



SOFIA MUNICIPALITY
ARCHITECTURE AND URBAN PLANNING DEPARTMENT
CHIEF ARCHITECT OF SOFIA MUNICIPALITY

DOCUMENTATION

**HOLDING A RESTRICTED PROCEDURE FOR DESIGN CONTEST ON
THE GROUNDS OF ART. 18, PARA 1, ITEM 11 IN CONJUNCTION
WITH PARA 8, PPA WITH SUBJECT:**

**DEVELOPMENT OF CONCEPTUAL ARCHITECTURAL AND URBAN PLANNING
DESIGN FOR "ST. NEDELYA" SQUARE, SOFIA**

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PUBLIC CONTRACT DESCRIPTION.

CONTRACTING AUTHORITY

Sofia Municipality (SM), represented by the Chief Architect of SM, architect Zdravko Zdravkov, on the grounds of a power of attorney № SOA17-RD09-78 /17.01.2017, issued by the Mayor of Sofia, organizes and holds the competition procedure in accordance with the rules laid down by the Public Procurement Act (PPA) and the Implementing Regulations of PPA (IRPPA).

COMPETITION TYPE

In accordance with the provisions of Art. 18, para. 11, Art. 80, para. 1, item 2, PPA and Art. 82, IRPPA:

The competition for design shall be held with awarding prizes for the top 5-ranked participants.

The competition is restricted – the contracting authority shall restrict the number of participants who will be called to submit designs to 7 (seven).

The competition will be held on the basis of anonymity of the participants until the jury ranks their projects.

The results of the evaluation shall be announced at a public meeting according to Art. 91, para. 3, IRPPA.

COMPETITION OBJECTIVE

The competition is for the acquisition of a conceptual design as a basis for future designs.

The participant, ranked first by the jury will be invited to participate in negotiations for the award of a public procurement contract through a negotiation procedure without preliminary notice under Art. 79, para. 1, item 9, PPA in conjunction of Chapter V, Section X, IRPPA for the service *Elaboration of a technical and detailed investment design for reconstruction of "St. Nedelya" Square and its adjacent spaces.*

If the first ranking candidate does not accept the invitation and refuses to participate in the negotiation, an invitation shall be sent to the second-ranked participant. In the event that the participants ranked first and second refuse to participate in the negotiation, the Contracting Authority shall terminate the procedure. The Contracting Authority, Sofia Municipality, shall be entitled to conduct a procedure for the selection of a contractor for the design of the investment project (technical design phase and detailed design phase of the project) using one of the two first- and second-ranked conceptual designs.

SUBJECT OF THE COMPETITION

The participants in the competition should develop a conceptual architectural and urban planning design for "St. Nedelya" Square, Sofia.

The design process should comply with the requirements of the spatial planning regulations.

The full list of the currently effective regulations in the field of investment design and construction is published on the website of the Ministry of Regional Development and Public Works - <http://www.mrrb.government.bg/bg/normativni-aktove/> .

OBJECT (SITE) OF THE COMPETITION

The competition area is the area of “St. Nedelya” Square and the adjacent spaces in its contact area. The scope of the competing designs is detailed in the terms of reference for developing the conceptual design.

PRIZES AND COPYRIGHT

The Contracting Authority determines prizes in a total amount of BGN 250 000 (two hundred and fifty thousand) for the participants in the competition, which will be allocated as follows:

For the I-ranking project – money prize of BGN 70 000;

For the II-ranking project – money prize of BGN 60 000;

For the III-ranking project – money prize of BGN 50 000;

For the IV-ranking project – money prize of BGN 40 000;

For the V-ranking project – money prize of BGN 30 000.

The Contracting Authority shall award only the prizes specified above, and one participant shall not be allowed to occupy more than one place in the ranking.

The prize fund shall be disbursed to the top 5-ranked participants not later than 30 days after the conclusion of the competition's jury and the decision of the Contracting Authority for the ranking of the participants enters into force.

The first-ranking participant will be entrusted with the elaboration of technical and working investment projects for reconstruction of "St. Nedelya" Square under the procedure of Art. 79, para. 1, item 9, PPA. If the first ranking participant refuses to participate in the procedure, the Contracting Authority shall hold the procedure with the participant ranked second. If the latter also refuses to participate, the competition shall be terminated.

By participating in this competition, the participants ranked first and second, explicitly acknowledge and agree that the Contracting Authority, Sofia Municipality, shall be entitled to conduct a procedure for the selection of a contractor for the development of investment project (technical design phase and detailed design phase) using one of the two conceptual designs.

Upon receiving the awards, the first and second ranking candidates shall sign a contract. (Annex - Draft contract).

I. REQUIREMENTS FOR CANDIDATES.

PERSONAL SITUATION OF CANDIDATES

1.1. Candidate in the procedure may be any Bulgarian or foreign natural or legal persons or associations thereof, and any other entity entitled to perform the activities covered by the subject of this public contract under the laws of the country where it is established.

Branch of a foreign entity may be an independent candidate in this procedure if it is able to submit independently applications for participation in accordance with the legislation of the country where it is established.

1.2. A candidate shall be **excluded from the procedure** if:

1.2.1. the candidate has been convicted in a judgment with the force of *res judicata*, save where he has been rehabilitated in respect of:

- a) a crime within the meaning of Art. 108 a) of the Penal Code;
- b) a crime within the meaning of Art. 159 (a) - 159 (d) of the Penal Code;
- c) a crime against the labour rights of the citizens under Art. 172 of the Penal Code;
- d) a crime against youth, within the meaning of Art. 192a of the Penal Code;
- e) a crime against property under Art. 194-217 of the Penal Code;
- f) economic crime under Art. 219-252 of the Penal Code;
- g) a crime against the financial, tax or social security system, including money laundering, under Art. 253-260 of the Penal Code;
- h) bribe under Art. 301-307 of the Penal Code;
- i) participation in an organized criminal group under Art. 321 and 321a of the Penal Code;
- j) a crime against public health and against the environment, within the meaning of Art. 352-353 f) of the Penal Code.

1.2.2. the candidate has been convicted in a judgment with the force of *res judicata*, save where he has been rehabilitated in respect of a crime similar to those under 1.2.1 in another Member State or third country;

1.2.3. the candidate has liabilities for taxes and compulsory social security contributions within the meaning of Art. 162, para. 2, item 1 of the Tax Insurance Procedure Code and interest thereon, to the country or to the municipality at the seat of the contracting authority and of the applicant, or similar liabilities established by an act of a competent authority under the law of the State where the applicant is established, unless the liabilities have been a rescheduled, deferred or collateralized, or a liability is established by virtue of an act which has not entered into force;

1.2.3.1. item 1.2.3 shall not apply where:

- it is necessary to protect particularly important state or public interests;
- the amount of unpaid taxes or social security contributions is not more than 1 per cent of the total annual turnover for the last completed financial year.

1.2.4. inequality in the cases under Art. 44, para. 5 of the Public Procurement Act is in place;

1.2.5. it was found that:

1.2.5.1. the candidate has submitted a false document related to the verification of the absence of grounds for removal or the fulfilment of selection criteria;

1.2.5.2. the candidate has not provided required information related to the verification of the absence of grounds for removal or the fulfilment of selection criteria;

1.2.6. violation of Art. 61, para. 1, Art. 62, para. 1 or 3, Art. 63, para. 1 or 2, Art. 118, Art. 128, Art. 228, para. 3, Art. 245 and Art. 301-305 of the Labour Code or Art. 13 para. 1 of the Labour Migration and Labour Mobility Act, established by penal order, which has become final or by court judgement, or similar liabilities established by an act of a competent authority under the law of the State where the applicant is established;

1.2.7. there is a conflict of interest that cannot be eliminated.

The Applicants shall provide the information on the above-mentioned requirements under item 1.2. /1.2.1. - 1.2.7./ by completing Part III of ESPD: EXCLUSION GROUNDS, letter A: GROUNDS RELATING TO CRIMINAL CONVICTIONS, letter B: GROUNDS RELATING TO

THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS and letter C: GROUNDS RELATING TO INSOLVENCY, CONFLICTS OF INTERESTS OR PROFESSIONAL MISCONDUCT, according to the descriptions therein.

The Applicants shall provide the information on the requirements under item 1.2.1. regarding crimes under Art. 194-208, Art. 213a-217, Art. 219-252 and Art. 254a-260, Penal Code by completing Part III of ESPD - form - Template # 2 (prepared in MS WORD file extension .doc): EXCLUSION GROUNDS, letter D: OTHER GROUNDS FOR EXCLUSION, WHICH MAY BE PRESCRIBED BY NATIONAL LEGISLATION OF THE CONTRACTING AUTHORITY OR ENTITY OF THE MEMBER STATE, according to the description therein. If the Applicants complete the provided template of eESPD (espd-request) generated by the eESPD information system, they shall mark answer "No" in Part III of eESPD: EXCLUSION GROUNDS, letter D: Specific national grounds for exclusion and there are no grounds for exclusion under item 1.2.1. regarding crimes under Art. 194-208, Art. 213a-217, Art. 219-252 and Art. 254a-260, Penal Code.

1.3. The grounds under items 1.2.1., 1.2.2. and 1.2.7. concern the persons representing the applicant, the members of management and supervisory bodies and other persons who have the power to exercise control over the decision-making of these bodies, namely:

1. persons representing the applicant;
2. persons who are members of the applicant's management and supervisory bodies;
3. other persons with status that allows them to influence directly the business of the enterprise in a manner equivalent to that valid for the persons representing it, the members of the management or supervisory bodies.

The persons under items 1 and 2 are as follows:

- in the case of a general partnership - persons under Art. 84, para. 1 and Art. 89, para. 1 of the Commerce Act;
- in the case of a limited partnership - the unlimited liability partners under Art. 105 of the Commerce Act;
- in the case of a limited liability company - the persons under Art. 141, para. 1 and 2 of the Commerce Act and in the case of a sole proprietor limited liability company - the persons under Art. 147, para. 1 of the Commerce Act;
- in the case of a joint-stock company - the persons under Art. 241, para. 1, Art. 242, para. 1 and Art. 244, para. 1 of the Commerce Act;
- in the case of a limited joint-stock partnership - the persons under Art. 256 in connection with Art. 244, para. 1 of the Commerce Act;
- in the case of a sole trader - the natural person - trader;
- in the case of a branch of a foreign person - the person who manages and represents the branch or has analogous rights under the law of the state where the branch is registered;
- the procurators - when the person has more than one procurator, only the procurator whose representative power includes the territory of the Republic of Bulgaria can submit the declaration.
- in other cases, including for foreign persons - the persons who represent, manage and control the applicant under the law of the State where they are established.

1.3.1. Where the requirements of under items 1.2.1., 1.2.2. and 1.2.7. concern more than one person, all persons sign the same European Single Procurement Document (ESPD).

1.3.2. When there is a need for personal data protection or differences in circumstances relating to personal status, information on requirements under items 1.2.1., 1.2.2. and item 1.2.7. shall be completed in a separate ESPD for each person or for some of the persons.

1.3.3. In the above cases, when more than one ESPD is submitted, the circumstances related to the selection criteria contain only in ESPD signed by the person who independently represents the respective entity.

1.4. An applicant for whom there are grounds under items 1.2.1, 1.2.2, 1.2.3, 1.2.4, 1.2.5, 1.2.6, and 1.2.7 has the right to provide evidence that it has taken measures, that guarantee its reliability, despite the existence of the relevant ground for exclusion. For this purpose, the applicant can demonstrate that the latter:

a/ has repaid its obligations under item 1.2.3, including accrued interest and / or fines, or that they are rescheduled, deferred or collateralized;

b/ has paid or is in the process of payment of due compensation for all damages incurred as a result of his crime or offense;

c/ has thoroughly clarified the facts and circumstances by actively cooperating with the competent authorities and has implemented specific prescriptions, technical, organizational and personnel measures to prevent new crimes or violations;

d/ has paid in full the claim under Art. 128, Art. 228, para. 3 or Art. 245 of the Labour Code.

