



Invitation to Tender for a public contract

„Digital puls generator two-channel“

Entered in the „Dynamic Purchasing System for deliveries of instruments, equipment, tools and materials 2018-2022“

(hereinafter „DPS“)

The Contracting Authority:

Name:	Nuclear Physics Institute of the CAS, p.r.i.
Headquarters:	Husinec – Řež, Hlavní 130, 250 68
Legal form:	Public research institution.
Represented by:	RNDr. Petr Lukáš, CSc., director
Business identification no.:	61389005
Tax identification no.:	CZ61389005
Hereinafter referred to as „The Contracting Authority“	

Contact person for the public contract:	Tomáš Velík, MBA
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1. BASIC PROVISION

Within the established „Dynamic Purchasing System for deliveries of instruments, equipment, tools and materials 2018-2022“ the contracting authority within the meaning of § 141 of Act No. 134/2016 Coll., on the awarded of public contracts, as amended (hereinafter referred to as the „Act“), invites suppliers included in the said DPS to prepare and submit tenders for a public contract: **„Digital puls generator two-channel“**.

The tender documentation (in the sense of the provisions of § 96 and the provisions of § 141 of the Act) is incorporated into the conditions of this Invitation to submit tenders (hereinafter referred to as the „Invitation“).

The subject of the public contract is specified in detail together with all other conditions of the public contract in this Invitation to Tender in the sense of the provisions of § 141 of the Act.

Suppliers not included in the „Dynamic Purchasing System for deliveries of instruments, equipment, tools and materials 2018-2022“ (hereinafter „DPS“) may not submit an offer for this public contract. The conditions for submitting a request to participate and for inclusion in the DPS are published at: <https://ezak.ujf.cas.cz/dns00000010>

It is possible to submit a request to participate for the entire duration of the DPS. Rights, obligations or conditions not stated in this Invitation to Tender are governed by the Act and related implementing regulations. This public contract is awarded electronically using the electronic tool E-ZAK available at <https://ezak.ujf.cas.cz/>.



All operations are performed electronically. All terms and conditions and information regarding the electronic tool, including DPS, are available at <https://ezak.ujf.cas.cz/>.

It is assumed that the supplier will study in detail the complete Invitation to Tender and any ambiguities before submitting the Tender, and the disputed provisions will be clarified with the contracting authority before submitting the Tender. The Supplier is obliged to take into account all information and circumstances relevant to the performance of this public contract when processing the Tender and is able to deliver the Goods defined in art.2.1 of the Invitation to Tender. The Supplier respects the business conditions specified in art.4 of the Invitation to the Tender. The Supplier is able to deal with the knowledge and diligence that is associated with his condition or profession in the sense of the provisions of § 5 section 1 of Act No. 89/2012, Coll., The Civil Code, as amended.

2. SUBJECT OF THE PUBLIC CONTRACT

2.1. SUBJECT OF THE PUBLIC CONTRACT

The subject of the public contract is the supply of the **Digital puls generator two-channel** for Nuclear Physics Institute of the CAS, p.r.i., its exact specification is given in the Annex to the Purchase Contract – Technical specification.

The subject of performance also consists of:

- a) import of goods to the destination,
- b) provision of warranty service for the entire warranty period.

The total costs of delivery of the goods by the seller to the destination (acceptance), costs such as necessary fees, taxes, duties and costs of disposal and warranty service are on the part of the seller.

2.2 CLASSIFICATION OF THE SUBJECT OF THE PUBLIC CONTRACT

Indicative classification of the subject of the public contract (CPV):

38540000-2 Zkušební a měřicí stroj a zařízení
(38540000-2 Testing and measuring machine and equipment)

2.3 ESTIMATED VALUE OF THE CONTRACT

The total estimated value of the public contract is CZK 208 270,- without VAT.

2.4 INDICATION OF TRADE NAMES AND SPECIFIC INDICATIONS

If the tender conditions contain requirements or references to business names, names or forenames, specific designations of goods and services that apply to a particular person or its organizational unit as distinctive, patents for inventions, utility models, industrial designs, trademarks or designations of origin, in such a case the contracting authority allows the use of other, qualitatively and technically similar solutions for the performance of the public contract.



3. DEADLINE AND PLACE OF PERFORMANCE OF THE PUBLIC CONTRACT

Place of performance of the public contract:	Nuclear Physics Institute of the CAS, p.r.i., Husinec – Řež, Hlavní 130, post code 250 68, building 351
Deadline for performance of the public contract:	within 8 weeks from the effective date of the contract

4. BUSINESS AND PAYMENT CONDITIONS

4.1. BUSINESS AND PAYMENT CONDITIONS

The Contracting Authority as a part of this Invitation to Tender, submits business conditions within the meaning of the provisions of § 28, section 1, letter b) and the provisions of § 36, section 2 of the Act. The business conditions are elaborated in a structure corresponding to the proposal text of the draft Purchase Contract. The Supplier shall only complete these business conditions with the data necessary for the finish of the draft contract (especially the supplier's identification data, price data and possibly other data required by the Contracting Authority) and shall submit such supplemented business conditions as a draft Purchase Contract. The data that the supplier completes are marked: **[TO BE COMPLETED BY THE SUPPLIER]**.

