

# International Competition for the Architectural Landscape Design Concept for the Tuchkov Buyan Park in Saint Petersburg

REGULATIONS OF THE COMPETITION

NOVEMBER 2019



STRELKA KB



ISOCARP INSTITUTE  
Centre for Urban Excellence

# 1. Introduction

## 1.1. Ground for the Competition

The international single-stage competition for the Architecture and Landscaping Design Concept of Tuchkov Buyan Park in Saint Petersburg is held on the initiative and with the support of the Government of Saint Petersburg. The Competition is organized by “DOM.RF” Fund (PSRN 1167700063992). Operator of the Competition — Strelka KB LLC (PSRN 1137746792974).

## 1.2. Subject of the Competition

The subject of the Competition is the development of the Architecture and Landscaping Design Concept of the park, embankment, square and adjacent streets. The Concept shall include landscape, urban planning, layout, spatial and architectural solutions of the Design Site and shall comply with the requirements of the Competition Brief.

## 1.3. Goals and objectives of the Competition

The goals of the Competition include:

- a. preparation of the Architecture and Landscaping Design Concepts and selection of the best three from them (determination of the three Finalists — the creators of such best concepts)
- b. Selection of the Winner of the Competition from among the Finalists — the creator of the best Architecture and Landscaping Design Concept;

The Competition is open to architects and landscape designers from all countries. The Competition is aimed to ensure wide participation of both eligible architects, landscape architects and urban designers qualified for practice in their respective countries and young specialists wishing to make a name.

This Competition is endorsed by the International Union of Architects (UIA) and will be conducted according to the UNESCO Standard Regulations for International Competitions in Architecture and Town Planning and the UIA best practice recommendations stated in the UIA competition Guide.

## 1.4. Words and expressions used in these Regulations with the capital letters shall have the meanings defined in Appendix 1.

# 2. Procedure of the Competition

## 2.1. Procedure of the Competition

The procedure of the Competition, illustrating the sequence and contents of its main operations and stages is described briefly below in this paragraph.

### Pre-qualification

- a. Announcement of the Competition.  
The Operator will publish an open call for expressions of interest.
- b. Submission of Applications by the Applicants.  
Persons wishing to take part in the Competition and meeting the requirements of these Regulations shall submit Applications within the period and in accordance with the procedure by the present Regulations.
- c. Preliminary examination of Applications.  
The Technical committee shall examine and analyze Applications for the compliance with the formal requirements of the Competition and Qualification criteria.

Following the results of the work of the Technical committee, the Operator shall form the Qualification Report for consideration by the Jury.

- d. Approval and submission of the Competition Brief to the Competitors. Preparation of the Competition Brief by the Technical committee with the organizational participation of the Operator. Examination and approval of the Jury's Competition Brief, its publication (submission to the Competitors).
- e. Determination of the composition of the Competitors by the Jury in the number of no more than 8 (eight), it being understood that 6 (six) Competitors are selected from among eligible architects, and 2 (two) — from among young firms.

### **Selection of the Finalists and determination of the Winner**

- f. Preparation and provision of the Design Proposals by the Competitors. The Organizer or the person authorized by him shall conclude a Contract with each of the Competitors. The Operator shall arrange a visit of the Design Site by the Competitors and holding of an introductory seminar. The Competitors shall prepare and submit the Design Proposals.
- g. Preliminary evaluation of the Design Proposals. The Technical committee shall examine and analyze the Architecture and Landscaping Design Concepts for compliance with the formal requirements of the Competition and conducts their Technical evaluation. Based on the results of work of the Technical committee, the Operator shall form the Technical Report for consideration by the Jury.
- h. Selection of the Finalists and determination of the Winner of the Competition. The Jury shall determine the Winner — Participant, whose Architecture and Landscaping Design Concept was assigned the top rank from among the Competitors and select two more Finalists — Competitors, whose Architecture and Landscaping Design Concepts were assigned the second and third ranks.

#### **2.2. Competition Schedule**

The Competition Schedule is given in Appendix 2.

## **3. Operator**

The Operator is the organization authorized by the Organizer to perform all functions related to and necessary for holding of the Competition, including (but not limited to the above) placement of the information about the Competition, receipt of messages, information and documents from the Applicants and Competitors, provision of explanations in respect of the Competition Documentation and the Competition, organization of the work of the Jury and the Technical committee, as well as implementation of other functions that are provided for by the Competition Documentation and/or that are required from the Operator for holding of the Competition.

## **4. International jury (hereinafter referred to as the “Jury”)**

#### **4.1. General provisions**

- a. The Jury shall be the official authority of the Competition. The international Jury will be composed of Russian and international experts.



- b. The members of the Jury shall be appointed and shall act in their personal capacity and not as the representatives of the organizations in which they are participants (members) or employees or in which management bodies they are the members. They shall neither accept nor request any instructions from any person in respect of the decisions made by them within their competence.
- c. In its work the Jury shall be guided by the principles of professionalism, independence of opinions and objectivity in decision-making, the provisions of the Competition Documentation and the legislation of the Russian Federation.

#### 4.2. Composition of the Jury

The personal composition of the Jury is set out in Appendix 3. The Jury includes voting members of the Jury and alternate members of the Jury.

#### 4.3. Key powers of the Jury

The powers of the Jury include, inter alia:

- a. Evaluation of Applications and selection of 8 (eight) Competitors to submit Design Proposals.
- b. Evaluation and comparison of Landscape and Architectural Design concepts, selection of the Finalists (Competitors taking the second and third places) and selection of the Winner of the Competition (Competitor taking the first place).
- c. Adoption of decisions on suspension (non-admission, disqualification) of the Applicants and the Competitors, including due to non-compliance of the Applicants and the Competitors or their Applications and the Design Proposals with the requirements of the Competition Documentation;
- d. Approval of the Competition Brief;
- e. Adoption a decision on adjustment of the Competition Criteria, provided that such a decision is made no later than at the beginning of Stage 2 of the Competition in accordance with the Competition Schedule.

#### 4.4. Work of the Jury

- a. The work of the Jury is carried out by holding of its meetings. Within the Competition, the Jury shall hold at least two meetings:
  - I. for consideration of the issue of selection of the Competitors from among the Applicants, as well as;
  - II. for consideration of the issue of selection of the Finalists and determination of the Winner of the Competition.

Meetings of the Jury shall be convened by the Operator (including upon decision of the Jury or upon initiative of any its member). The meetings of the Jury shall be held in Saint Petersburg.

- b. If the meeting of the Jury cannot be held on a certain date on which the Jury's meeting is appointed, or the necessary decision is not taken in the meeting, upon decision of the Jury taken by the present composition or by absentee voting (by poll), the meeting of the Jury can be postponed to another day and time within the next 30 (thirty) working days.
- c. The representatives of the Operator shall be present in the meeting of the Jury. The representatives of the Operator shall have the right to inform the Jury of the powers of the Jury, tasks of a particular meeting, procedural aspects of the Jury's work, including voting and decision-making procedure. Upon the invitation of the Jury, the representatives of the Technical committee can participate in its meetings in order to provide the necessary consulting assistance.

#### 4.5. Decision-making

The decisions of the Jury shall be taken by voting of the members of the Jury according to the principle “one member of the Jury — one vote” (quantitative voting) by a simple majority from the members of the Jury present at the meeting.

#### 4.6. Minutes

The Operator shall ensure keeping of the minutes of the Jury’s meetings.

#### 4.7. Informing the Board of Trustees

The Jury shall inform the Board of Trustees of the Competition on the progress of its work within the framework of the Competition procedures including on the selection of the Competitors from among the Applicants and selection of the Finalists and determination of the Winner of the Competition.

## 5. Technical committee

### 5.1. General provisions

- a. The Technical committee shall be the official authority of the Competition. The representatives of the Government of Saint Petersburg and the public figures of Saint Petersburg, Russian and international specialized experts, including in the field of landscape architecture, historical heritage, public space management, transport planning, ecology, engineering, etc. shall be engaged as the members of the Technical committee.
- b. The Technical committee shall be appointed and shall act in their personal capacity and not as the representatives of the organizations in which they are participants (members) or employees or in which management bodies they are the members. They shall neither accept nor request any instructions from any person in respect of assessments and judgments made by them within their professional competence.
- c. In its work the Technical committee shall be guided by the principles of professionalism and objectivity, the provisions of the Competition Documentation and the legislation of the Russian Federation.

### 5.2. Composition of the Technical committee

The personal composition of the Technical committee is given in Appendix 4.

### 5.3. Functions of the Technical committee

The Technical committee shall carry out, inter alia, the following functions:

- a. Reviews Applications with regard to compliance with the Qualification criteria;
- b. Develops the Competition Brief;
- c. Performs Technical Examination- analysis of the Architecture and Landscaping Design Concepts submitted by the Competitors for their compliance with the requirements of the Competition Documentation, Competitive Criteria, applicable design and construction regulations and rules and their feasibility in general;
- d. Provides (through its representatives) the Jury with the consulting assistance in the selection of the Competitors of the Competition, evaluation and comparison of the Architecture and Landscaping Design Concepts, including provides explanations to the members of the Jury, upon their request.

#### 5.4. Procedure of work of the Technical committee

- a. The work of the Technical committee shall be carried out by holding of its meetings. The Meetings of the Technical committee shall be convened by the Operator (including upon decision of the Technical committee or upon initiative of any its member). The Meetings of the Technical committee shall be held in Saint Petersburg.
- b. The representatives of the Operator shall be present in the meeting of the Technical committee. The Representatives of the Operator shall have the right to inform the members of the Technical committee about the powers of the Technical committee, tasks of a particular meeting, procedural aspects of the Technical committee's work.

#### 5.5. Minutes

The Operator shall ensure keeping of the minutes of the Technical committee's meetings.

## 6. Competition Documentation

### 6.1. Composition of the Competition Documents

The Competition Documentation shall include the following sections, each constituting its integral part:

- a. Section I: Call for Expressions of Interest;
- b. Section II: Regulations;
- c. Section III: Competition Brief.

Sections I and II shall be published by public placement in the Competition Website when the Competition is announced. Section III shall be prepared, approved and published in the Competition Website in accordance with the Competition Schedule.

