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| <p>Odběratel:</p> <p><b>MĚSTO NÁCHOD</b><br/><b>Masarykovo náměstí 40</b><br/><b>547 01 Náchod</b><br/>IČO: 00272868<br/>DIČ: CZ00272868</p> <p>Telefon: +420 491 405 111<br/>E-mail: <a href="mailto:podatelna@mestonachod.cz">podatelna@mestonachod.cz</a><br/><a href="http://www.mestonachod.cz">www.mestonachod.cz</a></p> |  | <p>Dodavatel:</p> <p><b>Josef Pavel</b><br/><b>Lhotky 37</b><br/><b>547 01 Kramolna</b></p> <p>IČO: 65216792 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Vážení,

město Náchod objednává u Vás obnovu oken na schodišti budovy Městské knihovny, č.p. 105, ul. Kamenice, Náchod dle Vaší cenové nabídky ze dne 31.10.2024,

za celkovou cenu díla ve výši 272 796,00 Kč, není plátce DPH,

a to s termínem provedení díla, dokončení díla, vyklizení staveniště a předání díla nejpozději do 06.11.2025.

**Projekt "Obnova oken Městské knihovny, č.p. 105, ul. Kamenice, Náchod" je spolufinancován z Dotačního fondu Královéhradeckého kraje, číslo projektu a číslo dotační smlouvy 25KPGU2-0030.**

#### REKAPITULACE:

| Označení dodávky                                 | MJ     | Množství | Cena za jednotku | Cena bez DPH   | DPH % | DPH Kč               | Cena včetně DPH |
|--------------------------------------------------|--------|----------|------------------|----------------|-------|----------------------|-----------------|
| <b>12_3322_5171_224 - Knihovna - obnova oken</b> | Soubor | 1,000    | 272 796,00       | 272 796,00     | 0,00  | 0,00                 | 272 796,00      |
| Součet položek                                   |        |          |                  | 272 796,00     |       | 0,00                 | 272 796,00      |
|                                                  |        |          |                  | <b>CELKEM:</b> |       | <b>272 796,00 Kč</b> |                 |

**Obchodní podmínky města Náchoda**, jakožto odběratele, jsou následující:

Místem plnění je budova č.p. 105 ulice Kamenice v Náchodě. Náklady spojené s dopravou nese dodavatel.

V případě prodlení dodavatele s dokončením díla je odběratel oprávněn požadovat zaplacení smluvní pokuty ve výši 0,1 % celkové ceny vč. DPH za každý, byť i jen započatý den prodlení, nejméně však 1.000 Kč za každý, byť i jen započatý den prodlení. V případě prodlení dodavatele s vyklizením staveniště a předáním díla je odběratel oprávněn požadovat zaplacení smluvní pokuty ve výši 0,1 % celkové ceny díla vč. DPH za každý, byť i jen započatý den prodlení, nejméně však 1.000 Kč za každý, byť i jen započatý den prodlení. Jedna smluvní pokuta není na překážku smluvní pokutě druhé. Zaplacením jakékoliv smluvní pokuty není ani dotčeno právo na náhradu škody, která by z porušení té které povinnosti vznikla.

Pokud dodavatel dílo nedokončí ani v náhradním termínu stanoveném odběratelem, má odběratel právo od smlouvy odstoupit, aniž by tím bylo dotčeno právo na zaplacení smluvní pokuty za období od prvního dne prodlení do doručení písemného odstoupení od smlouvy.

Cena díla je splatná do 30 dnů od doručení faktury, nejdříve však od dokončení díla; přílohou faktury musí být odběratelem odsouhlasený soupis provedených prací.

Cena díla bude zaplacena bankovním převodem na účet, který bude uveden na faktuře. Odběratel je oprávněn odmítnout zaplacení ceny díla, dokud nedojde k vyklizení staveniště a předání díla.