1.4.1. The contracting authority shall assess the measures taken by the applicant, taking into account the severity and specific circumstances relating to the offense or violation. If the measures taken by the applicant are sufficient to ensure its reliability, the contracting authority shall not remove it from the procedure.

1.4.2. An applicant who has been convicted in a judgment with the force of *res judicata* or by virtue of other act pursuant to the law of the State where the judgment was delivered or the act was issued, has been deprived of the right to take part in public procurement or concession procedures, is not entitled to use the procedure set out in item 1.4. for the time determined by the sentence or the act.

1.4.3. Where any of the grounds under items 1.2.1, 1.2.2, 1.2.3, 1.2.4, 1.2.5, 1.2.6 and 1.2.7 is available and the an applicant and has taken measures before submitting the application for participation to prove reliability under item 1.4, these measures shall be described in ESPD.

1.5. On the grounds of Art. 3, item 8 of the Economic and Financial Relations with Companies Registered in Preferential Tax Jurisdictions, their Related Persons and their Beneficial Owners Act (EFRCRPTJRPBOA), companies registered in preferential tax jurisdictions and persons controlled by them are prohibited to participate directly and / or indirectly in a public procurement procedure, including through a civil partnership / consortium, in which a company registered in a preferential tax jurisdiction participates;

The grounds under 3, item 8, EFRCRPTJRPBOA shall not apply where:

1. the shares of the company in which participates are directly or indirectly traded on a regulated market or multilateral trading facility in a Member State of the European Union or in another State party to the European Economic Area or an equivalent regulated market as defined by a regulation of the Financial Supervision Commission, and the company is subject to the requirements of EU law on transparency regarding information about issuers whose securities are admitted to trading on a regulated market or multilateral trading facility or equivalent international standards and the beneficial owners – natural persons are disclosed in accordance with the respective special law;

2. a company registered in a preferential tax jurisdiction is part of an economic group whose parent company is a resident for tax purposes of a State with which the Republic of Bulgaria has a double taxation convention in force or an enforced agreement for exchange of information, and

its beneficial owners – natural persons, are entered in the register under Art. 6, EFRCRPTJRPBOA;

3. a company registered in a preferential tax jurisdiction is part of an economic group, whose parent company or subsidiary is a Bulgarian resident and its beneficial owners - natural persons, are entered in the register under Art. 6, EFRCRPTJRPBOA or is traded on a regulated market or a multilateral trading facility in a Member State of the European Union or in another country party to the Agreement on the European Economic Area;

4. company in which, directly or indirectly, a company registered in a preferential tax jurisdiction participates is a publisher of periodical printed works and has provided information about the beneficial owners - natural persons, in accordance with the Compulsory Deposit of Printed and Other Works Act;

5. a company registered in a preferential tax jurisdiction is a resident for tax purposes of a country party to the Government Procurement Agreement of the World Trade Organization as well as a country with which the European Union has a bilateral agreement guaranteeing access to the EU public procurement market, and its beneficial owners - natural persons, are entered in the register under Art. 6, EFRCRPTJRPBOA - for the activities to which the Agreement applies;

6. a company registered in preferential tax jurisdiction is resident for tax purposes in an overseas country or territory pursuant to Council Decision 2013/755 / EU of 25 November 2013 on the association of the overseas countries and territories with the European Union ("Overseas Association Decision ") (OJ, L 344/1 of 19 December 2013) and its beneficial owners - natural persons, are entered in the register under Art. 6, EFRCRPTJRPBOA - for the activities to which the Decision applies;

7. a company registered in a preferential tax jurisdiction is a resident for tax purposes of a country with which the Republic of Bulgaria has an international trade and/or economic agreement, including obligations under the General Agreement on Trade in Services of the World Trade Organization and its beneficial owners - natural persons, are entered in the register under Art. 6, EFRCRPTJRPBOA;

8. a company registered in a preferential tax jurisdiction is part of an economic group whose parent company is a resident for tax purposes of a country, with which the Republic of Bulgaria has an international trade and / or economic agreement, including obligations under the General Agreement on Trade with services of the World Trade Organization, and its beneficial owners - natural persons, are entered in the register under Art. EFRCRPTJRPBOA.

According to Art. 69, para. 1 of the Counter-Corruption and Unlawfully Acquired Asset Forfeiture Act (CCUAAFA), a person holding a senior public position, who in the last one year of the fulfilment of his / her duties or powers has been involved in carrying out procedures for public contracts or in procedures related to the disbursement of funds belonging to the European Union or granted by the European Union to the Bulgarian state, for a period of one year from his/her dismissal, cannot participate in or represent a natural or legal person in such procedures before the institution in which he/she has held the position or before a legal entity controlled by it. The ban on participation in public procurement procedures or procedures concerning disbursement of funds belonging to the European Union or granted from the European Union of the Bulgarian state, shall apply also to a legal entity in which the person under Art. 69, para. 1, CCUAAFA has become a partner, holds shares or is a manager or a member of a management or control body after his/her dismissal.

Candidates and, where applicable third parties should declare in ESPD that for them there are no circumstances under Art. 3, item 8 and Art. 5, para. 1, item 3 of the Economic and Financial

Relations with Companies Registered in Preferential Tax Jurisdictions, their Related Persons and their Beneficial Owners Act and that for them there are no circumstances under Art. 69, para. 1 and para. 23, CCUAAFA.

The Applicants shall provide the information on the above requirements by completing Part III of ESPD - form - Template # 2 (prepared in MS WORD file extension .doc): EXCLUSION GROUNDS, letter D: OTHER GROUNDS FOR EXCLUSION, WHICH MAY BE PRESCRIBED BY NATIONAL LEGISLATION OF THE CONTRACTING AUTHORITY OR ENTITY OF THE MEMBER STATE, according to the description therein. If the Applicants complete the provided template of eESPD (espd-request) generated by the eESPD information system, they shall mark answer "No" in Part III of eESPD: EXCLUSION GROUNDS, letter D: Specific national grounds for exclusion and there are no grounds for exclusion under item 1.5.

1.6. The contracting authority shall remove from the procedure candidate:

1.6.1 for whom the grounds under item 1.2. have occurred before or during the procedure;

1.6.2. when the applicant in the procedure is an association of natural persons and / or legal entities and for a member of the association exist some of the grounds any of the exclusion grounds under item 1.2.;

1.7. The grounds for exclusion are applicable until the expiration of the following deadlines:

- five years from the entry into force of the sentence - with regard to the circumstances under item 1.2.1. and item 1.2.2, unless another deadline is specified in the sentence;

- three years from the date of occurrence of the circumstances under item 1.2.5.1. and items 1.2.6 and 1.2.2. - 1.2.5 unless otherwise specified in the act establishing the circumstance.

1.8. When the applicant will use the resources of third parties, these requirements shall apply also to the third parties.

GENERAL REQUIREMENTS:

1.9. In case the applicant participates as a consortium, which is not registered as an independent legal entity, then the applicant should submit a copy of a document (a consortium agreement), which:

- appoints a partner to represent the consortium for the purposes of the public procurement contract;

- joint and several liability is agreed where such is not provided for under applicable law;

- lays down the legal basis for establishing the consortium;

- lays down the rights and obligations of the members of the consortium;

- lays down the division of responsibility between the members of the consortium;

- specifies activities to be performed by each member of the consortium.

1.10. The Contracting Authority does not provide for the requirement for establishment of a legal entity where the participant whose project is awarded is a consortium of natural persons and / or legal entities.

1.11. When one of the awarded projects is of a participant – consortium, which is not a legal entity, the prize shall be given after the participant has submitted to the Contracting Authority a certified copy of a tax registration certificate and registration under BULSTAT or an equivalent document under the legislation of the State where the consortium is established.

1.12. Each participant in the completion may submit only one project.

1.13. A person who participates in the consortium of another applicant cannot submit an autonomous application for participation.

1.14. To participate in the procedure, a natural or legal person may be member of only one consortium.

1.15. Related persons within the meaning of § 2, item 45 of the Additional Provisions, PPA cannot be independent candidates in the same procedure. Candidates and, where applicable third parties shall declare in ESPD that for them there are no circumstances within the meaning of § 1, p. 13 and 14 of the Additional Provisions of the Public Offering of Securities Act.

The Applicants shall provide the information on the above requirement by completing Part III of ESPD - form - Template # 2 (prepared in MS WORD file extension .doc): EXCLUSION GROUNDS, letter D: OTHER GROUNDS FOR EXCLUSION, WHICH MAY BE PRESCRIBED BY NATIONAL LEGISLATION OF THE CONTRACTING AUTHORITY OR ENTITY OF THE MEMBER STATE, according to the description therein. If the Applicants complete the provided template of eESPD (espd-request) generated by the eESPD information system, they shall mark answer "No" in Part III of eESPD: EXCLUSION GROUNDS, letter D: Specific national grounds for exclusion and there are no grounds for exclusion under item 1.15.

1.16. When submitting an application, the applicant shall declare the lack of grounds for exclusion and compliance with the selection criteria by submitting ESPD. In ESPD, the applicant shall provide the relevant information required by the contracting authorities and indicates the national databases containing the declared circumstances or the competent authorities, which, under the law of the country where the applicant is established, are required to provide information.

1.17. Where the applicant has indicated that he will use the capacity of third persons to demonstrate compliance with the selection criteria, a separate ESPD shall be submitted for each of these persons containing the information under item 1.16.

1.18. Applicants may use ESPD that has already been used in a previous public procurement procedure, provided that they confirm that the information contained therein is still up to date. In these cases, instead of ESPD, a declaration confirming the timeliness of the data and the authenticity of the signatures in the published ESPD shall be submitted with the selection procedure documents and the address at which the published ESPD can be accessed is specified.

1.19. The contracting authority may require applicants at any time to present all or part of the documents attesting the information referred to in the ESPD when this is necessary for lawful conduct of the procedure.

1.20. Candidates in the procedure can obtain the necessary information on the obligations related to taxes and social security, protection of employment and working conditions, environmental protection, which are in force in the Republic of Bulgaria and relevant to the subject of the contract, as follows:

1.20.1. on obligations relating to taxes and social security:

- National Revenue Agency (NRA) - tel.: 0700 18 700; www.nap.bg

1.20.2. on the circumstances concerning the protection of employment and working conditions:

- Ministry of Labour and Social Policy (MLSP) - Sofia 1051, 2, Triaditza Street, tel.: 02/811 94 43; <https://www.mlsp.government.bg/>

1.20.3. on the circumstances concerning environmental protection:

- Ministry of Environment and Water (MOEW) - Sofia 1000, 67, W. Gladston Street, tel.: 02/940 63 31; <http://www.moew.government.bg/>

1.21. In the process of the procedure, applicants are obliged to notify the contracting authority of all circumstances occurred with regard to their personal status within seven days of their occurrence.

II. PREPARATION AND SUBMISSION OF APPLICATIONS FOR PARTICIPATION ON PAPER

2.1. The application for participation in a restricted competition for a project shall be submitted by the applicant or by his authorized representative - either in person or by post or other courier service as registered mail with a return receipt, to the address of the Contracting Authority - Sofia Municipality - Architecture and Urban Planning Department, 1000 Sofia, 5, Serdika Street, ground floor, registry office, within the term specified in the competition notice. The application for participation shall be submitted in sealed, opaque packaging containing:

- a list of the documents submitted
- European Single Procurement Document (ESPD) for the applicant in accordance with the requirements of the law and the conditions of the contracting authority and, where applicable, ESPD for each of the members of a consortium, which is not a legal entity and for each person whose resources will be involved in the execution of the contract;
- documents proving the reliability measures taken, where applicable;
- the documents under Art. 37, para. 4, IRPPA;

documents under Art. 80, para. 6 for decreasing the number of applicants.

The name of the applicant, including the members of the consortium, where applicable; address for correspondence, telephone and, if possible, fax and e-mail address and the name of competition shall be indicated on the packaging.

The application forms should be drawn up in the Bulgarian language. All documents enclosed in a foreign language should be accompanied by a translation into the Bulgarian language. Failure to present a translation of a submitted document will be considered as not submitted document.

