



RULES FOR THE “VIARTES” PUBLIC ART COMPETITION

The ViaCatarina Shopping is an iconic business development located in downtown Porto, in the more traditional commercial area of the city, Rua de Santa Catarina. Its location, combined with a unique interior architecture and with a restaurant area that reproduces traditional Porto buildings, contributes to this Shopping Centre being highly appreciated by Porto residents and makes it a key location visited by tourists.

Inaugurated in September 1996, the ViaCatarina Shopping was the result of a major urban project. The building retained the iconic façade of the old main offices of the Porto newspaper “O Primeiro de Janeiro”. It is in an area of urban and architectural interest, without, however, having a “specific protection” like other buildings in its surroundings (such as, for example, the Bolhão Market).

Sierra Portugal, S.A., as managing company of this Shopping Centre, has been developing a policy of public art for the ViaCatarina Shopping that seeks not only to enhance the real estate assets, but also – and primarily – to make them a vehicle for promoting new conceptual, architectural and urban dynamics that improve the integration of the buildings into the space where they are located, transforming them, as much as possible, into more harmonious combinations of tradition and modernity.

Within the scope of the public art policy mentioned above, and similarly to what was done in the past six years (since 2014), Sierra Portugal S.A. intends to introduce a (new) brand of contemporaneity on the building façade, one that is more than a mere construction work, but also, in and of itself, a cultural event.

Thus, the 6th “VIArtes” competition is launched, seeking to create synergies fostering innovation, involving the Shopping Centre and the community of visual and/or digital artists, designers, architects, sculptors, among others, seeking, through their skills and creativity, to create an innovative development that showcases the presence of the Shopping Centre at Rua de Santa Catarina, in accordance with the rules presented below:

1. PROMOTING ENTITY

The “VIArtes” public art competition is promoted by Sierra Portugal, S.A., also designated in these Regulations as the Promoting Entity, with head office in Torre Ocidente, Rua Galileu Galilei, n.º 2, 3.º piso, parish of Carnide, municipality of Lisbon, registered at the Commercial Registry Office of Lisbon, under the single registration number and corporate tax number 502 142 324.

2. OBJECTIVES

The public art competition, which is the object of these Regulations, has as its main objective to find creative proposals and artistic projects that highlight the façade of the building of the ViaCatarina Shopping, either by using static or dynamic elements, using traditional or technological elements.

3. PARTICIPANTS

This competition is intended for all artists, namely visual and/or digital artists, sculptors, designers and architects, among others, of legal age, national or foreign, who must meet/consent to the following conditions:

- a) Applications may be submitted individually or as a group, with a maximum of 1 (one) application per participant;
- b) The admission of the contestants and of the projects submitted to the Jury for evaluation is the exclusive responsibility of said Jury, and is not subject to claims or appeals;
- c) Applications previously admitted in the editions of VIArtes carried out in 2014, 2015, 2016, 2017 and 2018 will be accepted as long as they meet all of the requirements present in this Regulation and provided they are submitted under the terms better described in paragraph 5 below;
- d) In the event that the Jury does not decide on a winner among the applications submitted for the 2020 edition (6th Edition), it may award the prize to an application that has been submitted in any of the previous editions, even if it has not been submitted in this edition, provided that the consent of the artist who submitted the application has been obtained;
- e) Participation in the competition entails the acceptance of these Regulations. The infringement of any provisions in these Regulations shall result in the immediate exclusion of the participant;
- f) Employees of the promoter and staff working at the ViaCatarina Shopping, thus providing work to the promoter, are not allowed as participants in this competition, regardless of the existence or absence of a labour contract between them and the promoter. Additionally, members of the jury of this or past editions are also not allowed as participants in this competition.

