**Invitation to prove qualification and submission of tenders**

**for a small-scale public contract in compliance with the provisions of Section 27 of Act No. 134/2016 Coll.,  
 on Public Procurement, as amended   
(hereinafter the Act), for the following contract:**

**Steam generator II - 2020/0020**

**Type of public contract – supply**

1. **Information identifying the Contracting Authority**

Company: Jan Evangelista Purkyně University   
in Ústí nad Labem

Registered office: Pasteurova 1, 400 96

Place of work,

the PC is specified for: UJEP FSI

Statutory Representative doc. RNDr. Martin Balej, Ph.D., Rector

Legal status: Public university

Identification number: 44555601

Tax Id. No.: CZ44555601

Contact person concerning the PC: Ing. Lukáš Potměšil

Tel.: +420 475 286 391

Project registration number: CZ.02.2.67/0.0/0.0/16\_016/0002560

Project title: U21 – High-quality infrastructure

Operational programme: Operational programme Research, Development and Education

This public contract is awarded in conformity with the rules for the selection of contractors of the Operational Programme Research, Development and Education.

The tenderer acknowledges that the Contracting Authority shall comply with the requirements for the publishing of Structural Funds programmes specified in the Guidance for beneficiaries of financial contributions of the Operational Programme Research, Development and Education, i.e., in all relevant documents in relation to the respective procurement procedure or procedure, i.e., particularly in the procurement documents, all agreements and other documents relating to the specific contract.

In conformity with the provisions of Section 31 of the Act, the Contracting Authority is not obliged to award a small-scale public contract in the procurement procedure. However, the Contracting Authority shall comply with the principles specified in Section 6 of the Act when awarding the contract. Rights and obligations not regulated by these procurement conditions shall be governed by the internal regulations of the Contracting Authority on public procurement. At the same time, this invitation to proving qualifications and submission of tenders also contains information on the award criteria, by which it supersedes the text part of the qualifications and procurement documents, analogically, subject to Section 28 (1) (b) of the Act.

**E-ZAK electronic tool:**

All actions in the framework of this procurement procedure as well as all communication between the Contracting Authority and Contractor proceed electronically by means of the E-ZAK electronic tool. All correspondence sent by means of the E-ZAK electronic tool shall be deemed duly delivered on the day it is served to the user account of the correspondence recipient in the E-ZAK electronic tool. Serving of correspondence shall not be affected by whether the recipient has read the correspondence or whether the E-ZAK electronic tool sent a notification to the recipient to his/her contact e-mail address notifying him/her of a new message having been received in his/her user account in the E-ZAK electronic tool, or not.

The Contractor shall always be responsible for making himself/herself familiar with the correspondence sent by the Contracting Authority by means of the E-ZAK electronic tool, as well as for the correctness of the contact details specified for the Contractor.

Terms, conditions and information relating to the E-ZAK electronic tool and information about the use of the electronic signature are available at:

<https://ezak.ujep.cz/data/manual/EZAK-Manual-Dodavatele.pdf>

To log in to the E-ZAK system, the Contractor needs to have a certificate for electronic signature. If the Contractor has not been registered in the E-ZAK system, his/her electronic signature will be required to complete the registration, see the link: <https://ezak.ujep.cz/data/manual/QCM.Podepisovaci_applet.pdf>

The Contractor notifies that the E-ZAK electronic public procurement system can only operate with files of maximum 38 MB. Files of a larger size should be appropriately divided up before they are sent via E-ZAK.

You can use the E-ZAK user support for answers to any questions concerning the use of the E-ZAK electronic tool (tel.: +420 538 702 719, email address: [podpora@ezak.cz](mailto:podpora@ezak.cz)), and/or the contact person of the Contracting Authority.

**Subject-matter of the public contract**

* 1. **Subject-matter of the public contract**

The subject-matter of the performance of the public contract is the supply of a steam generator subject to the technical specification set forth in Annex 4 to this invitation, including its installation, commissioning at the site of the Contracting Authority as well as the training for operators.

For detailed information about the performance and minimum required technical parameters, see Annex 4 to this invitation.

The classification of the subject-matter of the public contract is specified by CPV (NIPEZ) codes:

**42163000-9 Steam generators**

* 1. **Business terms, payment terms and objective conditions under which the tender price can be exceeded; request for the tender price processing method**

The procurement documents contain a draft of the business terms to become the content of the contractual arrangements with the Contractor. The binding business terms form Annex 2 to these procurement documents, which will be used by the applicant to process his/her tender.

Annex 2 to these procurement documents shall become a draft Agreement in the tender of the Contractor. The Contractor shall not amend or modify the agreement in any manner, except for the sections specified by the Contracting Authority. The Contractor shall fill in the sections explicitly specified for it, highlighted in colour (yellow).

