

Contracting Authority:

Ústav jaderné fyziky AV v ČR, v. v. i.
Husinec - Řež, čp. 130, 250 68 Řež
Czech Republic
ID No.: 61389005

Attorney:

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**Tender Documentation clarification No. I pursuant to Sec. 98 of Act No.
134/2016 Coll., on Public Procurement, as amended (the “PPA”)**

In Prague on May 3rd, 2024

Public procurement procedure for supplies in above-the-limit regime to be contracted in open proceedings: **Photomultipliers for ECAL@HADES - FAIR III**, reg. No.: Z2024-016382.

Question No. 1

„We received the information about the tender for Photomultipliers for ECAL@HADES – FAIR III.

We are currently screening paperwork and are preparing the required documents.

My first question is about the power of attorney.

There is no template or draft for it. But I found one in our archive from the last tender in 2018.

Should we just send the same thing with an updated signature? Or what is your preferred procedure for the power of attorney?

Also back a few years, the required official documents, such as the extract from several registers, caused some headaches because of their language and notarization.

Please kindly advise about the required form of these documents:

As a German company these documents will come from the respective agencies in German language. Do you need a translation or notarization for Czech Rep?

Will it be enough to scan and upload them? Do you need the originals in paper form?”

Answer No. 1

The Contracting Authority does not require or provide a template for the power of attorney. You are therefore free to use any power of attorney you consider appropriate, including re-using the power(s) of attorney(s) from previous tender(s) if they have not been revoked. If a power of attorney is missing, or if it is provided but does not appear to be sufficient, the Contracting Authority may ask you to provide a new power of attorney in addition, as is the case with any other qualification document.

However, depending on the purpose for which you intend to use the power of attorney, you may not need to submit one with your bid. Only a power of attorney authorising the representative to submit the bid or to sign the contract if it is submitted or signed by someone other than the statutory body of

the supplier should be submitted in the bid. This is the only type of "power of attorney" to be submitted with the bid in accordance with Article 6.1.1 (b) of the Tender Documentation. It is not necessary to include a power of attorney for obtaining qualification documents from the Czech authorities in the bid, as this power of attorney itself is neither required to be included nor sufficient to replace these documents, and these documents will be required from the selected supplier only after the bid has been submitted and evaluated.

In case of documents in German language, translation into Czech or English language is required, as stated in Article 5 of the Tender Documentation. A simple translation is sufficient. Notarisation is not required for the documents submitted in the bid, as stated in Article 4.2.1 of the Tender Documentation. The Contracting Authority does not need the originals in paper form. Scanning and uploading the documents should be sufficient at this stage.

Sincerely,

Mgr. Jan Dudák, attorney
i.s. JUDr. Karel Zuska, attorney
HOLEC, ZUSKA & PARTNEŘI advokátní s.r.o.

On behalf of:
Ústav jaderné fyziky AV v ČR, v. v. i.