



Cracow, date: 10.09.2021

**ANNOUNCEMENT
REGARDING THE INTENTION TO CONDUCT
PRELIMINARY MARKET CONSULTATIONS**

SECTION I: COMMISSIONING PARTY

I.1) NAME AND ADDRESS:

Agencja Rozwoju Miasta Krakowa Spółka z ograniczoną odpowiedzialnością (Development Agency of the City of Cracow, Limited Liability Company) based in Kraków, Królewska 57 Street, post code: 30-081.

I.2) COMMISSIONING PARTY TYPE:

The company is registered in the District Court for Kraków-Śródmieście in Kraków, 11th Commercial Division of the National Court Register No. KRS 0000779952, NIP: 6751698978, REGON: 382850573, share capital: PLN 283,857,000.00

I.3) A CONTACT PERSON CONDUCTING PRELIMINARY MARKET CONSULTATIONS:

Wojciech Kochan, telephone number: 601 430 990, e-mail: wojciech.kochan@armk.pl

SECTION II: SUBJECT OF THE PRELIMINARY MARKET CONSULTATIONS

II.1) NAME GIVEN TO THE INITIAL MARKET CONSULTATIONS BY THE COMMISSIONING PARTY AND SPECIFICATION OF THE SUBJECT AND THE SIZE OR SCOPE OF THE PLANNED ORDER:

Purchase, delivery, assembly and service of organs with two rear choir organ manuals for the Krakow Music Center, along with obtaining knowledge about the estimated value of the subject of the consultations.

The preliminary description of the planned subject of the contract is included in **Annex No. 1 to this Announcement.**

II.2) TYPE OF THE PLANNED ORDER:

Delivery.

II.3) PLANNED SUBJECT OF THE CONTRACT IN ACCORDANCE WITH THE NOMENCLATURE OF THE COMMON PROCUREMENT VOCABULARY (CPV) :

II.4) ESTIMATED VALUE OF THE PLANNED ORDER (excluding VAT):

The commissioning party is not currently in a position to estimate the value of the planned procurement, and therefore this issue is one of the objectives of these consultations.

II.5) PLANNED DATE OF NOTIFICATION OF THE PUBLIC CONTRACT AWARD PROCEDURE:

The planned date of notification of the public contract award procedure depends on the result of initial market consultations and financial possibilities, but it is planned for the fourth quarter (Q4) of 2021 or the first quarter (Q1) of 2022.

II.6) COURSE OF ACTION:

Awarding a public contract, in accordance with the provisions of Art. 132 of the Public Procurement Law, is planned in the form of an open tender proceedings or other procedure provided for by law, adjusted to the estimated amount of the contract obtained.

II.7) PLANNED DATE OF COMPLETION OF THE PUBLIC PROCUREMENT CONTRACT:

The commissioning party is not able to currently determine the planned date of completion of the public procurement contract, and therefore this issue is one of the objectives of this consultation.

II.8) REQUIREMENTS FOR POTENTIAL CONTRACTORS:

- 1) The Contractor who wants to take part in the consultation is required to demonstrate the implementation of at least 2 deliveries, including the installation of new organs with two rear choir organ manuals or, alternatively, the reconstruction or renovation of organs with two rear choir organ manuals or the reconstruction or renovation of historical instruments, or the construction of instruments in historical sound styles or restoration of historic organs during the last 10 years before the deadline for submitting forms for participation in consultations,
- 2) It is required for the Contractor to demonstrate the availability of people capable of performing the contract, i.e. at least two people, each of whom participated in at least two completed projects, including the reconstruction or renovation of organs in concert venues with more than 600 seats or the delivery and installation of new organs in concert venues above 600 seats.