### 6.2. Preparation of the Competition Brief

- a. The draft Competition Brief shall be prepared by the Technical committee with the organizational participation of the Operator and shall be submitted for approval by the Jury.
- b. The Jury shall review the draft Competition Brief submitted to it and approve its final version for publication in the Competition Website.

## 7. Competition Eligibility

### 7.1. General provisions

Russian and foreign landscape designers and architects are invited for participation in the Competition. Any persons acting individually or within a multidisciplinary team that meet the requirements provided for by these Regulations and submitted the Application conforming to the provisions of these Regulations by the composition, contents, presentation, method and date of submission shall be eligible for participation in the Competition.

### 7.2. Requirements to Applicants

Any person (including a member of a multidisciplinary team) meeting the following requirements can submit an Application (become an Applicant):

- I. such a person is duly established as a legal entity or as an individual entrepreneur (for Russian Applicants) or (for foreign Applicants) has other similar status, allowing him to participate in the Competition and to prepare and submit a Design Proposal on a professional basis in accordance with the legislation applicable to such a person, and has all legal capacity required for participation in the Competition according to such legislation;
- II. reorganization or liquidation procedures are not announced and are not carried out, no bankruptcy (insolvency) proceedings are pending, no bankruptcy (insolvency) procedure is introduced in respect of such a person, as well as no other similar insolvency procedure is declared or carried out under the law applicable to such a person, in relation to insolvency, insufficiency of property or cessation of operation.
- III. such a person (collectively all the persons forming the multidisciplinary team) has its own or engaged specialists (including subcontractors) in the field of landscape design, cultural programming of parks and open public spaces, sustainable development and ecology, architectural design and urban planning, engineering systems and structures, transport and economics. It is welcomed to have (including, as a member of the multidisciplinary team) a Russian specialist whose functional competence would be to ensure compliance of the Architecture and Landscaping Design Concept to Russian urban planning regulations and rules.

### 7.3. Persons not allowed for participation in the Competition

The following persons shall not be allowed to participate in the Competition:

- I. members of the Jury, the Technical committee, the Organizer, as well as the Operator, co-contractors, subcontractors and consultants engaged by the Operator;
- II. persons in respect of which the disqualification decision is made by the Jury since they are recognized to have a real opportunity to influence the outcome of the Competition.

## 8. Participation of the Multidisciplinary team in the Competition

### 8.1. Multidisciplinary team

- a. Persons wishing to take part in the Competition can join the multidisciplinary team so that jointly to meet the Qualification Criteria
- b. Persons united in the multidisciplinary team shall submit a single Application on behalf of the multidisciplinary team and shall be recognized as a single Applicant for the purposes of the Competition, and further, if such an Applicant passes the Qualification - a single Participant. Applicably to the multidisciplinary team, use of the terms "Applicant" and "Participant"; "Winner" or "Finalist" in the Regulations shall be deemed to include all the members of a certain multidisciplinary team.
- c. Persons wishing to participate in the Competition within the multidisciplinary team shall submit the multidisciplinary team Declaration signed by all such persons within the Application. The multidisciplinary team Declaration shall determine the composition of the members of the multidisciplinary team within the Competition as well as at any time after completion of the Competition in relations between the Project Operator and the respective Participant in connection with the use of the Architecture and Landscaping Design Concept. The composition of the multidisciplinary team as determined in the multidisciplinary team Declaration may not be changed without the consent of the Organizer.



The contents of the multidisciplinary team Declaration shall confirm that the right is granted to the multidisciplinary team Leader to represent the interests of the multidisciplinary team (all its members) as well as to dispose of the exclusive rights on behalf of the multidisciplinary team (all its members) in respect of all Works prepared by the multidisciplinary team (its members) in connection with participation in the Competition (including the Architecture and Landscaping Design Concept) in accordance with the provisions of the Competition Documentation.

- d. A member of one multidisciplinary team may not be eligible for participation in the Competition individually or within another multidisciplinary team.

## 8.2. Multidisciplinary team Leader

- a. The members of the multidisciplinary team shall determine the multidisciplinary team leader and shall indicate such leader and its contact details in the multidisciplinary team Declaration.
- b. A member of the multidisciplinary team, whose functional competence within the multidisciplinary team is to prepare the landscape planning part of the Architecture and Landscaping Design Concept, can be the Leader of the multidisciplinary team.
- c. In relations with the Operator and the Organizer within the Competition the Leader of the multidisciplinary team is recognized as the only person who has the right to represent the interests of the multidisciplinary team (all and each of its members) within or in connection with the Competition (including submission of any claims and demands), as well as at any time after completion of the Competition in relations between the Project Operator and the respective Participant in connection with the use of the Architecture and Landscaping Design Concept. The Leader of the multidisciplinary team shall be recognized as the only person authorized to dispose of the exclusive rights on behalf of the multidisciplinary team (all its members) in respect of all Works prepared by the multidisciplinary team (its members) in connection with participation in the Competition (including the Concept Applications and the Architecture and Landscaping Design Concept) in accordance with the provisions of the Competition Documentation.
- d. To avoid doubts, none of the multidisciplinary team members, except its Leader, may communicate with the Operator or the Organizer in connection with holding of the Competition, including submission of any demands or claims, including those based on the relationship between the members within the multidisciplinary team. Neither the Operator nor the Organizer of the Competition shall be liable to the multidisciplinary team or any of its members for any acts or omission committed by the multidisciplinary team Leader.

# 9. Conflict of interest

## 9.1. Grounds for possible conflict of interest

For the purposes of these Regulation, availability of the Applicant's (Participant's) opportunity to influence the outcome of the Competition directly or indirectly shall be recognized as the conflict of interest. Availability of the conflict of interest with respect to a particular Applicant (Participant) can be established, in particular, if such an Applicant (Participant) (in case of the multidisciplinary team, any multidisciplinary team member):

- a. is an affiliated person of any of the following persons who, which are recognized to be able to influence the outcome of the Competition for the purposes of this clause:

- I. a member of the Jury or a member of the Technical committee, as well as a person to whom a member of the Jury or a member of the Technical committee is subordinated by the official position or a person who is subordinated to a member of the Jury or a member of the Technical committee by the official position;
- II. Organizer or Operator, as well as the person performing the functions of the sole executive body, or members of the collegial executive body or other management body of the Organizer or Operator (including each co-contractor, subcontractor and consultant within the Competition), as well as a person to whom any of the mentioned persons are subordinated by the official position, or a person who is subordinated to any of the mentioned persons by the official position.

Provided that for the purposes of application of this paragraph:

- the term “affiliated person” shall have the meaning established by the applicable legislation of the Russian Federation;
- a person is not recognized as subordinated to other person by the official position, if the employment (official) function of such first person consists exclusively in execution of the scientific, teaching or other creative activities under the management of that other person;

or

- III. there is (or there was in the past within three years prior to the date of the announcement of the Competition) other relation between the Applicant (Participant) and any of the persons referred to in the subparagraph (a) above, the nature of which reasonably allows to assume that the Applicant (Participant) has an opportunity to influence the outcome of the Competition directly or indirectly.

## 9.2. Disclosure letter

- a. In case of the grounds provided for in paragraph 9.1 above, the Applicant (Participant) shall submit a Disclosure Letter to the Operator depending on the moment of occurrence of the respective grounds:
  - I. in case of availability of such grounds at the moment of submission of the Application, — within the Application;
  - or,
  - II. in case of emergence of the respective grounds subsequently, immediately after they emerged.
- b. The disclosure letter shall be prepared in any form and shall contain an indication to the ground and nature of the potential conflict of interest applicably to the Applicant (Participant) in accordance with paragraph 9.1 of the Regulations, including an indication to the person with whom the Applicant (Participant) is affiliated and the nature of this affiliation, as well as can contain any additional information that in the opinion of the Applicant (Participant) can be useful for evaluation of the Applicant’s actual opportunities to influence the outcome of the Competition.
- c. The fact of submission and the contents of the Disclosure Letter shall be subject to mandatory announcement in the meetings of the Jury, in which the issues of selection of the Competitors, selection of the Finalists and determination of the Winner are considered. Information on the Disclosure Letters received before preparation of the Qualification Rating shall be included in the Qualification Rating.

## 9.3. Disqualification in connection with the conflict of interest

- a. The issues of the possibility of disqualification of Applicants (Participants) due to availability of the conflict of interest shall be considered in the meeting of the Jury, in which the issue of selection of the Participants from among the Applicants

(Participants) is resolved, and in case when it becomes known about the possible conflict of interest after holding of such a meeting, - in the next meeting of the Jury.

- b. In consideration of the indicated issue, the Jury shall evaluate the character of the Applicant's (Participant's) affiliation with any of the persons referred to in paragraph 9.1 above and whether the Applicant (Participant) that submitted a Disclosure Letter has a real opportunity to influence the outcome of the Competition and, based on the results of such evaluation, can take a decision on the disqualification of the respective Applicant (Participant).
- c. Failure of the Applicant (Participant) to submit a Disclosure Letter, in cases provided for by paragraph 9.1(a) above, is an unconditional ground for disqualification of the Applicant (Participant) without the need to evaluate whether such an Applicant (Participant) has a real opportunity to influence the outcome of the Competition.
- d. When resolving the issue on the possibility of disqualification of the Applicant (Participant) having affiliation with a certain member of the Jury, such a member of the Jury shall not participate in voting.

## 10. Application procedure

### 10.1. Application

- a. Requirements to the composition, contents and presentation of the Application are set out in Appendix 6.

### 10.2. Submission of Applications

- a. Applications must be submitted latest by 18:00 Moscow time on January 15, 2020.
- b. The application shall be submitted:
  - I. in the electronic version — in the form of a set of electronic documents and materials submitted using the functionality of the Competition Website; and
  - II. in the original version - in the form of a set of original documents and materials sent to the Operator at the address specified in paragraph 21.2, by mail, express delivery service or courier.

In case of discrepancy between the electronic and original versions of the Application, the original version shall prevail.

- c. Upon delivery of the Application by mail or express delivery service, the Application shall be considered submitted in time if:
  - I. the corresponding mail was transferred for sending to the postal organization (determined by the calendar stamp of the postal organization) or express delivery service before the expiry of the period specified in paragraph 10.2(a) above; and
  - II. such mail is actually received by the Operator latest by January 28, 2020 inclusively.
- d. At any time before expiry of the period specified in paragraph 10.2(a) above, the Applicant shall have the right to amend his Application by submission of the respective notice using the functionality of the Competition Website in electronic form and sending it to the Operator in the original (with attachment, if necessary, of the amended and/or updated information, documents and materials).

