

REMINDER OF IMPORTANCE (UPDATED ON 21ST NOVEMBER 2023):

The pavilion will be a temporary and non-structure display that will apply for TPPE to hold any events in the destination.

It is noted that the pavilion working area is multi-layered with cable, sewage, and underground utilities, the pavilion design should be lightweight and work with existing site conditions with minimal impact.

Given the complexity of the site condition, the assembly method should be adaptable and easy to dismantle and assemble, for example a removable/flexible canopy/roof design.

Please be reminded that the final site condition shall be subject to the approval of respective government departments and stakeholders, and the winning design shall be adjusted, if required, to suit the final site condition.

The enquiry for this competition ended on 11th November 2023, please see the consolidated FAQ below (updated on 21st November 2023):

TEAM FORMATION & ELIGIBILITY

Q1:
May I ask whether it matters if we fill in as two persons? We have our colleagues to join from our Shanghai office apart from two of us. But they will be holding Chinese passports thus we didn't fill in their info.

A1:
Please fill in information for all members of your team. Please note that at least one member of the Participant shall be a current Hong Kong resident throughout the project period who possesses a valid Hong Kong Identity Card.

Q2:
My family is from Hong Kong but our office is based in New York. I understand that we need at least one HK resident as part of our team. Does that team member need to be a registered architect in HK?

A2:
The member who possesses a valid Hong Kong Identity Card does not necessarily have to be a Registered Architect in Hong Kong.
However, please be reminded that the design proposal shall be feasible in terms of scale, budget, production and construction time, and relevant local Ordinances, Regulations and Codes of Practice in Hong Kong.

Q3:

I am a foreign designer with HKID who has graduated from the Chinese University of Hong Kong.

Here, I would like to ask a question relating to the eligibility of the competition. Currently, I am traveling around countries; the US, Korea, and Hong Kong. I visit Hong Kong quite often, yet, technically, I am not living in one city, Hong Kong.

On the website, it says, *“International Participants who are aged 18 or above may also submit proposals as members of a team provided that at least one member of the Participant is a current Hong Kong resident throughout the project period who possesses a valid Hong Kong Identity Card. The HKAC can support interested International Participants by connecting to local designers and architects.”*

So far, as I searched from various sources, it seems like there is no expiration date for the HKID and thus I believe my HKID is still valid.

I am curious whether I am eligible for this competition or not as an individual participant.

A3:

For those participant(s) who are not currently living in Hong Kong or regularly staying in Hong Kong for long, you are eligible to register and participate in the proposal submission and competition process as long as you are aged 18 or above who possess valid Hong Kong Identity Cards or as members of a team provided that at least one member of the Participant is a current Hong Kong resident throughout the project period who possesses a valid Hong Kong Identity Card.

However, please be reminded that the Winning Entry will become the Design Advisor for realising the design to construction, installation and maintenance as well as on-site and off-site supervision.

Q4:

Can one company submit two entries?

A4:

Each individual or participating team can submit a maximum of one proposal. Individuals can only register once as either an individual or as part of a team.

Q5:

Referring to P.10 of the “RE Tai Kok Tsui_Pavillion Open Call Brief.pdf”

3.1 ELIGIBILITY

“Teams can have a maximum number of four members.”

Are the AP, RSE, E&M consultants, Project Management and eventually Contractor considered part of the team to be submitted?

A5:

The team formation of group and company entry does not necessarily include a Registered Architect (RA) nor an Authorised Person (AP) nor a Registered Structural Engineer (RSE) nor a Mechanical, Electrical and Plumbing (MEP) Consultant/Engineer/Electrical & Mechanical

(E&M) Consultant/Engineer nor a contractor into the maximum number of four members for the registration, proposal submission, and competition process. But having one of them on the team might inspire your design proposal!

Q6:

If any of the above (*referring to Q5*) is not part of the team to be submitted, how are they selected? Can the Design Advisor suggest and/or select them?

A6:

A6: After the Winning Entry is selected and with the info provided by the Design Advisor, HKAC will handle the tender process for fabrication, construction and installation. The Design Advisor will be invited to review the tendering and join the selection process.

The Design Advisor is welcome to suggest or recommend vendors for the tendering process. Same practice for the appointment of a Registered Architect (RA) and/or an Authorised Person (AP) and/or a Registered Structural Engineer (RSE) and/or a Mechanical, Electrical and Plumbing (MEP) Consultant/Engineer/Electrical & Mechanical (E&M) Consultant/Engineer etc. relevant parties and personnel.