SECTION III: PRELIMINARY MARKET CONSULTATIONS

III.1) LEGAL BASIS:

Art. 84 of the Act of September 11, 2019. Public procurement law (consolidated text: Journal of Laws of 2021, item 1129)

III.2) PURPOSE OF THE INITIAL MARKET CONSULTATIONS:

- a) consultation along with the provision of all information, according to the best knowledge and experience of the consultation participants, to the extent necessary for the correct, i.e. detailed and precise preparation and definition of the description of the subject of the contract, the content of the contract terms and conditions, including the conditions for participation in the procedure, evaluation and comparison criteria of offers, completion date and provisions of the contract template, ensuring the observance of the principles of fair competition and equal treatment of potential contractors;

- b) consultation and provision of information allowing for the correct estimation of the value of the subject of the contract;
- c) consultation regarding the possible division of the contract into parts or the inadmissibility of such division;
- d) consultation in the creation of an analysis of needs and requirements, in accordance with the requirements of art. 83 of the Public Procurement Law;
- e) additionally, the commissioning party expects consultation participants to:
 - 1. provide consultation and advice on the warranty and service of the device,
 - 2. provide consultation and information allowing the correct definition of solutions and technical parameters.

III.3) RULES OF PARTICIPATION IN PRELIMINARY MARKET CONSULTATIONS:

1. CONDITIONS OF PARTICIPATION IN THE PRELIMINARY MARKET CONSULTATIONS:

The condition for participation in the preliminary market consultations is the submission of:

- a) The declaration of readiness to participate in preliminary market consultations in accordance with the template set out in **Annex no. 2 to the Announcement**, i.e. Declaration of readiness to participate in preliminary market consultations Form,
- b) The statement (**Annex to the Declaration of readiness to participate in preliminary market consultations Form**), confirming that the Contractor has completed at least 2 deliveries, including the installation of new organs with two rear choir organ manuals, or the reconstruction or renovation of organs with two rear choir organ manuals, or the reconstruction or renovation of historical instruments, or building instruments in historic sound styles or restoring historic organs in the last 10 years before the deadline for submitting forms for participation in consultations,
- c) The statement (**Annex to the Declaration of readiness to participate in preliminary market consultations Form**) confirming that the Contractor has at his disposal people capable of performing the contract, i.e. at least two people, each of whom participated in at least two completed projects including the reconstruction or renovation of organs in concert venues with more than 600 seats or delivery and installation of new organs in concert venues with more than 600 seats,
- d) A completed and signed questionnaire for entering preliminary market consultations concerning the purchase, delivery, assembly and service of **organ with two rear choir organ manuals (Annex no. 5 to the Announcement)**

2. NUMBER OF PARTICIPANTS IN PRELIMINARY MARKET CONSULTATIONS:

All Entities / Contractors meeting the conditions specified in point III.3) 1 of the Announcement may participate in the preliminary market consultations. However, the commissioning party does not provide invitations to the next stages of preliminary market consultations for all notified Entities / Contractors.

3. JOINT ENTITIES:

- a) Two or more entities acting jointly (consortium) may participate in preliminary market consultations, taking into account the provisions of Art. 58, 59 and 60 of the PPL.

b) In the case of submitting an application for participation in consultations by Contractors jointly applying for the award of the contract (consortium), the authorised representative of the consortium is the Contractor (consortium leader) or a natural person or a legal person authorized by the consortium members. The representative in question remains in contact with the Commissioning Party. The Awarding Entity shall consider all statements of the authorized representative as binding for all Contractors submitting a joint application. It is not allowed for any of the Contractors to jointly apply for participation in market consultations in more than one group of Contractors jointly applying for participation in market consultation. It is also unacceptable for any of the Contractors jointly applying for participation in market consultations, at the same time an individual application and as part of a group of Contractors jointly applying for participation in market consultation. Partners of a civil law partnership are treated as Contractors submitting a joint offer.

4. FORM OF PRELIMINARY MARKET CONSULTATIONS:

The commissioning party envisages conducting the consultations in question in stages:

Stage I - written (obligatory) - consisting of completing and submitting declarations and documents described in point III.3) point 1 lit. from a) to d),

then, the Commissioning Party, after reading the content of the submitted statements and documents, provides for the possibility of

Stage II consisting of the oral or written continuation of consultations in the event of further questions or doubts of the Commissioning Party, subject to the provisions of § 8 of the Regulations of preliminary market consultations and regulations provided below in point III.4 of this Announcement.

