacity the Architects can:

- Either obtain the legal and regulatory capacity as Architect in Spain, following the Spanish legal procedure which includes official recognition of the competence of Architect by the authorities and registering in the chamber of Architects;
- Or include a member of the team that is a registered Architect in Spain having the legal and regulatory capacity required by Spanish law;
- Or team up, collaborate or subcontract, before the negotiated procedure, with a registered Architect having the legal and regulatory capacity required by Spanish law.

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6 The obligation to provide the supporting evidence will be waived in the following situations:

- if the same documents have already been provided in a previous award procedure of the European Commission, have been issued no more than one year before the date of their request by the Contracting Authority and are still valid at that date;
- if such evidence can be accessed by the Contracting Authority on a national database free of charge, in which case the economic operator shall provide the Contracting Authority with the internet address of the database and, if needed, the necessary identification data to retrieve the document;
- if there is a material impossibility to provide such evidence.

### 2.4.2. ECONOMIC AND FINANCIAL CAPACITY

Applicants must comply with the following selection criterion in order to prove that, should they win the Contest and be invited to take part in the negotiated procedure (see section 4), they would have the necessary economic and financial capacity to perform the possible future design service contract.

- **Criterion F1:** Average annual turnover of the financial years 2018 and 2019 not less than EUR 750,000.

- **Evidence F1:** Copy of the profit and loss accounts for the last two years for which accounts have been closed from each concerned legal entity, or, failing that, appropriate statements from banks.
- **Basis for assessment F1:** This criterion applies to the applicant as a whole (consolidated assessment) - the combined capacities of all members of the group in case of a joint application, all subcontractors and all entities on whose capacity the applicant relies for the fulfilment of this criterion (see 2.5 below).

**During the pre-qualification**, the assessment of this criterion will be based on the *Declaration on honour on exclusion criteria and selection criteria*. In the declaration, candidates may express their intention to associate third parties (auxiliary companies, subcontractors) that may contribute to fulfilment of the criterion.

**Before launching the Contest (invitation to participate):** the selected candidate will be requested to submit the evidence before the Contracting Authority takes the final selection decision (see 2.7 below).

### 2.4.3. TECHNICAL/PROFESSIONAL CAPACITY

Applicants must comply with the selection criteria T1, T2 and T3 below, in order to prove that they have the necessary technical and professional capacity to participate in the Contest and, subsequently, to perform a possible future design service contract that could result from the negotiated procedure with the Contest winner. Candidates not satisfying all three criteria will be assessed as not having the minimum technical capacity required and their application will be rejected without further assessment:

- Criterion T1.** The application must include a Basic Team of professionals, as defined in section 2.4.3.1 below.
- Criterion T2.** To have authored, in the fifteen years preceding the deadline for submitting a candidature, reference projects listed in section 2.4.3.2 below.
- Criterion T3.** To have completed, in the fifteen years preceding the deadline for submitting a candidature, the Direction of construction works of at least one of the reference projects listed in section 2.4.3.2 below.

Subsequently, a selection of the applications with the highest overall quality will be made by the Selection Committee, after evaluation of the reference projects and the reference list, as per section 2.6. This selection will enable the Contracting Authority to invite the participants to the Contest.

#### 2.4.3.1. Criterion T1. The basic team

The candidate must submit a team of professional partners (natural or legal persons) all of whom must confirm their readiness to contribute to the preparation of the Contest proposal (in case of selection) and to the possible future execution of a service contract for the project design. This group of professional partners is hereafter referred to as the **Basic Team** and should include at least the following key competence professionals:

- Architect (general planner) and Team Leader
- Structural engineer
- Landscape architect
- Building services engineer

Should the candidate be selected and invited to participate in the Contest, the Basic Team shall elaborate the Design Concept and, in the event of being awarded the design service contract resulting from the negotiated procedure (see section 4), would be expected to perform the design services in the respective field of competence.

The entities proposed for the Basic Team must be legally responsible, in the field of their competences, of the reference projects submitted for the evaluation of the technical capacity criterion T2 (ref section 2.4.3.2

below). The same person/entity can represent different key competences such as Structural engineering and Building services engineering, or Architecture and Landscape Architecture.

The same person/entity cannot be member of different teams selected to participate in the Contest. Should this be the case, the concerned entity shall decide which team it wishes to remain associated with, withdrawing from all others. In such case, the applicant team/s from which an entity has withdrawn will be given the possibility to replace the concerned team member with an expert that contributes with the same or higher level of key competences. The Commission reserves the right to decide whether to accept the replacement or not, in the latter case the application will be rejected.

