

**digital
& street
furniture
call for
project**

Regulations

JCDecaux

Stereolux

 Nantes
Métropole

1 Background

This call for projects, launched by JCDecaux and Stereolux/SONGO in conjunction with Nantes Métropole, is the point at which the worlds of digital art, street furniture and public spaces meet. It forms part of the innovation dynamic driven by the region in 2017 under the contract with its partner JCDecaux to provide street furniture in the region.

The purpose of this call for projects is to select two artistic projects intended to be produced and temporarily presented on JCDecaux touch screen displays installed in the city of Nantes.

As a key element of the urban landscape, street furniture offers new creative and experimental opportunities within the city.

As part of their partnership, JCDecaux and the region want to create an opportunity to encourage design and innovation in order to help create the city of tomorrow.

2 Purpose

This call for projects aims to offer an artistic, sensory approach to street furniture by incorporating artistic creations in interactive street furniture with screens.

As such, interested artists (hereinafter the 'Applying Artists') are invited to submit, under the terms stated in these Regulations, their artistic projects (hereinafter the 'Projects') to be produced with a view to displaying them on JCDecaux street furniture installed in the city of Nantes during four consecutive weeks planned for April and/or May 2019. That display period may change due to technical, legal, administrative or other restrictions, including those involved in installing structures - even temporarily - in public.

Two artistic projects will be selected for production and display under the terms of these Regulations.

Each of those two projects will be displayed on two interactive terminals (hereinafter the 'Screens') supplied by JCDecaux and which remain its property, with the exact locations being decided with the winning artists (hereinafter the 'Winning Artists') within the following two zones: the core historical city centre (demarcated by the following squares: Bouffay, Royale, Graslin, Feydeau/Commerce) and the Nefs and Parc des Chantiers sector.

3 Conditions & eligibility

3.1

The competition is open to all artists over eighteen (18) years old working the digital, video, design, architecture, etc. sectors, excluding permanent and temporary employees and staff of the organising companies and civil service bodies who participated in executing the call for projects, and their respective immediate families (parents, children and spouses).

Any Applying Artists who have not fully proven their identity, contact details or references or who have provided them incorrectly, inaccurately, fraudulently or misleadingly will be disqualified.

3.2

The Project can be submitted by an individual or by several people (group or collective).

When a project is by more than one person, all of the artists in the group or collective are hereinafter called by the term 'Applying Artist' or 'Winning Artist'.

3.3

The project must take the form of an original artwork built into the Screens.

4 Application file

Each Applying Artist must complete the online form available from 19 September 2018 on the Stereolux website, at the following address: www.stereolux.org/ANMU.

Furthermore, each Applying Artist must compile an **application file** in French or English (eight (8) pages maximum including pictures, video links and/or any other visual media supporting the artist's application), which must include the following elements:

- A **detailed curriculum vitae and presentation of the general artistic approach** (website, book, file) of the artist/s or group (.pdf).
- An **illustrated statement of artistic intent** (four (4) pages maximum + images) in which the Applying Artist expresses his/her motivation by sharing the Project's spirit and direction (.pdf).
- **Specifications** (description, diagram, list of technical equipment) (.pdf).
- A detailed **production schedule** that complies with the schedule stated in the call for projects (.pdf).

Any multimedia elements (audio, video, etc.) should be directly included in the Project presentation file via web links. The choice of host platform for that multimedia content is up to the Applying Artists (Vimeo, YouTube, etc.), and is their responsibility.

With the application file, each Applying Artist is required to draw up a detailed forecast budget that must use the budget matrix provided (.pdf). The Applying Artist can attach an explanation to the budget if required.

The application file and detailed forecast budget must be sent in .pdf format (no other format will be accepted) and named as follows:

Example:
PROJECT_NAME_application_file
PROJECT_NAME_budget

The application file and budget must be emailed to the following address:
appelaprojets@stereolux.org

The application is effective once Stereolux/SONGO receive the completed online application form, application file and detailed forecast budget. Confirmation of receipt will be sent to the Applying Artist at the email address entered on the form once the application is received.

