



EVROPSKÁ UNIE
Evropské strukturální a investiční fondy
Operační program Výzkum, vývoj a vzdělávání



The contract is part of the project “Improvement of infrastructure for the study program Musical Arts at JAMU”, project registration number: CZ.02.2.67/0.0/0.0/16_016/0002246, which is co-financed from the Operational Programme Research, Development and Education.

TENDER DOCUMENTATION - CALL FOR TENDERS

for the small-scale public contract awarded outside of an award procedure pursuant to Act No. 134/2016 Coll., Public Procurement Act, as amended

“Fortepiano of original instruments by Anton Walter”



1. Preamble

Janáček Academy of Music and Performing Arts in Brno, registered office at Beethovenova 650/2, 662 15 Brno, Company ID Number: 62156462 (hereinafter referred to as the “contracting authority” or “JAMU”), is the contracting authority of the small-scale public contract awarded under the procedure pursuant to JAMU internal regulation No. 6/2016, on public contracts, outside of an award procedure pursuant to Act No. 134/2016 Coll., Public Procurement Act (hereinafter referred to as the “Act”).

The contracting authority notes that although it refers to the provisions of the Act in this tender documentation, this public contract is not awarded under the procedure pursuant to the Act, as stated above, and therefore the contracting authority proceeds pursuant to Section 31 of the Act.

This public contract is awarded electronically via the certified electronic tool E-ZAK available at <https://zakazky.jamu.cz>. All acts between the contracting authority and contractor and communication concerning the award procedure are carried out electronically via the digital tool E-ZAK, unless stipulated otherwise below.

The contracting authority informs the contractor that it is necessary to perform and complete contractor registration in order to make full use of the options offered by the digital tool. Before completing registration, each contractor is obliged to check their contact data and correct or supplement them. The contractor is always liable for the accuracy of their contact data and the due and timely takeover of electronic correspondence sent by the contracting authority via the digital tool.

All the conditions and information concerning the digital tool for awarding public contracts by the Janáček Academy of Music and Performing Arts in Brno, including information about the use of electronic signatures, is available at:

<https://zakazky.jamu.cz/data/manual/EZAK-Manual-Dodavatele.pdf>

https://zakazky.jamu.cz/data/manual/QCM.Podepisovaci_applet.pdf

The following annexes are an integral part of the tender documentation:

- Annex No. 1 - Specification of the subject of the public contract (list of individual technical requirements, which must be met by the tenders, including the contracting authority's requirement to complete the data needed to assess and evaluate the tender)
- Annex No. 2 - Tender cover sheet
- Annex No. 3 - Business Terms and Conditions - binding text of the contract
- Annex No. 4 - Specimen contractor's affidavit on proof of qualifications

2. Contracting authority's identification data

Name:	Janáček Academy of Music and Performing Arts in Brno
Registered office:	Beethovenova 650/2, 662 15 Brno, Czech Republic.
Legal form:	legal entity, public university pursuant to Act No. 111/1998 Coll., on universities, not entered in public registers
Authorised person:	JUDr. Lenka Valová, Registrar
Company ID No.:	62156462



EVROPSKÁ UNIE
Evropské strukturální a investiční fondy
Operační program Výzkum, vývoj a vzdělávání



"Fortepiano of original instruments by Anton Walter "

Tax ID Number: CZ62156462
Contact person: Ing. Miroslav Šlégl, e-mail: slegl@jamu.cz
Contact person in technical matters: Prof. Barbara Willi Ph.D., e-mail: willi@jamu.cz
Contracting authority's profile: <https://zakazky.jamu.cz/>

3. Classification of the subject of the public contract

Based on the subject (Section 14 of the Act), it is a public contract for deliveries.

Based on the expected value (Section 27 of the Act), it is a small-scale public contract.

Name	CPV
Keyboard instruments	37311000-1

4. Expected value of the public contract

The expected value of the public contract is **CZK 1 461 000 excl. VAT**.

5. Definition of the subject of the public contract

The subject of the public contract is the delivery of 1 fortepiano of original instruments by Anton Walter, see the technical specifications which form Annex No. 1 to this documentation.

6. Division of the public contract into parts

The public contract cannot be divided into parts.

7. Place and expected term of performance

The place of performance is: JAMU, Hudební fakulta, Komenského nám. 609/6, 662 15 Brno.

The contractor is obliged to deliver the subject of the public contract within 36 months from signing the contract.