Stage III: Completion of preliminary market consultations.

III.4) ORGANIZATIONAL PLAN OF THE PRELIMINARY MARKET CONSULTATIONS:

1. STAGE 1: APPROVAL OF APPLICATIONS OF PARTICIPANTS OF THE PRELIMINARY MARKET CONSULTATIONS AND THE COMPLETED QUESTIONNAIRE INCLUDED IN THE ANNEX NO. 5 TO THIS ANNOUNCEMENT

a) REQUIRED DOCUMENTS (WRITTEN FORM):

1. a completed and signed Declaration of readiness to participate in preliminary market consultations Form, constituting Annex No. 2 to the Announcement,
2. a completed and signed declaration, included in the Annex to the Declaration of readiness to participate in preliminary market consultation Form,
3. a signed Annex no. 4 to the Announcement, i.e. Information clause, Information on the processing of personal data,
4. a completed questionnaire for those entering the preliminary market consultations regarding the purchase, delivery, assembly and service, constituting Annex No. 5 to the Announcement,
5. original power of attorney for the person authorized to represent the entity reporting willingness to participate in preliminary market consultations, except when the person authorized to represent the entity is disclosed in the commercial register.

It is required to provide documents in an electronic form with a qualified electronic signature or in an electronic form with a trusted signature or a personal signature, or as a scan of signed documents.

b) DEADLINE AND FORM OF SUBMITTING APPLICATIONS WITH REQUIRED DECLARATIONS AND DOCUMENTS:

Applications for participation in preliminary market consultations along with statements and documents required under STAGE 1 should be submitted in electronic form (with a qualified electronic signature or in electronic form with a trusted signature or personal signature, or as a scan of signed documents), via e-mail: biuro@armk.pl, **by 30.09.2021 until 12:00.**

Applications submitted after the deadline, as well as applications that do not contain the declarations and documents referred to above required by the Commissioning Party, will not be taken into consideration.

C. VERIFICATION OF DOCUMENTS AND AN OPTIONAL INVITATION FOR THE NEXT STAGE OF THE PRELIMINARY MARKET CONSULTATIONS:

- a) verification of documents and statements,
- b) optional invitation to the next stage of preliminary market consultations. The Commissioning Party, after verification of the submitted statements and documents, offers the possibility of inviting selected Contractors to the next stage of preliminary market consultations, conducted in oral or written form. The issues to be consulted and the form of preliminary market consultation will be specified in the invitation to the consultation.

3. STAGE 2: CONDUCTING A FURTHER PRELIMINARY MARKET CONSULTATIONS (OPTIONAL).

- a) a conversation with invited participants on the issues specified in the invitation to preliminary market consultations,
- b) individual consultations by phone and / or e-mail and / or tele / videoconference.

The commissioning authority reserves the right to multiple meetings with the same consultations participant and joint consultations with more than one participant at the same time.

The commissioning party may invite participants that it did not invite at the second stage to participate in consultations, if it decides that it has not acquired sufficient knowledge to prepare the public procurement procedure.

4. STAGE 3: TERMINATION OF THE CONSULTATIONS

The commissioning Party reserves the right to terminate the preliminary market consultations at any stage, without giving any reason.

The Commissioning Party shall immediately inform the participants of the consultations about the termination of the preliminary market consultations by placing relevant information on the website www.armk.pl and by e-mail sent to the e-mail addresses indicated by the participants of the consultations in the Declaration of readiness to participate in the preliminary market consultations Form.

SECTION IV: ADDITIONAL INFORMATION

The Commissioning Party reserves the right to ask entities from which it has not received a Declaration of readiness to participate in preliminary market consultations, and alternatively, to consultants for advice or information subject to preliminary market consultations.

This Announcement of intention to conduct preliminary market consultations does not constitute an offer within the meaning of Art. 66 of the Civil Code, an invitation to conclude a contract within the meaning of Art. 71 of the Civil Code, nor is it an order announcement within the meaning of the Public Procurement Law.