The applicant must examine all the forms, instructions and conditions given in this procurement documentation.

When preparing the application form, each candidate must adhere strictly to the conditions announced by the contracting authority.

Upon presentation of copies of the required documents, they shall be certified with the text "true copy" - signed by the person who performed the certification and stamped with the seal of the applicant.

The application for participation shall be signed by the person representing the applicant or by duly authorized person/persons, where the power of attorney shall be enclosed with the application.

2.2. The package shall contain the following:

2.2.1. An inventory of the submitted documents contained in the application signed by the applicant. (Template № 1);

2.2.2. European Single Procurement Document (ESPD) for the applicant in accordance with the requirements of the law and the conditions of the contracting authority and, where applicable, ESPD for each of the members of a consortium, which is not a legal entity and for each person whose resources will be involved in the execution of the contract.

According to Art. 67, para 4, PPA in conjunction with § 29, item. 5, b. „a” of the PPA Transitional and Final Provisions in force since April 1, 2018, the ESPD shall be provided

electronically. The contracting authority will use the free service provided by the EC via the information system eESPD. The system is available through the Public Procurement Portal, Section PPR and e-Services /Electronic Services of the European Commission, as well as directly at <https://ec.europa.eu/tools/espdp>. For the specific procedure, the Contracting Authority creates a model of ESPD. Generated files (espdprequest) will be made available to interested parties electronically, with unlimited, full, free and direct access to the buyer's profile at the address specified in item 3.1. of Section III of this documentation, where the other procurement documentation is available. The business entity uploads the resulting XML file into the system, fills in the required data and downloads it (espdp-response). Then the ESPD should be signed with an electronic signature by the respective persons.

Besides the EC eESPD system, the Contracting Authority provides all interested parties with a form - **Template # 2** (prepared in MS WORD file extension .doc), in which the applicant shall fill in the required data, and then the ESPD should be signed with an electronic signature by the respective persons. Candidates in the procedure should provide ESPD in electronic form, digitally signed and saved on the appropriate optical medium, and enclosed with the package of documents for participation in the procedure. The format in which the document is submitted should not allow editing of its content.

Another submission option is through electronic access to the ESPD, prepared and signed electronically. In this case, the document should be provided with the so-called time stamp that certifies that ESPD is signed and uploaded to the Internet address to which it is sent before the deadline for receipt of applications. In the cases where ESPD is completed via the eESPD system, upon its submission, the version in PDF format should be signed with electronic signature.

2.2.2.1. When submitting the application, the applicant declares the absence of the grounds for exclusion and the compliance with the selection criteria by submitting the ESPD. In ESPD, the applicant shall provide the relevant information required by the contracting authority and indicates the national databases containing the declared circumstances or the competent authorities, which, under the law of the country where the applicant is established, are required to provide information.

2.2.2.2. Where the applicant has indicated that he will use the capacity of third persons to demonstrate compliance with the selection criteria, a separate ESPD shall be submitted for each of these persons containing the information under item 2.2.2.1.

Third persons must meet the relevant selection criteria and to demonstrate that, the applicant refers to their capacity and that there are no grounds for exclusion from the procedure.

2.2.2.3. Applicants may use ESPD that has already been used in a previous public procurement procedure, provided that they confirm that the information contained therein is still up to date. Applicants can make use of this option when direct and unrestricted electronic access is provided to ESPD already prepared and signed electronically. In these cases, instead of ESPD, a free text declaration confirming the timeliness of the data and the authenticity of the signatures in the published ESPD shall be submitted with the selection procedure documents and the address at which the published ESPD can be accessed is specified.

2.2.2.4. Where the requirements of under items 1.2.1., 1.2.2. and 1.2.7. concern more than one person, all persons sign the same European Single Procurement Document (ESPD). When there is a need for personal data protection or differences in circumstances relating to personal status, information on requirements under items 1.2.1., 1.2.2. and item 1.2.7. shall be completed in a separate ESPD for each person or for some of the persons.

2.2.2.5. In the cases under item 2.2.2.4., when more than one ESPD is submitted, the circumstances related to the selection criteria contain only in ESPD signed by the person who independently represents the respective entity.

2.2.2.6. According to Art. 59, para. 5, PPA, The contracting authority shall indicate the selection criteria and the documents, which prove their fulfilment in the notice for the competition, which announces opening of the procedure.

2.2.2.7. In ESPD shall be provided data on public registers containing information on the declared circumstances or for the competent authority, which under the law of the respective country, is obliged to provide information on these circumstances of its own motion to the contracting authority.

2.2.2.8. Where any of the grounds under items 1.2.1, 1.2.2, 1.2.3, 1.2.4, 1.2.5, 1.2.6 and 1.2.7 is available for an applicant and before submitting the application for participation the latter has taken measures to prove reliability under item 1.4, these measures shall be described in ESPD.

2.2.3. Documents proving the taken reliability measures /when applicable/:

2.2.3.1. with regard to the circumstance under Art. 56, para. 1, item 1 and 2, PPA /item 1.4., b. "a" and b. "b" of the documentation/ - proof of payment or agreement or other document showing that the debts have been collateralized or that the parties have agreed to their deferral or rescheduling, together with a repayment schedule and/ or with specified dates for the final payment of outstanding debts or that the applicant is in the process of paying off due compensation;

2.2.3.2. with regard to the circumstance under Art. 56, para. 1, item 4, PPA / item 1.4., b. „c“ of the documentation/ - a document from the relevant Competent Authority to confirm the circumstances described;

2.2.3.3. with regard to the circumstance under Art. 56, para. 1, item 4, PPA / item 1.4., b. „d“ of the documentation/ - a certificate from the bodies of the Executive Agency "General Labour Inspectorate".

2.2.4. A copy of a consortium agreement where the applicant is an association that is not a legal entity (where applicable)

The document shall contain provisions, which:

- - appoint a partner to represent the consortium for the purposes of the public procurement contract;
- agree joint and several liability where such is not provided for under the applicable law;
- lay down the legal basis for establishing the consortium;
- lay down the rights and obligations of the members of the consortium;
- lay down the division of responsibility among the consortium members;
- specify activities to be performed by each member of the consortium.

2.2.5. Documents in connection with Art. 80, para. 6 for decreasing the number of applicants:

- Short description of the site, including: project title, contracting authority/ investor, location, year of design and construction, explanatory note with basic elements and solutions of the project – up to 3 pages, A4.
- Graphic materials for the site showing the area of the project, as well as copies and / or extracts from the project, showing undeniably the presence of the evaluation methodology components so that the jury can assess their availability. Graphic materials shall be provided in A3 format.

- Evidence of the expert's participation in the project - a copy of a contract with deleted confidential information and / or a reference / service note from the sponsor / employer containing the name of the project and the role of the expert and / or other document proving undeniably the expert's participation in the design of the site.
- Evidence of awarding a prize from a competition organized by government and / or local administration - copies of the award certificates and / or other document proving undoubtedly the award of the prize for the respective site.

2.3. All costs of preparing and submitting the application form are at the expense of the candidates in the procedure.

2.4. Each candidate may modify, supplement or withdraw his / her application by the expiration of the deadline for submitting applications.

2.4.1. Withdrawal of the application for participation terminates further participation of the applicant in the procedure.

2.4.2. The supplement and modification of the application must comply with the requirements and conditions for submission of the initial application, and on the packaging shall be marked the text "Supplement/Modification of Application for participation" (with incoming registration number).

2.5. If the applicant submits the application form by registered mail or courier service, the costs are at his expense. The risk of delay (actual receipt of the application after the final date and time) or the loss of the application is for the applicant.

2.5.1. Applications for participation submitted after the expiry of the submission deadline or are in unsealed packaging or packaging with impaired integrity shall not be accepted.

2.5.2. In the event that at the time of expiry of the deadline for receiving applications, there are people still waiting at the location designated for their submission, they shall be included in a list that has to be signed by a representative of the Contracting Authority and the persons present. The applications for participation of the persons on the list shall be entered in the Register of the Contracting Authority. In this case, no applications for participation from persons not included in the list shall be accepted.

2.6. The submitted application forms shall be opened on the date and time indicated in the design contest notice, in the building of Sofia Municipality - Architecture and Urban Planning Department, 1000 Sofia, 5 Serdika Str. The opening of the applications is public and can be attended by the candidates in the procedure or their authorized representatives as well as representatives of the mass media.

III. ACCESS TO PUBLIC PROCUREMENT DOCUMENTATION AND EXCHANGE OF INFORMATION

3.1. The Contracting Authority shall provide unlimited, full, free and direct access to the public procurement documentation on the official website of Sofia Municipality - Architecture and Urban Planning Department, Section "Buyer Profile" <https://platform.negometrix.com/PublicBuyerProfile/PublishedTenderInformation.aspx?tenderId=102662&companyId=20914> . It can be downloaded free of charge from the link below before the time limit for the receipt of applications to participate.

3.2. According to Art. 33, para. 1, PPA, interested persons may request in writing from the contracting authority explanations of the decision, notice and the public procurement

documentation by 10 days before expiry of the term for receiving the applications for participation.

3.3. The contracting authority shall provide the explanations as an electronic document published on the "Buyer Profile" within 4 day term from receiving the request, but not later than 6 (six) days before the term for receiving the participation applications. The person who made the inquiry shall not be indicated in the explanation. The Contracting Authority shall not provide explanations if the request has been received after the term under Art. 33, para. 1, PPA.

3.4. The Contracting Authority shall notify each applicant / participant of any decision in the cases provided for in the Public Procurement Act. The exchange of information between the Contracting Authority and the interested parties / applicants / participants shall be in writing, in the Bulgarian language and is carried out through:

- a) Delivery in person upon a signature, or
- b) Electronically (by e-mail) - to the addresses specified by the Contracting Authority and the interested persons / applicants / participants, or
- c) by fax at the numbers specified by the Contracting Authority and the interested persons / applicants / participants, or
- d) by post or by courier service, to the address indicated by the interested party / applicant / participant, attested by a delivery notice, or
- e) by a combination of the means under letters "a" - "d".

The exchange of information by delivery in person upon signature shall be carried out by the Contracting Authority through the contact persons specified in the notice. The interested person / applicant / participant receives information through the contact persons specified in the request / application for participation.

In the case of electronic notification or by fax, the notification shall be deemed regular if it is sent to the addresses in accordance with paragraph 3.4., b. "b" and "c" and an auto-generated message confirming receipt is received.

Upon any change in the address, e-mail or fax number for correspondence, the applicants / participants are obliged to notify the contracting authority within 24 hours.

Wrongly specified address or fax number for correspondence or failure to notify of change of address or fax number for correspondence exempts the Contracting Authority from responsibility for improper sending of the notifications or information.

3.5. According to Art. 43, para. 1, PPA, The contracting authority shall submit the decisions under Art. 22, Para. 1, items 7 and 8, PPA to the applicants/participants within 3-day term from their issuance. The decisions shall indicate the relation to the electronic file in the buyer profile, where the protocols and the final reports of the commission or of the jury are published.

The decision shall be sent:

- to an address, indicated by the applicant or participant: to the electronic mail, where the notice, by which it is sent shall be signed by an electronic signature, or by postal or other courier service with a registered mail with a return receipt;
- by fax.

Where the decision is not received by the applicant / participant in some of the ways, indicated above, the contracting authority shall publish a notice to him in the buyer profile. The decision shall be deemed delivered from the date of publication of the notice.

IV. CRITERIA FOR SELECTING CANDIDATES

4.1. The applicant shall meet the following minimum requirements:

A) Minimum requirements for economic and financial standing:

a. For the last 3 / three/ completed financial years, depending on the date on which the applicant is established or started his/ her activity, the applicant should have achieved a minimum total turnover calculated on the basis of annual turnover at a rate of the estimated value of the public contract or the amount of BGN 750 000 (seven hundred and fifty thousand).