Applications close on **20 October 2018**. No applications will be accepted after that date.

All incomplete files will be rejected.

Once submitted, the application files and budgets cannot be modified.

5 Innovative implementable solutions

Each Winning Artist will be provided with two Screens on which up to two display and interactivity solutions can be installed from those listed below (either one (1) different technology on each Screen, or the same two (2) technologies on both Screens). The practical and mechanical feasibility of installing it will be confirmed following discussions with the engineers during the feasibility review as noted on the schedule.

Please contact Thibault Leduc (@thibault.leduc@jcdecaux.com) for further information regarding the main characteristics of the street furnitures and their technologies. A confidentiality agreement with JCDecaux has to be signed in order to receive the technical file of the project.

List of available solutions for innovations:

LIVE CONTENT:

- Touch screen or standard screen (touch-games require special configuration): website page
- Final website displayed on the screen which updates in real time (internet connection required): the Winning Artist will develop and provide the finished website. Hosting requirements will be provided by JCDecaux during the feasibility review.

INTERACTIVE CONTENT:

- Games (Dominoes or Space Invaders) with gamepad via smartphone: the smartphone becomes the controller for playing.
- Movement and expression sensors: the content is adapted according to the detected criteria (subject to authorisation by CNIL).
- Distance sensor: triggers content when someone walks past or manages effects that

alter the content depending on the viewer's distance from the Screen.

- Audio system speaker (subject to broadcast authorisation for the display area).

Sensors will be incorporated in line with the Winning Artist's directions and JCDecaux's design and technical feasibility study.

These solutions and technology will be solely used for the artistic purposes in this experimental project. No data will be collected.

Adhesive vinyl stickers will be installed on both sides of the Screens. The design of these stickers is not the responsibility of the Winning Artists; they will be created by the call for projects organisers. They will be as discreet as possible to avoid impairing the artists' Projects.

On the back of the Screens, incorporated in the adhesive vinyl stickers, will be a border with written details of the Projects' description provided by the Winning Artists, as well as background information about the call for projects provided by JCDecaux, Stereolux/SONGO and Nantes Métropole. The wording of those borders will be decided in collaboration with the Winning Artists.

The graphic designs and content development (including web development) will be produced by the Winning Artist at his/her own cost and responsibility. Guidelines on content features compatible with the display and interaction systems will be provided to Applying Artists by JCDecaux in the practical example descriptions appended to these Regulations.

6 Screen demonstration

Screens will be made available at Stereolux's offices at 4 boulevard Léon Bureau in Nantes on 8 and 9 October 2018.

These open days are intended to enable anyone wanting to apply for this call for projects to come discover and test the Screens, and ask JCDecaux staff any technical or administrative questions they may have regarding the design and creation of their Projects.

Therefore one Screen will be made freely available on 8 October 2018 from 2pm to 5pm and on 9 October 2018 from 10am to 12.30pm.

A JCDecaux technical team will be present on 9 October from 2pm to 5pm for two 1.5 hour sessions in order to answer any technical questions from interested people.

To take part in these discussions, you must register using the form (available at www.stereolux.org/ANMU) and select the session of your choice. A confirmation email will be sent a few days before the session date, to the email address entered on the form.

7 Selecting the winning projects

After studying the applications, a judging panel of representatives from the entities sponsoring the call for projects, namely Stereolux/SONGO, JCDecaux and Nantes Métropole, will select two winning Projects according to the following technical and artistic criteria:

- Quality and innovative or original character of the artistic proposal
- Technical and financial feasibility of the proposed project in terms of the budgetary criteria set out in these Regulations
- Relevance of incorporating the Project in the Screens

- Relationship with the urban space and inhabitants (interaction/porosity with the public)
- Adherence to the schedule: ability of the Project to be displayed on the dates stated in these Regulations
- Ability to make the most of the technical systems provided in the Screens

The judging panel's decision cannot be disputed and does not require justification.