4. BRIEF

4.1. The projects submitted must:

- a) Comply with the total budget of €20,000.00 (twenty thousand euros), including: (i) the remuneration of the artist; (ii) all resources required for the design, production and

- implementation of the work on the façade of the ViaCatarina Shopping; (iii) insurance for the construction work, statement of responsibility for the installation and safety of the work while installed on the façade of the building. Invoicing is carried out as a rendering of services with a VAT rate of 23%. Thus, VAT is added to the amount of €20,000.00 (twenty thousand euros). Tax withholding of 16.5% is deducted from this amount;
- b) Demonstrate an innovative way of highlighting the presence of the ViaCatarina Shopping Centre at Rua de Santa Catarina, making it stand out from the surrounding façades;
 - c) Show the importance of the work, best described in paragraph 2 above, as an element of public art, relating to the location (aware of the fact that despite the present activity being that of a shopping centre, there is still the memory of “O Primeiro de Janeiro” newspaper in this location) and to the people for whom the work is intended, showing interaction with the visiting and resident communities;
 - d) Respect all Safety, Health and Environment procedures implemented in the Shopping Centre, with this evaluation being carried out by Sierra Portugal, S.A., who will later inform the candidate on any alterations needed to meet the requirements of this subparagraph d). The winner of the competition must present a Statement of Responsibility – regarding the construction works and the overall project – that complies with the legal safety requirements;
 - e) Contain all the information and contacts necessary for the implementation of the contract for the execution of the work, whose responsibility falls upon the author of the competition’s winning project.
- 4.2 On 28 (twenty-eight) October 2020 (Monday) at 3:00 p.m., a clarification session will be carried out at the Administration Office of the ViaCatarina Shopping for all interested parties and candidates, to explain the goals of the Competition and clarify any questions.

5. SUBMISSION OF APPLICATIONS

- 5.1. The applications shall be submitted on the website of the ViaCatarina Shopping via this link (<https://www.viacatarina.pt/viartes-2020-ficha-inscricao/>) from 10 (ten) October 2020 until 11:59 p.m. of 10 (ten) December 2020. No applications delivered in person, by post or email will be accepted.

5.2. Presentation of the works:

- 5.2.1. Each participant or group of participants may submit 1 (one) project;

5.2.2. Projects must be submitted in accordance with the following criteria:

- a) Visual and/or Digital Arts/Design/Architecture/Sculpture/other Project: graphical elements/drawings enabling visualizing the façade in 2D and 3D and with the details considered suitable for a better understanding of the project, with a maximum of 6 (six) A3-sized images, with a minimum resolution of 300 dpi, in PDF format. They should include representative images of the project and technical specifications;
- b) Descriptive Document (maximum of two A4 pages) in PDF format;
- c) Letter of application with text describing the author's intention and how he/she perceives his/her proposal concerns the location and the people, and a brief description of the nature of the work (recreational, contemplative or otherwise), in PDF format;
- d) Drawing of the front and lateral elevation of the ViaCatarina Shopping with the presented project, in DWG and PDF formats;
- e) Complete and detailed budget for the implementation of the work on the façade of the ViaCatarina Shopping; name and contact details of the supplier companies (potential suppliers); Statement of Responsibility for the work to be implemented (in the case of construction projects); work insurance and artist fee, in PDF format. The construction insurance concerns the period of installation of the work on the façade. The existence of insurance for works and assemblies covering the installation of the work must be ensured and encompass possible damages during said work. This insurance must be taken out by the artist and must also have Civil Liability coverage. After installation, the work will be covered by the insurance of Sierra Portugal, S.A.; and,
- f) In the case of a construction project: consent for the processing of the personal data of the issuer of the statement of responsibility of the work to be eventually implemented in the ViaCatarina Shopping, duly completed and signed by the data subject. This document can be found on this edition's official page and, if applicable, it shall be submitted with the remaining documents;
- g) Consent to the processing of his/her personal data, properly filled in and signed. This document can be found on this edition's official page and shall be submitted with the remaining documents mentioned in section 5.2.2.

5.2.3. Projects with the following characteristics will not be considered:

- a) Proposals for sound intervention that may be uncomfortable for residents or workers in buildings surrounding the ViaCatarina Shopping;
- b) Proposals that merely present nocturnal projections, since the work of art on the façade of the ViaCatarina Shopping will not be noticeable during the day;

- c) Proposals that use reflective materials whose sunlight reflections may cause damage or inconvenience to the front neighbours of the ViaCatarina Shopping;
- d) Proposals using materials with sharp edges at ground level (two metres high from the ground), as they can bring safety problems to those on the public road;
- e) Proposals that do not include an electrical project to ensure that the works of art or installations are lighted during the night.