The team does not necessarily have to be constituted as a single legal entity during the pre-qualification and the Contest, nor during the possible subsequent negotiated procurement procedure. However, the design and construction supervision service contract resulting from said negotiated procedure can be concluded only if the team is a single legal entity, constituted in one of the EU Member States in a form whereby its members are jointly and severally liable towards the Commission.

For the purposes of participation in the Contest, each team member's contribution to the Design Concept work must be clearly defined and all members must have appointed their joint agent or representative, having the power of attorney to represent them during the whole process (pre-qualification, Contest and negotiated procedure). Subject to the Commission's agreement, candidates selected to participate in the Contest may reinforce their teams up to the time of signature of the design and works supervision service contract..

#### **2.4.3.2. Criterion T2-Illustrated reference projects and Selected list of non-illustrated works**

The Design Quality capacity of the applicant will be assessed by the Selection Committee upon presentation of three illustrated reference projects. The relevant professional experience will be further assessed upon presentation of a List of selected non-illustrated works (maximum 5 per team member).

The conditions of presentation of these illustrated reference projects and non-illustrated list of works are described below.

##### **2.4.3.2.1. Illustrated Reference Projects**

Applicants must have performed, in the fifteen years preceding the deadline for submitting a candidature, reference projects covering the following professional fields:

- 2 reference projects in the professional field of architecture
- 1 reference project in the professional field of landscape architecture,

The lead designer or the co-lead designer of each reference project must be the applicant or, in case of joint candidature, a member of the Group.

The minimum technical requirements for the reference projects will be the following:

- The three Reference Projects must fall under the following categories:
  - One must constitute an architectural project of a scale similar to the object of this procedure. It must show the capacity to provide architectural design quality and in particular creativity and innovation in regard to sustainability, energy efficiency, circular economy and recyclability
  - One must be an open space, urban project such as city squares, urban parks, etc., with scale<sup>7</sup> similar to the object of this procedure. It must show the capacity to create attractive open spaces and landscapes for private and public use,

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<sup>7</sup> Scale must be understood as a combination of factors: the size, scope, context and constraints of the project providing an overall understanding of its degree of complexity and difficulty. Reference projects will have to meet a similar or superior degree of complexity and difficulty, or "scale", as the proposed object of this Design Contest.

- One must constitute an architectural project capable of giving strong identity and representational value of its function and purpose.
- Out of the total three Reference projects requested, at least one reference project must have been built and commissioned, and the other two Reference projects can be a successful execution or project in the process of being executed. These successful executions or projects under execution include the following:
  - 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> prize winner of an architectural competition (ideas competitions are excluded, only project competitions are eligible)
  - A project that is under construction or in the process of tendering the construction execution with a work permit already obtained.

For every illustrated reference project, the “Illustrated Reference Projects Identification Form” (Annex 5 to this document) must be duly filled in and submitted together with the documentation listed here below.

- Project Data: project title, location, client, type of project, type of intervention, realization status, recentness of project, services phases, indication of which of the three focuses (design quality and innovation in sustainability, attractive open space and landscape or strong identity) the reference is submitted for.
- Statement on environmental assessment: indicate if an environmental assessment scheme was applied and if a Life Cycle Assessment was conducted in the project.
- Project Characteristics (on two A3 sheets): in addition to the project data and the environmental assessment statement stated in the forms in annex 5; the two A3 sheets should include illustrations and texts freely explaining the quality in the design and technical solutions, and illustrating aspects of its environmental assessment.
  - For each reference project/building in the professional field of architecture: at least one photo or rendering of the exterior, one of a characteristic interior; and when necessary, one site plan, one typical floor plan and/or any relevant elevation(s) and/or section drawings, diagrams, etc.
  - For the reference project/building in the professional field of landscape architecture: at least one photo or rendering of the overall project, one site plan, and, if necessary, one detail plan, and/or any relevant diagrams, street furniture, surfaces etc.

#### 2.4.3.2.2. List of selected non-illustrated works

For each member of the team, applicants will fill and submit the “List of selected non-illustrated works” form (Annex 6 to this document). Applicants will present a list of up to five of the most relevant references authored by each team member during their career. The references do not have to be joint work of the team members. For each Reference, the following information must be included: Project Data: project title, location, client, type of project, type of intervention, realization status, recentness of project, services rendered.

### 2.5. RELIANCE ON THIRD ENTITIES TO SATISFY SELECTION CRITERIA

While criterion T2 applies to the applicant (single or grouping), candidates may rely on the capacities of third entities (including subcontractors) for fulfilling the criteria F1 and T1. In those cases, the applicants shall announce such intention in the application and in the Declaration on honour, also identifying the third entities if known at the time of the application.