ANNEX NO. 1 TO THE ANNOUNCEMENT

INITIAL DESCRIPTION OF THE FUNCTIONALITY AND TECHNICAL REQUIREMENTS OF THE PLANNED SUBJECT OF THE CONTRACT AND THE EXISTING DESIGN OF THE ROOMS

The commissioning party aims to obtain a creative solution for currently designed main concert hall of the Krakow Music Center, allowing for the stylish performance of music from different eras and styles.

The priority is a noble sound and the ability to work with orchestras / ensembles using different pitch heights and temperaments.

We prefer traditional technical and spatial solutions, mechanical tracker action system without electronics, air pressure and toucher appropriate for a given style. Proposals for a typical universal organ with a movable playing table will not be considered.

We expect creative solutions up to around 50 registers.

Please consider and respond to the following concept:

Organ with two rear choir organ manuals (Rückpositiv):

- main section 442 Hz romantic (Cavaille-Coll / Ladegast) or late baroque;
- 1 Rückpositiv with 430 Hz pedal, independent keyboard on the side (seitenspielig);
- 2 Rückpositiv with 415/465 Hz pedal, independent keyboard on the side.

Please find attached an excerpt from the KCM design documentation for the facility and the room in which the organ is to be installed.

ANNEX NO. 2 TO THE ANNOUNCEMENT

DECLARATION OF READINESS TO PARTICIPATE IN PRELIMINARY MARKET CONSULTATIONS FORM

COMMISSIONING PARTY:

Agencja Rozwoju Miasta Krakowa Spółka z ograniczoną odpowiedzialnością (Development Agency of the City of Cracow, Ltd.), based in Królewska 57 Street, 30-081 Kraków.

ENTITY SUBMITTING READINESS TO PARTICIPATE IN CONSULTATIONS:

Name (company):

.....

Legal Address:

.....

Contact details:

(e-mail/telephone):

.....

/ in the case of entities acting jointly, it applies to each of them /

Referring to the published Announcement of the intention to conduct preliminary market consultations of 10.09.2021 [Reference number: ARMK/225/2021]

Hereby:

1. we declare readiness to take part in preliminary market consultations, we undertake to provide free advice as well as to provide all information, to the best of our knowledge and experience, to the extent necessary for the correct, i.e. detailed and precise preparation and description of the subject of the contract for the purchase, delivery, assembly and service of **two rear choir organ manuals** for the needs of KCM in Krakow, the provisions of the specifications of essential terms of the contract and the provisions of the contract template, ensuring the observance of the principles of fair competition and equal treatment of potential contractors;
2. we undertake to provide free consultations together with the provision of information allowing for the correct performance of the activities of estimating the value of the contract, with possible division into parts to the extent expected by the Commissioning Party;
3. we declare that we consent to the use of the information provided in the course of preliminary market consultations, including information constituting the

subject of copyright of the Consultation Participant, for the purposes of conducting a public procurement procedure, the subject of which will be the purchase, delivery, installation and service of **two rear choir organ manuals**;

4. we declare that, in order to prepare for the consultation, we will conduct a free of charge analysis of the preliminary description of the subject of the contract and issues that are questionable for the Commissioning Party;

5. we declare that we have read the Consultations Regulations attached to the Announcement of intention to conduct preliminary market consultations, we fully accept it and raise no objections;

6. we declare that we give consent to the recording of sound and image during meetings and meetings related to preliminary market consultations;

7. we declare that we consent to the processing of our / my personal data to the extent resulting from generally applicable law in order to evaluate and compare applications, conduct consultations and use the knowledge obtained as a result of the consultations to prepare a public procurement procedure, in accordance with the regulation of the European Parliament and of the Council (EU) 2016/679 of April 27, 2016. and in accordance with the Act of May 10, 2018. on the protection of personal data (consolidated text: Journal of Laws of 2019, item 1781, as amended), and with the information clause attached to the consultations documentation, and we additionally declare that we have fulfilled the information obligations and obligations related to the implementation of the rights of natural persons provided for in art. 13 and art. 14 of the GDPR, from which we have obtained / will obtain personal data directly or indirectly in order to apply for a public contract in this procedure;