### 10.3. Granting rights to the Works within the Applications

- a. Each Applicant shall reserve the exclusive rights to any Works included in the Applications submitted by him and to any Works included in it. At the same time, from the moment of submission of the Application, each of the Applicants shall grant the following rights to use of the Application, as well as to any Works included in it, to the Organizer and Operator, without getting any remuneration:
  - I. the right to reproduction;
  - II. the right to public display;
  - III. the right to air broadcasting;
  - IV. the right to cable broadcasting;
  - V. the right to translation into any language; and
  - VI. the right to bringing to public notice (including for the first time) by the above or other methods
  - VII. the right to any other use in connection with holding and organization of the Competition, including within the presentation or advertising materials.
- b. The mentioned rights to use of the Application and the Works included in it shall be transferred by the Participant to the Organizer and Operator without limitation of the period and territory of use: the rights to use of the Application and the Works included in it shall belong to the Organizer and the Operator for the validity period of the respective exclusive rights and will be extended to the territory of the Russian Federation and other countries of the world for the validity period of such rights.

## 11. Review of Applications, Qualification Report

### 11.1. Qualification Criteria

The Qualification Criteria are given in Appendix 5.

### 11.2. Preliminary evaluation of Applications. Qualification Report

- a. The Technical committee shall review the submitted Applications regarding its compliance with the formal requirements of the Competition Documentation and the Qualification Criteria.
- b. As per the results of consideration of the Applications by the Technical committee, the Operator shall form the Qualification Report and submit it to the members of the Jury within the materials of the forthcoming meeting for the selection of Competitors from among the Applicants.
- c. The Qualification Report shall contain the results of preliminary review of the Applications with regard to compliance with the formal requirements of the Competition Documentation;
- d. The Qualification Report shall be prepared in order to facilitate the study of the information presented in the Applications by the members of the Jury and is exclusively advisory in nature. In adoption of the decision on selection of the Competitors from among the Applicants, the Jury shall not be bound by the findings contained in the Qualification Report.

## 12. Qualification

- 12.1. As per the results of consideration of the Applications by the Jury, a total of not more than 8 (eight) Applicants shall be recognized as Competitors, whereof:
- a. not more than 6 (six) Competitors shall be selected from among eligible architects;
  - b. not more than 2 (two) Competitors shall be selected from among young firms.
- 12.2. In adoption of the decision on selection of the Competitors, the Jury shall additionally determine the list consisting of at least 4 (four) next Applicants as replacement in case of possible withdrawal, respectively, of one or more Applicants and shall distribute such Applicants in the order of priority of possible replacement.
- 12.3. The results of the selection of the Competitors shall be published by placement of the respective information in the Competition Website.

## 13. Contract with the Participant, Rights for the Concept

### 13.1. Contract with the Participant

Within 30 (thirty) days since the day the Qualification is complete, each of the Competitors shall conclude the Contract with the Participant with the Organizer or the authorized person executed substantially according to the form provided in Appendix 11.

### 13.2. Granting the rights for use of the Architecture and Landscaping Design Concept

- a. Subject to provisions of this clause 13.2, each of the Competitors shall retain the exclusive rights for the Architecture and Landscaping Design Concept, and for any Works included in it. At the same time, since the time the Design Proposal is submitted, each of the Competitors shall grant the following rights for use of the Architecture and Landscaping Design Concept, and for any Works included in it to the Organizer and Operator:
  - I. the right to reproduce;
  - II. the right of public display;
  - III. the right of broadcasting;
  - IV. the right of cable transmission;
  - V. the right to translate into any language; and
  - VI. the right of putting in the public domain (inter alia, for the first time) by the above methods or otherwise.
  - VII. the right of any other use in connection with organizing and holding the Competition, including as part of presentation and advertising materials.
- b. In addition, each Competitor, from the time they submitted their Design Proposal, is deemed to have agreed as follows:
  - I. The Organizer, Operator and the International Union of Architects have the right to use, store, reproduce, display, print, publish, make available to the public or distribute on paper, in electronic or digital format, or via

the Internet (including through social networks in the form of downloadable or non-downloadable files) submitted Architecture and Landscaping Design Concepts and their constituent Works or their copies for the purpose of disseminating information on the results of the Competition and on submitted Architecture and Landscaping Design Concepts without the consent of the Competitor and/or the authors of the design concept. In these cases, the names of the authors shall be mentioned.

- II. The Competitor shall not have the right to publicize or publish in any way the Architecture and Landscaping Design Concept presented by him (including in the printed media, in the form of books, on the Internet, in any other media, etc.) before the announcement of the Competition results. The publicizing or publication of the submitted Architecture and Landscaping Design Concepts by the Competitor before the announcement of the Competition results shall be the basis for the disqualification of the Competitor.
  - III. The Competitor guarantees that any Works and other materials provided by him as part of his Design Proposal do not violate the intellectual rights of any third parties, and the Competitor bears all responsibility in connection with any claims and demands of third parties, including in the form of compensation for losses caused to the Organizer and/or Operator.
- c. The rights stated above in clause 13.2 for use of the Architecture and Landscaping Design Concept and the included Works shall be transferred by the Participant to the Organizer and Operator without restricting the term and territory of use: the rights for use of the Architecture and Landscaping Design Concept and the included Works by the above methods shall be held by the Organizer and Operator throughout the term of the respective exclusive rights and shall apply in the territory of the Russian Federation and elsewhere in the world throughout the term of such rights.
  - d. For the avoidance of doubt, all rights (including property rights, if applicable) to any media containing the Design Proposals submitted by the Competitors (including Architecture and Landscaping Design Concept) shall be transferred to the Competition Organizer from as they are submitted. Such carriers shall not be returned to the Competitors.

### 13.3. Remuneration

- a. Each Competitor shall be paid a fee of USD 60,000 (sixty thousand) (excluding value added tax). The remuneration paid to the Competitor for the granting of the indicated rights to use the Architecture and Landscaping Design Concept and the Works included therein shall be included in the total remuneration.
- b. If the Competitor does not submit the Design Proposal in accordance with the provisions of these Regulations, they are obliged to return the money paid to them in accordance with the Contract with the Competitor.
- c. Finalists (Competitors who take first, second and third places, respectively) shall be additionally paid a fee in the following amounts:
  - I. First prize: USD 50,000 (fifty thousand dollars) (excluding value added tax);
  - II. Second prize: USD 30,000 (thirty thousand dollars) (excluding value added tax);
  - III. Third prize: USD 20,000 (twenty thousand dollars) (excluding value added tax).
- d. The remuneration shall be paid cashless in compliance with the laws of the Russian Federation in RUB or USD (depending on the residence and bank details of the Participant). The payment in RUB shall be made at the respective USD / RUB exchange rate established by the Bank of Russia as of the date of payment less 1.5% (one point five percent). The obligation to pay remuneration shall be



deemed discharged since the time the amount in question is written off the payer's settlement account.

- 13.4. The Competitor cannot assign, sell or otherwise dispose of the rights arisen in connection with their participation in the Competition, including the right to enter into an Agreement with the Competitors and the right to receive remuneration provided for in the Regulations.

## 14. Preliminaries and Getting-to-Know Sessions

- 14.1. Within 30 (thirty) days after the Qualification is complete, the Operator shall:
- a. Provide the opportunity for the Competitors to visit and examine the Project Site; and
  - b. Have the kick-off meeting for the Competitors to explain the provisions of the Competition
- Documentation, goals and tasks of the Competition and provide the required additional information.
- 14.2. The representatives of the Organizer and the Operator may be present in the kick-off meeting.
- 14.3. The Operator shall notify the Competitors of the certain dates of visiting the Project Site and the kick-off meeting by publishing the notice to that effect in the Competition Website.

## 15. Procedure of submission of Design Proposals

### 15.1. Design Proposals

Requirements to the composition, contents and presentation of the Design Proposals are given in Appendix 9.

### 15.2. Reception of Design Proposals

- a. The Design Proposals shall be submitted in two stages. Originally, Package 1 shall be submitted, which includes graphic materials of the Architecture and Landscaping Design Concept, and then Package 2 shall be submitted, which includes the model of the Architecture and Landscaping Design Concept.
- b. The Design Proposal shall be submitted:
  - I. Package 1 in the electronic version- in the form of a set of electronic documents and materials submitted using the functionality of the Competition Website; and
  - II. Packages 1 and 2 in the original version- in the form of an original set of materials and shall be sent to the Operator at the address specified in paragraph 21.2. below, by mail, express delivery service or courier;

- c. Reception of Package 1 in the electronic version shall end on May 8, 2020 at 18:00 Moscow time.
- d. Reception of Package 1 and Package 2 in the original version shall end on May 8, 2020 at 18:00 Moscow time.

### 15.3. Anonymity

The Operator shall ensure that the principle of anonymity is observed when examining and evaluating Design Proposals by the Jury and the Technical committee, using for this purpose such means and methods that, subject to the circumstances, are reasonable and sufficient. The Architecture and Landscaping Design Concepts (including their layouts) being a part of the Design Proposals shall not contain elements that would allow identifying the Competitors or their compilers. The Design Proposals that do not meet the above requirement are not subject to evaluation by the Jury.

## 16. Preliminary Evaluation of the Design Proposal

### 16.1. Technical Evaluation

- a. Within 10 (ten) business days since the deadline for submitting the original version of Package 1 of the Design Proposals, the Operator shall transfer the Architecture and Landscaping Design Concepts submitted by the Competitors for the Technical committee to carry out the Technical Evaluation.
- b. The results of the Technical Evaluation shall be executed as the written expert opinions of the Technical committee about the Architecture and Landscaping Design Concepts.

