

COMPETITION OF IDEAS FOR THE PROJECT OF A MONUMENT TO THE FREEDOM OF EXPRESSION

TERMS AND CONDITIONS

1. BACKGROUND

- 1.1. November 12, 2010, will be the bicentenary of Decree IX of the *Cortes* (Parliament) of Cádiz regarding "*political freedom of press*".
- 1.2. On the occasion of this anniversary, and as part of the programmed celebrations, the Asociación de la Prensa de Madrid (Press Association of Madrid) has deemed fitting to organise a competition for the erection of a monument to the freedom of expression in Madrid. It believes that a competition of ideas is the best way to obtain a good result, given the publicity of this type of initiative, and the fact that it is open to all interested professionals.

2. AIM AND SITE OF THE COMPETITION

- 2.1. The aim of the competition is the design of a **Monument to Freedom of Expression**, to be erected in Madrid, at the corner of the headquarters of the Press Association of Madrid located at the corner of Juan Bravo 6 and Claudio Coello.

3. TYPE OF COMPETITION

- 3.1. This competition of ideas is called by the Asociación de la Prensa de Madrid, it is open, will be carried out in one single phase, and is private. It will be regulated by the stipulations outlined in this document. The Secretary Office of the competition, and in due course, the jury, will have the power to decide on any aspect not explicitly indicated herein, taking as a reference at all times the administrative laws regarding contracting. All decisions taken must respect the principles of publicity and non-discrimination of certain entrants with regard to others.

4. ORGANISATION OF THE COMPETITION – SECRETARY OFFICE

- 4.1. All correspondence regarding this competition is to be addressed to the Secretary Office of the competition, whose details follow:
 - **OCAM – Oficina de Concursos de Arquitectura de Madrid**
 - Address: c/ San Lucas 6, local – 28004 – Madrid. Spain.
 - Telephone: +34 91 700 11 38 Fax: + 34 91 700 11 89
 - Email: concursos@coam.org
 - Website: www.coam.es/concursos
 - Opening times: Monday to Friday, from 9 am to 2 pm; Thursday, from 9 am to 8 pm.



5. ENTRANTS

- 5.1. All professionals whose activity is related to the subject of the competition, it being essential that the winner comply with all the requisites for the exercise of their professional activity, as a necessary prerequisite for entering into contract.
- 5.2. Each entrant may enter the competition as part of one team only, either as a main entrant or a collaborator, and may enter one proposal only.

6. PHASES AND TERMS

6.1. REGISTRATION AND ACCEPTANCE OF ENTRANTS

- 6.1.1. Registration will be formalised by presenting a registration form in accordance with the model provided at the end of these terms and conditions attaching the documents there outlined. The person who figures as the representative will be the only interlocutor for the duration of the competition. The following documents must be provided:
 - **Registration form** in the relevant model provided at the end of this document, depending on whether the team is formed by natural persons, companies or both.
 - **Formal statement** to the effects that the entrant is not subject to any conflict of interest to enter into contract, a model of which is provided at the end of this document. Separate formal statements must be provided by **each and every one co-author of the proposal** (or their legal representative, in the case of companies). **“Co-authors” are understood to be those who would share the contract in case of winning the competition.**
- 6.1.2. The registration deadline is **Thursday, July 13, 2006**.
- 6.1.3. The registration documents may be delivered:
 - by hand: during opening times of the Secretary Office of the Competition.
 - by Post or courier, in a sealed envelope sent to the Secretary Office of the Competition, to the address indicated in point 4 of these terms and conditions. Registrations sent before the deadline specified in the previous point will be accepted, provided they reach the Secretary Office of the competition before 2 pm on the following day.
- 6.1.4. Upon verification of compliance with the registration requirements, on **July 20**, the Secretary Office of the Competition will publish the list of admitted entrants, and will notify those not admitted, giving them three **(3) working days** to correct any omissions or errors.
- 6.1.5. Following this, each entrant will be sent a complete definite list of admitted and excluded entrants.

- 6.1.6. Any registration that has not been formalised in accordance with these terms will not be valid, both with regard to the documents and the deadline for delivery and receipt, and notification of dispatch of documents, if applicable.

6.2. COMPETITION DOCUMENTS

- 6.2.1. All documents regarding the competition can be found on the website of the Secretary Office of the Competition from the moment of its announcement and may be freely accessed by any interested person, regardless of whether registration has been formalised.
- 6.2.2. In case of difficulties downloading the documents from the website, registered entrants may request a CD with the same contents as those available on the website from the Secretary Office, which will be dispatched within five days from receiving the request.