The Applicants shall provide the information on the above requirement for economic and financial standing by completing Part IV of ESPD: Selection Criteria, Section B: Economic and Financial Standing, item 1 a) according to the description therein.

b. For the last 3 / three/ completed financial years, depending on the date on which the applicant is established or started his/ her activity, the applicant should have achieved a minimum turnover in the area covered by the contract, calculated on the basis of the annual turnover in the amount of half of the estimated value of the public contract or the amount of BGN 375 000 (three hundred and seventy five thousand).

Minimum turnover in the area covered by the contract, calculated based on the annual turnover means turnover realized in performing activities that are identical or similar to the subject of the public contract - design of urban elements: squares and / or pedestrian zones and / or parks.

The Applicants shall provide the information on the above requirement for economic and financial standing by completing Part IV of ESPD: Selection Criteria, Section B: Economic and Financial Standing, item2a) according to the description therein.

In the cases under Art. 67, para. 5, PPA, in order to prove the meeting of requirements, applicants should submit one or more of the following documents:

- bank certificates;
- annual financial statements or parts thereof;
- information on the total turnover and turnover in the area falling within the scope of the contract for the last three completed financial years, depending on the date on which the applicant was established or started his/her activity.

Where, for objective reasons, the applicant is unable to provide the documents requested by the Contracting Authority, he might prove his economic and financial standing with any other document in order to cover the requirement imposed by the Contracting Authority.

If a branch of a foreign person relies on the trader's resources to demonstrate compliance with the requirements for economic and financial standing, the branch shall provide evidence that these resources will be available when executing the contract.

B) Minimum requirements for technical and professional ability of the applicant:

a. For the last 3 (three) years from the date of submission of the application, candidates should have completed at least 1 (one) service identical or similar to the subject and volume of the public contract.

Service identical or similar to the subject and volume of this public contract means execution of services related to investment projects that have been developed, approved and implemented and

/ or are in the process of implementation for construction and / or reconstruction and / or overhaul and / or major renovation of squares and / or pedestrian areas with area over 1,5 ha in urban areas in cities.

The Applicants shall provide the information on the above requirement for technical and professional ability by completing Part IV of ESPD: Selection Criteria, Section C: Technical and Professional Ability, item 1 b) according to the description therein.

In the cases under Art. 67, para. 5, PPA, in order to prove the above, the applicant shall submit: List of services that are identical or similar to the subject of the public contract, executed in the last 3 (three) years from the date of submission of the application, indicating the values, dates and recipients, together with a proof of the provided service.

b. The average annual number of staff and the number of members of the management for the last three years should be not less than 5.

The Applicants shall provide the information on the above requirement for technical and professional ability by completing Part IV of ESPD: Selection Criteria, Section C: Technical and Professional Ability, item 6, letter „b” according to the description therein.

In the cases under Art. 67, para. 5, PPA, in order to prove the above requirement, the applicant shall submit **Statement of the average annual number of staff and the number of members of the management for the last three years.**

If a branch of a foreign person relies on the trader's resources to demonstrate compliance with the requirements for technical and professional ability, the branch shall provide evidence that these resources will be available when executing the contract.

In the case of consortia, which are not legal entities, compliance with the selection criteria shall be demonstrated by the candidate consortium and not by each of the persons included therein, except for the relevant registration, submission of a certificate or other condition necessary for the performance of the order, according to the requirements of a regulatory or administrative act and according to the distribution of the participation of the persons in the implementation of the activities provided for in the consortium agreement.

Where a candidate in the procedure is a consortium of natural persons and / or legal entities, it can prove compliance with the selection criteria with the capacity of third persons, subject to the provisions of Art. 65, para. 2 – 4, PPA.

If the applicant submits a certificate of registration in an official list of approved economic operators or certificate issued by the certification body, the applicant shall not be excluded from the procedure on the ground that has not produced some of the required documents, provided that the produced certificate proves the relevant circumstances.

On the grounds of Art. 67, para. 5, PPA, the contracting authority may request from the participants and applicant at any time to produce all or part of the documents, which prove the information, indicated in the ESPD, where this is needed for the lawful conduct of the procedure.

Using the Capacity of Third Persons

The applicants may refer to the capacity of third persons, notwithstanding of the legal connection between them in relation to the criteria, related to the economic and financial standing, the technical abilities and the professional competence.

With regard to the criteria, related to the professional competence, the applicants may refer to the capacity of third persons, only if the persons, whose education, qualification or experience proves fulfilment of the requirements of the contracting authority, will participate in the execution of the part of the contract, for which this capacity is needed.

Where the applicant refers to the capacity of third persons, he must prove that he will have their resources by producing documents for the undertaken obligations by the third persons.

The third persons must meet the relevant selection criteria for the proof of which the applicant refers to their capacity and grounds for removal from the procedure for them should not be present. The contracting authority shall require the applicant to change a third person, indicated by him, if it fails to meet some of the conditions.

V. CRITERIA FOR DECREASING THE NUMBER OF APPLICANTS

Due to the importance of the space of the “St. Nedelya” Square in urban, architectural, spatial, functional and cultural-historical terms, and the influence that the quality of the staff involved in the implementation of the subject of the competition may have, the contracting authority determines the professional competence of the personnel involved in the implementation of the subject of the competition as a criterion for decreasing the number of applicants.

Each applicant shall present a team that will perform the competition task. The team shall consist of at least the following key experts:

- Team leader – Architect;
- Urbanist (city-planner);
- Expert – immovable cultural heritage;
- Landscape architect;
- Architect.

Each of the proposed key experts will be evaluated based on his experience in design of urban and /or investment projects for urban space - square and / or pedestrian area and / or park. The experience of each expert is assessed based on a portfolio of up to 5 designs of urban and / or investment projects, containing the following for each of the designs:

1. Short description of the site, including: project title, contracting authority/ investor, urban place, year of design and construction, explanatory note with basic elements and solutions of the project – up to 3 pages, A4.
2. Graphic materials for the site showing the area covered by the project, as well as copies and / or extracts from the design, showing undeniably the presence of the evaluation methodology components so that the jury can assess their availability. Graphic materials shall be provided in A3 format.
3. Evidence of the expert's participation in the project - a copy of a contract with deleted confidential information and / or a reference / service note from the client / employer containing

the name of the project and the role of the expert and / or other document proving undeniably the expert's participation in the design of the site.

4. Evidence of awarding a prize from a competition organized by government and / or local administration - copies of the award certificates and / or other document proving undeniably the award of the prize for the respective site.

The rating for each expert will be based on the following scale:

Indicator	Points
<i>Design No. 1 of the portfolio</i>	
The site is located in a city with population:	
• <i>from 100 000 to 250 000 (inclusive) people</i>	1
• <i>from 250 000 to 500 000 (inclusive) people</i>	2
• <i>over 500 000 people</i>	3
The designed site has an area:	
• <i>up to 1.5 ha (inclusive)</i>	1
• <i>from 1.5 to 2.5 ha (inclusive)</i>	2
• <i>over 2.5 ha</i>	3
The designed site involves landscaping	1
In the designed site and / or its immediate border space includes immovable cultural heritage sites	3
The designed site includes archaeological site (s)	5
The designed site includes elements of urban furnishings - benches and / or bicycle stands/ car parks and / or bollards and / or flower pots and / or trash cans	1
The designed site includes urban and/ or decorative lighting	1
The designed site is awarded a prize from a competition organized by government and / or local administration:	
• <i>3rd place</i>	1
• <i>2nd place</i>	2
• <i>1st place</i>	3
<i>Total score for the design</i>	<i>Max. 20 points</i>
<i>Design No. 2 of the portfolio</i>	
At the time of contract award, the site is located in a city with population:	
• <i>from 100 000 to 250 000 (inclusive) people</i>	1
• <i>from 250 000 to 500 000 (inclusive) people</i>	2
• <i>over 500 000 people</i>	3
The designed site has an area:	
• <i>up to 1.5 ha (inclusive)</i>	1
• <i>from 1.5 to 2.5 ha (inclusive)</i>	2
• <i>over 2.5 ha</i>	3

Indicator	Points
The designed site involves landscaping	1
In the designed site and / or its immediate border space includes immovable cultural heritage sites	3
The designed site includes archaeological site (s)	5
The designed site includes elements of urban furnishings - benches and / or bicycle stands/ car parks and / or bollards and / or flower pots and / or trash cans	1
The designed site includes urban and/ or decorative lighting	1
The designed site is awarded a prize from a competition organized by government and / or local administration:	
• 3 rd place	1
• 2 nd place	2
• 1 st place	3
Total score for the design	<i>Max. 20 points</i>
Design No. 3 of the portfolio	
At the time of contract award, the site is located in a city with population:	
• from 100 000 to 250 000 (inclusive) people	1
• from 250 000 to 500 000 (inclusive) people	2
• over 500 000 people	3
The designed site has an area:	
• up to 1.5 ha (inclusive)	1
• from 1.5 to 2.5 ha (inclusive)	2
• over 2.5 ha	3
The designed site involves landscaping	1
In the designed site and / or its immediate border space includes immovable cultural heritage sites	3
The designed site includes archaeological site (s)	5
The designed site includes elements of urban furnishings - benches and / or bicycle stands/ car parks and / or bollards and / or flower pots and / or trash cans	1
The designed site includes urban and/ or decorative lighting	1
The designed site is awarded a prize from a competition organized by government and / or local administration:	
• 3 rd place	1
• 2 nd place	2
• 1 st place	3
Total score for the design	<i>Max. 20 points</i>
Design No. 4 of the portfolio	
At the time of contract award, the site is located in a city with population:	
• from 100 000 to 250 000 (inclusive) people	1

Indicator	Points
• <i>from 250 000 to 500 000 (inclusive) people</i>	2
• <i>over 500 000 people</i>	3
The designed site has an area:	
• <i>up to 1.5 ha (inclusive)</i>	1
• <i>from 1.5 to 2.5 ha (inclusive)</i>	2
• <i>over 2.5 ha</i>	3
The designed site involves landscaping	1
In the designed site and / or its immediate border space includes immovable cultural heritage sites	3
The designed site includes archaeological site (s)	5
The designed site includes elements of urban furnishings - benches and / or bicycle stands/ car parks and / or bollards and / or flower pots and / or trash cans	1
The designed site includes urban and/ or decorative lighting	1
The designed site is awarded a prize from a competition organized by government and / or local administration:	
• <i>3rd place</i>	1
• <i>2nd place</i>	2
• <i>1st place</i>	3
Total score for the design	Max. 20 points
Design No. 5 of the portfolio	
At the time of contract award, the site is located in a city with population:	
• <i>from 100 000 to 250 000 (inclusive) people</i>	1
• <i>from 250 000 to 500 000 (inclusive) people</i>	2
• <i>over 500 000 people</i>	3
The designed site has an area:	
• <i>up to 1.5 ha (inclusive)</i>	1
• <i>from 1.5 to 2.5 ha (inclusive)</i>	2
• <i>over 2.5 ha</i>	3
The designed site involves landscaping	1
In the designed site and / or its immediate border space includes immovable cultural heritage sites	3
The designed site includes archaeological site (s)	5
The designed site includes elements of urban furnishings - benches and / or bicycle stands/ car parks and / or bollards and / or flower pots and / or trash cans	1
The designed site includes urban and/ or decorative lighting	1
The designed site is awarded a prize from a competition organized by government and / or local administration:	
• <i>3rd place</i>	1

Indicator	Points
• 2 nd place	2
• 1 st place	3
Total score for the design	<i>Max. 20 points</i>
Total score for the expert	Max. 100 points

In relation to the role of key experts in the development of the competition task, the Contracting Authority determines the following set of weighting factors for the overall score of each expert in the overall score of the candidate:

Total score for the expert	Weighting factor
Team leader – Architect (TL)	0.4
Urbanist (city-planner) (U)	0.2
Expert – immovable cultural heritage (EICH)	0.2
Landscape architect (LA)	0.1
Architect (A)	0.1

The overall score of the candidate (OSC) according to the criterion for decreasing the number of candidates is formed according to the following formula:

$$\text{OSC} = \text{TL} \times 0.4 + \text{U} \times 0.2 + \text{EICH} \times 0.2 + \text{LA} \times 0.1 + \text{A} \times 0.1$$

The possible total score for the criterion for decreasing the number of candidates is 100 points.

