



**Explanation of the Procurement Documents No. 1
related to the public contract**

“System for sampling solid brake emissions”

Name of the Contracting Authority	VSB - Technical University of Ostrava
Registered office of the Contracting Authority	17. listopadu 2172/15, 708 00 Ostrava–Poruba
Business ID No. of the Contracting Authority	61989100
Person authorised to act for the Contracting Authority	prof. Ing. Igor Ivan, Ph.D., Rector
Profile of the Contracting Authority	https://zakazky.vsb.cz
Contact person	Mgr. Eva Burdová
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Dear Sir/Madam,

the Contracting Authority, in accordance with the provisions of Part III of the Procurement Documents and pursuant to Sections 98 and 99 of Act No. 134/2016 Coll., on Public Procurement, as amended (hereinafter referred to as the “**Act**”), hereby provides this explanation, amendment or supplement to the Procurement Documents.

The explanation, amendment or supplement to the Procurement Documents is provided by the Contracting Authority in the same manner as the Procurement Documents for the public contract was provided, i.e., by publication on the Contracting Authority’s profile.

Request for clarification of the Procurement Documents dated 12 December 2025

Question:

Hello Mrs. Burdová,

My name is XXX from XXX, and I am currently working on your tender for VSB. While reviewing your documents, several questions have arisen that I would like to clarify in order to avoid any formal errors that could lead to disqualification. I would therefore appreciate your support with the following points:

1. **P1:** In the section “*Sampling system manufacturer and type designation*”, should we list our own designation (i.e., XXX – *note: the Contracting Authority omitted the type designation of the inquirer’s equipment*) or the designation provided by our supplier?
2. **P2 V.1:** Since we are offering from Germany to the Czech Republic, we will provide our price as a net amount. We do not know the final gross price. Should we indicate 0% VAT and repeat the same net amount as the gross amount?
3. **P2 3.:** Should we use our German tax number as our *Business ID No.*? Some documents also request the *Business ID*, which we would normally understand as the entry in the commercial register. Could you please clarify what exactly is required?
4. **P5:** What is the exact definition of a subcontractor in this context? We purchase many components from various suppliers and assemble them into a complete system/solution. At what point is a company simply considered a component supplier, and at what point does it qualify as a subcontractor under the meaning of this contract?

5. **PO 4.1.4.:** We will also upload our extract from the German commercial register. The tender documents state that it must be issued *"no later than 3 months prior to the date of initiation of the procurement procedure."* Could you please clarify whether the document may be submitted in German, or whether an English translation is required? If a translation is necessary, would an online translation be sufficient, or do you require a certified/official English translation?

Thank you very much in advance for your assistance. Please let me know if any additional information is required.

Answer:

Regarding Question No. 1

The contractor shall indicate in Annex 1 to the Procurement Documents – Technical Specification the information on the manufacturer and the type designation under which the equipment (as a whole or its essential part) is marketed.

Regarding Question No. 2

The Contracting Authority confirms that the price of the performance will be stated in the contract exclusively as the price excluding VAT. In response to this question, the Contracting Authority amends the wording of Article V, paragraph 1 of the Business Terms and Conditions (draft contract), which forms Annex 2 to the Procurement Documents, as follows:

*The total price of the Performance specified in Art. II and in Annex No. 1 of the Contract has been agreed in the amount of **[TO BE ADDED BY THE TENDERER] CZK excluding VAT. The applicable VAT rate shall be added to the total price of Performance excluding VAT.***

The Contracting Authority provides the amended Business Terms and Conditions as Annex 1 to this Explanation of the Procurement Documents 1 (P2_Obchodni_podminky_Business_Terms_Conditions_CZ_EN_EXP1.docx).

Regarding Question No. 3

"Business ID No." in the context of this public contract refers to the number under which the company is registered in the Commercial Register. In Annex 3 – Tender cover sheet and in other annexes to the Procurement Documents, the contractor shall also indicate its tax identification number in the field "VAT No.".

Regarding Question No. 4

A subcontractor for the performance of the public contract is a person through whom the selected contractor fulfils its obligation; in other words, for the purposes of the public contract, a third party is considered a subcontractor only if it performs a part of the contract instead of the selected contractor.

Conversely, any third party that merely supplies goods or services to the selected contractor but does not directly participate in the performance of the public contract towards the Contracting Authority (typically suppliers of materials and components from which the equipment is assembled by the selected contractor) is considered only a supplier.

Regarding Question No. 5

In accordance with Section 45 of the Act and paragraph 4.9. of the Procurement Documents, documents issued in a language other than Czech, English or Slovak shall be submitted together with a translation into Czech or English. A simple/machine translation is sufficient.

Annexes:

Annex 1 – modified Business Terms and Conditions

In Ostrava on the date of electronic signature

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Mgr. Eva Burdová
public procurement specialist