5.3. Applications must comply with the provisions in points 5.1 and 5.2, with the Jury being allowed to reject applications that do not meet these requirements.

6. JURY

6.1. Applications will be evaluated by a jury consisting of:

- a) Professor José Guilherme Abreu – Representing CITAR – Catholic University of Porto;
- b) Architect Jorge Morgadinho – Managing Director at Sonae Sierra;
- c) Maria Augusta Martins – Representing the Municipal Council of Porto;
- d) Professor Sofia Ponte – Representing IADE – European University, in Lisbon;
- e) Ana Pinto – Representing Sierra Portugal, S.A.;
- f) Paulo Ramuni – Winner of the 5th edition of VIArtes.

6.2. The Jury shall act with complete independence and freedom of criteria, by a simple majority of the votes of its present members, on the choice of the 2 (two) (first prize and special mention, if the latter is assigned) proposals that simultaneously meet the criteria, present in section 9 below, and the available budget.

6.2.1. The representative of Sierra Portugal, S.A. holds the casting vote, having (i) the prerogative of deciding to exclude the chosen application should it, in his discretion, not meet appropriate parameters established by Sierra Portugal, S.A. (in terms of brand, safety, etc.) and (ii) the final decision, in the event of a tie, on the sole winning proposal in the competition.

6.3. The Promoter reserves the right not to choose a winner under the terms of this competition, should the Jury not recognise sufficient merit in the submitted projects, without the need to provide any reasons or grounds for doing so.

6.4. The Promoter reserves the right not to implement the winning project after a winner is chosen, without any need to justify its decision.

- 6.5. Jury members shall maintain secrecy on the participating projects and the identity of the applicants in the competition, which they obtain knowledge of in the course of their duties.
- 6.6. The Jury is sovereign in its decisions, which are not subject to claims or appeals.
- 6.7. In the event the Promoter requests adjustments in the proposals, in accordance with the provisions of paragraph 14.4 of these regulations, the candidate has 10 (ten) days to submit his/her duly updated proposal.
- 6.8. The Jury has 10 (ten) working days, until 18 December 2020 (Friday), from the date and submission of the projects to the Jury, to deliberate on the works submitted for its consideration.

7. REMUNERATION

Proposals selected by the Jury will receive an artist remuneration amount in accordance with the following:

- a) Winning proposal: the candidate will receive, as artist remuneration / creativity fee, which also includes the development and implementation of the work on the façade of the ViaCatarina Shopping, with all necessary materials and elements and with the statement of responsibility of the engineer certified by the Portuguese Chamber of Engineers concerning the implemented work (in case of construction work) the amount detailed in his/her proposal, up to the limit mentioned in subparagraph a) of section 4.1 above;
- b) The remuneration shall be delivered on presentation of an official accounting document (invoice-receipt) during the execution of the work, in instalments to be agreed between the promoter and the winning candidate;
- c) Up to 1 (one) honourable mention in the amount of €500.00 (five hundred euros) may be awarded.

8. RIGHTS

- 8.1. Sierra Portugal, S.A. will be the owner of the winning project, which, by decision of Sierra Portugal S.A., will or will not be implemented on the façade of the ViaCatarina Shopping. The winning candidate agrees to sign with Sierra Portugal, S.A. any legal acts which may be deemed necessary for the formalization of the work's purchase and sale, which is considered as a work made for hire detailed in article 14, paragraph 1, of the Portuguese Code of Copyright and Related Rights.

8.2. Sierra Portugal, S.A. is authorised to use images from all awarded/selected projects and any other elements collected within the scope of the competition for promotional/production actions, always listing the authors in order to ensure the attribution of authorship to each project.

