



Specifications for the procurement of a curatorship project to draw up a proposal for Catalonia's involvement in the 15th edition of the Venice Biennale of Architecture 2016, within the *Eventi Collaterali* programme

1. Object of the contract

The object of these specifications is the procurement of a curatorship project to draw up a proposal for Catalonia's involvement in the 15th edition of the Venice Biennale of Architecture in 2016, as part of the *Eventi Collaterali* programme.

The proposal must comply with the conceptual framework and maximum production budget set out in ANNEX I.

2. Regulatory principles

This contract is subject to public authority standards and governed by Royal Legislative Decree 3/2011, of 14 November 2011, approving the Consolidated Text of the Public Sector Procurement Act (hereinafter, the Procurement Act).

The award procedure is a competitive tender of projects as governed by Article 184 and following of Royal Legislative Decree 3/2011, of 14 November 2011, approving the Procurement Act.

3. Phases of the competitive tender for projects

The competitive tender for projects will comprise three phases:

- First phase, the **Participation** phase. Submissions may be made by any physical or natural persons with an interest and with procurement entitlement fulfilling the requirements set out in Specification 9.
- Second phase, the **Ideas** phase. This will be open to all physical or natural persons submitting applications in the **Participation** phase and who have been invited by the procurement body to take part in this phase.
- Third phase, the **Procurement** phase, by means of the negotiated procedure governed by Article 174(e) of the Procurement Act.

4. Existence of credit

The necessary provision in order to meet the payment of this procurement will be covered by the Ramon Llull Institute budgetary credits for the year 2015.



5. Estimated value of the contract

- 1000 euros (including VAT and subject to income tax withholding) per participant in the *Ideas* phase (maximum of three participants).
- 4000 euros (including VAT and subject to income tax withholding) as the prize for the winner of the *Ideas* phase.
- 2420 euros (including VAT and subject to income tax withholding) for the winner of the *Ideas* phase for generation of the project which the Ramon Llull Institute is to present to the Foundation of the Venice Biennale of Architecture to present the candidacy within the *Eventi Collaterali* programme.

The estimated value of the contract does not include the sum of 4840 euros (including VAT and subject to income tax withholding) established as the fees for development and management of the winning proposal during 2016, and up until conclusion of Catalan involvement in the Biennale of Architecture.

6. Procedure

For the procurement of a curatorship project to generate a proposal for Catalonia's involvement in the 15th edition of the Venice Biennale of Architecture in 2016, a jury will be established, which will make an award proposal for the service to the procurement body in accordance with the procedure set out in these specifications.

7. Jury

In accordance with the terms laid down in Article 184 and following and Article 323 of the Procurement Act, a jury is established to issue a verdict, declaring a winner of the *Ideas* phase. The jury comprises a chairman, five members and a secretary.

Chair: Ms Carme Pinós

Members:

- Mr Jordi Ros
- Ms Eva Prats
- Ms Lluís-Xavier Comeron
- Mr Fernando Marzà
- Mr Damià Martínez

The secretary of the jury, with the right to speak but not to vote, will be Ms Núria Brichfeus, management administrator at the Ramon Llull Institute.

The Chair of the Jury will hold the casting vote in the event of any hung vote.

8. Information for presentation of applications in the *Participation* phase

In this phase the participants are provided with the information set out in **ANNEX I**.



9. Documentation, deadline and venue for receipt of applications in the *Participation* phase

Those wishing to take part in the project competition must present 2 sealed envelopes, each of them marked with the following text:

APPLICATION FOR PARTICIPATION IN THE COMPETITIVE TENDER FOR PROJECTS FOR THE GENERATION OF A PROPOSAL FOR CATALONIA'S INVOLVEMENT AT THE 15TH EDITION OF THE VENICE BIENNALE ARCHITECTURE 2016 WITHIN THE *EVENTI COLLATERALI PROGRAMME*

ENVELOPE A - Procurement entitlement and competition requirements

This envelope should contain documents demonstrating the procurement entitlement and legal personality of the participant.

Procurement entitlement is enjoyed by natural or legal persons, whether Spanish or foreign, which have legal personality and full capacity to act pursuant to the terms of Article 54 of the Procurement Act, and which are subject to none of the procurement disqualifications set out in Article 60 of the Procurement Act.