8. Inspection of the place of performance

An inspection of the place of performance is not required to perform the public contract or compile the tender, hence it is not conducted.

9. Contractor qualification requirements

The contracting authority requires that the tenderers be authorised to operate business in the scope corresponding to the subject of the public contract, not be in liquidation, not be the subject of insolvency proceedings and not be unreliable VAT payers in the meaning of Section 106a of Act No. 235/2004 Coll., on value added tax.

The tenderer proves the fulfilment of qualification requirements by submitting an affidavit, from the content of which it is clear that it meets the qualification requirements (the tenderer may use the specimen of the affidavit in Annex No. 4).



The contracting authority also requires the participant to prove through the list of realized deliveries that he has delivered at least 1 piece of Fortepiano of original instruments by Anton Walter to a public institution or performer in the past 10 years.

Before concluding the contract, the contracting authority reserves the right to invite the selected contractor to submit originals or certified copies of documents proving the fulfilment of qualification requirements, if they were not submitted in the original tender.

10. Requirements and recommendations for compiling the tender

The tender must contain the following documents and parts, which the contracting authority recommends arranging as follows:

- Cover sheet
- Documents proving the fulfilment of qualification requirements - submitting an affidavit, see Appendix 4 and overview of realised deliveries
- Potential other data the tenderer wishes to provide

The contracting authority does not cover the tenderers' costs for compiling tenders and participating in the contract award procedure.

The contracting authority requires that in the case of a hardcopy tender, the tenderer include a CD containing the complete tender scan in an unlocked form (e.g. MS Office, Open Office or .pdf).

The contracting authority does not return the tenders to the tenderers.

11. Tender period

The tenderers are bound by their tenders for 90 days; this period begins on the day after expiry of the deadline for submitting the tenders.

12. Variant tenders

The contractor precludes variant tenders.

13. Requirements for processing the tender price

The tender price refers to the **total price for performance of the subject** of this public contract. The tenderer stipulates the tender price by appraising the subject of performance described in Art. 5 of this tender documentation in Czech korunas.

The tender price will be stated in the Cover sheet of the tender.

A contractor who is not a VAT payer will specify the tender price only as the final amount; this amount will be the subject of evaluation. If such tenderer is awarded the contract, they will be paid only this amount, even if they do become a VAT payer later.

The tender price is always specified as the price excluding VAT, VAT in the lawful amount as at the date of submitting the tender and the price including VAT.

Tenderers from EU and other countries must express the price including VAT, even if they do not pay VAT, because they must take into account the valid legislation in the Czech Republic.



14. Tender format

Tenders may be submitted by the following means:

- a) **Electronically** via the electronic tool E-ZAK, which is available at <https://zakazky.jamu.cz>, or
- b) in **hardcopy** format in duly sealed enveloped labelled with the **name of the public contract** and “Public contract tender - DO NOT OPEN”, delivered to the contracting authority’s registered office before the expiry of the deadline for submission of tenders. The address to which a notice on submission of the tender after expiry of the deadline for submission of the tenders can be sent must be specified on the envelope.

The tender must be compiled in the Czech, Slovak or English language; documents on education may also be submitted in Latin.

Each contractor may submit only one tender.

The contracting authority requires that tenders submitted jointly by several tenderers contain a consortium agreement as an annex to the draft contract. This agreement must bear the signatures of the authorised persons of all the participants in the joint tender.

15. Deadlines and place for submitting the bid

The tender must be submitted at latest **by 13th December 2017 by 9:00 o’clock**.

tenders in electronic format are submitted via the contracting authority’s certified electronic tool EZAK available at <https://zakazky.jamu.cz>.

Tenders in hardcopy format may be submitted by post or in person on working days from 8:00 o’clock until 15:00 o’clock. Tenders will be accepted by Ing. Miroslav Šlégl. The tender is delivered at the moment of its delivery to the contracting authority.

Tenders delivered to the contracting authority after the stipulated deadline will not be opened. The contracting authority does not return tenders that were delivered late and leaves them attached to the public contract documentation.

16. Evaluation criteria and manner of evaluating tenders

The contracting authority stipulates the economic advantageousness of the bid as the evaluation criterion for awarding the public contract, which will be evaluated according to the **lowest tender price**. The contracting authority shall decide on selection of the best tender from the tenderer whose tender contains the lowest tender price according to the evaluation criteria of economic advantageousness.

