

**Department:** Research and Innovation (Recerca i Innovació)

**Expedient:** MSU00006/2024

**Type of procedure:** The minor contract

**Object:** Supply of digital photographic content by Frantisek Kriegel of the Czech national archive

**Assumption:** Approval Resolution of the minor contract

## APPROVAL RESOLUTION OF THE MINOR CONTRACT

Given that Research and Innovation Department (Àrea de Recerca i Innovació) justified the need and suitability to carry out the contracting of reference, in accordance with the reasons set out in the Justification Report that appears in the file.

Given that, in accordance with the provisions of the reference report, the following issues have been accredited:

- The punctual and non-recurring contracting of Frantisek Kriegel's digital photographic content supply from the Czech national archive is required, given the circumstances referred to in the aforementioned report.
- There is enough credit to meet the economic obligations that derive from this University from the fulfillment of the contract. Likewise, it is stated that the amount indicated in the basic tender budget has been reserved as a commitment in the UOC's six-hand budget management in charge of the budget of the Research and Innovation area.

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- In accordance with the characteristics of the contract and in accordance with the provisions of articles 118 and 318.a) of Law 9/2017, of November 8, on Public Sector Contracts ("LCSP"), the contracting can be carried out through a minor contract procedure, with direct award.
- It is proposed to award the contract to Institute of Contemporary History of the Czech Academy of Sciences (Ústav pro soudobé dějiny Akademie věd České republiky), with the NIF CZ68378114, which meets the requirements of economic, technical and professional capacity and solvency necessary to execute the contract, and given that it has presented

within the period conferred an economic proposal equal to or less than the maximum tender budget.

- It has been verified, in application of the provisions of article 118.2 of the LCSP, that the object of the contract has not been altered in order to avoid the application of the contracting rules and that there is no division of the contract. In addition, it is stated that it has been verified that the contract does not respond to recurring needs, but to specific and sporadic needs.

Given that, in accordance with the provisions of article 13 of the Statutes of the Foundation for the Open University of Catalonia (“**FUOC**”) and the current system of delegation of faculties, approved by the Board of Trustees of the FUOC through the Agreement of 5 October 2015, the competent body to approve and award the contract is the General Director of the FUOC.

Consequently, Mr. Antoni Cahner Monzó, General Director of the FUOC, as a contracting body, assuming as his own the content of the justifying report that appears in the file,

## RESOLVES

**First.-** To approve the minor contracting procedure of reference, given that, in accordance with the aforementioned justifying report, the requirements established in article 118 of the LCSP are met.

**Second.-** To award the contract to Institute of Contemporary History of the Czech Academy of Sciences (Ústav pro soudobé dějiny Akademie věd České republiky), with the NIF CZ68378114, for the amount mentioned in the justifying report that appears in the file, since it meets the necessary requirements to be able to carry out the supply with guarantees, and given that it has presented an economic proposal for value equal to or less than the tender budget.

**Third.-** Apply the following regulation on intellectual and industrial property:

Through this contract, the Contractor grants a license to the UOC, in a non-exclusive, sublicenseable way, of all the patrimonial rights of exploitation on the photographs in physical support delivered by the Czech national archive, for their transformation into digital format and for their teaching and research use throughout the legal life of the works until their entry into the public domain.

The Contractor responds to the UOC of the authorship and originality of the photographs and of the peaceful exercise of the rights granted by this contract, and states that they do not violate the rights of third parties and that they have not made any commitment contrary to the rights that correspond to the UOC, by virtue of the assignment agreed between the parties.

**Fourth.-** Apply the following service detail:

The service will be carried out in two deliveries, a first delivery at 3 months from the formalization of the contract and a second delivery at 6 months from the formalization of the contract.

The contract will last 6 months from the date of its formalization.

The amount of the contract will be 3,000 euros, excluded VAT. The amount mentioned includes all the necessary quantities for carrying out the corresponding work and also all the work scheduled during the term hereof, provided by the full teams; it also includes the costs, risks, profit and tax, except for VAT. The Contractor will submit a single invoice for the total amount upon completion of the Service.

**Fourth.-** Order that the invoice corresponding to the contract file be incorporated.

Signed,

by Antoni Cahner Monzó  
Director General of the Foundation I  
General Manager of the Universitat Oberta de Catalunya

Adéla Gjuričová, PhD.  
Contractor  
Institute of Contemporary History of the Czech Academy of Sciences