If the applicant is selected to participate in the Contest, it will be required with the interim notification to confirm the identification (see section 2.7) of the third parties and to provide evidence of their capacities, where not provided with the application, as well as a letter of formal commitment from the third entity to put at disposal of the candidate the required capacities, should the latter be declared winner and subsequently invited to the negotiation of the services contract. In particular:

- a) If the candidate intends to rely on another entity to meet the minimum levels of economic and financial capacity (criterion F1), the third entity shall commit to sign the future contract or, alternatively, to provide a joint and several first-call financial guarantee for the performance of the contract.
- b) If the candidate intends to rely on another entity to meet the technical and professional selection criterion T1, the third entity shall commit to perform the services for which these capacities are required.

## **2.6. ASSESSMENT AND RANKING OF APPLICATIONS**

### **2.6.1. Technical Committee work**

The Technical Committee assisting the Selection Committee (cf. section 2.2) will verify the compliance of the candidatures with the minimum requirements for the legal and regulatory capacity and the economic and financial capacity, in accordance with the criteria set in 2.4.1 and 2.4.2. It will report to the Selection Committee on the outcome of this first screening, indicating which applications can be retained for the assessment on the professional and technical capacity (see section 2.4.3). The report will also identify, with supporting justification, applications to be discarded as not fulfilling the Exclusion and Selection criteria.

The Selection Committee may ask the Technical Committee for further information and preparatory support, as appropriate.

### **2.6.2. Selection Committee work**

The Selection Committee will first assess the compliance with the minimum requirements for technical and professional capacity of the candidatures, according to the criteria laid down in section 2.4.3. In doing so, it will rely on the technical examination performed by the Technical committee, in particular as regards the verification of the minimum requirements of the basic team and of the reference projects.

The basic team will be assessed in relation to the criteria set in section 2.4.3.1, whereas each illustrated project/building reference will be evaluated by applying the rules defined in section 2.4.3.2 and in Annex 4.

Then, the Selection Committee will establish a short-list of applicants having fulfilled all exclusion and selection criteria (minimum requirements).

The Selection Committee will choose, amongst this short-list, the best applications after a series of elimination rounds, establishing a final list of the fifteen best admissible candidates and five reserve candidates. The reserve candidates will be ranked from 1<sup>st</sup> to 5<sup>th</sup>.

The Selection Committee will then present its report to the Contracting Authority, proposing with substantiated arguments the selected fifteen candidates to be invited to participate in the Contest and the reserve list of five candidates that may be invited in case of withdrawal of any selected candidate.

## **2.7. FOLLOW-UP OF SELECTION PROCESS**

The Contracting Authority will take an interim Selection Decision based on the Selection Committee reasoned opinion, identifying the fifteen selected candidates and five reserve candidates.

Applicants will be informed simultaneously and individually of the outcome of the selection procedure by e-mail (registered in the official Ares system of the Commission). The Contracting Authority will invite the selected candidates to complete the submission of the evidence documents concerning the exclusion criteria and the selection criteria (cf. sections 2.3 and 2.4 above). The interim selection decision shall not become final until the shortlisted candidate have submitted the requested evidence and this has been accepted by the Contracting Authority.

Any non-selected candidate will be notified on the reasons for its non- selection, as well as on the available legal remedies.

The final list of selected candidates will not be made public nor communicated to candidates. All Jury members will have access to the list of selected candidates

### 3. THE CONTEST

#### 3.1. GENERALITIES

Selected candidates will be invited to confirm their intention to participate in the Contest. Candidates having responded positively will be asked to sign a Non-Disclosure Agreement and thereafter be provided with the Contest Architectural Brief containing the specifications to be complied with in the elaboration of their proposal. They will also be informed about the award criteria for the possible subsequent negotiated procedure and given copy of the relevant draft service contract.

Due to the Covid-19 pandemic and related restrictions, no organized guided site visit is envisaged at this stage. Participants are welcome to visit the site, which can be observed from its surrounding public streets (the enclosure is not opaque). Google street maps enables a preview of the site and surroundings in its existing state.

The Jury will evaluate the proposals received and establish the ranking by applying the criteria listed in section 3.7 below.

Prize money will be granted to the candidate proposals ranked in the first three positions in accordance with the provisions laid down in sections 3.6 and 3.7. The Jury will declare Contest winner the first ranked proposal.