6.3. INFORMATION AND QUESTIONS

- 6.3.1. Questions may be asked until **July 13**, always in writing, and as far as possible, by email. On **July 20** each of the admitted entrants will be sent, exclusively by email, the complete and anonymous list of the questions and answers resulting therefrom. This same information will also be published on the competition website. These questions will be analysed and replied by the Secretary Office of the Competition, which may request any technical advice it deems necessary. However, simple questions or those related to the administrative procedure of the competition, may be answered on the webpage in order of reception. The Secretary Office may decide whether to answer immediately or to postpone the answer until the date indicated at the beginning of this point.
- 6.3.2. The list of questions and answers, together with the complete terms and conditions will be provided to the jury of the competition upon its constitution. Any considerations derived from these queries will be binding for the organiser of the competition.

6.4. DEVELOPMENT AND PRESENTATION OF WORKS

- 6.4.1. The deadline for the presentation of proposals is **Thursday, October 5, 2006**.
- 6.4.2. The documents may be delivered:
- by **hand**: during opening times of the Secretary Office of the Competition.
 - by **Post** or **courier**, in a sealed package sent to the Secretary Office of the Competition, to the address indicated in point 4 of these terms and conditions. Registrations sent before the deadline specified in the previous point will be accepted, provided they reach the Secretary Office of the competition before 2 pm on the following day.
- 6.4.3. After this time, the secretary of the competition will draw up a record of received entries, specifying the number of works received and their titles.

7. DOCUMENTS TO BE PRESENTED BY THE ENTRANTS

7.1. **BOARDS: One (1) A1 (594x840 mm) board**, must be presented, mounted on lightweight cardboard. Any documents necessary for the proper definition of the proposal, in the entrant's judgement, must be provided, including, if applicable, any necessary texts. The plans will be presented in a defined and standard scale and must include a scale bar. Computer graphics, perspectives or any other graphic document explaining the proposal are accepted, as are photographs of models (but not models). No additional documents other than those indicated in the following point will be accepted.

7.2. **DOCUMENTS ON CD:** in addition to the board, and included in a separate envelope, a CD must be presented, containing:

- A reproduction of the board in a **.jpg** file. The file will bear the name of the proposal and the size of the file must not be too large (no larger than 5MB), with an adequate resolution (maximum recommended resolution: 300 dpi);

These files will be used, on the one hand, for possible publications, and on the other hand, to compile a CD containing all the proposals to be handed out to all the members of the Jury prior to their deliberation, for their detailed analysis.

7.3. **IDENTIFICATION ENVELOPE:** an **identification envelope** must be attached to the board, which will be delivered sealed and identified on the outside by the title chosen by the entrant, and which will contain the identification and contact details of the team presenting the proposal, both the authors and the collaborators.

8. ANONYMITY

8.1. The works will be presented under a title, which must figure on all the documents, in order that they may be examined by the Jury anonymously. A sealed envelope with the title on the outside will be attached to the documents, and will contain details of the entrants.

8.2. On the outside of the envelope, entrants must indicate clearly, whether, in case of not being prized, the entrant with rather remain anonymous both in the public exhibition of the works presented and in the possible publication on paper or on the website.

8.3. The material received will be unpacked and prepared for its examination by people unrelated to the Jury, who will ensure that the proposals remain anonymous, removing any reference to the sender there could be in the packaging or dispatch notes.

9. TECHNICAL STUDY OF THE PROPOSALS

9.1. Depending on the number and quality of the proposals received, the Jury, or the Secretary Office of the Competition, may commission a technical study of the proposals. The study will consist of an analysis and short presentation of the main options and parameters of each project. This study may be commissioned at any time during the work of the Jury and may include all the proposals or only those that pass an initial selection by the Jury. If few proposals were received, the organising body may decide not to carry out this study.

9.2. The secretary of the Jury will decide to commission this preliminary study from a selection of its members or appoint a technical committee formed by specialists



appointed by mutual agreement by the Asociación de la Prensa de Madrid and the OCAM.

- 9.3. This report, if carried out, will be provided to the jury for information purposes. The jury may decide to exclude those proposals that seriously fail to comply with legal, technical or urban regulations that compromise the development of the project or whose non-compliance generates illegitimate advantages over other proposals.

10. JURY

10.1. COMPOSITION OF THE JURY

10.1.1. The Jury will be composed of nine members, and will be structured as follows:

President:

- The Mayor of Madrid, **Mr. Alberto RUIZ-GALLARDÓN JIMÉNEZ**, or delegate.

Vice-president:

- The president of the Asociación de la Prensa de Madrid, **Mr. Fernando GONZÁLEZ URBANEJA**, or delegate.

