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EXPLANATION OF TENDER DOCUMENTATION NO. 2

Dear Sir or Madam,

on behalf of the contracting authority, Charles University, ID No.: 002 16 208, with registered seat at Ovocný trh 560/5, 116 36 Praha 1, in connection with the negotiated procedure with prior publication of above-the-threshold public contract called "RUK - SBZ - Nové varhany pro Velkou aulu Karolina (RUK SBZ – New Organ for the Great Hall of Carolinum)", ev. No. VVZ Z2019-019439, we provide an explanation of the tender documentation following the request received by the contracting authority on 1 July 2019.

Question :

„In the tender documenation "10.1 General rules on proof of qualification" there is listed:

- extract from the Criminal Records Register*
- confirmation of tax arrears of foreign economic operators*
- confirmation of insurance arrears and social security penalties and a contribution to the state employment policy for foreign economic operators*

The following wording can be found in the following text: "In order to simplify the preparation of the requests to participate, the contracting authority provides the economic operators with a draft of an affidavit.

Is it correct that we do not have to submit the above-mentioned documents in quelification phase because we confirm it by affidavit?"

Explanation of the contracting authority:

According to Part 10 of the tender documentation, the economic operators may use the affidavit (the draft is attached as Annex No. 4 to the tender documentation) to prove their basic and professional qualifications as well as the fulfilment of the economic qualification and the technical qualification requirements. Thus, the economic operators can in the qualification phase prove all the qualification by the affidavit.

According to Part 21 of the tender documentation, the economic operator shall be required to submit the originals or certified copies of documents attesting to its qualification documents before concluding a contract.

The contracting authority emphasizes that in the qualification phase, it is sufficient to submit:

- a) documents proving fulfilment of the basic and professional qualifications and of the economic and technical qualifications (see Annex No. 4 to the Tender documentation);

- b) any other documents required by the Tender documentation (in particular documents resulting from the submission of a joint request to participate or from the proof of a part of the qualification by another person).

The contracting authority also emphasizes that in the tender phase, the preliminary bid submitted by the economic operator must be in electronic form and must include at least:

- a) a cover sheet of the preliminary bid (including any annexes) (according to Annex No. 1 of the Tender documentation);
- b) supplemented annexes to the binding draft of the contract (according to Annex No. 3 of the Tender documentation);
- c) any other documents, at the discretion of the economic operator, for which there was no space in the preceding parts of the bid.

The final bid submitted by the economic operator must be in electronic form and must include at least:

- a) a cover sheet of the bid (including any annexes) (according to Annex No. 2 of the Tender documentation);
- b) supplemented annexes to the binding draft of the contract (according to Annex No. 3 of the Tender documentation), if they have been supplemented or modified as a result of negotiations with the contracting authority;
- c) any other documents, at the discretion of the economic operator, for which there was no space in the preceding parts of the bid.

As the contracting authority has not changed the tender specifications together with the explanation of the tender documentation, the contracting authority does not extend the time limit for submitting requests to participate.

In Prague on 2 July 2019

JUDr. Csaba Csorba, attorney-at-law

HAVEL & PARTNERS s.r.o., advokátní kancelář,

Contracting authority's representative for procurement activities