The tender price shall be understood as the price for performance of the subject-matter of this public contract. The tender price shall be specified in the Czech currency or in EUR, broken down into the price (excluding VAT), VAT and the price including the VAT. The tender price must be a fixed price, independent of any changes in the conditions during the implementation of the public contract. The tender price must contain all necessary costs to properly execute the subject-matter of the public contract, including any related costs (fees and charges, customs duties, transport, ancillary cost, etc.)

The tender price (particularly if the submitted tender price is in EUR) must be specified taking into consideration the development of prices in the specific industry as well as the development of the Czech currency vs. foreign currencies (EUR) exchange rate until the completion of the respective contract.

The payment terms specified by the Contracting Authority for this public contract are shown in detail in the binding business terms (see Annex 2).

The contractual terms are governed by Czech laws. Should any disputes arise, they will be resolved subject to the laws of the registered address of the Contracting Authority.

Should any uncertainties of interpretation occur, the wording of the procurement documents and purchase agreement in the Czech language prevails.

* 1. **Additional information to award criteria**

The Contractor may request written clarification of the procurement documents from the Contracting Authority. A request for clarification of the procurement documents must be filed by means of the electronic tool or the E-ZAK UJEP profile of the Contracting Authority for public procurement and served not later than 4 business days prior to the end of the time limit for the submission of tenders.

Upon the request for clarification of the procurement documents, the Contracting Authority shall provide the Contractor with the clarification within 2 business days of delivery of the request for clarification of the procurement documents. The Contracting Authority shall provide the clarification and the accurate text of the request to all other Contractors by publishing them on its profile in the same manner as when it provided unlimited and direct remote access to the procurement documents.

The Contracting Authority can provide the Contractors with any clarification of the award criteria even without their prior request. Should the Contracting Authority modify or amend the award criteria, the deadline for the submission of tenders shall be adequately extended.

1. **Time limit and site of performance of the public contract**

The Contracting Authority shall specify the following time limits for the performance of the public contract:

* The envisaged commencement of the contract performance is readily after the publication of the agreement in the Contracts Register of the Ministry of the Interior of the Czech Republic.
* The time limit for the performance of the public contract is specified in Article III., para. 1 of the Binding contractual terms (Annex 2 to these PD).

The site of performance is specified in Article III., para. 3 of the Binding contractual terms (Annex 2 to these PD).

1. **Qualifications of the tenderer**
   1. **Compliance with the qualification requirements**

**The Contractor shall meet the qualification requirements by proving his/her:**

* basic qualifications
* professional qualifications
* technical qualifications

Documents to be submitted by the Contractor to prove he/she fulfils the required qualification criterion can be submitted as a simple copy.

When treating the information in which the tenderer proves fulfilment of the required qualification criterion, the Contracting Authority undertakes to proceed in such a manner as not to breach the rights and legitimate interests of the tenderer concerning the protection of their intellectual property or trade secret.

Documents proving basic qualifications and the extract from the Commercial Register or other similar records must prove that the required qualification criterion was fulfilled at the latest within 3 months prior to the date the tender was submitted.

The Contractor shall prove he/she fulfils the required qualification criterion within the time limit for the submission of tenders. Documents submitted by the Contractor to prove he/she fulfils the required qualification criterion shall be part of the submitted tender.

* 1. **Proof of basic qualifications**

The tenderer shall prove the fulfilment of basic qualifications by a statutory declaration, which forms Annex 3 to this invitation.

* 1. **Proof of professional qualifications**

To prove his/her professional qualifications, the tenderer shall submit the following:

A Contractor based in the Czech Republic shall prove he/she fulfils the professional qualifications in relation to the Czech Republic by submitting an extract from the Commercial Register or other similar records, as long as the registration in such records is required by another legal regulation.

A foreign Contractor shall prove he/she fulfils the qualifications in relation to the country of his/her registered office.

Should the legal regulations in the country where the foreign Contractor has his/her registered office not require professional qualifications, the foreign Contractor does not need to submit an extract from the Commercial Register or other similar records, however, the foreign Contractor must submit a statutory declaration that the required document is not issued in the country where the Contractor has his/her registered office.

* 1. **Technical qualifications**

The tenderer shall provide proof of technical qualifications by submitting a list of minimum 1 reference contract/ or more reference contracts amounting to CZK 950,000 excluding VAT or at the same value in a foreign currency (in the case of more reference contracts, the aggregate amount of these contracts must be shown) for the last 3 years prior to submission of the tender.

The respective reference contracts must relate to laboratory tasks designed for teaching at technical universities.