#### 3.2. JURY

The Jury shall be appointed by the Contracting Authority and be composed of General members and Professional members. Professional members are technical professionals who have relevant experience and current ongoing practice for the purpose of this contest. The Jury is composed by 7 voting members and 4 alternates:

		Professional Profile	Nationality
	<b>General jurors</b>		
1	Bernard Magenhann, Deputy Director General of JRC, European Commission - Jury Chair	Economist, Senior manager	Belgian
2	Mikel Landabaso, JRC Seville site Director, European Commission	Economist, Senior manager	Spanish
	<b>Architectural jurors</b>		
3	Lone Wiggers	Architect, C.F. Moller Architects	Danish
4	Silvia Benedito, UIA representative	Architect	Portuguese
5	Patrick Bouchardon	Landscape Architect, Pena Paysages	French/British
6	Christiane Gerlacht, Chief architect of European Commission, OIB (Brussels Infrastructure Office)	Architect	German
7	Felipe Castro Bermúdez-Coronel, Architect, representing the Seville City Council	Architect	Spanish
	<b>General alternate members</b>		

8	Asunción Fernández Carretero, Deputy Director of Directorate JRC.R, European Commission	Chemical Engineer, Manager	Spanish
9	Vincenzo Cardarelli, Adviser - Seville Site Development, Directorate JRC.B, European Commission	Jurist, Project Manager	Italian
	<b>Architectural alternate members</b>		
10	Anne Holtrop	Architect, Studio Anne Holtrop	Dutch
11	Laurent Gravier, UIA representative	Architect, FRES Architectes	French

The JRC Director for Support Services, Philippe Duponteil, Authorising Officer for the Design Contest procedure, will be observer without vote.

Alternate jurors will attend all sessions of the jury work and be asked to express their opinion and participate in the debates without the right to vote. Should any of the jurors be unable to continue to participate in the jury's work, an alternate member of the same category (respectively: "general" or "professional") will be asked to step in and become voting member. Professional jurors could also replace general jurors, but not the opposite.

### 3.3. TECHNICAL COMMITTEE and TECHNICAL ADVISOR TO THE JURY

A **Technical Committee** appointed by the Contracting Authority shall assist the Jury in the assessment of compliance of the design concepts submitted by participants with administrative and technical requirements. In particular, the following aspects shall be considered:

- Timely delivery
- Presentation formalities including anonymity
- Completeness of the documents
- Respect of the technical requirements set out in the Architectural Brief

The Technical Committee shall be composed of JRC staff and consultants hired by the Commission to provide technical support, in order to better assess the technical compliance of the proposals in the following fields:

- urban planning
- landscape architecture
- workspace design
- functional / technical / security requirements
- fire prevention
- cost surveillance
- energy and environmental engineering
- structural engineering
- security
- facility management;
- use and sustainable production of energy;
- bioclimatism and biodiversity (fauna and flora);
- cost analysis,



- life cycle analysis,
- circular economy;

The names of the members of the Technical Committee and any involved expert will not be disclosed.

The Technical Committee will be chaired by the **Technical Advisor to the Jury, Mr Hugo Soriano Monte Monstavicius; Architect (Spanish/Lithuanian)**, and will present the final report of the committee to the Jury and assist the Jury in the course of their deliberations, without vote.

### **3.4. ANONYMITY**

All entries from participants will be drafted in English (see section 1.4.9 above).

Anonymity of the participants during the assessment of the design concepts by the Jury is paramount and shall be guaranteed inter alia by the following:

- a) All documents and items submitted by the candidates for the purpose of the architectural contest must be submitted in an anonymous format. Entries shall be considered as anonymous if they contain no direct mention of the name of the author, nor do they include any reference or evidence that could lead to revealing of author's identity. Details for the relevant requirements shall be provided in the Invitation to Participate.
- b) None of the documents or digital files may bear or display the name of the author, or any signature, slogan, or sign, allowing the identification of the author(s) of the design proposal, with the exception of the forms where the identification of the candidate is explicitly requested and which must be submitted in a sealed envelope on which only the entry code and the indication "author identification envelope" must figure. Amongst other measures, upon arrival the envelope with the indication of the sender shall be removed and stored separately from the proposals.
- c) The Jury shall evaluate all entries anonymously.
- d) Anonymity must be maintained until the final evaluation has been concluded, the prizes attributed and the ranking and jury report signed.

#### **3.4.1. Violation of anonymity**

- a) The jury shall disqualify from the evaluation process a contest entry in case of intentional violation of the principle of anonymity by the competitor or of accidental violations that cannot be rectified.
- b) In the event of an accidental violation of anonymity that can be easily rectified, the JRC will take the necessary measures to safeguard the anonymity of participants throughout the Contest, in particular by anonymizing entries as appropriate.
- c) The Technical Committee will inform the Jury of entries not compliant with the anonymity requirements, and possible accidental violations of anonymity. The Jury will take the relevant disqualification decision based upon the information received from the Technical Committee and/or on other factors considered by the Jury itself and duly justified.
- d) No remedies will be available and no compensation fees (cf. section 3.7) will be paid to the participants who are disqualified for breach of anonymity requirements.