8 Winning project production terms

8.1

The winning Projects will be jointly produced by JCDecaux and Stereolux/SONGO, in conjunction with Nantes Métropole.

Stereolux/SONGO will take on the role and responsibilities of executive producer for the winning Projects. As such, Stereolux/SONGO will coordinate and track the creation of those Projects, both in terms of budget and artistic work.

8.2

All Applying Artists agree, should they win, to produce the Project as presented in the application file and under the terms set out in the call for projects, namely adhering to the stated budget and schedule.

8.3 PRODUCTION BUDGET

8.3.1 A total budget allowance of €20,000 excl. tax has been allocated to this call for projects. That allowance is divided as stated below.

8.3.2 Each of the two winning Projects selected by the judging panel will be allocated a budget of €6,000 excl. tax to produce the Project and transfer the resulting rights.

This budget includes:

- Artistic costs, including paying the Winning Artist and transferring his/her rights over the Project
- Any equipment purchase costs specifically related to the Project, in addition to the Screens provided by JCDecaux
- Costs related to the Winning Artist hiring service providers to assist on certain specific points of the Project (computer, electronic, etc.)
- More generally any costs, other than those directly paid by Stereolux/SONGO and JCDecaux, involved in the technical and artistic production of the Project as well as the transfer of the rights required to use it.

This budget will be paid to each of the two Winning Artists, who will take sole responsibility for paying all of the aforementioned costs and expenses from that amount and obtaining all of the related authorisations.

Furthermore, each of the two Winning Artists will take responsibility for using that amount to pay the fees and taxes in the country of which he/she is a tax resident.

8.3.3 In addition to the budget defined above, Stereolux/SONGO will directly pay the cost of the two Winning Artists' transport and accommodation for the time required to design and produce the Projects and for their official unveiling, up to a total amount for the two Winning Artists combined of eight thousand euros excluding tax (€8,000 excl. tax).

This allowance of €8,000 excl. tax will be directly managed by Stereolux/SONGO, who will take sole responsibility for making all decisions relating to it.

8.4 TECHNICAL EXPERTISE

Without prejudice to the preceding text, JCDecaux and Stereolux/SONGO, in partnership with Nantes Métropole, may provide the Winning Artists with their technical expertise in order to assist and advise them in the various Project production phases.

As such, the Winning Artists will be supported, under the terms set out in the appendix of these Regulations, by JCDecaux's technical teams to help integrate their Projects in the Screens, and by Stereolux/SONGO to produce their Projects.

The Winning Artists must take into consideration the recommendations and advice provided by JCDecaux and/or Stereolux/SONGO.

The finalised Projects will be integrated in the Screens by the JCDecaux team.

9 Schedule for call for projects

Applications close: 20 October 2018

Final selection of projects and announcement of winners: 26 November 2018

Production and completion: 26 November 2018 to 20 February 2019 (provisional dates)

Provisionally:

2018

- 28-30/11 - Technical framework: discussions between the Winning Artists and JCDecaux engineers about the possibility of integrating interactive features according to the Screen location conditions (orientation in relation to sensor operating limits, etc.)
- 3-17/12 - Storyboard: during this period, each Winning Artist must create a storyboard for the interactivity and type of content he/she wants to build into the Screen.
- 18-19/12 - Feasibility: Following these phases, a feasibility study will be carried out with JCDecaux engineers on those two briefs (2 per Winning Artist) in order to confirm and commit to creating the content.