The Contracting Authority announces and the Supplier acknowledges that the Contracting Authority is not an entrepreneur in the business relations in question.

An integral part of the draft Purchase Contractt is:

- Annex to the Purchase Contract – Technical specification

4.2 THE OBLIGATION OF PAYMENT CONDITIONS

The business conditions define the future framework of the contractual relationship. The Supplier's offer must respect the set business conditions and in no part may it contain a provision which would be in conflict with the business conditions and which would disadvantage the Contracting Authority.

The Contracting Authority reserves the right to exclude certain items from the subject of the public contract before concluding the contract, or to limit the number of pieces in certain items, especially in the event that the Contracting Authority does not have sufficient financial resources. In such a case, the Supplier may not claims damages (property or non-property) against the Contracting Authority.

5. TECHNICAL CONDITIONS

Technical conditions, in accordance with the provisions of § 89 of the Act, mean the characteristics and requirements for supplies set objectively and unambiguously in a manner expressing the purpose of the use of the required performance intended by the Contracting Authority. The technical conditions are set out in Annex to the Purchase Contract – Technical Specification.



6. REQUIREMENT FOR THE PROCESSING OF THE OFFER PRICE

6.1. OFFER PRICE

For the purposes of the contract, the offer price means the total price for the provision of the subject of performance of the public contract without VAT. The offer price must include all necessary costs for the proper implementation of the subject of the public contract, including all related costs (fees, duties, transport, liquidation, etc.).

6.2 CONDITIONS FOR PROCESSING THE OFFER PRICE

The offer price will be set as the highest permissible price with the exception of the reserved change of the obligation according to § 100 and changes of the obligation according to § 222 of the Act.

The offer price for the delivery will be processed according to the material breakdown contained in Annex No. 1 – Draft Purchase Contract. The offer price will be stated in the Czech currency in the breakdown price without VAT, VAT rate in % and total price including VAT.

Payment for the delivered device can be made in the currencies: **Czech crown (Kč = CZK)** or **EUR (only foreign suppliers who are not registered for VAT in the Czech republic)**. If the Seller request payment in EUR, then in addition to the offer price in Czech currency excluding VAT, the seller shall also state the price in EUR and the CZK/EUR conversion rate used, see Article IV. of the Purchase Contract.

Data on the supplier's offer price, or partial prices of individual parts of the delivery are listed in several tender documents. It is the supplier's obligation that all the price data provided by him are identical in the related documents.

6.3 AMOUNT OF THE OFFER PRICE

The expected value above is not the limit value. However, if the suppliers offers a higher offer price than the estimate value, the tender procedure may be canceled for economic reasons.

7. CONDITIONS AND REQUIREMENTS FOR TENDER PROCESSING

When awarding a public contract within DPS, both the Contracting Authority and the Supplier use exclusively electronic tools in accordance with the provisions of § 107 section 1 of the Act. The offer must be submitted by the supplier electronically via the electronic tool E-ZAK available at <https://ezak.ujf.+cas.cz/>.

The Supplier shall use the draft of Purchase Contract (including its integral Annex to the Purchase Contract– Technical Specification) for the processing of its offer.

In accordance with the conditions set out in Article 4 of this Invitation to Tender, the Supplier shall complete the required data in the Purchase Contract.

The structure of the Annex to the Purchase Contract – Technical specification is binding for the Supplier. The Supplier will not change the format in the table, will not merge or omit items, will not delete rows or columns, all items will be valued. In the event that the supplier does not comply with this condition and the offer of such a supplier may be rejected.



The submitted data message containing the documents that make up the offer may be signed both electronically and manually by a person authorized to act on behalf of the participant according to the current extract from the Commercial Register or other similar records, or other persons authorized to act on behalf of the supplier. In the case of a person authorized to act on behalf of the supplier, the data message must include a document proving the authorization (eg. power of attorney).

The offer must be fully prepared in electronic form, in the Czech, Slovak or English language.

8. SUBMISSION OF THE OFFER AND OPENING OF OFFER

8.1 SUBMISSION OF THE OFFER

The offers may be submitted in accordance with the provisions of § 107, of section 1 of the Act only by means of the electronic tool E-ZAK (available at <https://ezak.ujf.cas.cz/>).

The contracting authority recommends submitting an offer in pdf. format. In addition, the completed contract and its attachment must be also be attached in an editable form (Excel, Word). The offer (data message) must contain:

- **Completed and signed Annex No. 1 – Draft Purchase Contract including its annex (Technical Specification).**
- **Completed Annex No. 2 to the Invitation to Tender – Cover Sheet.**

The deadline for submission of offers ends in accordance with the provisions of § 141 of section 2 of the Act on 01. 11 . 2021 at 9:00 am.