### **3.5. SUBMISSION OF DESIGN CONCEPTS**

Detailed instructions on the contents and modalities to submit the design concepts shall be provided in the Invitation to participate and the Architectural Brief.

Each competitor can only enter one entry. Variants are not allowed.

### **3.6. EVALUATION OF THE DESIGN CONCEPTS. CRITERIA, JURY WORKING METHOD AND OUTCOME**

#### **3.6.1. CRITERIA FOR THE EVALUATION OF THE DESIGN CONCEPTS**

The Jury will apply the following criteria for the evaluation of the design concepts.

The following guidelines shall be followed in qualifying entries according to the evaluation criteria:

**Unsatisfactory:** The proposal is technically inadequate, provides insufficient information, or is otherwise assessed as offering poor value for the project's objective

**Satisfactory:** The proposal presents some substantial weaknesses, but still provides some value for the project's objectives.

**Good:** The proposal addresses the criterion well and adds considerable value for the project's objectives; any shortcomings are minor.

**Very good:** The proposal successfully addresses all relevant aspects of the criterion and adds high value for the project's objectives.

**Outstanding:** The proposal successfully addresses all relevant aspects of the criterion and adds very high value for the project's objectives.

	Criteria for the evaluation of design concepts (proposals)	Possible marks
1	<p><b>Overall concept</b></p> <p>Overall compliance with the objectives of the Contest. Pertinence, adequacy and coherence of the proposal taking into account all the project objectives. Overall contribution to the built environment and integration of designers disciplines to achieve the best result.</p>	<p>a –Outstanding</p> <p>b –Very Good</p> <p>c –Good</p> <p>d- Satisfactory</p> <p>e-Unsatisfactory</p>
2	<p><b>Architectural quality and potential of creating strong identity and representational values in line with the project's objectives<sup>8</sup></b></p> <p>Capacity of the proposal in creating identity. Adequacy of the architectural expression. Innovation, originality, creativity of the proposals.</p>	<p>a –Outstanding</p> <p>b –Very Good</p> <p>c –Good</p> <p>d- Satisfactory</p> <p>e-Unsatisfactory</p>
3	<p><b>Functional aspects, usability and flexibility</b></p> <p>Degree of functionality, flexibility and adaptability of both interior and exterior architecture, adequacy of proposals for a “future proof” workplace design. Adequacy of workspace proposals for the different working modes of the staff.</p>	<p>a –Outstanding</p> <p>b –Very Good</p> <p>c –Good</p> <p>d- Satisfactory</p> <p>e-Unsatisfactory</p>
4	<p><b>Environmental performance and energy efficiency:</b></p> <p>Compliance with Near Zero Energy Building and environmental sustainability objectives, innovation and originality in ideas enhancing positive social and environmental impact, implementation of bioclimatic principles, circular economy and recyclability.</p>	<p>a –Outstanding</p> <p>b –Very Good</p> <p>c –Good</p> <p>d- Satisfactory</p> <p>e-Unsatisfactory</p>

<sup>8</sup> As defined in the Vision (section 1.3) and in the Architectural Brief.

	Criteria for the evaluation of design concepts (proposals)- Cont.	Possible marks
5	<b>Urban qualities</b> Appropriateness of the integration/interaction of the building in its surroundings, relations between public/private, indoor/outdoor spaces, quality of the management of flows of people and vehicles and of the interface with the security of the building. Adequacy of the design concept proposals for future extensions or possible future constructions.	a –Outstanding b –Very Good c –Good d- Satisfactory e-Unsatisfactory
6	<b>Economic performance and feasibility</b> Economy of construction, feasibility, facility management, overall cost-effectiveness of the proposed design concept.	a –Outstanding b –Very Good c –Good d- Satisfactory e-Unsatisfactory
7	<b>Concept for structural design and building services</b> Correctness of integration of technical elements in the global architectural concept, adequacy of the structural system, adequacy of the response to pre-existing foundations and excavation, flexibility and adaptability of the proposed systems, recyclability of proposed structures.	a –Outstanding b –Very Good c –Good d- Satisfactory e- Unsatisfactory
8	<b>Landscape architecture - accessibility</b> Environmental quality, landscape design quality. Attractiveness and adequacy of the landscape concept. User friendliness and capacity to produce recreation and leisure atmosphere. Integration of vegetation in exterior and interior spaces, shading, use of water or other features to improve the quality of open air spaces, ease of maintenance.	a –Outstanding b –Very Good c –Good d- Satisfactory e- Unsatisfactory

### 3.6.2. JURY WORKING METHOD

The Jury will work only in plenary sessions, in the presence of all Jury members and substitutes. If meeting in person in Seville is not possible because of the existing sanitary crisis, the Jury will hold a sequence of video conference meetings.