The purpose or activity of legal entities must be directly connected with the object of the contract, in accordance with their bylaws or foundational rules, as duly demonstrated. The competitive tender for projects is not open to museums, cultural centres or equivalent entities, whether public or private.

The following documentation must be submitted:

- Natural persons: certified copy of their ID card or passport.
- Groups of natural persons: certified copy of the ID card or passport of each member thereof.
- Legal entities: certified copy of the deeds or bylaws and the ID card or passport of their legal representative.
- Documents demonstrating procurement entitlement in accordance with the form set out in ANNEX II, for natural persons, or ANNEX III, for legal entities, as applicable.

ENVELOPE B - Applicant's proposal

This envelope should include documents allowing the proposal to be assessed, in addition to the characteristics of the applicant. The following documents must be submitted:

1. Preliminary project setting out the general ideas of the proposal in accordance with the conceptual framework and budget set out in Annex I (maximum of 2 sheets)
2. In the case of natural persons: curriculum vitae.
3. In the case of legal entities: an explanatory account of activities performed over the past three years together with the curriculum(s) of the individual(s) who will undertake the project.



4. In the case of groups with no legal personality: a curriculum vitae for all members thereof.

The proposals must be submitted on paper and in PDF format on a CD or DVD.

The final deadline for the receipt of applications for the *Participation* phase is 12 noon on 1 July 2015.

Envelopes A and B may be presented at the Barcelona headquarters of the Ramon Llull Institute (at the address Diagonal 373, 08008 Barcelona, tel. 93 467 80 00; fax 93 467 80 06).

Within the submission period, the proposals may also be presented by mail in accordance with the terms of Article 38 of Public Authorities and Common Administrative Proceedings Legal System Act 30/1992, of 26 November 1992, or in any other form laid down in said article.

In this case the bidder must provide proof of the date and time established as the deadline for the submission of bids, and inform the procurement body that the bid has been dispatched by sending an e-mail to licitacions@llull.cat on the same day. If these requirements are not fulfilled the proposal will not be admitted if it is received by the procurement body beyond the deadline indicated in the announcement. If 10 calendar days after the deadline for the presentation of proposals the proposal dispatched by mail to the procurement body has not arrived, it will under no circumstances be admitted.

10. Criteria for invitation to the *Ideas* phase

Following conclusion of the period for submission of applications in the *Participation* phase, the procurement body will ascertain the legal personality of the participants, and the jury will, from among the applications submitted, select a maximum of three. This selection will be performed in accordance with the preliminary project, on the basis of the following criteria:

- Alignment with the conceptual framework defined by the jury
- Appeal of the proposal
- Appeal of the proposal in the specific international context of the Venice Biennale of Architecture
- Other key elements

The jury will perform its final assessment of the proposal as a whole in accordance furthermore with the curriculum(s) vitae or explanatory report on the activities of the participants.

In applying these assessment criteria the members of the jury will select a maximum of three proposals to be invited to participate in the *Ideas* phase.

The procurement body may, at the proposal of the jury, declare the competitive tender for projects to be abandoned should none of the applications in the *Participation* phase sufficiently fulfil the invitation criteria.

The procurement body will serve notice of the outcome of this initial phase on 7 July 2015.



11. Documentation, deadline and venue for receipt of applications for the *Ideas phase*

This phase of the project tender will involve only those natural or legal persons invited by the procurement body.

The invitees will submit the following documentation:

- Project developing the initial proposal, the conceptual framework, the formal approach of the proposal and the characteristics of publication, which must involve a limited cost.
- Proposed architects and/or architectural and project practices to be involved in the exhibition.
- Estimated budget for the project, within the maximum project sum set out in Annex I.

The proposals must be submitted on paper and in PDF format on a CD or DVD.

The deadline for submission will be 12 noon on 20 July 2015.

The submissions should be presented at the Barcelona headquarters of the Ramon Llull Institute (at Av. Diagonal 373, 08008 Barcelona, tel. 93 467 80 00; fax 93 467 80 06).

Within the submission period, the proposals may also be presented by mail in accordance with the terms of Article 38 of Public Authorities and Common Administrative Proceedings Legal System Act 30/1992, of 26 November 1992, or in any other form laid down in said article.

