

Faculty of Arts, Masaryk University Instruction No. 2/2019

ADMINISTRATION OF PURCHASES

(as amended with effect from 7 June 2021)

In accordance with Article 12 of the Organizational Regulations of the Faculty of Arts, Masaryk University, I issue the following instruction:

Section 1

Introductory provisions

This instruction is intended as an instruction for all employees involved in the implementation of purchases at individual academic and non-academic workplaces of the Faculty of Arts, Masaryk University (hereinafter referred to as the "FF MU").

Section 2

Basis of the Regulation

- (1) The FF MU manages public funds when procuring supplies or services and is one of the obligatory entities - contracting authorities under Act No. 134/2016 Coll., on Public Procurement, as amended (hereinafter referred to as the "Act"). The FF MU is further governed by [Masaryk University Directive No. 10/2015, Rules for Public Procurement](#) (hereinafter referred to as the "MU Directive").
- (2) The law requires contracting authorities to take into account the principles of socially responsible procurement, environmentally responsible procurement and innovation (hereinafter referred to as "socially responsible procurement") when awarding public contracts where this is possible given their nature and purpose. The application of these principles is governed by [the methodological sheet of the Public Tender Office of the Masaryk University Rector's Office](#) (hereinafter referred to as the "RMU PTO").
- (3) At the same time, the Faculty is obliged to publish all contracts with a value of performance exceeding CZK 50,000 excluding VAT in the Register of Contracts in accordance with Act No. 340/2015 Coll., on Special Conditions for the Effectiveness of Certain Contracts, the Publication of Such Contracts and on the Register of Contracts.

Section 3

Purchase administration process

- (1) In accordance with the obligations imposed by the regulations referred to above, staff shall distinguish the following categories in the administration of supplies and services:
 - a) the Public Procurement Act regime - supplies and services from the estimated value of CZK 2,000,001 excluding VAT and above:
 - are entered by the Faculty through the electronic tool E-ZAK,
 - are handled by the procurement administrator (or Faculty lawyer), large and specific deliveries are then handled by the RMU procurement

manager. The Faculty Bursar will decide on the specific method of implementation.

- the workplace provides assistance, but the procurement process is carried out as described above,
 - the contract is published in the Register of Contracts;
- b) outside the regime of the Public Procurement Act - the so-called small-scale contract, up to the value of CZK 2,000,000 excluding VAT:
- subject to the MU Directive, which further divides contracts by value into:
 1. contracts from CZK 500,000 excluding VAT and above:
 - are entered by the Faculty through the electronic tool E-ZAK,
 - are handled by the procurement administrator (or Faculty lawyer), specific deliveries are then handled by the RMU procurement manager,
 - the workplace provides assistance, but the procurement process is carried out as described above,
 - the contract is published in the Register of Contracts;
 2. orders up to 499,999 CZK excluding VAT:
 - according to the MU Directive, it is not necessary but they can be entered via the electronic tool E-ZAK,
 - if not procured via E-ZAK, the selection of the supplier must be captured in the market survey (even if the contract is not subject to the law due to its value, all purchases must be transparent, non-discriminatory, respect the principle of proportionality, and take into account the principles of socially responsible procurement), the market survey is conducted using a form according to the model in the annex to this instruction;
 - i. for supplies and services with a value of CZK 50,001 excluding VAT and above:
 - the related performance of the supply or service must always be carefully considered and the relationship with the supplier should be governed by a written contract; if in doubt, consult the procurement administrator (or lawyer),
 - once this issue has been resolved, a market survey must be carried out in accordance with the template in Appendix 1 to this Instruction,
 - the purchase itself must be made by means of an order accepted by the supplier (uniform form for the entire FF MU according to the model in Appendix 3 to this instruction),
 - the contract or order accepted by the supplier is published in the Register of Contracts,
 - the financial performance of the Faculty and the performance of the supplier cannot take place before the contract or the order accepted by the supplier is published in the Register of Contracts, and the tax documents issued by the supplier must correspond to this fact;
 - ii. for supplies and services up to 50,000 CZK excluding VAT:
 - the possible need to contract the order due to the specificity of the supply/service must be considered,
 - if a contract is not required, a market survey (as per the template in Appendix 2 to this instruction) must be carried out,

- the purchase itself must be made with an order created in the Magion Enterprise resource planning system,
 - it is not necessary to carry out market research in situations where the cost of its implementation exceeds the value of the supply or service to be purchased, taking into account the principle of efficiency, effectiveness and proportionality; such value is usually considered to be an amount of CZK 10,000 excluding VAT,
 - written justification of the principles of socially responsible procurement need not be implemented with regard to the principles of effectiveness, efficiency and proportionality,
 - the contract or order accepted by the supplier is not published in the Register of Contracts.
- (2) In cases where the supply or service is acquired within the framework of a project (subsidy), the relevant model form according to the Appendix to the instruction, supplemented with project data and logos, if any, will be used to capture the market research, in accordance with the publicity rules of the given programme or subsidy provider. At the same time, the purchaser is obliged to consult with the FF MU Office for Research and Development on the need to carry out market research even in values lower than those specified in this instruction.
- (3) The sample market research forms capture the evaluation of three different offers. This number is the minimum required. If necessary, the department may evaluate more offers obtained through the market survey. A lower number of bids is permissible for products and services supplied by fewer suppliers or in situations where a supplier has not made a bid and the product or service is not supplied by another supplier not yet approached.
- (4) The model market survey forms capture the evaluation according to the lowest price criterion excluding VAT. This is the most common method of evaluation. The workplace has the possibility to evaluate tenders according to other objectively determined criteria. Under the assumptions set out in the [RMU PTO methodological sheet](#), the department is obliged to apply the principles of socially responsible procurement.
- (5) In order to evaluate tenders, objectively measurable technical conditions must be established. These need to be set in a definite but not discriminatory manner for a particular product.

Section 4

Final provisions

- (1) I authorise the FF MU lawyer to interpret the individual provisions hereof.
- (2) Compliance with this Instruction will be inspected by the Head of the FF MU Finance Office.
- (3) This Instruction will come into force upon signature.
- (4) This Instruction will come into effect on 7 June 2021.

signed electronically
Ing. Ivo Jurtík
Faculty Bursar

Annexes: [1 Sample form for market research from CZK 50,001](#)
[2 Sample form for market research up to CZK 50,000](#)
[3 Sample order form with supplier acceptance](#)