

Standard Conditions for a Design Competition

1 Scope

These conditions establish the rules for the conducting of a design competition:

2 Terms and definitions

For the purposes of this document, the following terms and definitions apply:

competition administrator: a person who functions as an impartial intermediary between the promoter, jury, participants and technical advisors

competition data: document that establishes the participant's obligations in participating in a design competition and the promoter's undertakings in administering a design competition and evaluating submissions

design competition: procedures which enable a promoter to acquire a plan or a design selected by a jury after being put out to competition with the award of prizes.

jury: a group of natural persons who are independent of participants in the competition who collectively decide on the outcome of the competition based on documented competition criteria

participant: a person who following a call for an expression of interest is admitted to the competition

promoter: a person who initiates a design competition on its own behalf or on behalf of another person in accordance with these Standard Conditions for Design Competitions

technical consultant: a person who may be appointed by the promoter to advise the jury or the competition administrator on any technical matter relating to the competition

3 Purpose of design competition, brief and evaluation criteria

3.1 The purpose of the design competition, its linkage to procurement processes and the number of stages shall be as stated in the competition data.

3.2 The brief and evaluation criteria shall be provided to participants in the document identified in the competition data.

3.3 The number of best submissions or submissions of acceptable quality identified by the jury during the first stage of the design competition for admission to the second stage of the competition, if applicable, shall not be more than the number stated in the competition data.

4 Admission to the competition

Participants shall be admitted to the competition should they submit a responsive submission following a call for an expression of interest to be admitted to the design competition.

5 Submissions and prizes

5.1 Submissions shall comply with the requirements stipulated in the competition data. The system of measurement used in all submissions shall be the metric system.

5.2 Submissions shall be delivered at the address and not later than the closing time stated in the competition data or, in the case of the second stage of the competition, communicated by the competition administrator. Proof of dispatch by a courier may be accepted as proof of delivery provided that documentary evidence of dispatch before the closing time for submissions is furnished and the submission is received not more than 48 hours after the closing time for submissions.

5.3 Late submissions shall be promptly returned to the participant who made such a submission.

5.4 The promoter shall not compensate participants for any costs incurred in the preparation and delivery of a submission unless otherwise stated in the competition data.

5.5 The promoter undertakes to make available the prizes identified in the competition data to participants awarded a prize by the jury.

5.6 The promoter shall pay out the prizes to the award winning participants within 30 days of making an announcement of the outcome of the design competition in terms of clause 15.

5.7 The competition data shall state if the prize money paid out to a participant who is then contracted to proceed with the execution of the design that is submitted, forms part of the total of prices of the contract associated with such a contract.

6 Language of the competition

All documentation, submissions and communications shall be in English. The jury shall not evaluate any information that is provided in a language other than English.

7 Anonymity

7.1 The names of the applicants admitted to the competition and to any subsequent phases to the competition shall be kept confidential until such time that the names of prize winners are announced.

7.2 Participants shall not contact the promoter, members of the jury or other participants. They shall be eliminated from the competition if they do so. They may only communicate with the competition administrator in accordance with the provisions of these conditions.

7.3 The competition administrator shall not under any circumstances divulge the identity of the participants to members of the jury.

8 Confidentiality

The promoter, members of the jury, technical advisers and the competition administrator shall keep events or actions taken before, during and after the adjudication confidential.

9 Marking and safeguarding of submissions

9.1 All submissions made following admission to the competition shall be submitted in an anonymous format. All documents shall be marked in accordance with the competition data with a distinctive code number consisting of one letter of the alphabet followed by six digits chosen by the participant. Documents that are submitted shall not bear the name, logo, signature of the applicant or any other sign revealing his or her identity. The submission shall be accompanied by the participant's declaration in a white opaque envelope sealed with tape bearing only the same distinctive code number in the top right hand corner which shall contain the wording set out in 9.3.

9.2 All hard copy information shall be submitted in a non-hand written form. All electronic copy information shall be such that the identity of the originator cannot be identified by the properties or the file names of such data.

9.3 The participant's declaration shall:

- a) provide the principal intellectual author's name, affiliations, postal and physical address, fax number, telephone number, cell number and email address;
- b) contain the names of employees and external professionals and their affiliations who were involved in the preparation of the submission; and
- c) the signature of the intellectual author confirming that the submission is based upon his or her ideas.

9.4 Participants shall provide separate distinctive code numbers for each stage where the two stage process is followed and shall submit a fresh participant's declaration for each stage.

9.5 Failure to comply with the provisions of sub-clauses 9.1 to 9.4 shall result in the participant being eliminated from the competition.

10 Communication with the competition administrator

Each communication to and from the competition administrator shall be in writing and in the language of the competition. The competition administrator shall not take any responsibility for non-receipt of communications from or by a participant. The name and contact details of the competition administrator are as stated in the competition data.