8. based on Article. 18 sec. 3 of the Public Procurement Law, none of the information contained in the Form constitutes a business secret within the meaning of the provisions on combating unfair competition * / the information contained in the offer below is a business secret within the meaning of the provisions on combating unfair competition and therefore cannot be disclosed here: designation type (name) of information:, pages from to *

- delete as appropriate

9. A person/persons appointed to contact the Commissioning Party is/are:

Mrs/Mr,

tel.:,

e-mail:

City date 2021.

.....
*/stamp and signature/s of the person/persons authorized to represent
an entity willing to take part in consultations/*

Attachment to the application form for participation in preliminary market consultations

DECLARATION OF THE ENTITY OF READINESS TO PARTICIPATE IN CONSULTATIONS

A. I hereby declare that I have the knowledge and experience related to the sales, delivery, assembly and service of organs with **two rear choir organ manuals**,

B. We declare that we have completed at least 2 deliveries with the assembly of new organs with two rear choir organ manuals or the reconstruction or renovation of organs with two rear choir organ manuals, or the reconstruction or renovation of historical instruments, or the construction of instruments in historic sound styles or the restoration of historic organs, in the last 10 years before the deadline for submitting forms for participation in consultations, and below we present a list of completed deliveries or reconstruction or renovation, including in particular their scope, implementation time and data of entities for whom they were performed, i.e .:,

1.
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.....
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2.
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.....
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C. We declare that we have people capable of performing the contract, i.e. at least two people, each of whom participated in at least two completed projects, including the reconstruction or renovation of organs in concert venues with more than 600 seats or the delivery and installation of new organs in concert venues with more than 600 seats, whereby, below we present a list of their completed projects (experience) regarding reconstruction or renovation or deliveries, specifying in particular their scope, implementation time and data of entities for which they were performed, i.e .:

1)

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2)

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3)

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4)

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City..... date..... 2021.

.....
*/stamp and signature/s of the person/persons authorized to represent
an entity willing to take part in consultations/*

ANNEX NO. 3 TO THE ANNOUNCEMENT

REGULATIONS OF PRELIMINARY MARKET CONSULTATIONS

These regulations define the rules for conducting preliminary market consultations within the meaning of Art. 84 of the Act of September 11, 2019. - Public procurement law (consolidated text: Journal of Laws of 2021, item 1129), preceding the initiation of the procedure for awarding a public contract.

§ 1

The purpose of preliminary market consultations, hereinafter referred to as "Consultations", is:

1. unpaid consultancy - provided by the participants of the Consultations for the Commissioning Party - along with the provision of all information, according to their best knowledge and experience, to the extent necessary for the correct, i.e. detailed and precise preparation and specification of the description of the subject of the contract, completion date, content of the specification of essential terms of the contract and the provisions of the model contract, ensuring the observance of the principles of fair competition and equal treatment of potential contractors;
2. unpaid consultancy and provision of information allowing for the correct performance of the activities of estimating the value of the contract;
3. possible division of the contract into parts or inadmissibility of such division;
4. consultations in the creation of an analysis of needs and requirements, in accordance with the requirements of art. 83 of the Public Procurement Law.

§ 2

Consultations are carried out by the representatives of the Awarding Entity who are substantially responsible and involved in the preparation of the public procurement procedure. The provisions of the Rules of Procedure of the Tender Committee (Annex to the Regulations defining the rules and forms of awarding public contracts at ARMK pursuant to the Act of September 11, 2019 - Public Procurement Law), apply accordingly to the representatives of the Commissioning Party.

§ 3

Consultations are conducted in a way that ensures compliance with the fundamental principles of public procurement law, in particular the principle of fair competition, equal treatment of potential contractors, proportionality, objectivity, impartiality, taking into account the equivalence of the solutions offered, respect for business secrets and confidentiality of information covered by the confidentiality clause.