2019

- 2-14/01 (9 days) - Winning Artists design the content according to the guidelines agreed with Stereolux/SONGO and JCDecaux. JCDecaux orders equipment.
- 15-23/01 (7 days) - Software configured with the delivered content (JCDecaux).
- 24/01 (1 day) - Review of functionality before integrating mechanical elements. Functionality and content suitability confirmed.
- 24/01-01/02 (7 days) - Prototyping and integrating mechanical elements in the screen (JCDecaux)
- 04-08/02 (5 days): Testing (JCDecaux)
- 11/02 (1 day) - Creation reviewed on a demo model with each Winning Artist.
- 12-14/02 (3 days) - Corrections and improvements following testing (JCDecaux and Winning Artists).
- 15-18/02 (2 days) - Testing in a representative setting (JCDecaux)
- 19/02 (1 day) - Final review of the demo model with each Winning Artist.
- 20/02 (1 day) - Operational prototype presented with the Projects (Stereolux, JCDecaux and Winning Artists).

Screen installation in public space phase: provisional date between 20 Feb. and 10 Apr. 2019
Live - Four consecutive weeks in April and/or May 2019 (provisional dates).

10 Granting of intellectual property rights

10.1 OVER THE PROPOSED PROJECTS

10.1.1 By submitting an entry to the call for projects, Applying Artists grant Stereolux/SONGO and/or JCDecaux and/or Nantes Métropole the non-exclusive right to reproduce and present the documents (sketches, drawings, images, etc.) included in the application file, regardless of their form or media, as well as the right to reproduce and present the title of the proposed Project.

- By 'reproduce', we mean the right to copy or have copied the aforementioned elements and/or Project title in a tangible form, in full or in part, identical or not, including adaptations and translations in all languages, forms and formats, by any process and on any media, whether currently known or unknown when this document was produced.

- By 'present', we mean the right to create or authorise the communication to the public, by any process, of the aforementioned elements and/or Project title, in full or in part, identical or not, including adaptations and translations in all formats, by any means and communication processes, whether currently known or unknown when this document was produced.

These rights to reproduce and present are granted exclusively in order to manage the applications, communicate the results and communicate about the call for projects and/or Stereolux/SONGO and/or JCDecaux and/or Nantes Métropole and/or their businesses.

These rights are granted for the entire world and for the legal intellectual property rights protection period as defined in the French Intellectual Property Code, including any extensions.

Granting these rights does not hinder Applying Artists from communicating about their participation in this call for projects, subject to all communications including the names of the entities sponsoring the call for projects: Stereolux, JCDecaux and Nantes Métropole.

10.1.2 Furthermore, by submitting an entry to the call for projects, Applying Artists:

- grant Stereolux/SONGO and/or JCDecaux and/or Nantes Métropole first rights to exclusivity in relation to the Project's creation and public presentation. Should the Applying Artist not be a Winning Artist, this right will expire on the date the winning projects are announced.

- hereby agree that, should they be a Winning Artist, they will create the Project as proposed, adhering to the terms set out in their application file and these Regulations.

10.2 REGARDING WINNING PROJECTS

10.2.1 By submitting an entry to the call for projects, Applying Artists hereby agree that, should they be a Winning Artist, they will grant Stereolux/SONGO and/or JCDecaux and/or Nantes Métropole the intellectual property rights over their winning Project and its title so that:

- the Project can exclusively be created and publicly presented in Nantes on the Screens during the planned period

- promotion and communication about the Project, Stereolux/SONGO and/or JCDecaux and/or Nantes Métropole or their businesses can take place, anywhere in the entire world, for the full legal copyright protection period, according to the exclusivity terms below:

- From the application date until the Project's public presentation period in Nantes: exclusive rights

- Following the end of the Project's public presentation period in Nantes: non-exclusive rights

This granting of rights, which will be formalised in a separate contract to be signed by each Winning Artist, namely involves the right to reproduce, present, digitize and adapt all or

part of the Projects, by any currently known or unknown means, methods and processes.

The price of these granted rights is expressly included in the sum awarded to the Project as defined above.

10.2.2 It is agreed that the granting of rights discussed in 10.2.1 above will not hinder each Winning Artist from using the Project, even commercially, at his/her own costs and responsibility, after the public presentation period in Nantes.