The Contracting Authority will send a call for project submission for the competition task to the top seven candidates who have collected the highest number of points.

If the total score of two or more candidates is equal, the candidate whose team leader has higher number of points shall get a higher rank. In case of an equal number of points on this score too, the jury shall draw a public lot to determine the ranking of these candidates.

VI. JURY

6.1. The competition is held by a jury, which is independent in taking decisions or expressing opinions. Members of the jury should not have a conflict of interest with the applicants or participants.

6.2. The contracting authority shall announce the names of the people nominated for jury members in the design contest notice.

6.3. Anyone interested in participating in a design contest, within 3 days of announcing the nominees may submit to the contracting authority a reasoned objection against a nominated member of the jury or an alternate member with whom he/she is in a relationship of conflict of interest.

6.4. When the objections are justified and filed within the time limit under item 6.3., within 3 days, the contracting authority shall replace the respective nominated member of the jury or alternate member. The final nominal composition of the jury and alternates shall be announced no later than the deadline for receipt of tender designs.

6.5. The contracting authority shall publish the actions under item 6.2. and 6.4. through the buyer profile.

6.6. The contracting authority shall appoint a jury to carry out the pre-selection of the applications under the procedure set out in Art. 54, para. 7-9, 11-13, IRPPA, as well as for examination and evaluation of the tender designs. The appointment shall be done by an order in which it defines as follows:

6.6.1. the nominal composition and the person appointed as chair;

6.6.2. the deadlines for carrying out the work;

6.6.3. the place of storage of the documents relating to the design contest until the jury has completed its work.

6.7. The jury members are obliged to keep confidential the circumstances they have come to know in connection with their work, for which they shall submit written declarations, as well as for the lack of the circumstances under Art. 80, para. 7, second sentence of the PPA.

6.8. Minutes shall be kept of the meetings of the jury and, upon completion of the work; a report shall be drawn up, which shall be submitted to the contracting authority together with all the documentation of the competition.

6.9. Where necessary, the jury may propose to the contracting authority to commission expert assessments prepared by external experts.

VII. PROCEDURE FOR THE CONDUCT OF THE RESTRICTED DESIGN CONTEST

7.1. The jury shall carry out a pre-selection under the procedure set out in Art. 54, para. 7-9, 11-13, IRPPA and according to the criteria for decreasing the number of candidates. The jury shall submit a record (protocol) of the selection outcomes.

7.2. Within 5 working days from the date of adoption of the protocol, the contracting authority shall declare by decision the candidates who will be called to submit tender designs. The decision shall also include the candidates who do not meet the requirements of the contracting authority and the reasons therefor.

7.3. Within the deadline under Art. 55, para 2, IRPPA, the contracting authority shall send invitations to the successful applicants to submit designs.

7.4. The tender design shall be submitted by the participant or by an authorized representative either in person or by post or other courier service as registered mail with a return receipt, to the address of the Contracting Authority - Sofia Municipality - Architecture and Urban Planning

Department, 1000 Sofia, 5, Serdika Street, ground floor, registry office within the term specified in the call for tender designs, which shall not be less than 90 calendar days.

The tender designs shall be submitted in a sealed opaque packing, containing narrative and graphic part in compliance with the requirements of Section 6 of the terms of reference: REQUIREMENTS TO THE VOLUME AND CONTENT OF THE PRESENTED DESIGN MATERIALS.

The participants shall submit the estimated value for implementation of the investment project in free format and in a separate sealed envelope within the package. The text “Estimated value for implementation of the investment project” shall be inscribed on the envelope.

The name of the participant, including the members of the consortium, where applicable; address for correspondence, telephone and, if possible, fax and e-mail address and the name of competition shall be indicated on the packaging.

The tender design shall be developed in the Bulgarian language. All documents enclosed in a foreign language should be accompanied by a translation into the Bulgarian language. Failure to present a translation of a submitted document will be considered as not submitted document.

In the event that the tender design or explanatory note thereto, in its graphic or textual part, contains data identifying the participant, the latter will be excluded from participation.

Acceptance of the tender design shall be certified by formal receipt issued by the relevant official containing as follows:

- the incoming registration number with which the tender design was received, the date, time and venue of receipt;
- the name of the official who received the tender design;
- the type, number and state of the tender designs;
- the signature of the official who received the tender designs.

The participant must examine all the forms, instructions and conditions given in this public procurement documentation.

When preparing the design, each participant must adhere strictly to the conditions announced by the contracting authority.

Upon presentation of copies of the required documents, they shall be certified with the text "true copy" - signed by the person who performed the certification and stamped with the seal of the participant.

7.5. After the deadline for receipt of tender designs, the contracting authority shall appoint officials to perform ex-ante activities to ensure the anonymity of the designs prior to their examination by the jury.

7.6. The appointed officials are obliged to keep confidential the circumstances they have come to know in connection with their activities under item 7.5., for which they shall submit written declarations.

7.7. The officials open the packages and check the state of the tender designs. If some of the designs were found to be in a shape that allows for breach of their anonymity, the officials shall forward them to the contracting authority, accompanied by a report describing the non-conformities found, and propose that designs not to be admitted to the procedure.

7.8. A separate number is assigned to each tender design and is placed on all the materials in the package.

7.9. The officials shall draw up a list of the numbers and the corresponding names of the participants. The list shall be placed in an opaque envelope and sealed.

7.10. The materials under item 7.8. and the envelope under item 7.9. shall be submitted to the jury.

VIII. EVALUATION AND RANKING ACTIVITIES

8.1. The jury shall examine and evaluate the submitted designs in closed sessions in relation to the criteria set out in the notice and documentation of the competition and shall rank the designs that meet the conditions previously announced. When examining and evaluating projects, the jury, if necessary, may raise questions relating to various aspects of the design that need clarification.

8.2. The jury cannot be given guidance on design evaluation. Their decisions on the assessment are independent and final.

8.3. The results of the evaluation shall be announced at a public meeting that can be attended by the participants in the procedure or their authorized representatives as well as representatives of the mass media. The envelope under item 7.9 shall be opened at the meeting and the names of the participants whose designs are successfully ranked shall be announced.

8.4. The Contracting Authority shall announce the date, time and venue of the activities under item 3 on the competition website and on the buyers profile on its website.

8.5. Upon completion of its work, the jury shall prepare a report containing:

8.5.1. the composition of the jury, including the changes that have occurred in the course of their work;

8.5.2. the number and date of the order for the appointment of the jury, as well as the orders amending the terms of office and composition thereof;

8.5.3. the participants in the contest;

8.5.4. a brief description of the workflow, including activities related to opening, examining and evaluating the design;

8.5.5. design scores and justifications for the decisions of the jury;

8.5.6. successful designs and participants proposed for awards;

8.5.7. designs proposed for exclusion because they do not meet the previously announced conditions, when applicable;

8.5.8. the participants proposed for exclusion, when applicable;

8.5.9. reasons for the proposals under item 8.5.7. and 8.5.8;

8.5.10. the reservations of the jury members, if any.

8.6. All documents drawn up in the course of the work of the jury, such as minutes of meetings, evaluation tables, reasons for reservations, etc. shall be attached to the report.

IX. EVALUATION CRITERIA AND METHODOLOGY FOR EVALUATION OF TENDER DESIGNS

This methodology contains precise guidelines for determining the integrated assessment of each design proposal. The methodology includes the indicators for determining the complex score and the number of points for each of them, as well as precise guidelines for determining the rating for each indicator.

The jury applies the methodology regarding the designs of the participants who have not been excluded from the procedure and who meet the requirements announced by the Contracting Authority.

The criterion for the tender designs evaluation is the optimal quality/price ratio. The evaluation of the tender designs is carried out according to the following indicators with the respective relative weight in the complex score as follows:

Indicators	Weighting
Indicators including qualitative, environmental and social aspects	90
Estimated value for implementation of construction	10

The indicators, including qualitative, environmental and social aspects, are as follows:

Indicator 1. Rationality, effectiveness and feasibility of the proposed communication and transport solution - providing car and pedestrian access to every building, parking and environment for disadvantaged people (I1);

Indicator 2. Applicability of the functional structure of the square space and its contact areas - provision of activities necessary for residents and visitors to the square space (I2);

Indicator 3. Historical continuity - implementation of continuity between existing structures of proven architectural and artistic value and successfully functioning newly created structures (I3);

Indicator 4. Spatial integrity of the square and its contact areas (I4);

Indicator 5. Socialization of the immovable cultural and archaeological values by appropriate, accessible and safe exposure for the finds and visitors (I5);

Indicator 6. Contemporary and appropriate urban design and development related to volume-structure solution, colour, pavements, decorative lighting, architectural details, landscaping, tree and shrub vegetation, urban furnishings (I6);

Indicator 7. Sustainable balance between the requirements and preferences of all stakeholders in the urban process with priority given to the public interest (I7);

Indicator 8. Durability of the materials proposed for implementation and maintenance (I8);

Indicator 9. Option for to staging realization of the site and its contact zones (I9).

Indicators 1 to 9 are assessed by the jury on a three-tier scale shown in the evaluation table below. They reflect the compliance of the tender design with the requirements of the contracting authority set out in the terms of reference and good professional practices as follows:

<p>Indicator No. <i>(completed for each of the indicators 1 to 9)</i></p>
--

Criterion	Score in points	Rationale for the score
Satisfactory solution: <i>The solution presented covers all the requirements of the terms of reference</i>	1	
Good solution <i>The solution presented covers all the requirements of the terms of reference;</i> <i>Appropriateness and feasibility of the solution is justified in all aspects of the terms of reference;</i>	5	
Excellent solution <i>The solution presented covers all the requirements of the terms of reference;</i> <i>Appropriateness and feasibility of the solution is justified in all aspects of the terms of reference;</i> <i>The presented solution is innovative (in line with modern urban planning and urban environment ideas), original (unusual, non-conventional) and with creative individuality</i>	10	

The overall score of the participant according to the indicators that measure qualitative, environmental and social aspects is calculated with the following formula:

$$OS = I1 + I2 + I3 + I4 + I5 + I6 + I7 + I8 + I9,$$

Where the maximum number of points a participant can get is 90.

The indicator “Estimate implementation value of the construction“ is measured based on the following formula:

$$IV = (IV_{\min} / IV_{\text{part}}) \times 10,$$

where:

IV_{\min} – the lowest implementation value offered by the eligible participants.

IV_{part} – the implementation value offered by the respective participant.

The complex score of each participant is calculated based on the following formula:

$$CS = OS + IV,$$

Where the maximum number of points that a participant can get is 100.

The proposed estimate values are verified to ensure that they are prepared and presented in accordance with the requirements set out in the documentation for participation in the procedure. In case of a difference between the amounts expressed in figures and words, the verbal expression of the amount is regarded as correct.

In assessing each of the indicators, the jury calculates the points at two decimal places. If the complex scores of two or more tender designs are equal, the tender design, which offers a lower price for implementation of the investment project, shall get a higher rank. Provided that the prices are equal, scores for the indicator with the highest weighting shall be compared and the tender design with the higher score for this indicator shall be selected. In case the ranking of the tender designs cannot be determined by this order, the Jury shall draw a public lot to determine the ranking of the tender designs with equal complex scores.

X. ESTIMATED CONTRACT VALUE. FUNDING

The total maximum estimated value **of this public contract** amounts to **BGN 750 000 (seven hundred and fifty thousand) excluding VAT, including:**

- **total amount of the prizes – BGN 250 000 (two hundred and fifty thousand) excluding VAT;**
- **estimated value excluding VAT of the public service contract, which may be awarded through a negotiated procedure without prior notice – BGN 500 000 /five hundred thousand/ excluding VAT.**

The contracting authority sets a maximum estimated value for implementation of the investment project to BGN 20 000 000 /twenty million/, VAT excluded. Designs, which offer solutions that provide for exceeding the estimated value for implementation, shall be excluded.