§ 4

The announcement of the intention to conduct preliminary market consultations shall be published on the website of the commissioning entity at: www.armk.pl

§ 5

1. Accession to the Consultations takes place by submitting a written form of Declaration of readiness to participate in the Consultations along with the declarations and other documents required by the commissioning party.

2. The application form is submitted in Polish or English, according to the template constituting Annex 2 to the Announcement of intention to conduct preliminary market consultations. Statements and documents in foreign languages other than English require a translation (a translation of the text by a translator who is not a certified translator is allowed).
3. The application form submitted in electronic form is required to be sent to the e-mail address: biuro@armk.pl
4. The Commissioning Party allows the submission of the application together with the required declarations and documents in an electronic form bearing a certified signature.
5. The application form should be submitted within the time limit set by the Commissioning Party in the Announcement on the intention to conduct preliminary market consultations.
6. Applications submitted after the deadline, as well as applications that do not contain the declarations and documents specified above required by the Commissioning Party, shall be deemed not to have been submitted.

§ 6

1. The Commissioning Party shall inform the acceding parties about the invitation to the Consultations or about its refusal in electronic form by sending the information to the e-mail address provided in the Application Form.
2. The Commissioning Party shall choose the method of contacts with individual participants of consultations in accordance with the principles of fair competition and equal treatment.
3. Submission and invitation to consultations and participation in them shall not result in any obligation on the part of the Commissioning Party towards the applicant or participant of the consultations, including the reimbursement of costs incurred in connection with participation in the Consultations.

§ 7

The list of those joining and invited as well as participants of the Consultations is public and is subject to publication on the website of the Commissioning Party, referred to in § 4 of these Regulations.

§ 8

1. Consultations can be conducted:
 - a) orally, i.e. by telephone contact, meeting / meetings at the headquarters of the Commissioning Party, or in the form of a tele / video conference via an electronic platform. Meetings will be organized on the dates specified by the Commissioning Party in the content of the invitation. Each time the Consultation participant will be notified in writing to the e-mail address provided by the Commissioning Party about the date and subject of the meeting at least 2 days in advance. The Commissioning Party reserves the right to meet multiple times with the same Consultation participant, and also allows for the possibility of joint Consultations with more than one participant at the same time,
 - b) in writing by submitting a letter with answers to the issues / inquiries indicated by the Commissioning Party; the letter may be sent in electronic form as a document bearing a certified electronic signature.

2. The course of the Consultations may be recorded by the Commissioning Party in the form of image and sound, about which the participants will be notified prior to the recording of the meeting.

§ 9

1. Consultations will be conducted in Polish or English. Participants who do not speak these languages are obliged to provide an interpreter.
2. Documents drawn up in a language other than Polish or English must be submitted together with the translation.
3. Zamawiający zapewni tłumaczenie symultaniczne w trakcie prowadzonych konsultacji.

§ 10

Unauthorized failure to appear by a given Consultation participant within the time limit set by the Commissioning Party shall result in his exclusion from further participation without the possibility of restoring the participant's status.

§ 11

1. At each stage of the Consultations, the acceding, invited and participant may resign from further participation without giving a reason.
2. The resignation from participation in the Consultations does not have any legal consequences in the future public procurement procedure covering the subject scope specified in the Consultations.
3. The resignation of an acceding or invited participant from participation in the Consultations does not deprive the Ordering Party of the possibility of using in the planned public procurement procedures the solutions / studies presented by that participant on the terms described in §12 of these Regulations.

§ 12

All statements and documents submitted in the course of the Consultations are public, except for the company secret reserved by the acceding, invited or participant of the Consultations, in accordance with the Act on Combating Unfair Competition.