Within the framework of the evaluation criterion, the contracting authority will evaluate the total tender price in CZK incl. VAT (VAT equal to 21%). The best tender is the tender with the lowest tender price in CZK incl. VAT.

17. Business terms and conditions

The business terms and conditions are stipulated by the binding text of the contract, which is part of this tender documentation as Annex No. 3 - Binding text of the contract. The business terms and



conditions stipulated by the contracting authority for this award procedure are binding for the tenderer. This does not prevent the tenderer from requesting explanations to the tender documentation or filing objections against this tender documentation.

The contracting authority **does not require a draft contract to be submitted** in the tender.

18. Explanations to tender documentation

The tenderer is authorised to request explanation of the tender documentation on the tender conditions from the contracting authority. The written request must be delivered in writing to the contracting authority at least 4 days before expiry of the deadline for submitting tenders, via the electronic tool E-ZAK.

A request that was delivered to the contracting authority by the stipulated deadline, sent via the electronic tool E-ZAK or in hardcopy format to the contracting authority's address, shall be considered delivered.

The contracting authority shall public the explanation of the tender documentation or related documents via the electronic tool E-ZAK at latest within 2 business days from delivery of the request.

The contracting authority shall also provide the explanation of the tender documentation (without identification of the inquirer) to all the other tenderers via the electronic tool E-ZAK.

The contracting authority may provide the contractors with explanations to the tender documentation even without prior request. The contracting authority shall provide them via the electronic tool E-ZAK.

19. Cancellation of the award procedure

The contracting authority is authorised to cancel the public contract at any time until concluding the contract. If the contracting authority cancels the public contract, the tenderers have no claims vis-a-vis the contracting authority.

The contracting authority reserves the right to cancel the award procedure for the public contract in particular if it has not been allocated the necessary fund, in particular if it does not obtain a subsidy from the Operational Programme Research, Development and Education, or if there were fundamental changes in the market resulting in the economic inefficiency of the required subject of performance.

The contracting authority shall inform all the tenderers who submitted a tender by the standard deadline for submission of tenders immediately about the cancellation of the award procedure via the electronic tool E-ZAK.

20. Other information for tenderers

The contracting authority shall publish notice about the submission of a late tender, decisions on exclusion of the tenderer, decision on selection of the best tender, and explanations to the tender conditions of the public contract on its contracting authority profile.

The contracting authority does not require the payment of a security deposit.



The tender is not entitled to the compensation of expenses related to its participation in the award procedure. The tenders are not returned to tenderers and remain a part of the documentation on awarding the public contract.

If there is a change in the data specified in the tender in the period before concluding the contract with the selected tenderer, the contractor is obliged to inform the contracting authority of this change in writing without undue delay.

The tenderers take into account that pursuant to Section 2(e) of Act No. 320/2002 Coll., on financial inspection, as amended, the selected tenderer will be a party obliged to cooperation in the execution of financial inspection. This obligation also concerns those parts of the tenders, contracts and related documents which are subject to protection under special legal regulations (e.g. business secrets, confidential information), under the condition that the requirements imposed by legal obligations (e.g. Section 11(c) and (d), Section 12(2)(f) of Act No. 552/1991 Coll., on state inspection, as amended) are fulfilled. The tenderers take into account that the selected contractor is obliged contractual to bind its subcontractors to a similar obligation.

In the contract, the tenderer shall undertake to allow all entities authorised to conduct inspection of the project, from whose resources the delivery is paid, to conduct an inspection of the documents related to the performance of this project, for the period stipulated by Czech legal regulations for their archiving (Act No. 563/1991 Coll., on accounting, and Act No. 235/2004 Coll., on value added tax) and to archive the documents related to this contract for this period.

21. Provision of tender documentation

The tender documentation is provided free of charge, via unrestricted and direct remote access in full scope from publication of the call for tenders at the contracting authority's profile at the address: <https://zakazky.jamu.cz>.

22. Annexes to the tender documentation

The following annexes are an integral part of the tender documentation:

- Annex No. 1 - Specification of the subject of the public contract
- Annex No. 2 - Tender cover sheet
- Annex No. 3 - Business Terms and Conditions - Binding text of the contract
- Annex No. 4 - Specimen contractor's affidavit on proof of qualifications

Brno dated 28 November 2017

.....
Ing. Josef Vinkler
Head of the Technical and Investment
Department