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Profile of the contracting authority

Officer: Ing. Kateřina Richterová

Telephone: +420 599 443 018

Email: krichterova@ostrava.cz

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EXPLANATION OF TENDER TERMS CONDITIONS No. 3
TENDER FOR THE SOLUTION OF “CITY OF OSTRAVA’S CONCERT HALL”

- 1. Please, explain the following. The Explanation of the Tender Terms and Conditions No. 1 says that the acoustic expert must present two reference projects, but the enclosed document with instructions on how to format the portfolio says that the acoustic expert has to provide three reference projects. Please, confirm that only two reference projects by the acoustic expert are necessary.**

The Ordering Party refers, in relation to the presented question by the contractor, the Explanation of the Tender Terms and Conditions No. 2 of the 11th of September 2018, Paragraph 9.

- 2. The Application should include a “simple copy of the Extract from the Commercial Register” and a “simple copy of the Extract from the Trade Register” which seem to be the same documents i.e., in both cases we would call this interpretation as the Company Registration Certificate. Please, indicate how the documents should be different. Just for the reference – our Company has got its Headquarters in UK where we have just a single Company Registration Certificate.**

The Ordering Party requires, Paragraph 4.3.2 in the Tender Terms and Conditions, that the Application for participation includes, among others, a “*simple copy of the Extract from the Commercial Register or from some other similar register if some other legal regulation requires this kind of registration*” and a “*simple copy of the Extract from the Trade Register or from some other similar register if some other legal regulation requires this kind of registration*”.

The Commercial Register in the Czech Republic is a public register registering data related to entrepreneurs and required by the law like, for example, the name, the official address, the subject of the business, etc. The Trade Register includes the data related to the trade operations like, for example, the subject of the business, the business kind, the data on business places, etc.

The above-mentioned documents – the Extract from the Commercial Register and the Extract from the Trade Register and others serve to the contractor as the proof of his or her professional abilities, according to the provisions in § 77 in the Act No. 134/2016 Coll. on the assignment of public orders as amended. However, the Paragraph 3 in this law provision allows that the documents proving the professional ability do not have to be submitted by a contractor if the legal regulations in the country, in which his or her official address is located, do not require such professional ability. In such situations, the contractor presents to the Ordering Party his or her Statutory Declaration saying that the legal regulations in the country of his or her official address do not require a similar professional ability and he or she, as the foreign contractor, is not objectively able to present the

required documents. However, if a similar registration exists in the country of the official address of the foreign contractor, he or she is obliged to submit a simple copy.

3. Must the portfolio include Resumes of the authorised architect and of the acoustic expert/engineer who worked on the referenced works?

No, the portfolio should not include Resumes of the authorised architect and of the Project Officer, who prepared the acoustics for the referenced orders, according to the Tender Terms and Conditions. The presentation of the referenced orders related to the requirements in 4.1.1 (f, g) in the Tender Terms and Conditions would be enough. The contractor should, however, present a testimonial by the client of one of the presented referenced orders. Other requisites and the portfolio form are free. However, the Ordering Party recommends that the preparation should follow the specimen considered as the material *P.12 Portfolio specimen*.

4. Could you, please, clarify if the acoustic engineer should present two references, as mentioned in Paragraph 4.1.1 (g) in the Tender Terms and Conditions, or three ones as mentioned in the Portfolio specimen?

The Ordering Party refers, in relation to this question by a contractor, the Explanation of the Tender Terms and Conditions No. 2 of the 11th of September 2018, Paragraph 9.

5. Is it necessary to present the name and/or the Resume of the acoustic engineer, who worked on each of the referenced orders, or would a name of the Company/organisation be enough?

In the case of the Project Officer, who prepared the acoustics, his or her identification data (see Paragraph 3 in this Explanation and the Paragraph 16 in the Explanation of the Tender Terms and Conditions No. 2 of the 11th of September 2018) would be enough.

6. We would like to ask, in relation to the announced architectonic tender on the Concert Hall in the City of Ostrava, if a local architectonic studio might submit its Application for participation independently with a foreign acoustic team and, at the same time, also another separate Application for participation as the Czech partner of a foreign architectonic firm.

The Ordering Party wishes to say, in relation to this presented question, that a contractor can submit just only one Application for participation within this Tender and it is irrelevant that the first Application for participation would be submitted independently and the second one as a joint one (in an association) with some other contractor (see also Paragraph 10 in the Explanation of the Tender Terms and Conditions No. 2 of the 11th of September 2018).

With best regards,

Ing. Eva Sebořská
Manager, Department
of public orders and capital participations