§ 13

1. Each entity joining the Consultations, by submitting the Declaration of readiness to participate in the Consultations, agrees to the unlimited, unpaid use, use and processing of information and documents made available to the Commissioning Party.
2. If the solutions / studies submitted to the Commissioning Party in the course of the Consultations in an oral, sound, visual, written or electronic form are pieces of work within the meaning of the Act of February 4, 1994. on copyright and related rights (consolidated text: Journal of Laws of 2019, item 1231, as amended), the Consultation participant is required to submit an appropriate statement in this regard, with a clear confirmation that the solutions / studies are free of legal defects and do not infringe the rights of third parties.
3. Upon completion of a given stage or stages of consultations or delivery to the Commissioning Party of documents constituting pieces of work within the meaning of the Act on Copyright and Related Rights, the Consultation Participant transfers to the Commissioning Party the proprietary copyrights to the above-mentioned pieces of work, without time and territorial restrictions, in terms of their

multiple use by the Commissioning Party for its own needs for those mentioned in sec. 4 fields of use.

4. The transfer of proprietary copyright takes place at the time specified in paragraph 3 of this paragraph without the Participant and the Commissioning Party submitting any additional statements regarding the fields of use specified below:
- 1) production of the work (s) and / or their fragments using all techniques, in particular on any data carriers, on printing, plastic, photographic, electronic and audiovisual media, including printing, reprographic, magnetic recording on magnetic media, CDs ROM and DVD, of all formats and types, including digital technology;
 - 2) multiplying of the work (s) and / or their fragments using all techniques, in particular on magnetic carriers, on CD-ROMs and DVDs of all formats and types, on optical and magneto-optical discs and in print;
 - 3). disseminating and using the multiplied work (s) and / or their fragments without limitation;
 - 4). preservation of the work (s) and / or their fragments in the computer memory and on any other data carriers in a manner that enables reception transmission by the interested user, including saving the materials in RAM memory;
 - 5) placing on the market, including via the Internet;
 - 6). sale, lending, rental, public performance, exhibition, display, reproduction as well as broadcasting and rebroadcasting;
 - 7). use of the work (s) and / or their fragments during training;
 - 8) public sharing of the work (s) and / or their fragments in such a way that everyone can have access to it in a place and time chosen by them;
5. The Consultation Participant grants the Commissioning Party permission to make any changes and alterations to the work that the commissioning party considers necessary in connection with the need to use the work in further planned public procurement procedures in the future.
6. The Consultation Participant authorizes the Commissioning Party to exercise derivative copyright.

§ 14

The consultations are conducted until all information necessary for the Commissioning Party to prepare and conduct the planned public procurement procedure is obtained, unless all participants of consultations resign earlier from participation in the Consultations or the Commissioning Party terminates the Consultations.

§15

1. The commissioning party reserves the right to terminate preliminary market consultations at any stage, without giving a reason.
2. The Commissioning Party shall immediately inform the participants about the completion of the preliminary market consultations by placing relevant information on the website: www.armk.pl and by e-mail to the address provided by the participant in the Consultation Application Form.
3. Conducting this Consultations does not create an obligation on the part of the Commissioning Party to announce a contract award procedure in the scope of the subject covered by the Consultations.

§ 16

1. All letters, documents, studies, opinions, etc. provided to the Commissioning Party shall remain at its disposal and shall not be returned after the end of the Consultations.
2. All letters, documents, studies, opinions, etc. submitted by the acceding parties, invited participants and participants as part of preliminary market consultations, apart from documents constituting a business secret, are subject to disclosure at the request of the interested entity pursuant to the Act on access to public information after the completion of the preliminary market consultations procedure.

ANNEX NO. 4 TO THE ANNOUNCEMENT

Information clause Information on the processing of personal data

In accordance with Art. 13 sec. 1 and 2 of the Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016. on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46 / EC (general regulation on data protection, hereinafter "GDPR"), in connection with art. 19 paragraph 1 of the Public Procurement Law, Agencja Rozwoju Miasta Krakowa Sp. z o.o. (Development Agency of the City of Cracow, Ltd.) informs that:

