



EUROPEAN UNION
European Structural and Investment Funds
Operational Programme Research,
Development and Education



Contracting Authority's Written Report on Public Contract

pursuant to Sec. 217 of Act No. 134/2016 Coll., the Public Procurement Act, as amended (the „PPA“)

1. Contracting Authority:

Name:	Ústav jaderné fyziky AV ČR, v. v. i
ID No.:	61389005
Registered office:	Husinec - Řež, čp. 130, 250 68 Řež, Czech Republic
Person authorized to act on behalf of the contracting authority:	RNDr. Petr Lukáš, CSc., director

(hereinafter the “Contracting Authority”)

2. Public Contract:

Name of the public contract	Delivery of neutron optics system for the BEER diffractometer – part I – Round 2
Legal form of the public contract	public contract for supplies in above-the-limit regime to be contracted in negotiated procedure without publication pursuant to Sec. 64 letter a) PPA

(hereinafter the “Public Contract”)

3. Subject Matter of the Public Contract

The subject matter of the Public Contract is supply of a detailed technical design and supply of a part of the “Beamline for European Engineering Research” neutron guide system, namely its transport section, including the necessary research and development activities, and delivery of the system to the Contracting Authority at the ESS address in Lund, Kingdom of Sweden, including a free licence to use the system for the needs of the Project and its follow-up phases and installation and alignment of the system as well as potential additional supplies of research and service activities.

Classification of the Subject Matter:

CPV Code:	38000000-5 - Laboratory, optical and precision equipments (excl. glasses)
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4. Contractual price

EUR 1.846.760 excluding VAT

5. List of suppliers participating in the procedure

- 1) **SwissNeutronics AG**, Id. No.: CHE-105.097.734, seating at Brühlstrasse 28, 5313 Klingnau, Switzerland
- 2) **NUVIA a.s.**, Id. No.: 25506331, Modřínová 1094, Nové Dvory, 674 01 Třebíč, Czech Republic

6. List of suppliers excluded from participation in the procedure

None of the Suppliers has been excluded from the procedure for the Public Contract.

7. Contract conclusion

The Contract was concluded with Supplier No. 2: **NUVIA a.s.**, Id. No.: 25506331, Modřínová 1094, Nové Dvory, 674 01 Třebíč, Czech Republic.

Reasoning:

Pursuant to Sec. 114 PPA, the criterion for selection of the potential contractor is the most economically advantageous bid. Thus, the bids were evaluated on the basis of the lowest quoted bid price. Hence the Supplier No. 2: **NUVIA a.s.**, Id. No.: 25506331, Modřínová 1094, Nové Dvory, 674 01 Třebíč, Czech Republic, who has submitted a bid quoting the lowest bid price while meeting all the terms and requirements defined in the Tender Documentation, has been selected for the contract conclusion.

8. Sub-suppliers

The Supplier will use the following sub-supplier to perform the subject matter of the Public Contract: **Mirrotron Ltd.**, Id. No.: 01-09-077901, seating at 1121 Budapest, Konkoly Thege Miklós út 29-33, Hungary.

9. Justification for use of the negotiated procedure without publication

The Contracting Authority is entitled to use the negotiated procedure without publication, in accordance with Sec. 64 letter a) PPA, since the subject matter of this Public Contract is supply of a system (i.e. a part of the "Beamline for European Engineering Research" neutron guide system) for the purposes of research and development; while the supply includes detailed technical design and delivery of the system as well as necessary research and development activities and the main objective of the Public Contract is to implement the relevant project. The project's aim is delivery of the system for the BEER diffractometer at the European Spallation Source (ESS), which is the in-kind contribution to be made on behalf of the Czech Republic into the construction of the ESS large research infrastructure. For the implementation of the Project professional competencies and close coordination between many entities (including foreign partners and ESS) is needed to deliver a supply that meets all the standards and requirements (including radiation safety requirements) for integrating the BEER instrument into the ESS infrastructure for research, development and innovation. Considering, among others, the quite unusual nature of the Public Contract, the process had required negotiations to take place prior to the commissioning of the first round of the public procurement procedure for the Public Contract, and also therefore the negotiated procedure without publication has been the preferred process.

In Řež on January 22nd, 2019

A handwritten signature in blue ink, appearing to read 'P. Lukáš', written over a horizontal line.

RNDr. Petr Lukáš, CSc., director
Ústav jaderné fyziky AV ČR, v. v. i.