In this case the bidder must provide proof of the date and time established as the deadline for the submission of bids, and inform the procurement body that the bid has been dispatched by sending an e-mail to licitacions@llull.cat on the same day. If these requirements are not fulfilled the proposal will not be admitted if it is received by the procurement body beyond the deadline indicated in the announcement. If 10 calendar days after the deadline for the presentation of proposals the proposal dispatched by mail to the procurement body has not arrived, it will under no circumstances be admitted.

12. Criteria for selection of the winning proposal in the *Ideas phase*

Following expiry of the period for submission of documentation, the jury will examine the documentation provided and, where relevant, may decide to interview those invited to take part in the Ideas phase.

In order to decide the winner of the *Ideas phase*, the jury will apply the following criteria:

- Compliance by the project with the conceptual framework
- Content with regard to the proposal of projects to be represented
- Appeal of the project within the specific international context of the Venice Biennale of Architecture.
- Technical and economic viability of the project.
- Other key elements.



13. Selection of the winner of the *Ideas* phase

The jury will select one winner of the competitive tender for projects in accordance with the criteria set out in the above paragraph. Once the winner has been declared, the jury will draw up the corresponding formal declaration and present a proposal to the procurement body for the contracting of the winning competitor. The formal declaration drawn up by the jury must justify the choice of winning project. Pursuant to Article 188.8 of the Procurement Act, the procurement body must proceed to make the award, and must provide reasoned grounds if this does not correspond to the proposal made by the jury.

The jury may propose that the procurement body abandon the competitive tender for projects should it deem that none of the proposals reaching this phase satisfactorily fulfils the criteria laid down in Section 12.

The jury's verdict will be published by 31 July 2015.

The jury's verdict will be open to no appeal.

14. Awards

Those invited to take part in the *Ideas* phase presenting their proposals by the established deadline and in the relevant manner in accordance with these specifications will, in consideration of the work performed, receive an award of 1000 euros (including VAT and subject to income tax withholding).

The winner of the competitive tender for projects will receive an award of 4000 euros (including VAT and subject to income tax withholding).

15. Contracting of the winner of the competitive tender and assignment of rights.

The winner of the competitive tender for projects will be contracted, by means of the negotiated procedure governed by Article 174(e) of the Procurement Act, the sum being 2420 euros (including VAT and subject to income tax withholding), to draw up the project which the Ramon Llull Institute is to present to the Foundation of the Venice Biennale of Architecture for inclusion in the Eventi Collaterali in the 15th edition thereof.

In generating the project the selected curator will work jointly with the monitoring commission comprising one representative from the COAC and one from the Ramon Llull Institute.

The project must include:

- The final development of the project.
- The architects and/or architectural practices.
- The detailed project budget.
- The execution timeline for the project.

The project generated by the curator must be validated by the Ramon Llull Institute, which will present it to the Foundation of the Venice Biennale of Architecture for inclusion in the 15th edition of the Venice Biennale.

The established deadline for generation of the final project is 31 December 2015.



16. Assignment of rights.

The winning curator assigns to the Ramon Llull Institute intellectual property rights (exploitation, reproduction, distribution, public presentation and transformation) over the proposal for the involvement of Catalonia in the 15th edition of the Venice Biennale of Architecture 2016 within the *Eventi Collaterali* programme, notwithstanding any moral rights corresponding to the author thereof.

Intellectual property rights are assigned to the Ramon Llull Institute on an exclusive and worldwide basis, and for the maximum duration laid down in Royal Decree 1/1996, of 12 April 1986, approving the Consolidated Text of the Intellectual Property Act.

By virtue of this assignment, the Ramon Llull Institute reserves the right to organise a travelling exhibition following conclusion of the Venice Biennale of Architecture.

17. Execution of the exhibition.

If the project is selected by the Biennale Foundation to take part in the *Eventi Collaterali* programme, the Ramon Llull Institute will commission the winner of the competitive tender for projects to develop the project and manage execution thereof, for a price of 4840 euros (including VAT and subject to income tax withholding).

The total to be received by the winner of the competitive tender will be 7260 euros (including VAT and subject to income tax withholding) by way of fees, and 5000 euros (including VAT and subject to income tax withholding) by way of prize money.