### 16.2. Technical Report

- a. By results of the Technical Evaluation carried out by the Technical committee, the Operator shall generate the Technical Report and submit it to the Jury, with the Technical Report being a summary of the Expert opinions regarding compliance of the Architecture and Landscaping Design Concepts to the formal requirements of the Competition Documentation and Qualification Criteria.
- b. The Technical Report is provided for reference only, and the Jury is not bound by its provisions when considering the Architecture and Landscaping Design Concepts. Should the Jury need any explanations regarding the Expert opinions, the Jury may seek respective explanations from the members (representatives) of the Technical committee

## 17. Participant Disqualification

### 17.1. The grounds for Participant Disqualification

- a. Pursuant to the decision made by the Jury, the Participant may be refused to continue its participation in the Competition (the Participant may be disqualified) on the following grounds:
  - I. the Design Proposal submitted by the Participant does not meet the requirements of the Competition Documentation or has been submitted after the deadline;



- II. the Participant's Application has been proven to contain unreliable information;
  - III. the Operator has received the official acknowledgement, or has learnt from the public official sources that the Participant (in case of multidisciplinary team, any multidisciplinary team member) or his Application ceased to meet the Applicant or Application submission requirements provided for by the Regulations, or is a person not eligible to take part in the Competition hereunder.
  - IV. for other reasons provided for in the Regulations.
- b. The Participant may also be disqualified because of the conflict of interests in case and in the order specified by point 9.3 of the Regulations.

#### 17.2. Disqualification Decision

- a. Unless otherwise provided for by the Regulations, the Participant disqualification decision shall be made by the Jury based on the Operator's report in the meeting, whose agenda items include choosing the Finalists and determining the Winner.
- b. The decision on the Participant disqualification shall be sent to the disqualified Participant and placed in the Competition Website within 5 (five) business days since the date it is made.

#### 17.3. Terminating the Contract with the Disqualified Participant

The Participant disqualification shall be the good and sufficient reason for extrajudicial termination of the Contract with the Participant and for the Participant to repay all amounts received under this contract.

## 18. Choosing the Finalists and Determining the Winner

- 18.1. The Jury shall consider the Architecture and Landscaping Design Concepts submitted by the Competitors, the Technical Report, if required, hear to the representatives of the Technical committee and the Operator, and shall assign ranks (places) to the Architecture and Landscaping Design Concepts.
- 18.2. The Jury session for the evaluation of the Applications lasts 2 full days.
- 18.3. Finalists shall be 3 (three) Competitors, whose Architecture and Landscaping Design Concepts were assigned ratings (ranks) from one to three. The Finalist, whose Architecture and Landscaping Design Concept is assigned the top rank (the first place) shall be the Winner.
- 18.4. The notice of choosing the Finalists and determining the Winner shall be published in the Competition Website.

## 19. The Competition Refusal

The Organizer shall have the right to refuse to hold the Competition at any time by notifying thereof all Applicants (Competitors) taking part in the Competition at a certain point of time. Such refusal shall not entitle the Applicants and Competitors to claim any damages or losses incurred by the Applicants and arising out of such refusal.

## 20.1. Intention to develop the Project

- a. The Government of Saint Petersburg intends to negotiate with the winner of the Competition for the further development of the project, the planning of the realization of the concept and architectural direction during construction on the basis of the Architecture and Landscaping Design Concept recognized as the best according to the results of the Competition.

At the same time, the possibility of implementation of the Project by the Organizer or any other Operator of the Project either using the Architecture and Landscaping Design Concept of the Winner or (as the case may be) that of other Finalists, or in any other way is conditioned by the implementation of a number of additional organizational, legal and other actions and measures, including the adoption of the required legal acts by the competent public authorities.

In this connection, participation and victory in the Competition shall not entitle the Winner or other Finalists to claim conclusion of any contract from the Initiator, Organizer or other Operator of the Project in respect of implementation of the Project or other practical use of the Architecture and Landscaping Design Concept.

- b. It shall be assumed that the Winner will be involved in preparation of the design documentation in respect of the Property as the author of the Architecture and Landscaping Design Concept. It is planned to include at least the following in the scope of works, to fulfilment of which it is planned to engage the Winner: architectural section, preparation of the design documentation in terms of planting and landscape design, architectural lighting, design of the park navigation system, as well as selection of the materials of finishing surfaces and paving. In the event of further implementation of the Project with the participation of the Winner, the latter is obliged to involve Russian architects and urban planning specialists to participate in the work entrusted to the Winner.
- c. Hereby it is specified that in the implementation of the Project, the Project Initiator and the Project Operator shall have the right at their option:
  - I. not to implement individual elements of the Architecture and Landscaping Design Concept;
  - II. to claim from the Winner to make amendments to the design solutions shown in the Architecture and Landscaping Design Concept.
- d. In case if the multidisciplinary team acts as the Winner, the Initiator and the Operator of the Project shall have the right to claim replacement of any of the multidisciplinary team members, except for the multidisciplinary team Leader in the course of implementation of the Project.
- e. The winner is planned to be engaged in the following works:
  - I. at the design stage:
    - A. preparation of a sketch design on the basis of the Architecture and Landscaping Design Concept selected for the implementation as the development of the key design solutions shown in the Architecture and Landscaping Design Concept, and the result of elaboration of the variants of design solutions meeting the terms and conditions (requirements) most of all and most feasible, taking into account the wishes of the Project Operator; and
    - B. participation in the preparation of the design documentation and implementation of the author's control over the preparation of the working documentation of the Property; and
  - II. at the construction stage: implementation of the designer's supervision over the construction of the Property.

- f. Further implementation of the Project will require approval by the authorized authorities of Saint Petersburg of the necessary urban planning documentation providing for the use of the Design Site for layout of the Property. The winner can be engaged as a consultant in preparation of draft urban planning documents by the respective authorized organizations of Saint Petersburg for the purposes of correct reflection of influence of its Architecture and Landscaping Design Concept on the parameters of the urban planning documents. The terms and conditions of such engagement shall not be covered by the provisions of the Competition Documentation.

## 20.2. Peculiarities of conclusion of the contract with the Winner

- a. The work to which the Winner will be engaged can be divided into individual elements (applicably to the different constituents of the Property) and/or stages, each whereof will be documented by an separate contract, for example: contract for preparation of a sketch design in respect of the Property (or its individual constituents) and, separately: contract for participation in the preparation of the design documentation and implementation of the author's control over the preparation of the working documentation in respect of the Property; and contract for implementation of the designer's supervision over the construction, etc.
- b. Placement of the order for preparation of the design documentation may require compliance with the provisions of the legislation of the Russian Federation and Saint Petersburg on placement of orders for supplies of goods, execution of works, provision of services for state and municipal needs.
- c. Depending on the circumstances and terms and conditions of placement of the order for preparation of the design documentation, the contract providing for the engagement of the Winner in this work will be concluded directly with the respective customer, with the designer selected within placement of such an order, on a subcontract basis, or as a multilateral contract.

## 20.3. Engagement of other Finalists

In case if the Winner refuses from further participation in implementation of the Project, or if the Initiator, the Project Operator and the Winner at any stage are unable to reach a mutually acceptable solution on any issue related to participation of the Winner in implementation of the Project, the Initiator and the Operator of the Project shall be entitled to engage any other Finalists for participation in implementation of the Project in accordance with the provisions set forth in this Article and to use the Architecture and Landscaping Design Concept of such a Finalist in implementation of the Project.

# 21. Miscellaneous

## 21.1. Providing Explanations

- a. The Operator is not obliged to provide legal advice to the Applicants or Competitors.

## 21.2. The Operator's Address

Applications, Design Proposals, and unless otherwise provided for by the Competition Documentation, requests seeking explanations on the provisions of the Competition Documentation, and any other requests and messages to the Operator shall be sent to the following address: Bersenevsky pereulok 2, bldg. 1, Moscow, 119072, Russia.

Email: [info@park-spb.ru](mailto:info@park-spb.ru)

The above correspondence shall be marked as Tuchkov Buyan Competition

### 21.3. Mandatory Character of the Competition Documentation

These regulations and other provisions of the Competition Documentation shall be mandatory for all persons participating in the Competition or engaged in holding the Competition (including, but not limited to: Applicants, Competitors, the Organizer, the Operator etc.). A person that wishes to take part in the Competition shall be deemed to have accepted the Regulations and other provisions of the Competition Documentation published at that time and bound by these Regulations and provisions since the time of submitting the Application.

### 21.4. Amending the Regulations

The Organizer shall have the right, at its own discretion, to make decision of amending the Regulations, and to publish such amendments by placing them in the Competition Website not later than 5 (five) business days prior the Application deadline. It is not allowed to change the subject matter of the Competition. The amendments shall come into force since the time they are published.

### 21.5. Applicable Law

The persons participating in the Competition or engaged in holding the Competition (including, but not limited to: Applicants, Competitors, the Organizer, the Operator etc.) in connection with holding the Competition shall be governed by the substantive law of the Russian Federation. Provisions of articles 447–449 and chapter 57 of the Civil Code of the Russian Federation shall not apply.

### 21.6. Dispute Resolution

All and any disputes arising out relations of the parties in connection with the Competition shall be settled in the Commercial Court of Saint Petersburg in compliance with the laws of procedure of the Russian Federation.

### 21.7. Language

- a. All Competition documents are provided in both English and Russian, and the information is identical in both languages. In the case of discrepancy between the Russian and English texts resulting in different interpretations, the English version shall prevail.
- b. The Applications and Design Proposals shall be submitted in English. They can be additionally presented in Russian for informational purposes only.





# Appendix 1.

## Glossary and rules of interpretation

### 1.1. Meaning of the terms

Unless the Competition Documentation provides for otherwise or it follows otherwise from context, the below words and expressions used with a capital letter (terms) shall have the following meanings in the Competition Documentation:

**“Contract with the Participant”** shall mean the contract made upon completion of the Qualification between the Organizer (the person authorized by it) and each Participant in accordance with the Regulations as per the form set out in Appendix 11;

**“Jury”** shall mean the International jury of the Competition. The composition of the Jury is determined in Appendix 3;

**“Application”** shall mean information, documents and other materials to be submitted by a person wishing to take part in the Competition, for participation in the Pre-qualification. The composition, content and requirements for the execution of the Application are given in Appendix 6;

**“Qualification Criteria”** shall mean the criteria in accordance with which the Applications submitted by the Applicants are evaluated and compared. The Qualification Criteria are set out in Appendix 5;

**“Qualification Report”** shall mean the document generated by the Operator, which summarizes the results of the evaluation of compliance of the Applicants and the Applications submitted by them with the formal requirements of the Competition Documentation and Qualification Criteria;

**“Multidisciplinary team”** shall mean an association of two or more professionals in the fields of landscape design, cultural programming of parks and open public spaces, sustainable development and ecology, architectural design and urban planning, utilities systems and constructions, transport and economics who act as a single Applicant or Participant in the Competition. Each multidisciplinary team is encouraged to include Russian professionals as well.;

**“Competition”** shall mean the international single-stage Architecture and Landscaping Design Concept competition held in accordance with the Competition Documentation;

**“Competition Documentation”** shall mean the documentation determining the procedure and the terms and conditions of the Competition, consisting of the following sections, each constituting its integral part:

Section I: Invitation for participation in the Competition;

Section II: Regulations; and

Section III: Competition Brief.