The Contracting Authority requests that the list of reference contracts contain at least the following data:

* Identification of the client
* Description of the contract performance
* Price of the contract performance
* Period of the contract performance
* Contact details of the client (telephone, email address)

1. **Instructions for tender processing**

The tenderer shall submit the full **electronic form of the tender**, i.e., using the electronic tool as specified in item 5. of these procurement documents.

The tender shall be in the Czech or Slovak language, or in English. Documents in other than the Czech or English language should be submitted by the tenderer with their translation into Czech. Documents in the Slovak language and documents on education in the Latin language can be submitted without a translation.

The tender shall not contain any rewritings or corrections which might be misleading for the Contracting Authority.

The tenderer shall use the order of documents specified in the following items of these instructions for tender processing:

* **The cover note** (Annex 1 to these procurement documents),
* **Documents to prove fulfilment of the required qualification criterion**,
* **A document on the authorization of the person to act on behalf of the Contractor**. Should a tenderer be represented by a proxy upon a Power of Attorney, a valid Power of Attorney must be submitted in the tender to follow after the draft agreement,
* **Binding business terms** (Annex 2 to these procurement documents) including appendices signed by the person authorised to act on behalf of or for the tenderer,
* **Other documents**.

1. **Time limit, venue and manner of submission of tenders**

The Contracting Authority does not accept tenders submitted in paper form.

The tenderer shall submit the tender in electronic form by the end of the time limit for the submission of tenders, by way of the E-ZAK electronic tool to the specified electronic address (profile of the Contracting Authority):

Further information necessary for the submission of an electronic tender is available at  [https://ezak.ujep.cz/](%20https://ezak.ujep.cz/) in the user guidebook and manual of the electronic signature.

The tender must be signed pursuant to general legal regulations.

The tender must contain a draft Areement signed by the person authorised to represent the tenderer.

**Final date for submission of tenders:**

**Date: …………………** **time: 10:00**

1. **Estimated value of the public contract**

The estimated value of the public contract amounts to CZK 1,780,000 excluding VAT.

1. **Other conditions of the tender system**
   1. **Elimination of optional solutions**

The Contracting Authority excludes any optional tender solutions beforehand.

* 1. **Description of opening, assessment and evaluation of tenders**

Opening of electronic tenders

The Contracting Authority informs that the tenders will not be opened subject to S. 110 (1) of the Act because they are only submitted in electronic form.

Tenders in electronic form shall be opened by the Contracting Authority upon the expiry of the time limit for the submission of tenders. When opening the electronic tenders, the Contracting Authority shall check whether the tender was delivered within the specified time limit, whether it is authentic, and whether nobody handled the data message comprising the tender prior to its opening.

Evaluation of tenders

The tenders shall be evaluated subject to the criterion of economic advantageousness on the basis of the **lowest tender Ex VAT price**.

**Procedure for evaluation of tenders:**

The Contracting Authority shall specify the ranking of tenders subject to the amount of the tender price in CZK excluding VAT from the lowest (1st ranking) up to the highest one. Should a tender be submitted with a tender price in EUR excluding VAT, an up-to-date market exchange rate shall be used for the purpose of the evaluation as of the last day of the time limit for the submission of tenders in CZK/EUR.

*(*[*https://www.cnb.cz/cs/financni-trhy/devizovy-trh/kurzy-devizoveho-trhu/kurzy-devizoveho-trhu/*](https://www.cnb.cz/cs/financni-trhy/devizovy-trh/kurzy-devizoveho-trhu/kurzy-devizoveho-trhu/)*)*

*An example of the evaluation submitted by a tenderer with a tender price in EUR:*

*The tender was submitted by the tenderer on 19 October 2019 with a tender price of EUR 56,420 excluding VAT. The end of the time limit for the submission of tenders is 21 October 2019. As of 21 October 2019, the FX rate of the CNB is CZK/EUR 25.630. For the purpose of tender evaluation, this tender will be evaluated with a tender price of CZK 1,446,044.60 excluding VAT.*

The most advantageous tender is the tender containing the lowest tender price in CZK, excluding VAT, of all tenders.

* 1. **Cancellation of the selection procedure**

The Contracting Authority shall have the right to reject all submitted tenders, or cancel the selection procedure without specifying the reasons, until an agreement is concluded with a selected Contractor.

* 1. **Other conditions of the Contracting Authority**

Submitted tenders shall not be returned to Contractors.

The Contracting Authority shall not pay any costs of tender processing or any other costs incurred by Contractors ancillary to this invitation. Contractors submit their tenders free of charge and they cannot make any claims against the contracting authority.

1. **List of appendices:**

Annex 1 Cover note of the tender

Annex 2 Binding contractual terms

Annex 3 Sample statutory declaration to prove basic qualifications

Annex 4 Technical specifications, minimum technical parameters

In Ústí nad Labem, date.……………

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doc. RNDr. Martin Balej, Ph.D., Rector