Note: *The total maximum estimated value of the design services for the preparation and implementation all necessary co-ordination procedures during the design phase of the future investment project is BGN 500 000 /five hundred thousand/ excluding VAT, which represents the estimated value of the public procurement for the award of service contract under the procedure of Art. 79, para. 1, item 9, PPA.*

Note: *The costs of announcing the contest, the awards of the ranked participants, the remuneration of the officials and the jury shall be covered entirely by the Contracting Authority.*

XI. DEADLINES

11.1. The Contracting Authority shall set a deadline for the submission of applications for participation, which shall be specified in the notice.

11.2. Within the time limit under Art. 55, para. 2, IRPPA, the Contracting Authority shall send invitations to the successful applicants to submit designs, setting a deadline for submission not shorter than ... calendar days.

11.3. The Contracting Authority shall announce the date, time and venue for holding a public jury meeting, at which the results of the evaluation and ranking of the participants in the competition will be announced in accordance with Art. 91, para. 3, IRPPA, by publication on its official website www.sofia-agk.com, Buyer profile section and on the website of the competition www.svetanedelya.com.

XII. CLOSING THE PROCEDURE FOR DESIGN CONTEST

Within 10 days of approval of the jury report, the contracting authority shall announce by decision the ranking of the participants according to the jury report as well as the prizes. The decision shall be published on the buyer profile and sent to all participants in the contest.

XIII. TERMINATION OF THE COMPETITIVE TENDERING PROCEDURE

13.1. The contracting authority shall terminate the competitive tendering procedure by a decision if:

- not a single application or tender design has been submitted;
- not a single eligible application for participation has been submitted;
- all the tender designs do not meet the pre-announced conditions of the contracting authority;
- during the opening and holding of the competition were found breaches that could not be removed without changing the conditions under which it was announced;
- if there is no further need for conducting the contest or for awarding the contract according to the procedure of Art. 79, para. 1, item 9, PPA as a result of a substantial change in the circumstances or in the event of failure to provide funding for the performance of the contract for reasons, which were unforeseeable by the contracting authority;
- there are significant changes in the conditions of the contest that would change the circle of stakeholders.

13.2. The contracting authority may terminate the procedure by a reasoned decision where:

- only one application or only one tender design has been submitted;
- only one eligible application for participation has been submitted;
- there is only one tender design, which meets the pre-announced conditions of the contracting authority.

Within 3 days of the decision to terminate the design tendering procedure, the Contracting Authority shall notify the candidates or participants, shall publish it on the Buyer Profile and send it to the Executive Director of the Public Procurement Agency.

13.3. Upon termination of the competitive tendering procedure after the final date for submission of the tender designs, the Contracting Authority shall return the designs received to the respective participants.

Appendices:

1. List of the submitted documents – Template No. 1;
2. European Single Procurement Document (ESPD) – Template No. 2;
3. Draft contract;
4. Terms of Reference for the development of a conceptual architectural and urban planning design for “St. Nedelya” Square, Sofia.

For all issues not covered in this document, the provisions of the PPA and the IRPPA shall apply.

TEMPLATES

LIST OF SUBMITTED DOCUMENTS

No.	Content	Description of the documents (type, number, original or copy, submitted by.....)
1.	List of the submitted documents containing in the application form signed by the applicant (Template No. 1)	
2.	European Single Procurement Document (ESPD) for the applicant in accordance with the requirements of the law and the conditions of the contracting authority and, where applicable, ESPD for each of the members of a consortium, which is not a legal entity and for each person whose resources will be involved in the execution of the contract (<i>as described in item 2.2.2. of the documentation</i>) or, <i>/where applicable/</i> , a free text declaration confirming the timeliness of the data and the authenticity of the signatures in the already prepared and electronically signed ESPD, to which direct and unrestricted electronic access is provided - the address at which the document can be accessed shall be indicated in the declaration (<i>as described in items 2.2.2. and 2.2.3. of the documentation</i>).	
3.	Documents proving the taken reliability measures <i>/where applicable/</i>	
4.	A copy of the document for establishment of consortium for participation in the public procurement where the applicant is an association that is not a legal entity <i>/where applicable/</i> .	
5.	Documents under Art. 80, para. 6 for decreasing the number of applicants.	

.....2018.

Signature and stamp:.....

STANDARD FORM FOR THE EUROPEAN SINGLE PROCUREMENT DOCUMENT (ESPD)

Part 1: Information concerning the procurement procedure and the contracting authority or contracting entity

For procurement procedures in which a call for competition has been published in the Official Journal of the European Union, the information required under Part 1 will be automatically retrieved, provided that the electronic ESPD¹ service is used to generate and fill in the ESPD.

Reference of the relevant notice², published in the Official Journal of the European Union:

OJEU S number[, date [, page[,

Notice number in the OJ S: [][][][]/S [][][]-[][][][][][]

If there is no call for competition in OJEU, the contracting authority or contracting entity must fill in the information allowing the procurement procedure to be unequivocally identified.

In case the publication of a notice in the Official Journal of the European Union is not required, please give other information allowing the procurement procedure to be unequivocally identified (e.g reference of a publication at a national level): [.....]

INFORMATION ABOUT THE PROCUREMENT PROCEDURE

The information required under Part I will be automatically retrieved, provided that the above-mentioned electronic ESPD-service is used to generate and fill in the ESPD. If not, this information must be filled in by the economic operator.

Identity of the procurer³	Answer:
Name:	[]
Which procurement is concerned?	Answer:
Title or short description of the procurement ⁴	[]

¹ Commission Services will make the electronic ESPD-service available, free of charge, for contracting authorities, contracting entities, economic operators, providers of electronic services and other interested parties.

² For **contracting authorities**: either a **Prior Information Notice** used as a means of calling for competition or a **Contract Notice**. For **contracting entities**: a **Periodic Indicative Notice** used as a means of calling for competition, a **Contract Notice** or a **Notice on the Existence of a Qualification System**.

³ Information to be copied from Section I, Point 1.1, of the relevant notice, In case of joint procurement, please indicate the names of all involved procurers.

⁴ See points III.1 and III.3 of the relevant notice

File reference number attributed by the contracting authority or contracting entity (if applicable) ⁵ :	[]
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All other information in all sections of the ESPD is to be filled in by the economic operator

Part II: Information concerning the economic operator

A: INFORMATION ABOUT THE ECONOMIC OPERATOR

Identification:	Answer:
Name:	[]
VAT-number, if applicable: If no VAT-number is applicable, please indicate another national identification number, if required and applicable	[] []
Postal address:	[.....]
Contact person or persons ⁶ Telephone: E-mail: Internet address (web address) (if applicable):	[.....] [.....] [.....] [.....]
General information:	Answer:
Is the economic operator a Micro, a Small or a Medium-Sized Enterprise ⁷ ?	<input type="checkbox"/> Yes <input type="checkbox"/> No

⁵ See point II.1.1 of the relevant notice

⁶ Please repeat the information concerning contact persons as many times as needed.

⁷ Cf. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises, (OJ L 124, 20.5.2003, p. 36). This information is required for statistical purposes only. **Micro enterprises:** enterprise which employs fewer than 10 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million.

Small enterprises: an enterprise which employs fewer than 50 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 10 million;

Medium enterprises, enterprises which are neither micro nor small and which employ fewer than 250 persons and which have an annual turnover not exceeding EUR 50 million, and/or an annual balance sheet total not exceeding EUR 43 million.

<p>Only in case the procurement is reserved⁸: is the economic operator a sheltered workshop, a 'social business'⁹ or will it provide for the performance of the contract in the context of sheltered employment programmes? If yes, what is the corresponding percentage of disabled or disadvantaged workers? If required, please specify which category or categories of disabled or disadvantaged workers the employees concerned belong to?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[.....]</p> <p>[.....]</p>
<p>If applicable, is the economic operator registered on an official list of approved economic operators or does it have an equivalent certificate (e.g. under a national (pre)qualification system)?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>Not applicable</p>
<p>If yes:</p> <p><u>Please answer the remaining parts of this Section, Sections B and, where relevant, C of this Part, complete Part V, where applicable, and, in any case, fill in and sign Part VI.</u></p> <p>(a) Please provide the name of the list or certificate and the relevant registration or certification number, if applicable:</p> <p>(b) <i>If the certificate of registration or certification is available electronically, please state:</i></p> <p>(c) Please state the references on which the registration or certification is based, and, where applicable, the classification obtained in the official list¹⁰:</p>	<p>(a) [.....]</p> <p>(b) <i>(web address, issuing authority or body, precise reference of the documentation):</i></p> <p>[.....][.....][.....][.....]</p> <p>(c) [.....]</p> <p>(d) <input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>(e) <input type="checkbox"/>Yes <input type="checkbox"/>No</p>

⁸ See contract notice point III.1.5

⁹ I.e. its main aim is the social and professional integration of disabled or disadvantaged persons.

¹⁰ The references and the classification, if any, are set out on the certification.

<p>(d) Does the registration or certification cover all of the required selection criteria?</p> <p><u>If no:</u> <u>In addition, please complete the missing information in Part IV, Sections A, B, C or D as the case may be ONLY if this is required in the relevant notice or procurement documents:</u></p> <p>(e) Will the economic operator be able to provide a certificate with regard to the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtaining it directly by accessing a national database in any Member State that is available free of charge? <i>If the relevant documentation is available electronically, please indicate:</i></p>	<p><i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....][.....]</p>
<p><i>Form of participation:</i></p>	<p><i>Answer:</i></p>
<p>Is the economic operator participating in the procurement procedure together with others ¹¹?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p>
<p><i>If yes, please ensure that the others concerned provide a separate ESPD form.</i></p>	
<p>If yes: (a) Please indicate the role of the economic operator in the group (leader, responsible for specific tasks ...): (b) Please identify the other economic operators participating in the procurement procedure together: (c) Where applicable, name of the participating group:</p>	<p>(a): [.....] (b): [.....] (c): [.....]</p>
<p><i>Lots</i></p>	<p><i>Answer:</i></p>
<p>Where applicable, indication of the lot(s) for which the economic operator wishes to tender:</p>	<p>[]</p>

¹¹ Notably as part of a group, consortium, joint venture or similar.

B: INFORMATION ABOUT REPRESENTATIVES OF THE ECONOMIC OPERATOR

Where applicable, please indicate the name(s) and address(es) of the person(s) empowered to represent the economic operator for the purposes of this procurement procedure:

Representation, if any:	Answer:
Full name; accompanied by the date and place of birth, if required:	[.....] [.....]
Position/Acting in the capacity of:	[.....]
Postal address:	[.....]
Telephone:	[.....]
E-mail:	[.....]
If needed, please provide detailed information on the representation (its forms, extent, purpose ...):	[.....]

C: INFORMATION ABOUT RELIANCE ON THE CAPACITIES OF OTHER ENTITIES

Reliance:	Answer:
Does the economic operator rely on the capacities of other entities in order to meet the selection criteria set out under Part IV and the criteria and rules (if any) set out under Part V below?	<input type="checkbox"/> Yes <input type="checkbox"/> No

*If yes, please provide a separate ESPD form setting out the information required under **Sections A and B of this Part and Part III** for each of the entities concerned, duly filled in and signed by the entities concerned.*

Please note that this should also include any technicians or technical bodies, not belonging directly to the economic operator's undertaking, especially those responsible for quality control, and, in the case of public works contracts, the technicians or technical bodies upon whom the economic operator can call in order to carry out the work.

Insofar as it is relevant for the specific capacity or capacities on which the economic operator relies, please include the information under Parts IV and V for each of the documents concerned¹².

D: Information concerning subcontractors on whose capacity the economic operator does not rely

(Section to be filled-in only if this information is explicitly required by the contracting authority or contracting entity)

<i>Subcontracting:</i>	<i>Answer:</i>
Does the economic operator intend to subcontract any share of the contract to third parties?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes and in so far as known, please list the proposed subcontractors: [...]