Ordinary Members:

- The five journalists awarded up to now with the FAPE (Federation of Press Associations of Spain) prize:
 - **Mr. JOSÉ ANTONIO ZARZALEJOS**
 - **Mr. JESÚS DE LA SERNA**
 - **Mr. IÑAKI GABILONDO**
 - **Mr. ANTONIO MINGOTE**
 - **Mr. PEDRO J. RAMÍREZ**
- Three renowned artists, appointed by the Asociación de la Prensa de Madrid.
- The Dean of the Society of Architects of Madrid, **Mr. RICARDO AROCA HERNÁNDEZ-ROS** or delegate.
- A representative of the Department of Housing, Town Planning and Infrastructure of the City Council of Madrid.
- A representative of the Department of Arts of the City Council of Madrid.
- **Mr. LUIS MARTÍNEZ SANTA-MARÍA**, renowned architect appointed by the OCAM.

Secretary (with voice but with no vote):

- The director of the OCAM, **Mr. José María GARCÍA DEL MONTE**.

10.1.2. In order that the Jury may carry out its work, it is necessary that, for all the evaluation sessions, half plus one of the members be present.



10.1.3. In the act of constitution of the Jury, its members will issue a statement to the effect that there are no conflicts of interest with any of the entrants registered for the competition. Any member of the Jury affected by a conflict of interest must leave the Jury, or delegate if possible. This will be taken into account when establishing requirements for quorum.

10.2. DUTIES OF THE JURY

10.2.1. No later than **November 3, 2006**, the Jury's decision must have been drafted. Each member of the Jury may state separately the reasons for their vote.

10.2.2. If, due to the quantity of works presented it were not possible to comply with this deadline, this will be announced on the website of the competition, informing of the new date for the Jury's decision.

10.2.3. The Jury will have the following responsibilities:

- To analyse the documents and decide on the final admission of the works received.
- To provide a reasoned proposal for exclusion of all works rejected, which must be included in the minutes. Reasons for rejection may include the following:
 - delivery of the work after the deadline or not in accordance with the established terms and conditions;
 - insufficient documents for the proper evaluation of the proposals;
 - breach of anonymity, either due to having unveiled authorship by any means, or having included graphic elements that identify the author of the proposal;
 - any kind of attempt to exert influence upon the members of the jury.
- To analyse the proposals received and to evaluate them, being entitled to request any advice they deem convenient.
- Surveillance and compliance with the rigorous anonymity with which the documents should be analysed.
- To propose a final decision: reasons should be provided for the decisions to award the chosen projects.

10.2.4. The secretary of the Jury will draw up minutes of all actions carried out.

10.3. PROCEDURE OF COMPETITION AWARD DECISION

10.3.1. As from the third day after the reception of all the proposals, all the boards received will be made available for their analysis by the members of the jury, who will have the time they deem necessary to do so. All members of the Jury will be sent, within the same period of time, a CD containing all the files sent by the entrants.

- 10.3.2. At a date to be fixed by mutual agreement between the members of the jury, a plenary meeting will be called at the venue where all the boards received will be exhibited, in order to proceed to a discussion regarding the decision.
- 10.3.3. Prior to any other consideration, the Jury will proceed to approve admission or rejection of the proposals.
- 10.3.4. The jury will agree upon a selection procedure depending on the quantity and quality of the proposals received, based on discussion systems and successive eliminations. Should a voting system be adopted, and should there be a draw, the Jury will proceed to carry out a new discussion. After three draws, the president's vote will be decisive.
- 10.3.5. Acting as a body, the jury will present and include in its minutes, the reasons for which it considers that the awarded proposals deserve the prizes. It will also include in the minutes the progress of the discussion, indicating the successive eliminations that have taken place. Personal votes may be issued should any member of the Jury wish to do so.

10.4. PUBLICATION OF THE DECISION

- 10.4.1. The opening of the sealed envelopes corresponding to the winning projects will take place in an event to be celebrated on **November 3, 2006**.
- 10.4.2. On the working day following this event, the result of the competition will be announced on the website. The explanatory graphic documents of the winning proposals will be disseminated via the Internet, and may be manipulated only in order to reducing their size to improve navigation.

10.5. AWARD CEREMONY

- 10.5.1. On **November 10, 2006**, coinciding with the celebration of the 196th anniversary of the Decree IX of the *Cortes* of Cádiz regarding "political freedom of press", an award ceremony will take place at the headquarters of the Asociación de la Prensa de Madrid.

11. EVALUATION CRITERIA

- 11.1. The evaluation of the proposals received will focus on their global quality, although they will pay special attention to the most important aspects that may compromise the project, such as technical viability, technical requirements, or estimated cost.