At the first session, the Technical Advisor will present the Technical Committee report to the Jury. He will participate in all the works of the Jury without voting rights and will be responsible for the secretariat of the Jury. If necessary, he can be assisted by members of the Technical Committee. The jury will jointly consider the evaluation criteria with a view to ensuring that their application is based on a common interpretation.

The Jury will carry out the evaluation process in successive rounds beginning by an **information round** in order to get an overview of the submitted proposals.

**In the first evaluation round**, all submitted design concepts shall be evaluated. This round will aim at:

- identifying those proposals that cannot be considered acceptable (because not meeting the minimum requirements laid down in the Architectural Brief)
- identifying those proposals deemed acceptable taking account of all the criteria

The subsequent evaluation rounds will aim at:

- retaining the best proposals, focussing in particular on the following four priority criteria:
  - 1 - Overall concept;
  - 2 - Architectural quality and potential of creating identity,

3 - Functional aspects, usability and flexibility,

4 - Environmental performance and energy efficiency

The proposals that are discarded after each round will not be considered for the final ranking.

Before the final ranking, a **verification round** will be conducted in order to make sure that a valuable entry was not missed and in order to make adjustments in the evaluation rounds.

For each retained proposal, the Jury will assign with appropriate justification a mark for each of the 8 evaluation criteria defined in section 3.6.1 above and will assign to each proposal an **Overall Qualification (Outstanding, Very good, Good, Satisfactory)**, after pondering the qualifications for each criterion and taking into account the above four prioritized criteria.

In the evaluation process, each juror or alternate juror, if replacing a juror, shall have one vote. The Jury's discussions shall be strictly confidential.

The Jury will aim to decide by consensus and will therefore conduct consultative voting. If consensus cannot be achieved, the Jury will take its decisions by a majority vote. In the event of a tie, the Jury chairperson shall have the casting vote.

### 3.6.3. JURY WORK OUTCOME

The Jury will evaluate for the final ranking all the design concepts deemed acceptable and not deserving an "unsatisfactory" mark in any of the four priority criteria mentioned in section 3.6.2. Ex aequo ranking is excluded.

**The Jury will declare the 1<sup>st</sup> ranked proposal as Contest winner.** It will also indicate the second and third classified, attributing the relevant prize money in accordance with the rules established in section 3.7

Should the Jury deem that the winning proposal is not suitable for realization, it will make the appropriate justified recommendation in this sense to the Contracting Authority. In such case, the Jury may recommend changes to be introduced in the winner concept in order to overcome any identified shortcomings.

The Jury will present its conclusions in a report addressed to the Contracting Authority. The report shall contain a detailed description of the arguments supporting the Jury decisions, the assessment and ranking of the proposals and the Jury's advice to the Contracting Authority for the Contest follow-up.

## 3.7. INFORMATION ABOUT PAYMENTS AND PRIZES

Participants who submit a design concept deemed acceptable by the Jury (see section 3.6.2) shall be entitled to a payment of 10,000 EUR, as compensation for expenses incurred.

On top of the expenses compensation, the following amounts will be paid to the first three ranked participants:

- 1<sup>st</sup> prize (Contest winner) : EUR 30,000
- 2<sup>nd</sup> prize: EUR 25,000
- 3<sup>rd</sup> prize: EUR 15,000

The Commission is exempt from all taxes and duties, including VAT, in accordance with Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union.

Taxes or charges on these payments the candidate might be obliged to pay in his / her country of establishment are in his / her responsibility and won't be compensated by the Commission. Further instructions on invoicing for both the honoraria and prizes will be issued with the notification of the Contest award.

The above compensations and prizes shall be paid by the JRC within 30 days from receipt of the invoice, in accordance with further detailed instructions given with the notification of the Contest outcome.

The jury may also decide to allocate 2-3 honourable mentions to projects that have a particular merit. These honourable mentions will not include an additional compensation of expenses and will not receive prize money.

### **3.8. DESIGN CONCEPT (PROPOSAL) OWNERSHIP**

#### **3.8.1. PROPOSAL AUTHORSHIP**

By submitting a Design Concept, participants represent and warrant that they are the sole authors and right holders of the submitted Design Concept, of which they retain their intellectual property rights. Participants will be required to provide a signed Declaration of Authorship with the submittal of their design concepts. The statements made in the Declaration of Authorship form are considered legally binding.