9. EVALUATION CRITERIA

Final evaluation of the submitted projects is based on the following criteria:

- (a) Innovation, interdisciplinarity and technology (support);
- (b) Conceptual quality (artistic language);
- (c) Feasibility of implementation: not obstructing the façade's windows, not piercing the stone (the façade can be pierced only in the cement area), respecting the balcony irons (they can be covered as long as they are not damaged), not using the lamps as they belong to the municipality;
- (d) Originality in the engagement with the local community of Rua de Santa Catarina;
- (e) Prominence of the façade of the ViaCatarina Shopping in comparison with the remaining façades.

10. FINAL DECISION

The final decision shall be duly communicated to the candidate(s) via e-mail sent to the candidate(s) and posted on the Shopping Centre's website www.viacatarina.pt.

11. CONFIDENTIALITY

All candidates' strictly personal and professional information shall be treated with confidentiality by the Promoter, without prejudice to the situations specifically provided for in these Regulations.

12. PROTECTION OF PERSONAL DATA

The candidates must ensure that all information they provide is accurate and valid, and ensure full compliance with all applicable legal provisions, in particular, but without excluding others, those concerning the collection and processing of their personal data. The presentation and submission of the application shall be accompanied by the candidates' consent to the use, by the Promoter, for the purposes specified in the corresponding consents, under the terms and for the purposes laid down in article 13 of the General Data Protection Regulation [GDPR] (Regulation (EU) 2016/679 of 27 April 2016). The Promoter ensures the security and confidentiality of the personal information collected within the scope of this competition.

13. PROMOTION

The promotion of the competition shall be carried out through various methods, specifically with the media; specialised press; internal networks of the Shopping Centre, and on ViaCatarina Shopping's website and Facebook page.

14. FINAL PROVISIONS

- 14.1. Participants guarantee to the Promoter that they are the creators of the projects submitted to the competition and that these do not infringe any copyrights of third parties.
- 14.2. The authors pledge to the Promoter to bear the payment of any monetary compensation and/or indemnification that may be awarded, in or out of court, to third parties due to the infringement of copyright arising from a project submitted to the competition or any other rights that said third parties may claim.
- 14.3. Authors are also obligated to indemnify the Promoter for any losses or damages resulting from the infringement of copyright of third parties arising from a project submitted to the competition, including the compensation for costs incurred by the Promoter for the potential change in the project that said infringement may require.
- 14.4. Submitted projects may require corrections suggested by the Department of Architecture of Sierra Portugal, S.A. and/or demanded by the City Council of Porto (in order to protect the façade), these changes being communicated to the candidates of the selected proposals and with the revision of said projects being mandatory in accordance with what is communicated. No prize shall be given to any proposals that, even if selected as finalists, do not meet this requirement.
- 14.5. Sierra Portugal, S.A. reserves the right to veto any supplier suggested by the candidate, in favour of the portfolio of suppliers of Sierra Portugal, S.A.
- 14.6. All issues not provided for in these Regulations shall be subject to the decision of Sierra Portugal, S.A., together with the other members of the Jury.
- 14.7. Employees of Sierra Portugal, S.A., and/or elements of the competition's jury may not compete in this competition, in accordance with the provisions described in detail in subparagraph 3f) above.

15. COMPETITION CALENDAR

- 1) Launch of the competition and start of the delivery period from – 10 (ten) October 2020 (Saturday);
- 2) End of the application submission period – 10 (ten) December 2020 (Thursday);

- 3) Jury deliberation – 8 (eight) January 2021 (Friday);
- 4) Communication of the result – 20 (twenty) January 2021 (Wednesday);
- 5) Artist remuneration and Inauguration of the work – until 31 (thirty-one) May 2021 (Monday).

16. CLARIFICATIONS

All information regarding the contest, these rules, the application form, and images of the elevation and façade of the ViaCatarina Shopping will be available on the ViaCatarina Shopping website: www.viacatarina.pt. Other requests for clarification should be made in writing, via e-mail info@adm.viacatarina.pt and will be answered the same way, as soon as possible, within the following hours: Monday to Friday from 9:00 a.m. (nine o'clock in the morning) to 6:00 p.m. (six o'clock in the afternoon).

The promoter assumes no responsibility for any information requests that, for IT reasons or for reasons associated with the operation of the corresponding digital platforms, are not received by it or are not in the suitable/convenient format for their reading and processing.

Porto, 10 October 2020.