Dodavatel se zavazuje, že dílo bude provedeno v kvalitě alespoň průměrné. Dodavatel poskytuje na jakost díla záruku v délce 24 měsíců od předání díla. Případné vady díla budou písemně reklamovány bez zbytečného odkladu po jejich zjištění. Dodavatel se zavazuje nastoupit k opravě reklamovaných vad do 5 pracovních dnů ode dne uplatnění reklamace odběratelem, pokud se smluvní strany nedohodnou jinak. Dodavatel se zavazuje odstranit reklamované vady do 15 pracovních dnů ode dne uplatnění reklamace odběratelem, pokud se smluvní strany nedohodnou jinak. Pokud dodavatel nenastoupí nejpozději do 5 pracovních dnů

ode dne uplatnění reklamace k odstranění reklamovaných vad, je dodavatel povinen zaplatit smluvní pokutu ve výši 1.000 Kč za každý, byť i jen započatý kalendářní den prodlení bez ohledu na počet vad. Pokud dodavatel neodstraní reklamované vady nejpozději do 15 pracovních dnů ode dne uplatnění reklamace, je dodavatel povinen zaplatit smluvní pokutu ve výši 1.000 Kč za každý, byť i jen započatý kalendářní den prodlení bez ohledu na počet vad.

Odpovědnost za škodu na provedeném díle nebo na jeho části nese dodavatel v plném rozsahu až do dne předání celého díla. Pokud dodavatel způsobí při provádění díla škodu odběrateli nebo třetím osobám, je povinen ji v plné výši uhradit.

Zveřejní-li příslušný správce daně způsobem umožňujícím dálkový přístup skutečnost, že dodavatel je nespolehlivým plátcem, nebo má-li být platba za zdanitelné plnění uskutečněná dodavatelem (plátcem DPH) v tuzemsku poskytnuta zcela nebo zčásti bezhotovostním převodem na účet vedený poskytovatelem platebních služeb mimo tuzemsko, je odběratel oprávněn zadržet z každé fakturované platby za poskytnuté zdanitelné plnění daň z přidané hodnoty a tuto (aniž k tomu bude vyzván jako ručitel) uhradit za dodavatele příslušnému správci daně. Po provedení úhrady daně z přidané hodnoty příslušnému správci daně je úhrada zdanitelného plnění dodavatel bez příslušné daně z přidané hodnoty (tj. pouze základu daně) považována za řádnou úhradu dle této objednávky (tj. základu daně i výše daně z přidané hodnoty), a dodavatel nevzniká žádný nárok na úhradu případných úroků z prodlení, penále, náhrady škody nebo jakýchkoli dalších sankcí vůči odběrateli, a to ani v případě, že by mu podobné sankce byly vyměřeny správcem daně.

Tato objednávka představuje nabídku na uzavření smlouvy za podmínek uvedených výše a za podmínek zakotvených dále v právním řádu České republiky, zejména v občanském zákoníku, ve znění platném a účinném k datu vyznačenému v úvodu objednávky.

Tato objednávka zůstává v platnosti po dobu 14 dnů ode dne jejího doručení a během této doby může být ze strany dodavatele akceptována.

Tato objednávka může být akceptována jedním z následujících způsobů:

- odpovědí na tuto objednávku, za které vyplyne bezvýhradná akceptace objednávky; odpověď musí mít stejnou formu jako objednávka samotná,
- podpisem akceptační doložky na této objednávce v případě osobního předávání objednávky.

Tato objednávka nabývá účinnosti nejdříve dnem uveřejnění jejího textu (včetně textu její akceptace) prostřednictvím registru smluv. Město Náchod prohlašuje, že uveřejnění prostřednictvím registru smluv zajistí.

Město Náchod prohlašuje za účelem provedení finanční kontroly, že financování uvedené dodávky je zajištěno v jeho rozpočtové kapitole 12.

Město Náchod prohlašuje, že tato objednávka se vystavuje na základě usnesení Rady města Náchoda č. 123/2779/25 ze dne 19.05.2025.

**město Náchod**

.....  
Ing. Jan Čtvrtečka, místostarosta města

.....  
■■■■■■■■■■ příkazce operace

.....  
■■■■■■■■■■ správce rozpočtu

**Příloha:** cenová nabídka ze dne 31.10.2024

Potvrzuji **převzetí** objednávky, dne .....

.....  
podpis za dodavatele

Objednávku **akceptuji bez výhrad**, dne .....

.....  
podpis za dodavatele