**“Design Proposal”** shall mean a set of information and materials to be submitted by the Competitors within the Competition. The Design Proposal shall include the Architecture and Landscaping Design Concept and consist of two packages:

Package 1, including graphic materials of the Architecture and Landscaping Design Concept; and

Package 2, including the model of the Architecture and Landscaping Design Concept.

**“Competition Criteria”** shall mean the criteria in accordance with which the Architecture and Landscaping Design Concepts submitted by the Competitors are evaluated and compared. The Competition Criteria are set out in Appendix 8;

**“Architecture and Landscaping Design Concept”** shall mean, depending on the context:

- materials containing and demonstrating (in text and graphics) the key layout, spatial and functional solutions for the Project Site and the Property, including exterior and interior of intended buildings and structures; or
- objective form of presentation of such a project as a certain package of media (presentation boards, models). The composition, contents and presentation requirements for the Architecture and Landscaping Design Concepts are set out in Appendix 9.

**“Property”** shall mean collectively all functional sites, buildings and structures planned as part of implementation of the Project at the Project Site.

**“Project Operator”** shall mean any person (or several persons) that will receive the right to the practical implementation of the Project.

**“Operator”** shall mean “KB Strelka” Limited Liability Company (PSRN 1137746792974, Russia, 119072, Moscow, Bersenevskaya embankment, 14, building 5 A), engaged by the Organizer as a specialized organization ensuring holding of the Competition (together with the possible co-contractors, subcontractors and consultants engaged by it).

**“Organizer”** shall mean “DOM.RF” Fund - fund of integrated housing development institution — a non-profit organization established by Joint-Stock Company “Agency of Mortgage Housing Crediting” (PSRN 1167700063992, Russia, 125009, Moscow, Vozdvizhenka st., 10, office XI/45);

**“Disclosure Letter”** shall mean a letter, made in any form, to be submitted by the Applicants in accordance with the Regulations in the event of existing or potential conflict of interest;

**“Winner”** shall mean the Finalist whose Architecture and Landscaping Design Concept is assigned the top rank as a result of evaluation and comparison by the Jury of the Competitors’ Architecture and Landscaping Design Concepts;

**“Board of Trustees”** means a supervisory body formed from among Russian government and public figures;

**“Regulations”** shall mean these Regulations of the Competition, constituting Section II of the Competition Documentation;

**“Pre-qualification”** means the procedure within which the Competitors are selected from the list of Applicants. Pre-qualification begins with the submission of Applications, and ends with the adoption of a decision on the recognition of certain Applicants as Competitors by the Jury;

**“Applicant”** shall mean a sole person or multidisciplinary team that wishes to take part in the Competition and submitted an Application in accordance with these Regulations;

**“Project”** shall mean a complex of works and actions on planning, preparation and construction (placement) of the Property;

**“Works”** shall mean all and any copyright items, including, without limitation, architectural, urban planning and gardening works, including in the form of designs, drawings, images and models, as well as any element of a complex item comprising several protected intellectual property items;

**“Competition Website”** shall mean the official website of the Competition on Internet at: <http://park-spb.ru>;

**“Project Site”** shall mean the territory of the intended implementation of the Project, which includes:

- the territory of the park, including cadastral plots: 78:07:0003043:2, 78:07:0003043:3008, 78:07:0003043:3007. The territory of the park is limited by Dobrolyubov Avenue, Speranskogo Street and the Small Neva embankment, including the areas above the underground parking and adjacent to B. Eifman's Dancing Palace (space planning and architectural solutions of B. Eifman's Dancing Palace and parking are not the subject of the Competition).
- the territory of the Small Neva embankment within the boundaries from the Tuchkov Bridge to the Birzhevoy Bridge, incl. the part of cadastral plot 78:07:0003043:1;
- Dobrolyubov Avenue within the boundaries from Mytninskaya embankment to Bolshoy Avenue of Petrogradskaya side;
- Academician Likhachev square, including Academician Likhachev square street, Mytninskaya embankment within the borders of Dobrolyubov Avenue to Academician Likhachev square street and cadastral plots: 78:07:0003018:1003, 78:07:0003018:1004, 78:07:0003018:1005;
- Speranskogo Street;
- pedestrian part of Bolshoy Avenue of Petrogradskaya Side adjacent to the territory of the Sport Complex "Yubileyny" within the borders of the Small Neva embankment to Dobrolyubov Avenue, including part of the cadastral plot 78:07:0003043:3511.

**"Competition Brief"** shall mean a detailed description of the requirements with regard to planning of the Design Site, composition and peculiarities of the Property. The Competition Brief shall constitute Section III of the Competition Documentation;

**"Technical Evaluation"** shall mean the procedure of the Competition, within which the Technical committee evaluates the Architecture and Landscaping Design Concepts submitted by the Competitors with regard to the compliance with the formal requirements of the Competition Documentation;

**"Technical Report"** shall mean a written report generated by the Operator, in which the Operator summarizes the comments of the Technical committee regarding the compliance of the Architecture and Landscaping Design Concepts with the Competition Criteria;

**"Participant"** shall mean the Applicant that passed the Pre-qualification and is recognized by the decision of the Jury as a participant of the Competition;

**"Finalist"** shall mean each of the Competitors whose Architecture and Landscaping Design Concepts were assigned ranks from 1 to 3 by the Jury according to the results of their evaluation and comparison;

**"Expert"** shall mean each of the members of the Technical committee;

**"Technical committee"** shall mean a special working body of the Competition, formed of persons having the required special (professional) knowledge for performing of the Technical Evaluation, as well as other functions within the Competition that require such special knowledge. The composition of the Technical committee is determined in Appendix 4.

## 1.2. Rules of interpretation

In the Competition Documentation:

- a. references to "Sections", "articles", "paragraphs" and "Appendices" shall be (with the exception of such references in the Appendices forming separate documents with their own internal structure) the references to sections, articles and paragraphs, respectively, of the Competition Documentation and appendices thereto;

- b. The Appendices shall be an integral part of the Competition Documentation;
- c. any reference any agreement, contract, arrangement or undertaking shall mean such an agreement, contract, arrangement or undertaking as may be amended from time to time(including replacement of the party or novation);
- d. reference to a provision of the law (except for explicit references to the numbers of articles and parts of articles of the specific acts of legislation, which should be interpreted as references to the numbers of articles and parts of articles of the specific acts of legislation effective as of the date of the Competition Documentation), shall be the reference to such a provision as amended as of the respective time, as well as the then existing practice of its application and interpretation and with due regard for any explanations and clarifications contained in other provisions of the law, official recommendations and judicial acts (including on specific cases).

## Appendix 2. Competition Schedule

The Competition schedule is subject to change. Information about the changes shall be published on the Competition Website.

The Applications are accepted from	November 15, 2019
The Applicants' questions are accepted until	December 16, 2019
Publication of answers to questions from the Applicants	December 23, 2019
The Applications are accepted until	January 15, 2020
The Jury meeting. Selection of eight Competitors	February 3–4, 2020
A start of the Competition. The Competitors start to develop Design Proposals	February 5, 2020
The Competitors visit the Design Site	Until February 17, 2020
The Competitors' questions are accepted until	February 28, 2020
Publication of answers to questions from the Competitors	March 5, 2020
Submission of the Design Proposals	May 8, 2020
The Jury meeting. Choosing a winner and two finalists	May 14–15, 2020
Announcement of the results of the Competition at the St. Petersburg International Economic Forum (SPIEF)	June 3–6, 2020

## Appendix 3.

# International Jury

Alternative Jurors have the right to attend meetings of the Jury and take part in the discussion of all issues considered by the Jury, but do not participate in the voting when the Jury makes decisions.

Voting jury		
1	Vladimir Grigoriev	Chief Architect of St. Petersburg, Chairman of the Committee for Urban Planning and Architecture.
2	Boris Kirikov	Architectural historian, Art History PhD, Honored Cultural Worker of Russia.
3	Oleg Romanov	Honored Architect of the Russian Federation, President of the St. Petersburg Union of Architects.
4	Sergey Choban	Member of the Union of Architects of Russia and the Union of Artists of Russia, Member of the Union of German Architects (BDA), academician of the Moscow branch of the International Academy of Architecture and honorary academician of the Russian Academy of Arts.
5	Elena Stieglitz	Landscape architect, Director of Legacy of Baron Stieglitz Foundation, author of the idea and organizer of Imperial Gardens of Russia Festival, Member of the Association of Landscape Architects of Saint Petersburg, Member of the Guardian Council for the Historical Gardens and Parks, Member of the Society for Russian manor house studies.
6	Francesco Bandarin	Former UNESCO Assistant Director-General for Culture, Professor of Urban Planning and Conservation at the Institute of Architecture of Venice (IUAV).
7	Patrick Blanc	Botanist at the French National Centre for Scientific Research, invented a modern vertical hydroponic garden.
8	Didier Vancutsem	Member of the Board of Directors of ISOCARP Institute.
9	Martin Rein-Cano	Landscape Architect, co-founder and Managing Partner of firm Topotek 1.
10	Ken Smith	Landscape architect, urban planner, founder of Ken Smith Workshop.
11	Stefan Rotzler	Landscape architect, representative of the International Union of Architects.
Alternate Jury		
12	Lawrence Barth	Professor of Urbanism at the Graduate School of the Architectural Association, alternate representative of the UIA.
13	Giovanna Carnevali	PhD Architect, strategic designer consultant, Executive Director of Urban Planning in NEOM.
14	Irene Djao-Rakotine	Director at Djao-Rakotine Ltd, Mayor's Design Advocate at Mayor of London.