A disagreement between the information in the request to participate submitted in the Pre-qualification stage regarding the Basic Team (see section 2.3.3.1) and Declaration of Authorship may lead to rejection of the proposal.

#### **3.8.2. OWNERSHIP OF MATERIAL SUBMITTED**

Unsuccessful participants are entitled to retrieve their submitted material after the exhibition of the Contest entries. The Commission shall return them to the participants upon request made in writing within 4 weeks after the end of the exhibition of the contest results.

All reproducible material (plans, documents and other material in paper or digital form) submitted by the participants having been awarded a prize shall become property of the EU and will not be returned to the participants.

### **3.9. INTELLECTUAL PROPERTY RIGHTS OF THE SUBMITTED DESIGN CONCEPT**

#### **3.9.1. Publication rights and reproduction rights.**

By submitting a proposal, competitors grant the European Union the right to use, store, reproduce, display, print, publish, communicate to the public or distribute in hard copies, in electronic or digital format, or on the internet (including social networks as a downloadable or non-downloadable file), the submitted Concept Design or copies thereof for the purpose of communicating or informing about the Contest and the relevant results. The exercise of the above-mentioned rights by the European Union is subject to the display of a proper notice in due acknowledgement of the author/s, whenever feasible.

For the avoidance of doubt, the Commission holds the right of first publication and is entitled to document and exhibit the Contest entries subsequent to the conclusion of the procedure or to have them published by UIA and other third parties without being obliged to pay any compensation to the authors.

For all the above-mentioned forms of exploitation and of use of the Design Concepts, competitors shall not be entitled to any fees or royalties.

#### **3.9.2. Competitors' author's rights**

The author of any proposal submitted in the contest retains the copyright and the author's rights in his/her work; no alterations may be made without his/her formal consent.

No proposal, whether or not it receives a prize, shall be used wholly or in part by the European Commission without a prior written agreement with its author, except as provided for under these Rules.

### **3.10. INTELLECTUAL PROPERTY RIGHTS OF THE DESIGN CONCEPT RETAINED FOR EXECUTION**

The European Union shall be entitled to obtain the rights related to the design concept whose author is commissioned with further planning services, subject to the conditions stipulated in the service contract resulting from the negotiated procedure following the Contest (see section 4). In particular, the authors and their assignees shall not oppose to modifications deemed necessary by the Commission, without prejudice to the right of the author to invoke his/her moral right of integrity if he/she can demonstrate that the intended modification would prejudice his/her reputation.

Competitors whose concept was selected for realisation and have been commissioned with the services laid down in section 4.3, shall consent as part of the service contract stipulations to the reproduction on any medium and publication, in whatever manner or form, of images of the constructed building and the design, used in whole or in part for the final execution, and waive their right to invoke copyright rules to object to that. Such permission shall also cover the use of images (pictures or video sequences) of the building, including where the building is the main element of the picture or of the video) by journalists, TV channels, broadcasters,

etc. The Commission undertakes to cite the names of competitors and creators, in accordance with generally accepted practice.

The same rights will be granted to the Commission in case the design services are entrusted to a third entity other than the author of the retained concept, under the special conditions laid down in section 4.2.3.

### **3.11. OUTCOME OF THE CONTEST NOTIFICATION AND PUBLICITY**

The Contracting Authority shall individually inform each participant on the outcome of the Contest. This notification will include the Jury's appraisal of the participant's own and of the winning proposal.

The outcome will be made also public by the UIA and an exhibition of the first three ranked proposals will be organised.

## 4. FOLLOW-UP (further processing) OF THE CONTEST

### 4.1. NEGOTIATED PROCEDURE FOR THE DESIGN AND WORK SUPERVISION SERVICES CONTRACT

Irrespective of the result of the Contest, the Commission reserves the right, for whatever reason, not to execute the whole project or parts of it (with or without extension of main building or separate building/s), to amend it (in particular to meet emerging needs), to abandon it or to implement it at a later date.

Should the project be cleared for realisation, upon completion of the Contest, the Commission intends to launch a negotiated procedure with the Contest winner in order to award a direct service contract for general planning services and for the direction of construction works, as provided for in the Financial Regulation Annex 1 point 11.1 d) . In the event that the Commission, within two years from the end of the Contest, does not confirm its intention to proceed with the Project and, consequently, does not offer to start the negotiation with the Contest winner, the latter will be entitled to an extra compensation equal to the amount of the first prize (see section 3.7).

The Contest winner must ensure that the team invited to the negotiated procedure (hereafter referred also as “tenderer”) is composed of the same members that contributed to the elaboration of the winning Contest proposal. The team may adopt any single-entity legal form deemed necessary for the proper implementation of the project.