HKAC is the organiser and therefore all the contract agreements will be issued under HKAC.

Q7:

(*Referring to Q5 & Q6*) If not, is it by Tender process? In such a case, organised by who? And what is the involvement and responsibilities of the Design Advisor?

A7:

Please see the response to Q6.

SITE CONTEXT & CONDITION

Q8:

In the Site Plan Legends, it is stated "*Existing Trees to be removed by Sino in Oct 2023 and move back in mid-July 2024.*" Can you please explain the reason why?

A8:

The current info provided in the Pavilion Open Call Package is the latest materials, the site is expected to have a landscape refurbishment completed before the construction and installation of the Winning Design/the Pavilion. However, the landscape refurbishment details and arrangement are not confirmed yet as of today (21st November 2023) and we cannot disclose further details at this moment.

Q9:

Will the LAAB proposed landscape enhancement be already constructed when the Pavilion is supposed to be built next year? If so, will there be more information shared about the design?

A9:

Please see the response to Q8.

DESIGN REQUIREMENTS

Q10:

Referring to P.8 of the "RE Tai Kok Tsui_Pavillion Open Call Brief.pdf"

2.4 TECHNICAL DESIGN REQUIREMENTS

"provide a robust and durable structure without the need for a foundation or deep-set structural elements"

Does this mean that any type of foundation work on the existing ground is prohibited? Or would one or two anchors in the existing ground remains an option?

A10:

Ground anchors are prohibited.

It is noted that the pavilion working area is multi-layered with cable, sewage, and underground utilities, the pavilion design should be lightweight and work with existing site conditions with minimal impact.

Given the diverse range of events that may be hosted in this space, an assembly method that is adaptable and can be easily dismantled and assembled, is highly encouraged.

JUDGING PROCESS

Q11:

Is the judging process a blind process? Will the names or any information of the participants be revealed to the members of the judging panel anytime before the final decision of the winner is made?

A11:

The judging process is a blind process. The judging panel will not know the names or any information of the participants before the final decision of the winner is made.

BUDGET & PRIZE

Q12:

Similarly, in section 2.5 Budget, it states that the budget ceiling is \$4,500,000, which includes a design fee of \$200,000. We would appreciate clarification on whether this design fee refers to the price for the winning team or if it represents the targeted cost for your team to engage a consultant team. This information is important for estimating the actual budget ceiling and determining the extent of design work to be proposed.

A12:

One winning entry selected by the judging panel collectively will be appointed as a Design Advisor to implement the winning design from concept through construction stages to completion.

A HK\$200,000 (50% awarded upon announcement of the winner and 50% awarded upon completion of the role of Design Advisor at the opening of the pavilion) is the prize for this competition's Winning Entry/Design Advisor, which is included in the overall Pavilion budget ceiling of HK\$4,500,000 accompanied by a Prize Certificate.

Q13:

Referring to P.8 of the "RE Tai Kok Tsui_Pavillion Open Call Brief.pdf"

2.5 BUDGET

(budget... including...) "Authorized Person (AP), Registered Structural Engineer (RSE), fire certificate and relevant fee and cost"

How is budget distributed in time (typical phases)? How is the payment of AP/RSE/Contractor consultancy, mock-up, etc. envisioned in time? And on what basis?

A13:

A budget estimation, allocation and breakdown of the overall Pavilion budget (ceiling of HK\$4,500,000) shall be indicated by the participant(s) along with their submission in "Annex 6 - Submission Form".

HKAC will take it as a reference for the construction tendering process and the whole project realisation process.

Q14:

Referring to P.9 of the "RE Tai Kok Tsui_Pavillion Open Call Brief.pdf"

2.5 BUDGET

"Inspection, clean up, maintenance and warranty during the Pavilion in-use and provide an option for a one-year warranty period for workmanship and materials in which the Participant is being commissioned;"*

What is clean-up involving?

A14:

General routine clean-up and post-event clean-up.

Q15:

Referring to P.9 of the "RE Tai Kok Tsui_Pavillion Open Call Brief.pdf"

2.5 BUDGET

"Site & Pavilion general inspection and maintenance every 3 months;"

"Insurance (employee compensation, public liability and contractors' all risks insurance with an indemnity limit of at least \$30,000,000 for designated locations per accident and unlimited during the period of insurance);"

*"*HKAC reserves the right to extend the display and warranty period beyond the commissioned period."*

Maintenance and warranty for one year period that might be extended? If so what about the contract/budget? Reviewed accordingly?