The artist's attention is drawn to the need to respect the rights of third parties when using the Project, namely in relation to their intellectual property rights, image rights and personal data-related rights.

In any case, the names of the entities sponsoring the call for projects must be mentioned whenever the Project is used, in this form:

"A joint production by JCDecaux, Stereolux and Nantes Métropole"

10.3

Regarding the elements directly or indirectly provided by JCDecaux to Applying Artists and/or Winning Artists, JCDecaux will/may share with Applying Artists and/or Winning Artists information that is not in the public domain, namely information on innovative projects in progress at JCDecaux. JCDecaux retains ownership of the intellectual property rights attached to any such information provided to the Artists. Any improvements on those elements that may be connected to them and which were produced during this call for projects will be the property of JCDecaux.

Any information provided by JCDecaux to Applying Artists and/or Winning Artists will be kept confidential by those parties until October 2022.

11 Guarantee

By submitting an entry to the call for projects, Applying Artists expressly guarantee to Stereolux/SONGO, JCDecaux and Nantes Métropole that the Project, and consequently the drawings, plans, sketches and other documents provided in the application file bear no similarity or resemblance that could infringe the rights of any third party, nor contain any element that might harm a third party.

By submitting an entry to the call for projects, Applying Artists expressly guarantee to Stereolux/SONGO, JCDecaux and Nantes Métropole that they themselves are the exclusive owners of all of the granted rights as defined in point 10 of these Regulations. The Applying Artists expressly hold harmless Stereolux/SONGO, JCDecaux and Nantes Métropole against any claim, lawsuit or complaint by any person who believes they have rights to claim in this regard.

12 Personal data

Stereolux/SONGO, JCDecaux and Nantes Métropole are the data controllers and will implement automatic processing of personal data in order to manage applications for the call for projects, communicate the results of the call for projects, communicate regarding the call for projects and display the Winning Artists' Projects.

In their application file, Applying Artists are informed about the collecting and processing their personal data by those controllers for the specific purpose of this call for projects, as stated in these Regulations.

Personal data is collected in the application file. The following information is provided:

- For individual applications: Full name, address (street, post code, town, country), email address, telephone, website URL.

- For group applications: Full name, address (street, post code, town, country), email address and telephone of the contact person + group name, legal structure of the group, group address, group website URL + full name and address of every person involved in the Project.

Submitting an application for this call for tenders requires the applicant to agree to their aforementioned personal data being collected and processed. All Applying Artists will be invited to give their express consent to the processing of their collected personal data, as part of their application, by ticking a box in the application file with all relevant information provided about their right to access, correct and erase their personal data.

Access to Applying Artists' data is strictly restricted to the employees and agents of SONGO-Stereolux/SONGO, JCDecaux and Nantes Métropole, who are authorised to process that data as part of their job. Those employees and agents are bound by a confidentiality clause and can only use the data in accordance with these provisions and those in applicable legislation.

With that proviso, Stereolux/SONGO, JCDecaux and Nantes Métropole will not sell, hire, transfer or give third parties access to Applying Artists' data without their prior consent, unless bound to provide it for a legitimate reason (legal obligation, combating fraud, exercising defence rights, etc.).

Stereolux/SONGO, JCDecaux and Nantes Métropole will only collect and process the personal data provided by Applying Artists for the purposes strictly required for managing the applications, communicating the results of the call for projects and displaying the Winning Artists' projects.

The data will be stored for a period of one (1) year from the application date, unless Applying Artists exercise their right for their data to be erased under the conditions set out below or if a longer data storage period is mandatory under a legal or regulatory obligation.

For the entire data storage period, Stereolux/SONGO, JCDecaux and Nantes Métropole will take all useful measures, given the nature of the data and risk presented by its processing, to protect the confidential nature and security of that data, and namely to ensure they are not erased, altered, damaged or accessed by a third party.