11 Clarifications and additional information

11.1 A participant may request at least five working days before the closing time stated in the competition data from the competition administrator:

- a) clarifications relating to information that has been issued to participants; or
- b) additional information to enable requirements to be interpreted

11.2 The competition administrator shall decide whether or not and to what extent additional information shall be given.

11.3 Clarifications and additional information shall be provided by the competition administrator to all candidates.

12 The actions and functions of the competition administrator

12.1 The competition administrator shall be responsible for:

- a) receiving and registering all submissions;
- b) returning late submissions
- c) receiving written questions from participants and answering such questions;
- d) confirming that submissions and the actions of the participants are in accordance with the submission requirements;
- e) briefing the jurors;
- f) issuing the submissions to the jury;

- g) arranging for the attendance of any technical advisors if required by the jurors;
- h) informing participants of the results;
- i) making arrangements for the exhibition; and
- j) liaising with the competitors for the retention or return of submissions.

12.2 The competition administrator shall upon receipt of submissions:

- a) confirm compliance with the requirements of 5.1 and 9 and disqualify any submission which is in breach of such requirements;
- b) exclude any drawings, photographs, models or other documents not required in terms of the competition data from a competitor's entry;
- c) review each submission and prepare a brief report which highlights any failure in a submission to address requirements of the brief or to provide information that is required and deviations from competition requirements;
- d) submit the report referred to in c) together with the associated submissions to the jury.

12.3 The competition administrator shall notify all participants admitted to the second stage of the competition as well as those who failed to be so admitted.

12.4 The competition administrator shall safeguard the envelopes containing the participant's declaration and shall only open these envelopes after the jury has completed its work and has notified the competition administrator of their findings.

12.5 The competition administrator shall notify all participants admitted to the second stage of the competition as well as those who failed to be so admitted.

12.6 The competition administrator shall assist the jury and be present during adjudication, but shall not participate in any discussion relating to the merits of any submission or express an opinion during the deliberations of the jury relating to the award of prizes and the ranking of submissions.

13 Actions and functioning of the jury

13.1 The jury shall:

- a) comprise the persons identified in the competition data;
- b) elect a chairperson if a chairperson is not nominated by the promoter;
- c) note the contents of the brief report provided by the competition administrator when evaluating a submission;
- d) be autonomous in its decisions or opinions;
- e) examine the submissions solely on the basis of the evaluation criteria indicated in the competition data;
- f) disqualify any design which does not conform to the competition brief;
- g) endeavour to adopt decisions on each individual submission by consensus and where consensus is not achieved, take decisions based on a majority vote with the chairperson having a casting vote;

- h) record its preliminary ranking of submissions in a report which summarises the jury's discussions and decision making process made according to the merits of each submission, together with its remarks, observations and any points which may need clarification should the submission be implemented;
- i) in the case of a two stage competition, identify the participants who have made the best submissions or submissions of sufficient quality subject to the provisions of 3.3 to be admitted to the next stage of the design competition; and
- j) following the obtaining of answers to questions and clarifications from the promoter and advice from technical consultants, if any, prepare a final report and:
 - 1) award the prizes indicated in the competition data to the entries; or
 - 2) decide to award additional prizes or not to award a prize or any prize based on the quality of the submissions received and to determine the quantum of such prizes.

13.2 Where the jury decides not award the prizes in accordance with the provisions of the competition data but does award some of the prizes, the total prize money stated for prizes in the competition data shall be allocated to prize winners in the proportions that the jury deems fit.

13.3 All members of the jury shall sign the final report which contains the list of awards before they disperse.

13.4 The chairpersons of the jury may:

- a) invite the promoter to answer any questions or to clarify issues and shall record complete minutes of any such communications with the promoter;
- b) invite technical consultants to advise the members of the jury on specific matters.

13.5 The promoter and technical consultants shall not in any way participate in the judging of submissions.

13.6 In the event that a member of the jury is not able to attend a meeting of the jury for whatever reason, then his or her absence shall disqualify such a member from the decision making process relating to matters covered by that meeting.

14 Announcement of competition winners

The promoter shall notify all participants of the public exhibition and of the results of the competition, and send them a copy of the jury's report within 15 working days of such notification. .

15 Public exhibition

15.1 All entries or all entries in the final round of a two stage competition, including those disqualified by the jury, shall be exhibited for at least two weeks, together with a copy of the signed report of the jury. Such exhibition shall be open to the public without charge.

15.2 Only the names of the prize winners shall be disclosed. The submissions of all other participants shall remain anonymous.

16 Return of submissions to participants

Unless otherwise stated in the competitions data, the competitions administrator shall not return submissions or parts thereof to the participant.

17 Copyright and ownership

17.1 The participant's property shall become the property of the promoter upon making a submission. The promoter reserves the right to unlimited use of the documents submitted.

17.2 Unless otherwise stated in the competition data, participants shall retain their intellectual property rights.