8.2 OPENING OF THE OFFERS IN ELECTRONIC FORM

The offers can be delivered only by electronic means, so the opening of the offers will take place without the presence of suppliers. In accordance with the provisions of § 109 sections 1 and 2 of the Act, the opening of the offers shall be performed by an authorized employee of the Contracting Authority.

9. RULES FOR THE EVALUATION OF THE OFFERS

9.1 PUBLIC PROCUREMENT EVALUATION CRITERIA

In accordance with the provisions of § 114, of section 2 of the Act, the evaluation criterion of public contract is **the lowest offer price in Czech crowns (CZK)** within the evaluation according to the economic advantage. When evaluating the offer price, its amount without VAT is decisive.

9.2 METHOD OF EVALUATION OF THE OFFERS

The offers will be evaluated according to the absolute of the offer price from the lowest to the highest. The economically advantageous offer according to the result of the evaluation of offers will be the offer with the lowest offer price.



10. EXPLANATION OF THE TENDER DOCUMENTATION

10.1 EXPLANATION OF THE TENDER DOCUMENTATION

The Supplier is entitled to request an explanation of the tender documentation from the Contracting Authority. The questions must be submitted electronically via the electronic tool E-ZAK, no later than three (3) days before the deadline for submission of tenders.

10.2 PROVISION OF EXPLANATION OF TENDER DOCUMENTATION WITHOUT PRIOR REQUEST BY THE SUPPLIER

In accordance with the provisions of § 98, of section 1, of the Act, the Contracting Authority may provide suppliers with an explanation of the tender documentation via the electronic tool E-ZAK even without the prior request of the suppliers.

11. ASPECTS OF SOCIALLY RESPONSIBLE AND ENVIROMENTALLY RESPONSIBLE AWARD AND INNOVATION

Pursuant to the provisions of § 6, of section 4 of the Act, the Contracting Authority took into account in the tender documentation the obligation to comply with the principles responsible public procurement, to the extent that it considers possible and proportionate to the nature and meaning of the awarded public contract, it is possible and reasonable also with regard to the other principles in § 6 of the Act.

The principles of socially responsible procurement were taken into account by the contracting authority by supporting the participation of small and medium-sized enterprises in public procurement, ie specifically by awarding public contracts in DPS and the Invitation to Tender includes sample documents that reduce administrative complexity and in labor – legal relationships.

As part of enviromentally responsible procurement, the Contracting Authority stipulated that public contract is awarded electronically, as are all other acts. The Contracting Authority's documents will, whenever possible, be acquired electronically so as to minimize the need for printed output. At the same time, the Contracting Authority took into account enviromentally responsible procurement when setting out in the business conditions the condition that the supplier is obliged to comply with applicable technical standards and environmental requirements when implementing the subject of performance of the public contract and all packaging used will be enviromentally friendly.

In the context of innovations, responsible procurement does not apply to this contract.

12. OTHER CONDITIONS OF THE PUBLIC CONTRACT

12.1 REQUIREMENTS FOR THE OFFER VARIANTS

The Contracting Authority does not allow variants of offers.

12.2 PRIORITY OF INDIVIDUAL DOCUMENTS

If, for any reasons, there is discrepancy between the data contained in the supplier's offer, then it applies that the data stated in the draft Purchase Contract are decisive and priority.



12.3 CANCELLATION OF THE PUBLIC CONTRACT

The contracting Authority reserves the right to cancel the public contract, especially in the following cases:

- no offer was submitted within the deadline for submission of offers;
- the only supplier who submitted an offer was excluded;
- the participation in the public contract to a selected supplier has expired;
- the reasons for the continuation of the public contract have ceased to exist as a result of a substantial change in circumstances which occurred after the commencement of the public contract and which the Contracting Authority acting with due diligence could not and did not anticipate;
- during the public contract there were reasons worthy of special consideration, including economic reasons for which the Contracting Authority cannot be required to continue the public contract, regardless of whether these reasons were caused by the Contracting Authority or not;
- the Contracting Authority did not receive a subsidy from which the public contract was to be paid in full or in part;
- until the supplier selection notice is sent, if only one offer has been submitted in the framework of the public contract.

If the Contracting Authority cancels the public contract, the Supplier shall not have any claim against the Contracting Authority for reimbursement of costs associated with participation in this public contract.

12.4 AN INTEGRATED PARTS OF THIS INVITATION TO TENDER ARE:

- Annex No. 1 – Draft Purchase Contract
- Annex to the Purchase Contract – Technical specification
- Annex No. 2 – The Offer cover sheet

In the city Husinec – Řež, day on October 19, 2021.

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RNDr. Petr Lukáš, CSc.
director
Nuclear Physics Institute of the CAS, p.r.i.