## Appendix 4.

### Technical committee

1	Boudewijn Almekinders	Landscape architect, Teacher at Van Hall Larenstein University of Applied Sciences, Teacher at Technische Universiteit Delft, co-founder of OKRA bureau
2	Darren Barker	Founder and head of Barker Langham
3	Ivan Tomovic	General Manager of Werner Sobek Moskwa
4	Johan Vlug	Landscape architect, urban designer, founder of VLUGP bureau, Leading Lecturer at Van Hall Larenstein University of Applied Sciences
5	Rawad Choubassi	Director and Board Member of Systematica
6	Polina Agakhanyants	Associate at Institute for the Design of Applied Ecology and Hygiene, Project Coordinator for Public Environmental Impact Assessment and Public Participation at the ECOM Center
7	Yana Golubeva	Member of the International Society of City and Regional Planners (ISOCARP), Architect/Urbanist at MLA+ International Design Bureau
8	Victoria Kalinina	Deputy Director General, Head of the Department of Transport Infrastructure Development at Stroyproekt Engineering Group
9	Nadezhda Kerimova	Landscape architect, Associate Professor at the Saint Petersburg State University of Architecture and Civil Engineering, lecturer at the Landscape Design Department of the International School of Design (St. Petersburg)
10	Igor Pasechnik	General Director and co-owner of Research and Design Institute "Spetsrestavratsiya"
11	Oleg Pachenkov	Director at the Center for Applied Research of European University
12	Ilya Filimonov	Chief Architect at Interkolumnium, Member of the Committee on Urban Studies, Urban Planning and Architecture of Russian Guild of Managers and Developers, Board Member of the Union of Architects of Saint Petersburg
13	Margarita Stieglitz	Professor at the Department of Art Studies of the Saint Petersburg Stieglitz State Academy of Art and Design, Advisor to the Russian Academy of Architecture and Construction Sciences, Board Member of the Union of Architects of Saint Petersburg, Member of the Council of the National Committee of The International Council on Monuments and Sites, Member of the Presidium of St. Petersburg Branch of VOOPliK (All-Russian Society for the Protection of Monuments of History and Culture), Member of the Council for the Protection of Cultural Heritage under the Government of St. Petersburg

## Appendix 5.

# Qualification Criteria

During expression of interest, the Applicants will submit information about their architectural firms and experience in designing and realizing public spaces. Experienced firms should submit three reference projects in one or more of the following fields: landscape, public spaces and revitalization of urban spaces. Young firms can submit realized or unrealized projects in the same fields or other fields which can document the quality of their work.

The Applications shall be evaluated according to the following criteria:

1. The quality of the design concepts (portfolio);
2. Creativity and innovation portrayed in the design concepts.

## Appendix 6.

# Composition, contents and requirements to presentation of the Application

### Part 1. Composition and contents of the application

#### 1. Form

- 1.1 Information about the Applicant (individual Applicant or, in the case of the Team, Team Leader)
  - a. name of the organization (with indication of the postal address and the website address) and for a foreign organization- address of the representative office in Russia, if there is any, or full name and passport data and address of the individual;
  - b. information about the project leader indicating the full name, position, work experience (length of work in this position, the list of projects in which he was engaged and his role, the list of the current projects with indication of his role and stage of the project);
  - c. staff of the organization (number of managerial employees, employees involved in the design, support staff, temporary employees);
  - d. age of the company;
  - e. availability of certificates, awards and contests won for the last 5 years in the field of architecture and landscaping design (name and year of receipt);
  - f. contact details of the employee responsible for completion of the Application (full name, e-mail, contact phone number).
- 1.2 Team composition (information on the specialization of the Applicant's team members)
  - a. specialization of the members of the organization (individual Applicant or, in the case of the Team, the Team Leader);
  - b. Specialization of the team members (Team participants);
  - c. specialization of the engaged experts.
- 1.3 Design experience (information and visual materials of the Applicant's projects)

### **Type 1 Application.**

Information on 3 (three) implemented projects of parks, public spaces or revitalization of territories or projects in progress

- a. name of the project;
- b. location of the project
- c. year of implementation/current status of the project;
- d. primary purpose;
- e. area of the territory;
- f. visual materials in the number of no more than 5 images per project.

### **Type 2 Application.**

Information on 3 (three) relevant projects of parks, public spaces, territory revitalization or any other projects at any stage of design or implementation, reflecting the principal activities and experience of the Applicant to the best

- a. name of the project;
- b. location of the project
- c. year of implementation/current status of the project;
- d. primary purpose;
- e. area of the site/property;
- f. visual materials in the number of no more than 5 images per project.

## **2. Portfolio (information on 3 (three) Applicant's projects specified in paragraph 1.3 Design experience)**

- a. name of the project;
- b. location of the project
- c. year of implementation/current status of the project;
- d. primary purpose;
- e. area of the site/property;
- f. visual materials in the number of no more than 5 images per project.
- g. additional materials at the discretion of the Applicant.

## **3. Documents**

- 3.1 Completed and signed form of the Form of Statement of Awareness of the Competition Documentation and Acceptance of (Accession to) the Regulations (in the form according to Annex 7 to the Regulations).
- 3.2 In case if a Team is formed - the Statement signed by all the participants of the Team on organization of the Team, engagement of subcontractors and consultants.
- 3.3 Applicant's documents confirming the official qualification, which allows to be engaged into activities in the field architecture or landscaping design.
  - a. Legal entities
    - copy of the certificate of registration of the legal entity (extract from the commercial register);
    - professional certificate confirming the right to perform architectural activities in the country of registration (if applicable), in the case of a Russian legal entity - a copy of the certificate of authorization to work on preparation of design documents issued by a self-regulatory organization.

- b. Individuals — individual entrepreneurs
    - copy of the certificate of registration of an individual entrepreneur;
    - professional certificate confirming the right to perform architectural activities in the country of permanent residence of an individual (if applicable), in the case of a Russian individual — a copy of the certificate of authorization to work on preparation of design documents issued by a self-regulatory organization.
    - diploma issued by the educational institution certifying conferment of the qualification of an architect to the person.
  - c. Individuals not registered as individual entrepreneurs
    - copy of the professional certificate confirming the right to perform architectural activities in the country of permanent residence of the person (if applicable)
    - diploma issued by the educational institution certifying conferment of the qualification of an architect to the person.
- 3.4 Applicant's documents confirming the availability of certificates, awards and contests won for the last 5 years in the field of architecture and landscaping design.

## **Part 2. Requirements to presentation and submission of the Application**

### **1. Requirements to presentation and submission of the Form**

- a. the form shall be filled out at the Competition website.
- b. a physical copy shall be sent to the competition operator;
- c. A4 sheet format;
- d. vertical page orientation
- e. PDF file format.

### **2. Requirements to the presentation and submission of the Portfolio**

- a. an electronic version of the portfolio shall be downloaded at the competition website;
- b. a physical copy shall be sent to the competition operator;
- c. A3 sheet format booklet;
- d. horizontal page orientation
- e. no more than 3 pages (no more than 3 pages per project);
- f. PDF file format;
- g. image resolution — 300 dpi.

### **3. Technical requirements to presentation and submission of the Documents**

- a. electronic versions of the documents shall be downloaded at the competition website;
- b. a physical copy shall be sent to the competition operator in two (2) counterparts;
- c. A4 sheet format;
- d. vertical page orientation
- e. PDF file format.

# Appendix 7.

## Form of Statement of Awareness of the Competition Documentation and Acceptance of (Accession to) the Regulations

[On the letterhead of the organization — the individual Applicant or in the case of the Team, the Leader of the Team]

\* Note: When the Application is submitted by the Applicant — individual, the corresponding statements shall be made in the singular).

**We\*** refer to the Competition Documentation in respect of the open international competition for the Architecture and Landscaping Design Concept of Tuchkov Buyan Park in Saint-Petersburg. The terms defined in the Competition Documentation shall have the same meanings in this Statement.

We hereby [PLEASE CHOOSE: as an individual Applicant OR as a leader of the Team on behalf of all Team members specified in the Application] make the following statements:

1. We have read the Regulations and other published Competition Documentation and express consent with to all provisions of the Competition Documentation.
2. We recognize the binding nature of the provisions of the Competition Documentation and undertake to comply with them.
3. We confirm the reliability of the information provided by us in the Application and confirm the right of the Operator to request the information specifying the data provided by us from us, from the authorized authorities, as well as from the legal entities and individuals mentioned in our Application.
4. We understand that our Application can also be rejected in case if we pass the Qualification and that we can be disqualified in accordance with the provisions of the Regulations, in particular if the provided information is unreliable, incomplete or inaccurate if we failed to submit a Disclosure Letter when its submission is mandatory in accordance with the provisions of the Regulations.
5. We agree to respect and execute the decisions of the Jury and accept such decisions as final.

This statement shall be an integral part of our Design Proposal.

Date \_\_\_\_\_

Signature \_\_\_\_\_

Seal (if applicable)

# Appendix 8.

## Competition Criteria

The Design Proposals shall be evaluated in accordance with the following Competition Criteria:

- 1. Service model and visitors to the park:**
  - 1.1 A set of services of a Design Proposal;
  - 1.2 The relevance of proposed services to the needs of main users;
  - 1.3 The potential for year-round use of the park.
  
- 2. The effectiveness of the layout plan:**
  - 2.1 The convenience of functional connections;
  - 2.2 The effectiveness of interactions between different parts of the park;
  - 2.3 The connectivity between surrounding areas;
  - 2.4 Qualitative and quantitative indicators of the functional zones.
  
- 3. Transport planning:**
  - 3.1 Access to the area by transport;
  - 3.2 Integration with the urban transportation and pedestrian systems;
  - 3.3 Parking layout plan.
  
- 4. Landscape and visual setting analysis and cultural heritage:**
  - 4.1 Integration into the existing urban setting;
  - 4.2 Preservation of the existing views and panoramas;
  - 4.3 The compliance with the height restrictions.
  
- 5. Landscape / ecological sustainability and innovations:**
  - 5.1 Solutions considering climatic and ecological conditions of the city;
  - 5.2 Year-round landscaping solutions;
  - 5.3 The compliance with the plant selection and spacing requirements;
  - 5.4 Innovations in engineering and design solutions.
  
