

1. Must all members of consortium have a valid certificate of the quality in accordance with ISO (point 3.5.3 of tender documentation)?

Answer in Czech: Nikoliv. Při podání společné nabídky několika dodavateli sdruženými v konsorciu platí ustanovení § 51 odst. 5 a 6 zákona, tj. technické kvalifikační požadavky, mezi něž certifikát ISO patří, prokazují všichni dodavatelé společně. Stačí tedy, když tento předpoklad prokáže aspoň jeden člen konsorcia. Viz bod 3.1. Obecné požadavky zadavatele na prokázání kvalifikace str. 9 ZD uprostřed.

Answer in English: No, they needn't. If the subject-matter of the public contract is to be performed jointly by several suppliers and they submit or intend to submit a joint bid to that effect, the legal regulation of the Section 51, subsection 5 and 6 of the Act (Technical Qualifications Prerequisites including ISO certificate) is hold. According to this, a fulfilment of technical qualifications required by the contracting authority shall be proved by all suppliers jointly. It means, that at least one member of the partnership must fulfil the required ISO certification.

2. Can be a Czech institution one of the suppliers that submit a joint bid for International Audit?

Answer in Czech: Ano. V tomto smyslu nemůže zadavatel dodavatele resp. uchazeče nijak omezit. Přístup k plnění veřejné zakázky mají všechny subjekty EU stejný. Zadavatel je povinen zachovat dle ust. § 6 zákona rovný a nediskriminační přístup ke všem potenciální dodavatelům či uchazečům.

Answer in English: Yes, a Czech institution can participate as a member of consortium. In this regard, the contractor can not restrict the supplier. The access to the fulfilment of the public contract must be the same for any subject from all EU countries. The contractor is obliged to maintain equal and nondiscriminational access to all potential suppliers or providers (Section 6 of the Act).