In accordance with the amended French Data Protection Act of 6 January 1978 and European Regulation no. 2016/679/UE of 27 April 2016 (applicable from 25 May 2018), Applying Artists have the right to access, correct and erase the personal data held about them, the right to data portability and the right to restrict processing. Applying Artists can also dispute the processing of their personal data, for legitimate reasons.

That right can be exercised at any time, subject to identification, by emailing:

appelprojets@stereolux.org or by posting a letter to: Stereolux/SONGO, 4 boulevard Léon Bureau, 44200 Nantes, France.

For any further information or to lodge a complaint, Applying Artists can visit www.cnil.fr to contact CNIL (the French National Commission for Information Technology and Civil Liberties)

13 Contract

Each of the two Winning Artists will sign a contract with JCDecaux and Stereolux/SONGO setting out the terms of their participation and

the stakeholders' commitments in accordance with these Regulations.

14 Limitation of liability

14.1

The entities sponsoring the call for projects reserve the right to disqualify any participant who impairs the call for projects' smooth running and to cancel, shorten, modify, postpone, extend or suspend the call for projects in the event of an unauthorised intervention, fraud, technical anomalies and any other cause that affects the administration, security, fairness, integrity and smooth running of the call for projects.

The entities sponsoring the call for projects will do their best to enable the winning Projects to be installed and displayed on the Screens. At any time, namely for legal, technical, update, maintenance, inventory, security and safety reasons, they may interrupt access to the Screens. Under no circumstances can they be held liable in this regard and no compensation can be claimed.

Furthermore, the entities sponsoring the call for projects cannot be held liable in the event of transport issues or the loss of emails or posted letters.

14.2

Applying Artists use the services on Stereolux's website as is, at their own risk.

Stereolux/SONGO in no way guarantees that the offered services will operate continuously, nor does it guarantee ongoing access to its website.

Stereolux/SONGO cannot be held liable, namely due to any inconvenience or damage inherent in using the internet, including service disruptions, external intrusions, computer virus, fraudulent use and any other external event that may affect Stereolux/SONGO's website.

However, Stereolux/SONGO agrees to make every effort to secure the access, viewing and use of its website in accordance with internet usage policies.

Applying Artists' attention is drawn to the fact that, given the characteristics and limitations of the internet:

- Anything downloaded by Applying Artists or obtained in any other manner while viewing the website is done under their own responsibility and at their own risk.
- Applying Artists are solely liable for any damage suffered by their computer, regardless of cause, and/or all data lost after downloading anything or viewing the website.
- Applying Artists are responsible for taking appropriate measures to protect their data and/or software, namely from contamination through the website by a virus circulating on the internet.
- Applying Artists are solely responsible for taking the necessary measures to ensure their equipment's technical specifications enable them to view the information shown on the website, including specifications required to optimise technical performance and response times while viewing, querying and transferring information.
- Applying Artists are solely responsible for using the information given on the website.

15 Agreement

By submitting an application for this call for projects, Applying Artists are deemed to have unconditionally accepted these Regulations.

Failure to comply with these Regulations will result in the automatic disqualification of the offender.

The entities sponsoring the call for projects have sole authority to rule on all questions relating to the application of these Regulations and all questions that may be asked but which are not covered by them. These decisions cannot be appealed.

16 Complaints and disputes

These Regulations are written in French and subject to French law.

They are available in English for non-French speaking applicants.

In the event of issues interpreting or applying these Regulations, Applying Artists will first contact Stereolux/SONGO to seek an amicable solution.

Failing that, any disputes relating to the creation, validity, interpretation or application of this contract will be brought before the relevant courts under the jurisdiction of the Rennes Court of Appeal.

Should any of the clauses in these Regulations be deemed null and void, this will not affect the remaining clauses. If a clause is deemed null and void, all of the remaining clauses will remain in full force and effect.

Nantes, 14 September 2018