- 6. Maintenance and sustainability:**
  - 6.1 Arrangement of engineering equipment and round-the-clock accessibility;
  - 6.2 Labour efforts to maintain the sustainability of the ecosystem of the park;
  - 6.3 Labour efforts to maintain the park;
  - 6.4 The effectiveness of a layout plan in terms of removal, storage and disposal of snow.

## 7. Engineering and design solutions:

- 7.1 The compliance with the restrictions related to utility service areas;
- 7.2 The compliance with the restrictions related to buffer zones of heritage sites;
- 7.3 The compliance with the restrictions related to sanitary protection zones.

## 8. The compliance with the urban development regulations:

- 8.1 The compliance with the architecture and urban planning legislation of the Russian Federation;
- 8.2 The feasibility of a project in terms of existing technologies and their applicability;
- 8.3 The compliance with the regulations of fire safety and fire resistance of buildings and structures / landscape sites.

# Appendix 9. Composition, contents and requirements to presentation of the Design Proposals

## Part 1. Composition and contents of the Design Proposals

The composition, contents and requirements to presentation of the Design Proposals can be adjusted in the Competition Brief at the second stage of the Competition.

### 1. Presentation boards – 6 pieces

#### 1.1 Board 1:

Integration of the park into the urban planning context and justification of the concept, with indication of:

- a. layout of the site in the urban planning context, including in the structure of green and public spaces of the central part of the city;
- b. schemes of transport and pedestrian links at the site and with the environment;
- c. planning principles of the project, including:
  - formation of visual ties of the park territory with the environment;
  - formation of the terrain;
  - amenity planting and placement of functional zones and objects;
  - use of the existing facilities at the site ;
  - all-season operation of the park;
  - and other materials at the discretion of the Competitor.

#### 1.2 Boards 2 and 3:

Architectural and planning concept of organization of the site (master plan), with horizontal orientation (M 1:500) with indication of:

- a. boundaries of the design site;
- b. main and additional entrances;
- c. pedestrian areas, access roads and service passages;
- d. coatings used;

- e. landscaping solutions and amenity planting objects;
- f. elements of accomplishment, including small architectural forms and lighting objects;
- g. service and maintenance facilities;
- h. site terrain;
- i. and other elements at the discretion of the Competitor.

**1.3 Board 4:**

Characteristic sections and elevation views at the site, facilities and fragments consisting of:

- a. longitudinal and transverse sections on the site passing on the key facilities (M 1:1000, M 1:2000);
- b. elevation view of the site from the Small Neva and others at the discretion of the Competitor (M 1:1000, M 1:2000);
- c. architectural and planning solutions of the key facilities of the park (scale at the discretion of the Competitor);
- d. fragments of the master plan showing the unique zones of the park (M 1:50, M 1:100, M 1:200).

**1.4 Boards 5 and 6:**

Perspective images of the park, according to the photographic materials of the design site (at least 4 (four) images), including:

- a. bird's eye views;
- b. key human eye views with mandatory display of the park in summer and winter.

**2. Album, including the following sections:**

- a. Description of the conceptual vision and principles of the project;
- b. solutions on the site integration into the surrounding urban planning context;
- c. decisions on the organization of transport and pedestrian traffic;
- d. solutions on formation of visual ties of the park site with the environment;
- e. solutions on the terrain organization;
- f. description and justification of the site zoning scheme, layout of landscaping elements and objects;
- g. solutions on amenity planting of the site, including the vegetation layout map and the list of plants used;
- h. site lighting solutions;
- i. description and justification of the coatings used;
- j. architectural and planning solutions of the key facilities of the park;
- k. principal engineering and technical solutions;
- l. solutions on assurance of the sustainable development of the site;
- m. principles of all-season use of the site;
- n. stages of implementation of the project and further development of the park;
- o. other materials at the discretion of the Competitor.

**3. Video**

Video with presentation of the project (story about the project in any form), duration no more than 3 minutes.

A layout sample of presentation boards will be provided to the Competitors simultaneously the Competition Brief.

#### 4. Model

Model of the park within the boundaries of development of the design proposal (M 1:1000). The model boundaries will be provided to the Competitors simultaneously the Competition Brief.

#### 5. Documents

- a. Signed Authorship Statement (in the form of Annex 10 to the Regulations)
- b. Signed Contract with the Competitor (in the form of Annex 11 to the Regulations)

### Part 2. Requirements to presentation of the Design proposals

#### 1. Requirements to presentation of the of the Presentation boards

- a. A0 board format
- b. vertical orientation
- c. PDF file format
- d. resolution of 300 dpi

#### 2. Requirements to the presentation of the Album

- a. A3 booklet page format
- b. horizontal orientation
- c. no more than 15 pages
- d. PDF file format
- e. resolution of 300 dpi

#### 3. Digital materials shall be submitted on a USB flash drive containing the following materials:

- a. electronic versions of the Presentation boards, Albums, Videos and Documents shall be submitted in PDF or JPEG file format with resolution of 300 dpi in real size
- b. project drawings (scheme of the architectural and planning organization of the site (master plan), sections, elevation views, key objects of the park) in DWG format
- c. a completed table of specifications of the elements of the architectural and landscaping facilities and structural elements of the project buildings in XLS format. The table template will be provided to the Competitors simultaneously the Competition Brief.
- d. scheme of the architectural and planning organization of the site (master plan) and perspective images shall be provided as separate files in JPEG format with resolution of 300 dpi in real size

#### 4. The physical materials shall be sent by the Competitor to the Competition Operator in the following composition:

- a. 6 Presentation boards of A0 format, made of light materials (e.g. 8–10 mm foam board).
- b. album booklet of format A3, with one-sided printing.
- c. model
- d. documents

# Appendix 10.

## Authorship Declaration Form

[FORM of the organization — individual Applicant or in the case of the Team, the leader of the Team]

Applicant (Team Leader)

Name of the project manager (for organizations)

Position

Phone

Email

\* Note: When submitting the Application by the Applicant being an individual, relevant applications are made in a single copy).

**We \*** refer to the Competition Documentation regarding the Open International Competition for the Architectural and Landscaping Design Concept of Tuchkov Buyan Park in St. Petersburg. Terms (words and expressions) defined in the Competition Documentation have the same meanings in this Declaration.

We hereby declare that the Architectural and Landscaping Design Concept provided by us as part of the Design Proposal has been completed and prepared by us personally / by the following authors as part of our organization / team under our direct control: [SPECIFY AUTHORS]

No one, except for the above persons, participated in the creation of the Architectural and Landscaping Design Concept and can claim authorship in relation to the Architectural and Landscaping Design Concept and/or any Works included in its composition.

We further declare and confirm that we have the entire set of exclusive rights to the Architectural and Landscaping Design Concept presented by us and all the Works and other results of intellectual activity being part thereof. No other person may claim possession of such exclusive rights.

We hereby express our unconditional consent to the publication and public display of our Architectural and Landscaping Design Concept, as well as to its use in any other ways provided for in the Competition Documentation.

We are aware and agree that, in accordance with the provisions of the Competition Documentation, we are obliged to ensure the rightful possession and use of us, as well as the possibility of transferring in favor of the Operator, Organizer (another person implementing the Project) materials, Works and other objects created by us and any by third parties as part of the work on the Architectural and Landscaping Design Concept (and contained therein) and we bear all responsibility for the proper fulfilment of this obligation.

Date \_\_\_\_\_

Signature \_\_\_\_\_

Seal (if applicable)

# Appendix 11.

## Form of the Contract with the Participant

This Contract with the Participant (hereinafter referred to as the “Contract”) is concluded today, on [date] by and between:

- (1) [\*, a legal entity registered under the laws of the Russian Federation, under the primary state number (PSRN) [number] with the location at the address: [address] (hereinafter referred to as the “Organizer”);
- (2) [name. full name], a legal entity / individual registered under the registration number [number] under the laws / being a citizen of [jurisdiction], with the location / residence at the address: [address] (hereinafter referred to as “Participant”) [acting on its own behalf OR on behalf of all Consortium members (according to the definition given in the Competition Documentation) in which he is the leader]

(hereinafter the Organizer and the Participant shall be collectively referred to as the “Parties” and individually as the “Party”).

### Whereas:

- (A) The Organizer shall hold [name of the competition] (hereinafter referred to as the “Competition”);
- (B) The Organizer engaged Strelka KB Limited Liability Company (PSRN 1137746792974, Russia, 119072, Moscow, Russia, Moscow, Bersenevskaya embankment, 14, building 5 A) as a specialized organization ensuring holding of the Competition (hereinafter referred to as the “Operator”).
- (C) The Participant [as an individual Applicant OR as a member of the Consortium] passed the Qualification and was recognized as a Participant of the Competition in accordance with the procedure provided for by the Competition Documentation; and
- (D) In accordance with the Competition Documentation, conclusion of the present Contract is a condition for continuation of participation in the Competition for all its participants,

### The Parties have agreed as follows:

#### 1. Subject of the Contract

- 1.1. The Organizer shall agree to pay the remuneration to the Participant for the preparation of the Architecture and Landscaping Design Concept (according to the definition of this term given in the Competition Documentation) in a predetermined amount (see paragraph 3.1 below) and in addition to this amount, to compensate for his travel and accommodation expenses in accordance with paragraph 2 below, and the Participant shall agree to prepare and submit the Architecture and Landscaping Design Concept, participate in the events of the Competition and otherwise fulfill the provisions of the Competition Documentation, including, to grant the following rights (hereinafter referred to as the “Rights”) to the Organizer and the Operator to use of all and any copyright objects, including without limitation the architecture, urban planning and gardening works, including those in the form of designs, drawings, images and models, as well as any elements of a complex object, which includes several protected intellectual activity results included in the Architecture and Landscaping Design Concept, as well as to the Architecture and Landscaping Design Concept in general (hereinafter jointly referred to as the “Works”):