If the contracting authority or contracting entity explicitly requests this information in addition to the information under this section, please provide the information required under Sections A and B of this Part and Part III for each of the (categories of) subcontractors concerned.

Part III: Exclusion grounds

A: GROUNDS RELATING TO CRIMINAL CONVICTIONS

Article 57, paragraph 1 of Directive 2014/24/EU sets the following reasons for exclusion:

- 1. Participation in a criminal organization¹³:***
- 2. Corruption¹⁴:***
- 3. Fraud¹⁵:***

¹² E.g. for technical bodies involved in quality control: Part IV, Section C, point 3:

¹³ As defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

¹⁴ As defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, OJ C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator.

¹⁵ Within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48).

4. *Terrorist offences or offences linked to terrorist activities*¹⁶;
5. *Money laundering or terrorist financing*¹⁷
6. *Child labour and other forms of trafficking in human beings*¹⁸

<i>Grounds relating to criminal convictions under national provisions implementing the grounds set out in Article 57(1) of the Directive:</i>	<i>Answer:</i>
<p>Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for one of the reasons listed above, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]¹⁹</p>
<p>If yes, please indicate ²⁰:</p> <p>(a) Date of conviction, specify which of points 1 to 6 is concerned and the reason(s) for the conviction,</p> <p>(b) Identify who has been convicted [];</p> <p>(c) Insofar as established directly in the conviction:</p>	<p>(a) Date: [], point(s): [], reason(s): []</p> <p>(b) [.....]</p> <p>(c) Length of the period of exclusion.[.....] and the point(s) concerned [1</p> <p><i>If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]²¹</p>

¹⁶ As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision.

¹⁷ As defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

¹⁸ As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

¹⁹ Please repeat as many times as needed.

²⁰ Please repeat as many times as needed.

²¹ Please repeat as many times as needed.

In case of convictions, has the economic operator taken measures to demonstrate its reliability despite the existence of a relevant ground for exclusion ²² ('Self-Cleaning')?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes , please describe the measures taken ²³ :	[.....]

B: GROUNDS RELATING TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS

<i>Payment of taxes or social security contributions:</i>	<i>Answer:</i>	
Has the economic operator met all its obligations relating to the payment of taxes or social security contributions , both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
If not , please indicate: a) Country or Member State concerned; b) what is the amount concerned; c) How has this breach of obligations been established: 1) through a judicial or administrative decision : – Is this decision final and binding? – Please indicate the date of conviction or decision. – In case of conviction, insofar as established <u>directly</u>	Taxes	Social contributions
	(a) [.....]	(a) [.....]
	(b) [.....]	(b) [.....]
	(c1) <input type="checkbox"/> Yes <input type="checkbox"/> No	(c1) <input type="checkbox"/> Yes <input type="checkbox"/> No
	– <input type="checkbox"/> Yes <input type="checkbox"/> No	– <input type="checkbox"/> Yes <input type="checkbox"/> No
	– [.....]	– [.....]
	(c2) [.....]	(c2) [.....]
	(d) <input type="checkbox"/> Yes <input type="checkbox"/> No	(d) <input type="checkbox"/> Yes <input type="checkbox"/> No

²² In accordance with national provisions implementing Article 57(6) of Directive 2014/24/EU.

²³ Taking into account the character of the crimes committed (punctual, repeated, systematic ...), the explanation should show the adequacy of the measures to taken.

<p>therein, the length of the period of exclusion:</p> <p>2) by other means? Please specify:</p> <p>d) has the economic operator fulfilled its obligations by paying or entering into a binding arrangement with a view to paying the taxes or social security contributions due, including, where applicable, any interest accrued or fines?</p>	<p>If yes, please provide details:</p> <p>[.....]</p>	<p>If yes, please provide details:</p> <p>[.....]</p>
<p><i>If the relevant documentation concerning payment of taxes or social contributions is available electronically, please indicate:</i></p>	<p><i>(web address, issuing authority or body, precise reference of the documentation)²⁴ :</i></p> <p>[.....][.....][.....]</p>	

C: GROUNDS RELATING TO INSOLVENCY, CONFLICTS OF INTERESTS OR PROFESSIONAL MISCONDUCT ²⁵

Please note that, for the purpose of this procurement, some of the following exclusion grounds may have been defined more precisely, in national law, in the relevant notice or the procurement documents. Thus, national law may for instance provide that the notion of ‘grave professional misconduct’ may cover several different forms of conduct.

<i>Information concerning possible insolvency, conflict of interest or professional misconduct</i>	<i>Answer:</i>
<p>Has the economic operator, to its knowledge, breached its obligations in the fields of environmental, social and labour law ²⁶?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, has the economic operator taken measures to demonstrate its reliability despite the existence of this ground for exclusion ('Self-Cleaning')?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If it has, please describe the measures taken:[.....]</p>
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

²⁴ Please repeat as many times as needed.

²⁵ See Article 57(4) of Directive 2014/24/EU

²⁶ *As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.*

<p>Is the economic operator in any of the following situations:</p> <p>(a) Bankrupt, or</p> <p>(b) The subject of insolvency or winding-up proceedings, or</p> <p>(c) In an arrangement with creditors, or</p> <p>(d) In any analogous situation arising from a similar procedure under national laws and regulations²⁷, or</p> <p>(e) That its assets are being administered by a liquidator or by the court, or</p> <p>(f) That its business activities are suspended?</p> <p>If yes:</p> <p>— Please provide details:</p> <p>— Please indicate the reasons for being able nevertheless to perform the contract, taking into account the applicable national rules and measures on the continuation of business in those circumstances²⁸?</p> <p><i>If the relevant documentation is available electronically, please indicate:</i></p>	<p>— [.....]</p> <p>— [.....]</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i></p> <p>[.....][.....][.....]</p>
<p>Is the economic operator guilty of grave professional misconduct 29?</p> <p>If yes, please provide details:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No,</p> <p>[.....]</p> <p>If yes, has the economic operator taken self-cleaning measures? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

²⁷ See national law, the relevant notice or the procurement documents.

²⁸ This information **needs not** be given if exclusion of economic operators in one of the cases listed under letter a to f has been made **mandatory** under the applicable national law **without any possibility of derogation** where the economic operator is nevertheless able to perform the contract.

²⁹ Where applicable, see definitions in national law, the relevant notice or the procurement documents.

	<p>If it has, please describe the measures taken: [.....]</p>
<p>Has the economic operator entered into agreements with other economic operators aimed at distorting competition?</p> <p>If yes, please provide details:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[.....]</p>
	<p>If yes, has the economic operator taken self-cleaning measures? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If it has, please describe the measures taken: [.....]</p>
<p>Is the economic operator aware of any conflict of interest³⁰ due to its participation in the procurement procedure?</p> <p>If yes, please provide details:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[.....]</p>
<p>Has the economic operator or an undertaking related to it advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure?</p> <p>If yes, please provide details:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[.....]</p>
<p>Has the economic operator experienced that a prior public contract, a prior contract with a contracting entity or a prior concession contract was terminated early, or that damages or other comparable sanctions were imposed in connection with that prior contract?</p> <p>If yes, please provide details:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[.....]</p>
	<p>If yes, has the economic operator taken self-cleaning measures? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If it has, please describe the measures taken: [.....]</p>
<p>Can the economic operator confirm that:</p> <p>(a) It has not been guilty of serious misrepresentation in supplying the information required for the</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

³⁰ As indicated in national law, the relevant notice or the procurement documents.

<p>verification of the absence of grounds for exclusion or the fulfilment of the selection criteria,</p> <p>(b) It has not withheld such information,</p> <p>(c) It has been able, without delay, to submit the supporting documents required by a contracting authority or contracting entity, and</p> <p>(d) It has not undertaken to unduly influence the decision making process of the contracting authority or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award?</p>	
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D: OTHER EXCLUSION GROUNDS THAT MAY BE FORESEEN IN THE NATIONAL LEGISLATION OF THE CONTRACTING AUTHORITY'S OR CONTRACTING ENTITY'S MEMBER STATE

<i>Purely national exclusion grounds</i>	<i>Answer:</i>
<p>Do the purely national grounds of exclusion, which are specified in the relevant notice or in the procurement documents, apply?</p> <p><i>If the documentation required in the relevant notice or in the procurement documents is available electronically, please indicate:</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]³¹</p>
<p>In case any of the purely national exclusion grounds apply, has the economic operator taken self-cleaning measures?</p> <p>If it has, please describe the measures taken:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[.....]</p>

³¹ Please repeat as many times as needed.

Part IV: Selection criteria

Concerning the selection criteria (Section a or Sections A to D of this part), the economic operator declares that:

α: GLOBAL INDICATION FOR ALL SELECTION CRITERIA

The economic operator should only fill in this field in case the contracting authority or contracting entity has indicated in the relevant notice or in the procurement documents referred to in the notice that the economic operator can limit itself to filling in Section a of Part IV without having to fill in any other Section of Part IV:

<i>Meeting all required selection criteria</i>	<i>Answer</i>
It satisfies the required selection criteria:	<input type="checkbox"/> Yes <input type="checkbox"/> No

A: SUITABILITY

The economic operator should only provide information where the selection criteria concerned have been required by the contracting authority or contracting entity in the relevant notice or in the procurement documents referred to in the notice.

<i>Suitability</i>	<i>Answer</i>
<p>(1) It is enrolled in the relevant professional or trade registers kept in the Member State of its establishment ³²:</p> <p><i>If the relevant documentation is available electronically, please indicate:</i></p>	<p>[.....]</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i></p> <p>[.....][.....][.....]</p>
<p>(2) For service contracts:</p> <p>Is a particular authorisation or membership of a particular organisation needed in order to be able to perform the</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>If yes, please specify which and indicate whether the economic operator has it:</p> <p>[...]</p>

³² As described in Annex XI of Directive 2014/24/EU; *economic operators from certain Member States may have to comply with other requirements set out in that Annex*

<p>service in question in the country of establishment of the economic operator?</p> <p><i>If the relevant documentation is available electronically, please indicate:</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i></p> <p>[.....] [.....] [.....]</p>
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B: ECONOMIC AND FINANCIAL STANDING

*The economic operator should **only** provide information where the selection criteria concerned have been required by the contracting authority or contracting entity in the relevant notice or in the procurement documents referred to in the notice.*

<i>Economic and financial standing</i>	<i>Answer:</i>
<p>(1a) Its ('general') yearly turnover for the number of financial years required in the relevant notice or the procurement documents is as follows:</p> <p><u>And/or,</u></p> <p>(1b) Its average yearly turnover for the number of years required in the relevant notice or the procurement documents is as follows³³ () :</p> <p><i>If the relevant documentation is available electronically, please indicate:</i></p>	<p>year:[.....]turnover:[.....][...]currency year:[.....]turnover:[.....][...]currency year:[.....]turnover:[.....][...]currency</p> <p>(number of years, average turnover): [.....],[.....][.....]currency</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]</p>
<p>(2a) Its yearly ('specific') turnover in the business area covered by the contract and specified in the relevant notice or the procurement documents for the number of financial years required is as follows:</p> <p><u>And/or,</u></p>	<p>year:[.....]turnover:[.....][...]currency year:[.....]turnover:[.....][...]currency year:[.....]turnover:[.....][...]currency</p> <p>(number of years, average turnover): [.....],[.....][.....]currency</p>

³³ Only if permitted in the relevant notice or the procurement documents.

<p>(2b) Its average yearly turnover in the area and for the number of years required in the relevant notice or the procurement documents is as follows³⁴ :</p> <p><i>If the relevant documentation is available electronically, please indicate:</i></p>	<p><i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]</p>
<p>(3) In case the information concerning turnover (general or specific) is not available for the entire period required, please state the date on which the economic operator was set up or started trading:</p>	<p>[.....]</p>
<p>(4) Concerning the financial ratios³⁵ specified in the relevant notice or the procurement documents, the economic operator declares that the actual value(s) for the required ratio(s) is/are as follows:</p> <p><i>If the relevant documentation is available electronically, please indicate:</i></p>	<p>(identification of the required ratio- ratio between x and y³⁶ -and the value): [.....][.....]³⁷</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]</p>
<p>(5) The insured amount in its professional risk indemnity insurance is the following:</p> <p><i>If this information is available electronically, please indicate:</i></p>	<p>[.....],[.....][...]currency</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]</p>
<p>(6) Concerning the other economic or financial requirements, if any, that may have been specified in the relevant notice or the procurement documents, the economic operator declares that:</p> <p><i>If the relevant documentation that may have been specified in the relevant notice</i></p>	<p>[.....]</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]</p>

³⁴ Only if permitted in the relevant notice or the procurement documents.