The Commission reserves the right, depending on the result of the Contest, to include in the technical specifications of the negotiated procedure the revision of the design concept in line with the recommendations issued by the Jury and the Commission. Independent professional contest jurors may be asked to contribute to the negotiation as experts appointed by the Contracting Authority.

The service contract shall cover the tasks of the architect, landscape architect, building services engineer, structural engineer (key competences), as well as expertise required to ensure that the project is properly implemented. The scope of services, if the project is implemented and in line with the budget appropriation, shall in principle include all design and implementation phases at least until building permission application and the subsequent direction of the construction works.

If the tenderer is relying on other entities (e.g. subcontractors, parent company, other company in the same group, or third party) in order to achieve the level of economic, financial, technical and professional capacity required , it must prove in its tender that it will have their resources at its disposal. This obligation may be fulfilled by presenting statements from those entities or the grouping agreement (cf. section 2.5.4).

### 4.2. FOLLOW UP IN CASE OF FAILED NEGOTIATED PROCEDURE WITH WINNER

#### 4.2.1. CONDITIONS DETERMINING THE FAILURE OF THE NEGOTIATION

The negotiation shall be deemed failed in any of the following circumstances:

- The tenderer<sup>9</sup> does not submit, even after negotiation, a final compliant offer in relation to the minimum requirements established in the tender specifications (to be delivered with the Invitation to participate in the Contest);
- The final price offered by the tenderer is unacceptable for it substantially exceeds the reference budget established by the Contracting Authority;
- The parties fail to agree to substantial elements of the services to be provided and their time frame.
- The tenderer does not accept the general terms and conditions set forth in the service contract provided with the Invitation to participate to the contest.
- The tenderer declines the invitation to negotiate or withdraws from the negotiation.

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<sup>9</sup> The tenderer is here the winner of the contest or, as described in 4.2.2 a possible second or third ranked participant

In case of failure of the negotiation, the tenderer shall not be entitled to any compensation whatsoever.

#### **4.2.2. NEGOTIATION WITH SECOND AND THIRD RANKED PARTICIPANTS**

The Commission reserves the right to undertake a negotiation with the second and, if need be, with the third ranked participant having deserved a prize, if the jury recommends these projects are suitable for realisation;

#### **4.2.3. NEGOTIATION WITH A THIRD ENTITY**

If the negotiation with the winner fails and for justified reasons the Commission is unable to undertake negotiations with the second and third ranked participants, the Commission may undertake a negotiation with the winner to transfer to the Commission the intellectual property rights and the rights to develop its design concept. If the negotiation succeeds, the Commission would then be entitled to start a new procurement procedure and entrust to a third entity the design services to develop the winner's proposal. The moral property rights of the relevant author will be preserved.

The above provision applies also in case the Commission decides to develop the second or third ranked proposals.

### **4.3. SERVICES CONTRACT FOR DESIGN AND DIRECTION OF CONSTRUCTION WORKS**

The service contract will cover the tasks of the architect, landscape architect, building services engineer, structural engineer (key competences), as well as the expertise required to ensure that the project is properly implemented. The scope of services shall in principle imply all design phases up to the constructive design to be tendered for building construction, conditional on the decision on project implementation and budget allocation. The contract will also cover the Direction of the Construction Works.

The contract will be governed by Union law, complemented, where necessary by Spanish law. A draft contract and technical specifications will be provided with the Invitation to participate following the selection of candidates.



## 5. TIME SCHEDULE (INDICATIVE)

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CONCEPT	PERIOD
Deadline for submission of request to participate	See Contest Notice point IV
Selection of participants and Invitation to participate	Six weeks after candidatures deadline
Deadline for Q&A (clarifications requested by participants)	One month after invitation
Deadline for submission of Design Concepts	Three months after invitation (to be detailed in the invitation to participate)
Evaluation of Design Concepts (Jury works)	Three weeks after deadline for submission
Contest award notification	One week after evaluation
Procurement negotiated procedure with winner(s) for awarding the design services contract and award of contract	Three months after Contest award notification

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## **6. ANNEXES TO THESE PROCEDURE RULES**

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- Annex 1: Applicant's identification-Form
- Annex 2: Agreement/ Power of attorney-Form
- Annex 3: Applicant's Declaration on honour on exclusion and selection criteria-Form
- Annex 4: Application – Illustrated Reference Projects and list of works - Evaluation criteria
- Annex 5: Application - Illustrated Reference Projects Identification-Forms
- Annex 6: Application - List of selected non-illustrated works- Forms
- Annex 7: Application documents checklist- Form