12. PRIZES

- 12.1. The prizes will be structured as follows:

1st Prize. *Commissioning of the project of execution of the monument and corresponding project management*, for a total amount of **20,000** euros, half of which will be paid as advance of fees once the competition has been decided.

2nd Prize. **10,000** euros.



3rd Prize. 5,000 euros.

Consolation Prizes Up to **five** consolation prizes of **1,000** euros each.

Mentions. The Jury may agree to granting special mentions to as many projects as it deems worthy.

- 12.2. The above figures will be subject to the corresponding VAT percentages and tax withholdings.
- 12.3. The competition may be declared void in any or all of its prizes only if, in the Jury's opinion, there are no projects that fulfil adequately and with sufficient quality the aims of the competition.

13. TERMS AND CONDITIONS OF CONTRACT

- 13.1. The Asociación de la Prensa de Madrid undertakes to contract the works deriving from the result of the competition from the winner of said competition, regardless of how much time has elapsed since the competition; given that it is a private association, negotiations will be carried out directly with the winner of the competition within a direct contractual relationship.
- 13.2. In any case, the Asociación de la Prensa de Madrid reserves the right to postpone the commissioning of said works should the circumstances regarding the project so require, although this postponement may in no case be used as a means of contracting professionals other than the winners of the competition to carry out the works subject of this competition.
- 13.3. Should the winner of the first prize not be able to enter into contract for any reason not attributable to the organiser, the latter may establish subsequent negotiations with the following prize winners to agree on the drafting of the project.
- 13.4. The contract amount will be **20,000** euros plus VAT, payable as follows: 50% upon award of the competition, payable at the same time as the award ceremony; 30% upon completion of the execution project (or the material production of the monument in the workshop, if applicable) and the remaining 20% once the monument has been erected at its site, although alternative conditions may be agreed upon should the winning project so require.

14. INTELLECTUAL PROPERTY RIGHTS

- 14.1. The authors will keep the intellectual property rights over the works presented. None of the projects, including the winning projects, may be used for other purposes or as material for drafting of other projects by architects other than the respective authors.
- 14.2. Entrants will grant the Asociación de la Prensa de Madrid and the Society of Architects of Madrid only the exploitation rights for making the competition and its results public, through activities such as publication and exhibition of the works presented. However, those entrants who do not win and request to remain anonymous will remain so.

15. CANCELLATION OF THE COMPETITION

- 15.1. Should the competition be cancelled, entrants will be compensated for the work and materials used, in accordance with the value estimated by the Society of Architects,



which will act as arbitrator. To this aim, on the day following the notification of cancellation, entrants must present the works carried out to date. After this period, there will be no right to request compensation. The total sum of the compensations will not exceed the amount allocated for prizes.

16. CONCLUSION AND RETURN OF PROJECTS

- 16.1. All entrants will have the right to examine the prized works during a period of one month following the announcement of the Jury's decision. Should it be decided to exhibit the works publicly, this right is understood to be fulfilled by opening said exhibition to the public. It will also be understood to be fulfilled with the publication of the projects on the website.
- 16.2. Once this period has elapsed, or once the public exhibition is closed, entrants will have the right to withdraw the admitted works within one month, after which the organising body may proceed to destroy them. In any case, the organiser reserves the right to withhold the CDs for the publication of the results of the competition.

17. CONFLICTS OF INTEREST

- 17.1. Any person in a situation of professional or legal conflict of interest with regard to the work subject of this competition may not take part in the competition.
- 17.2. Any person who has any family relationship or permanent and current partnership giving rise to a legal or moral duty of abstention may not form part of the Jury.

18. EXHIBITION

- 18.1. Once the Competition has concluded, all the works presented and admitted may be exhibited to the public, and withheld to this aim until the end of the exhibition. This exhibition will be announced to all entrants, whether or not their proposals were selected.
- 18.2. The proposals may also be included in a publication where the names of the authors will figure, except those who have expressed their desire to remain anonymous in case of not winning the competition.

19. OTHER RIGHTS OF THE ORGANISER

- 19.1. The Asociación de la Prensa de Madrid may request that a winning team or person include in the project suggestions that may arise as a result of the examination and decision of the Jury, as well as those that may arise subsequently, provided they do not substantially alter the winning project. In case of discrepancy with regard to any of these changes, both parties submit to the criteria that will be requested from the Jury of the competition, which may be consulted to such effects during the development of the project and the execution of the works.

20. RESOLUTION OF CONFLICTS

- 20.1. For any disagreements of a technical nature that may arise during the contractual relationship, both parties submit to the arbitration in equity of the Society of Architects of Madrid, through its Arbitration Tribunal.