³⁵ E. g. the ratio between assets and liabilities.

³⁶ E. g. the ratio between assets and liabilities.

³⁷ Please repeat as many times as needed.

<i>or the procurement documents, is available electronically, please indicate:</i>	
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C: TECHNICAL AND PROFESSIONAL ABILITY

The economic operator should only provide information where the selection criteria concerned have been required by the contracting authority or contracting entity in the relevant notice or in the procurement documents referred to in the notice.

Technical and professional ability	Answer:								
<p>(1a) For public works contracts only: During the reference period³⁸, the economic operator has performed the following works of the specified type: <i>If the relevant documentation concerning satisfactory execution and outcome for the most important works is available electronically, please indicate:</i></p>	<p>Number of years (this period is specified in the relevant notice or the procurement documents):[.....] Works:[.....] <i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]</p>								
<p>(1b) For public supply and public service contracts only: During the reference period³⁹, the economic operator has delivered the following principal deliveries of the type specified or provided the following main services of the type specified: When drawing up the list, please indicate the amounts, dates and recipients, whether public or private⁴⁰:</p>	<p>Number of years (this period is specified in the relevant notice or the procurement documents): [.....]</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 2px;">Description</th> <th style="padding: 2px;">amount</th> <th style="padding: 2px;">dates</th> <th style="padding: 2px;">recipient</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Description	amount	dates	recipient				
Description	amount	dates	recipient						
<p>(2) It can call upon the following technicians or technical bodies⁴¹,</p>	<p>[.....]</p>								

³⁸ Contracting authorities may **require** up to five years and **allow** experience dating from **more** than five years.

³⁹ Contracting authorities may **require** up to three years and **allow** experience dating from **more** than three years.

⁴⁰ In other words, **all** recipients should be listed and the list should include both public clients and private clients for the supplies or services concerned.

⁴¹ For technicians or technical bodies not belonging directly to the economic operator's undertaking but on whose capacities the economic operator relies as set out under Part II, Section C, separate ESPD forms must be filled in.

<p>especially those responsible for quality control:</p> <p>In the case of public works contracts, the economic operator will be able to call on the following technicians or technical bodies to carry out the work:</p>	[.....]
<p>(3) It uses the following technical facilities and measures for ensuring quality and its study and research facilities are as follows:</p>	[.....]
<p>(4) It will be able to apply the following supply chain management and tracking systems when performing the contract:</p>	[.....]
<p>(5) <i>For complex products or services to be supplied or, exceptionally, for products or services which are required for a special purpose:</i></p> <p>The economic operator will allow checks⁴² to be conducted on the production capacities or the technical capacity of the economic operator and, where necessary, on the means of study and research which are available to it and on the quality control measures?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>(6) The following educational and professional qualifications are held by:</p> <p>(a) The service provider or the contractor itself, <i>and/or</i> (depending on the requirements set out in the relevant notice or the procurement documents)</p> <p>(b) Its managerial staff:</p>	<p>(a) [.....]</p> <p>(b) [.....]</p>
<p>(8) The economic operator's average annual manpower and the number of managerial staff for the last three years were as follows:</p>	<p>Year, average annual manpower: [.....],[.....], [.....],[.....], [.....],[.....], Year, number of managerial staff: [.....],[.....],</p>

⁴² The check is to be performed by the contracting authority or, in case the latter consents to this, on its behalf by a competent official body of the country in which the supplier or service provider is established;

	[.....], [.....], [.....], [.....]
(9) The following tools, plant or technical equipment will be available to it for performing the contract:	[.....]
(10) The economic operator intends possibly to subcontract ⁴³ the following proportion (i.e. percentage) of the contract:	[.....]
(11) For public supply contracts: The economic operator will supply the required samples, descriptions or photographs of the products to be supplied, which do not need to be accompanied by certifications of authenticity; Where applicable, the economic operator furthermore declares that it will provide the required certificates of authenticity. <i>If the relevant documentation is available electronically, please indicate:</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]
(12) For public supply contracts: Can the economic operator provide the required certificates drawn up by official quality control institutes or agencies of recognised competence attesting the conformity of products clearly identified by references to the technical specifications or standards, which are set out in the relevant notice or the procurement documents? If not , please explain why and state which other means of proof can be provided: <i>If the relevant documentation is available electronically, please indicate:</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No [.....] <i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....][.....][.....]

⁴³ Please note that if the economic operator **has decided** to subcontract a part of the contract **and** relies on the subcontractor's capacities to perform that part, then please fill in a separate ESPD for such subcontractors, see Part II, Section C above.

D: QUALITY ASSURANCE SCHEMES AND ENVIRONMENTAL MANAGEMENT STANDARDS

*The economic operator should **only** provide information where quality assurance schemes and/or environmental management standards have been required by the contracting authority or contracting entity in the relevant notice or in the procurement documents referred to in the notice.*

<i>Quality Assurance Schemes and Environmental Management Standards</i>	<i>Answer:</i>
<p>Will the economic operator be able to produce certificates drawn up by independent bodies attesting that the economic operator complies with the required quality assurance standards, including accessibility for disabled persons? If not, please explain why and specify which other means of proof concerning the quality assurance scheme can be provided: <i>If the relevant documentation is available electronically, please indicate:</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[.....] [.....]</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....] [.....] [.....]</p>
<p>Will the economic operator be able to produce certificates drawn up by independent bodies attesting that the economic operator complies with the required environmental management systems or standards? If not, please explain why and specify which other means of proof concerning the environmental management systems or standards can be provided: <i>If the relevant documentation is available electronically, please indicate:</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[.....] [.....]</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i> [.....] [.....] [.....]</p>

Part V: Reduction of the number of qualified candidates

The economic operator should only provide information where the contracting authority or contracting entity has specified the objective and non-discriminatory criteria or rules to be applied in order to limit the number of candidates that will be invited to tender or to conduct dialogue. This information, which can be accompanied by requirements concerning the (types of) certificates or forms or documentary evidence, if any, to be produced, is set out in the relevant notice or in the procurement documents referred to in the notice.

For restricted procedures, competitive procedures with negotiation, competitive dialogue procedures and innovation partnerships only:

The economic operator declares that:

<i>Reduction of numbers</i>	<i>Answer:</i>
<p>It meets the objective and non-discriminatory criteria or rules to be applied in order to limit the number of candidates in the following way:</p> <p>In case certain certificates or other forms of documentary evidence are required, please indicate for each whether the economic operator has the required documents:</p> <p><i>if some of these certificates of forms of documentary evidence are available electronically⁴⁴, please indicate for which:</i></p>	<p>[.....]</p> <p>[...] <input type="checkbox"/> Yes <input type="checkbox"/> No⁴⁵</p> <p><i>(web address, issuing authority or body, precise reference of the documentation):</i></p> <p>[.....][.....][.....][.....]⁴⁶</p>

Part VI: Concluding statements

The undersigned formally declare that the information stated under Parts II-V above is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declare to be able , upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where:

⁴⁴ Please indicate clearly , which item the answer relates to.

⁴⁵ Please repeat as many times as needed.

⁴⁶ Please repeat as many times as needed.

a) the contracting authority or contracting entity has the possibility of obtaining the supporting documentation concerned directly by accessing a national database in any Member State that is available free of charge⁴⁷ or

b) as of 18 October 2018 at the latest⁴⁸ the contracting authority or contracting entity already possesses the documentation concerned.

The undersigned formally consent to [identify the contracting authority or contracting entity as set out in part I, Section A] gaining access to documents supporting the information which has been provided in [identify the Part/Section /Point(s) concerned] of this European Single Procurement Document for the purposes of [identify the procurement procedure: (summary description, reference of publication in the Official Journal of the European Union, reference number)].

Date, place and , where required or necessary, signature (s): [.....]

⁴⁷ On condition that the economic operator has provided the necessary information (*web address, issuing authority or body, precise reference of the documentation*) allowing the contracting authority or contracting entity to do so. Where required, this must be accompanied by the relevant consent to such access.

⁴⁸ Depending on the national implementation of the second subparagraph of Article 59 (5) of Directive 2014/24/EU.

CONTRACT

Today, 20..... , in Sofia, between:

SOFIA MUNICIPALITY, with address: Sofia, 33, Moskovska Str., represented by Arch. Zdravko Zdravkov, acting in his capacity of Chief Architect of Sofia Municipality, authorized by the Mayor of Sofia Municipality by Order № COA17-RD09-78 /17.01.2017, with address for correspondence: Sofia, 5, Serdika Str., id. VAT number BG000696327, hereinafter referred to as the "CONTRACTING AUTHORITY" as the one party

And as the other party, **UIC**, represented by, with seat and registered address, hereinafter referred to as the "CONTRACTOR",

The parties agreed on the following:

1. After a design contest held under the procedure laid down in the Public Procurement Act (PPA), the **CONTRACTING AUTHORITY** shall acquire the conceptual architectural and urban planning design for "Sveta Nedelya" Square, Sofia, presented by the **CONTRACTOR**.

2. The **CONTRACTING AUTHORITY** shall pay to the **CONTRACTOR** a prize amounting to BGN (.....) not later than 30 days after the conclusion of the

competition's jury and the decision for the ranking enters into force, from the budget of
.....

2.1. The payment shall be made to the bank account of the **CONTRACTOR**:
.....

3. In the event of explicit written refusal of the **CONTRACTOR** to participate and/or perform follow up activities for the elaboration of technical and detailed designs for “Sveta Nedelya” Square in Sofia, the **CONTRACTING AUTHORITY**, as the copyright holder shall reserve the right to assign the implementation of the project to another person who meets the requirements of the **CONTRACTING AUTHORITY**.

Art. 4. (1) The Parties agree, on the grounds of Art. 42, para. 1 of the Copyright and Related Rights Act that the copyrights of all documents and materials and any other elements or components developed as a result of or in connection with the performance of the Contract belong entirely to the **CONTRACTING AUTHORITY** in the same amount as they would have belonged to the author. The **CONTRACTOR** represents and warrants that third parties do not hold any rights on the produced documents and other results of the performance of the Contract that may be subject to copyright.

(2) If it is established by an effective court judgement or if the **CONTRACTING AUTHORITY** and/or the **CONTRACTOR** establish that the development, implementation and use of documents or other materials elaborated in the execution of this Contract infringe the copyright of a third party, the **CONTRACTOR** undertakes to make it possible for the **CONTRACTING AUTHORITY** to use them:

1. by changing the relevant document or material; or
2. by replacing a copyrighted component with another element with the same function that does not infringe the copyright of third parties; or

3. by obtaining at its own expense an authorization to exploit the product from the third party whose rights are infringed.

(3) The **CONTRACTING AUTHORITY** shall notify the **CONTRACTOR** of the claims of infringed copyrights of third parties within 10 (*ten*) days of becoming aware of the fact. In the event that third parties bring reasonable claims, the **CONTRACTOR** shall be fully liable and shall bear all the damages arising therefrom. The **CONTRACTING AUTHORITY** shall involve the **CONTRACTOR** in any dispute for copyright infringement in connection with the execution of the Contract.

(4) The **CONTRACTOR** shall pay to the **CONTRACTING AUTHORITY** compensation for damages and lost profits as a result of definitely recognized infringement of copyright of third parties.

This Contract is drawn up and signed in two identical copies, one for each of the parties.

CONTACTING AUTHORITY:

Arch. Zdravko Zdravkov
Chief Architect of Sofia Municipality

Nina Uzunska
Chief Accountant

CONTRACTOR:

.....
.....