In the event that the project is unsuccessful in the selection phase conducted by the Foundation of the Venice Biennale of Architecture 2016, the Ramon Llull Institute reserves the right to produce the proposal in the same space and in accordance with the established calendar (outside the official programme of the Venice Biennale of Architecture 2016, but over the same dates), to produce it in another location and on different dates, or not to produce it.

18. Obligations prior to the award

Prior to the contract being awarded, the winner must provide confirmed proof that it has no outstanding taxation or Social Security obligations.

19. Performance of the contract

The procurement body shall establish whether the service provided by the contractor complies with the terms laid down for execution and performance of the contract and will, where applicable, demand that the contracted services be provided or any defects observed upon handover be rectified. Should the tasks performed not comply with the contracted services as a result of faults or defects attributable to the contractor, it may refuse to accept it. In this case it shall be released from its payment obligation.



20. Contractual payment

Payment of the price shall be made following approved handover of the object of this contract and issuance of the invoice by the winner in accordance with the legally established terms.

21. Competent jurisdiction

Any matters of litigation regarding the preparation, award, effect, performance and termination of this contract shall be subject to the terms of public authority litigation jurisdiction.



ANNEX I

CONCEPTUAL FRAMEWORK

The project for the Catalonia pavilion at the Venice Biennale of Architecture for 2016 aims to encourage reflection that will bring closer together the fields of landscape, architecture and urban space through a series of projects and actions that bring to light a renewed vision of contemporary habitat.

MAXIMUM PRODUCTION BUDGET

The maximum production budget is 190,000.00 euros (including taxes).

This sum includes the following elements connected with production of the exhibition:

- assembly design
- production of the assembly and of the contents of the exhibition (including rental and/or purchase of technical, computer and/or audiovisual material)
- graphic design of the project (interior, exterior, communication media: website, exhibition leaflet, digital invitation, press dossiers, ...)
- translations
- copyright
- transport
- insurance
- assembly, dismantling
- packing/unpacking
- publishing
- travel, accommodation and living expenses of the curator, fitters, technicians and other staff required
- any other expense derived from design, production and assembly of the exhibition and the graphical materials.

Monitoring of budgetary execution of the project, which will be carried out by the Institut Ramon Llull, may entail readjustments to the contents and the production of the exhibition in order to conform to the maximum amount established.



ANNEX II

Declaration of responsibility by a natural person

Mr/Ms _____, in his/her own name, declares under his/her own responsibility, as a participant in the competitive tender for the generation of a curatorship project to draw up a proposal for Catalonia's involvement in the 15th edition of the Venice Biennale of Architecture 2016 within the *Eventi Collaterali* programme, that he/she:

a) Enjoys entitlement to enter into contracts with public authorities, having capacity to act and being subject to none of the grounds for disqualification from public authority contracts pursuant to the terms of Articles 60 and 61 of the Procurement Act.

b) Has no outstanding taxation or Social Security obligations pursuant to the terms laid down in Articles 13 and 14 of the General Regulation of the Public Authority Procurement Act, approved by Royal Decree 1098/2001, of 12 October 2001.

In confirmation whereof, I sign this declaration of responsibility.

(place and date)

Signature



ANNEX III

Declaration of responsibility by a legal entity

Mr/Ms _____, as the legal representative of the company _____, declares under his/her own responsibility, that the company he/she represents for participation in the competitive tender for the generation of a curatorship project to draw up a proposal for Catalonia's involvement in the 15th edition of the Venice Biennale of Architecture 2016 within the *Eventi Collaterali* programme:

- a) Enjoys entitlement to enter into contracts with public authorities, having capacity to act and being subject to none of the grounds for disqualification from public authority contracts pursuant to the terms of Articles 60 and 61 of the Procurement Act.
- b) Has no outstanding taxation or Social Security obligations pursuant to the terms laid down in Articles 13 and 14 of the General Regulation of the Public Authority Procurement Act, approved by Royal Decree 1098/2001, of 12 October 2001.
- c) Complies with all requirements and obligations demanded under the legislation in force for its establishment, installation and legal operations.

In confirmation whereof, I sign this declaration of responsibility.

(place and date)

Signature of the legal representative