A15:

The Winning Design/Temporary Pavilion is intended to be displayed and in use for a year upon installation completion, however if HKAC extends the display period, the cost for the extension period will be additionally absorbed by HKAC out of the mentioned budget ceiling of HK\$4,500,000.

We encourage participants to consider a budget allocation of contingency for such purpose.

Please be reminded the dismantling, reinstatement and disposal costs shall be included in the mentioned budget no matter how long is the display period.

(Same practice for the warranty period.)

Q16:

Referring to P.8 of the “RE Tai Kok Tsui_Pavillion Open Call Brief.pdf”

2.5 BUDGET

“The budgeted amount is subject to the final amount as agreed in liaison with the Hong Kong Arts Centre.”

How is cost control made and by whom? What is the responsibility of the Design Advisor in case of unexpected conditions?

A16:

A budget estimation, allocation and breakdown of the overall Pavilion budget ceiling of HK\$4,500,000 shall be indicated by the participant(s) along with their submission in “Annex 6 - Submission Form”.

HKAC will take it as a reference for the construction tendering process and the whole project realisation process.

We encourage participants to consider a budget allocation of contingency for unexpected conditions.

SCOPE OF WORK / WINNING ROLE

Q17:

We would like to seek clarification on the role and responsibilities of the Design Advisor for the project. Specifically, we are unsure if the Design Advisor is expected to directly work on the tender package and detailed design drawings for the pavilion, or if your team will engage a separate consultant team while the Design Advisor remains in an advisory capacity.

A17:

One winning entry selected by the judging panel collectively will be appointed as a Design Advisor to implement the winning design from concept through construction stages to completion.

The Design Advisor and its role will be to provide technical drawings and material info describing the design intent to a contractor, and coordinate with the contractor throughout the construction period as well as coordinate with HKAC and the contractor regarding overall project cost and unforeseen site conditions.

Q18:

Referring to P.18 of the “RE Tai Kok Tsui_Pavillion Open Call Brief.pdf”

5.4 EXHIBITION AND PUBLICITY

“The commissioned pavilion will be installed at the agreed location and function for tentative-ly one year, or another period which HKAC considers appropriate”

What is the methodology of submission? TPPE, FSD, F&B, etc. submissions? Done by who?

A18:

As the organiser, HKAC will apply for a Temporary Places of Public Entertainment (TPPE) Licence for the Winning Design/the Pavilion with the info provided by the Design Advisor.

COPYRIGHT

Q19:

Referring to P.18 of the “RE Tai Kok Tsui_Pavillion Open Call Brief.pdf”

5.3 COPYRIGHT AND OWNERSHIP

“All concepts, designs or materials in any form of the Proposals, developed by the Participants, including any copyright or other rights in respect thereto, shall be the property of the Participant and HKAC.”

Does this apply to everyone who submit proposals to the competition or only to the commissioned participant? If this applies to everyone and HKAC co-owns all the submitted proposals, does it mean that HKAC has the right to use/realise any of the proposals somehow in the future in another context? Can the unsuccessful participants use or adapt their own design concept in future projects freely, or do they need to seek HKAC approval every time?

A19:

- **For the Winning Entry/Design/the Pavilion:** All concepts, designs or materials in any form of the Proposals, developed by the Participants, including any copyright or other rights in respect thereto, shall be the property of the Participant and HKAC. The Winning Party grants a license to HKAC, and its authorized users to take photos of, reproduce, use, keep records of, release, display, modify, translate and distribute any information in respect of the Proposals they submitted and the proposed Pavilion including but not limited to the text and images for documentation, public consultation, exhibition, press and media coverage, educational and publicity purposes through various forms of communication channels including online and in print. Such a license shall be royalty-free, irrevocable, non-exclusive, worldwide, perpetual, sub-licensable and freely transferable.
- The copyright and ownership of **any submitted proposal(s)** remain to its creator(s), HKAC may publicize (including but not limited to the text and images for documentation, public consultation, exhibition, press and media coverage, educational and publicity purposes through various forms of communication channels including online and in print) any proposals as mentioned above at any time with written consent from the creator(s) prior to the publicities.

Q20:

Referring to P.18 of the “RE Tai Kok Tsui_Pavillion Open Call Brief.pdf”

5.3 COPYRIGHT AND OWNERSHIP

“All concepts, designs or materials in any form of the proposals, developed by the participants, including any copyright or other rights in respect thereto, shall be the property of the participant and HKAC”

Is copyright/IP shared or sole property of Designer/Architect?

A20:

Please see the response to Q19.