- a. the right to reproduction;
  - b. the right to public display;
  - c. the right to air broadcasting;
  - d. the right to cable broadcasting;
  - e. the right to translation into any language; and
  - f. the right to bringing to public notice (including for the first time) by the above or other methods
  - g. the right to any other use in connection with holding and organization of the Competition, including within the presentation or advertising materials.
- 1.2. The rights shall be granted without limitation of the period and territory of their use. The rights shall be deemed to be transferred at the time of submission of the Architecture and Landscaping Design Concept by the Participant (within the Design Proposal as defined in the Competition Documentation) in accordance with the provisions of the Competition Documentation.
  - 1.3. The Participant shall agree that the Organizer acquires the property right to all materials, including boards, albums, 3D models, presenting the Architecture and Landscaping Design Concept in an objective form (hereinafter referred to as the "Materials") at the time of their submission within the Design Proposal.
  - 1.4. The Participant shall express its consent to transfer all or any Rights and Materials by the Organizer to the Project Operator (according to the definition of this term given in the Competition Documentation) on any terms and conditions and on any grounds that may be agreed between the Organizer and the Project Operator.
  - 1.5. Notwithstanding the provisions of the present Contract on the Organizer's property right to the Materials, the Organizer shall:
    - a. exercise caution in storage, transportation, installation and demonstration of the Materials within the activities of the Competition; and
    - b. shall be responsible for their safety and proper use for the purposes of demonstration of the Architecture and Landscaping Design Concept within the events of the Competition.
  - 1.6. The Participant shall agree that he may not transfer his rights to use of all and any copyright objects on the territory of the Russian Federation to any third party without the consent of the Organization, including, without limitation, architecture, urban planning and gardening works, including in the form of designs, drawings, images and models, as well as any elements of a complex object, which includes several protected results of intellectual activity, included in the Architecture and Landscaping Design Concept as well as the Architecture and Landscaping Design Concept in general.
  - 1.7. The Participant shall agree that from the moment of acquisition of the Rights by the Organizer, such Rights shall also be recognized transferred to the Operator (according to the definition of this term given in the Competition Documentation), who will use them for the purposes of execution of its respective powers within holding of the Competition.

## 2. Compensation for travel and accommodation expenses

- 2.1. In addition to the payment of the amount specified in paragraph 1.1 above, the Consultant shall also compensate the Participant for the expenses for arrival and accommodation in Saint-Petersburg for participation in the preparatory and introductory activities of the Competition for up to two Participant's representatives based on the economy class air flight and one (1) night accommodation in hotel (4\* hotel class), as well as visa support expenses; and
- 2.2. In order to enjoy its right to get compensation of expenses according to paragraph 2.1 above, the Participant shall:

- a. either submit an application to the Consultant latest ten (10) days before the date of arrival with indication of the arriving persons, flight numbers and names of carriers, name and address of the hotel and the cost of transportation and accommodation confirmed by the carrier's and hotel's invoices;
- b. or submit an application to the Consultant with indication the information listed in the paragraph above, with confirmation of the incurred expenses by the respective receipts, cheques and invoices upon occurrence and payment of the respective invoices at any time within one (1) month following the occurrence of the expenses.

The Consultant shall pay the amount of the compensation for the expenses provided for by paragraph 2.1 above within fourteen (14) days after receipt of the Participant's application as per paragraph 2.2 above.

### 3. Payment of the remuneration

- 3.1. The remuneration referred to in paragraph 1 above shall amount to USD 60,000 (sixty thou.) and shall include:
  - a. compensation of material and labor costs of the Participant for preparation and production of the Architecture and Landscaping Design Concept, including the cost of the Materials; as well as
  - b. remuneration of the Participant for granting the Rights hereunder in the amount equal to 2 (two percent) of the total amount of the remuneration; and

shall not include the value added tax amounts.
- 3.2. If the Competitor becomes the Finalist (according to the definition of this term in the Competition Documentation, i.e. takes the first, second or third place, respectively), the Competitor shall be additionally paid a fee in the following amount:
  - a. USD 50,000 (fifty thousand) (excluding value added tax in this amount) — in case the Competitor becomes the Winner of the Competition, i.e. it ranked first;
  - b. USD 30,000 (thirty thousand) (excluding value added tax in this amount) — in case the Competitor takes the second place;
  - c. USD 20,000 (twenty thousand) (excluding value added tax in this amount) — in case the Competitor takes the third place.
- 3.3. The amount of the remuneration specified in clause 3.1 shall be paid within the following periods:
  - a. 30% (thirty percent) of the specified amount shall be paid latest within 5 (five) business days after the date of conclusion of the present Contract; and
  - b. the remaining part of the amount shall be paid latest 20 (twenty) business days after adoption of the decision by the Jury (according to the definition given in the Competition Documentation) on selection of the Finalists (according to the definition given in the Competition Documentation) provided that the Participant participates in the Competition and provided the Architecture and Landscaping Design Concept within the Design Proposal.
- 3.4. The amount of remuneration specified in clause 3.2 shall be paid within 20 (twenty) business days from the date of announcement of the results of the Competition.
- 3.5. Remuneration in accordance with this Article 3 shall be paid to the Competitor [in the case of the Team: to the Team Leader (the Organizer is not responsible for distributing this amount among the participants of the Team he represents)] in accordance with the legislation of the Russian Federation by cashless payment in USD or in Russian rubles (in accordance with the residence and bank

details of the Competitor). Payment in Russian rubles shall be made at the USD/RUB exchange rate established by the Bank of Russia on the day of payment less 1.5% (one point five percent).

The obligation to pay remuneration shall be deemed fulfilled from the moment the corresponding amount is debited from the payer's current account.

In order to avoid double taxation, the Competitor is obliged to provide the Organizer with the original tax residency certificate (including a scanned copy by e-mail) prepared in accordance with the laws of the country of residence of the Competitor and international treaties. In the event the Competitor fails to provide a Tax Residency Certificate, the Organizer as a tax agent shall withhold applicable taxes from the Competitor's Remuneration in accordance with the laws of the Russian Federation. By agreement of the Parties, the Organizer may postpone the payment of the Remuneration until the receipt of a Tax Residence Certificate from the Competitor. Preparation of a Tax Residence Certificate is carried out at the expense of the Competitor.

3.6. The payments stipulated by this Contract may be ordered by the Organizer by any third party (Article 313 of the Civil Code of the Russian Federation) and shall be considered the proper fulfillment of the Organizer's obligations to make such payments.

3.7. If:

- a. the Competitor refused to participate in the Competition, including withdrawing its Design Proposal (in whole or in part) after its submission;
- b. the Competitor did not submit the Design Proposal within the time period specified in the Competition Documentation (subject to possible changes); or
- c. the Design Proposal submitted by the Competitor does not meet the requirements of the Competition Documentation,

the amounts paid to the Competitor in accordance with this clause 3 shall be refunded within 10 (ten) days from the date of the occurrence of the relevant event (refusal to participate, withdrawal of the Design Proposal, expiration of the deadline for submission).

#### 4. Representations

By signing the present Contract, the Participant shall represent to the Organizer and guarantee conformity of the validity of the following factual statements as of the date of submission of the Architecture and Landscaping Design Concept prepared by the Participant within the Competition:

- a. In preparation of the Architecture and Landscaping Design Concept, the Participant did not violate any rights to any results of intellectual activity of the third parties. The Architecture and Landscaping Design Concept does not contain or use any results of intellectual activity other than those exclusive rights to which belong to the Participant.
- b. The Architecture and Landscaping Design Concept is created by the Participant's employees and/or contractors (other persons engaged by him) under his control. The contracts concluded with such persons provide for transfer of the exclusive rights to all works included in the Architecture and Landscaping Design Concept to the Participant (and to the Architecture and Landscaping Design Concept in general) and all the terms and conditions for transfer of such an exclusive right to him are met.

- c. The Participant shall have the right to grant the Rights to the Organizer and Operator, as well as use of the Rights by the Organizer and Operator in accordance with the present Contract and the Competition Documentation shall not entail a violation of the rights of any persons.

## 5. General provisions

### 5.1. Non-disclosure obligations

- a. The Participant shall not disclose to the third parties without the prior written consent of the Organizer, any information, data and/or materials about the Competition that became known or available to the Participant within participation in the Competition including, without limitation, those received by the Participant from the Organizer and/or the Consultant, their representatives, management, employees, agents, including (but not limited to) information, data and/or materials in relation to the Competition Brief developed for the purposes of the Competition, information, data and/or materials in relation to the Design Proposal (including the, Works, Commercial Offer (as defined in the Competition Documentation), as well as any other information, data or materials related to the Competition (hereinafter referred to as the "Confidential Information").
- b. For the purposes specified in paragraph 5.1. (a) of the Contract above, the Participant shall refrain from provision of Confidential Information in any way (including on any material medium) to the third persons, not provide access to the third persons or not allow the third persons to study the Confidential Information without prior written consent of the Organizer.
- c. Information shall not be considered Confidential Information, and Participant shall have no obligation in respect of to this information if it meets one of the following paragraphs:
  - I. information that is or becomes public, but not as a result of violation of this Contract by the Participant;
  - II. information is approved by the Organizer for disclosure in writing;
- d. If, in accordance with the applicable legislation, a duty emerges for the Participant to disclose the Confidential Information, he shall inform the Organizer thereof in writing, and the Confidential Information shall be disclosed only to the extent required by applicable legislation.

### 5.2. Exchange of information

- a. Exchange of information between the Parties (including any notifications, applications, etc.) shall be carried out in writing in Russian or English.
- b. Written messages shall be sent:
  - I. in the case of the Organizer, at its address specified in this Contract; and
  - II. in the case of the Participant, at the address specified in his application for participation in the competition and/or this Contract.

### 5.3. Termination of the Contract in connection with the disqualification of the Participant

In case of the Disqualification of the Participant in accordance with the provisions of the Competition Documentation, the present Contract shall cease to be effective from the date of adoption of the decision on such disqualification. All amounts paid to the Participant under the present Contract shall be returned within 10 (ten) days after the date of termination of the present Contract.

5.4. Applicable law

The substantive law of the Russian Federation shall be applied to the relations of the Parties under the present Contract.

5.5. Dispute Resolution

All disputes that may arise out of the relations of the parties in connection with the Competition shall be settled in the Arbitration Court of Saint-Petersburg in accordance with the procedural laws of the Russian Federation.

6. Details and signatures of the Parties:

Organizer

[Full name] \_\_\_\_\_

[Position] \_\_\_\_\_

Participant

[Full name] \_\_\_\_\_

[Position] \_\_\_\_\_

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