1. **The administrator** of your personal data is Agencja Rozwoju Miasta Krakowa Sp. z o.o., ul. Królewska 57, 30-081 Kraków, e-mail: biuro@armk.pl.
2. Agencja Rozwoju Miasta Krakowa Sp. z o.o. appointed the Data Protection Officer, based at ul. Królewska 57, 30-081 Krakow; Contacting the Data Protection Officer is possible by e-mail: biuro@armk.pl or by calling 12 293-45-90.
3. Your personal data will be processed on the basis of art. 6 sec. 1 lit. c) GDPR for purposes related to the public procurement procedure covered by this ZiS.
4. Providing your personal data by you is a statutory requirement specified in the provisions of the Public Procurement Law related to participation in the public procurement procedure.
5. The consequences of not providing personal data result from the Public Procurement Law.
6. The recipients of your personal data will be persons or entities to whom the documentation of the procedure will be made available pursuant to art. 18 and art. 74 sec. 3 and 4 of the Public Procurement Law, the personal data referred to in Art. 9 sec. 1 GDPR, collected in the course of the contract award procedure.
7. Your personal data will be stored in accordance with art. 78 sec. 1 of the Public Procurement Law for a period of at least 4 years counted from the date of completion of the public procurement procedure or until the expiry of the time limit for the control of a project co-financed or financed from the European Union funds or its durability of such a project or other contracts or obligations resulting from implemented projects.
8. **You have the right to:**
 - a) based on Article. 15 of the GDPR, to access your personal data;
 - b) based on Article. 16 GDPR, to rectify your personal data;
 - c) based on Article. 18 GDPR, the right to request the administrator to limit the processing of personal data,
 - d) the right to submit a complaint to the President of the Personal Data Protection Office, if you feel that the processing of your personal data violates the provisions of the GDPR.
9. **You do not have the right to:**
 - a) to delete personal data in connection with 17 sec. 3 lit. b), d) or e) GDPR,
 - b) to transfer personal data referred to in art. 20 GDPR,

c) to object to the processing of personal data, as the legal basis for the processing of your personal data is art. 6 sec. 1 lit. c) in connection with Article 21 GDPR.

10. **Your personal data referred to in art. 10 of the GDPR**, may be made available in order to enable the use of the legal protection measures referred to in Section IX of the Public Procurement Law, until the deadline for their submission.

11. The Commissioning party informs that **in relation to your personal data**, decisions will not be made in an automated manner, pursuant to art. 22 GDPR.

12. Where the performance of the obligations referred to in Art. 15 sec. 1 - 3 of the GDPR, in order to implement your right indicated in point 8 a) above, would require a disproportionate effort, the **Commissioning Party may request you** to provide additional information to specify the request, in particular the name or date of the commenced or completed public procurement procedure.

13. **If you make use of the right** indicated in point 8 b) above, to rectify or supplement the personal data referred to in art. 16 of the GDPR, may not result in a change of the result of the public procurement procedure, or a change in the provisions of the contract to the extent inconsistent with the PPL Act, nor may it violate the integrity of the protocol of the public procurement procedure and its attachments.

14. **If you make use of the right** indicated in point 8 c) above, consisting in a request to limit the processing of data referred to in art. 18 sec. 1 GDPR, does not limit the processing of personal data until the end of the public procurement procedure and also after the procedure in the event of circumstances referred to in art. 18 sec. 2 GDPR (*the right to restriction of processing does not apply to storage, to provide legal remedies or to protect the rights of another natural or legal person, or for reasons of important public interest of the European Union or a Member State*).

ANNEX NO. 5 TO THE ANNOUNCEMENT

A questionnaire for entering preliminary market consultations on the purchase, delivery, assembly and service of organs with two rear choir organ manuals for the needs of KCM in Krakow, along with obtaining knowledge about the estimated value of the subject of the consultations.

Expected application and technical and functional proposals (to be completed by the contractor)

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The proposed price in the scope of the submitted declaration of delivery, assembly and warranty (to be completed by the contractor)

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The contractor fills in the above by presenting his suggestions, comments, recommendations, etc. in the scope of the planned contract performance.
In addition, the contractor should estimate the value of the declared delivery capacity of the subject of the contract.
The Commissioning Party allows for the determination of the estimated value by indicating the price range (minimum price - maximum price) and the division into delivery, installation and warranty service.

Prezes Zarządu

dr Jan Pamuła