



## INVITATION TO SUBMIT A BID

for the small size public procurement „**L4 10PW Laser Beam Distribution Vacuum Bellows TP22\_006**“ (“**Public Procurement**”) that is to be concluded in the procedure according to the Rules for the selection of suppliers (“**Rules**”) under the Research, Development and Education Operational Programme.

### 1. CONTRACTING AUTHORITY

Name of the contracting authority:	Institute of Physics of Academy of Sciences of the Czech Republic, public research institution
Registered office:	Na Slovance 2, Praha 8, PSČ: 182 21
Identification No.:	68378271
Tax Identification No.:	CZ68378271
Person authorized to act on behalf of the contracting authority:	RNDr. Michael Prouza, Ph.D., director
Contact person:	Martin Körber
Telephone:	+420 266 051 376
E-mail:	Martin.Korber@eli-beams.eu

(“**Contracting Authority**”)

### 2. GENERAL INFORMATION

- 2.1 This Public Procurement shall be financed from Operational Programme Research, Development and Education.
- 2.2 The Contracting Authority does not follow the rules for public procurements set out in the act no. 134/2016 Coll., on public procurement (“**Act**”), because the Public Procurement is considered a small size public procurement within the meaning of Section 27 of the Act.
- 2.3 However, the award procedure is subject to Rules due to the fact, that the Public Procurement is financed from the Research, Development and Education Operational Programme.
- 2.4 If the Contracting Authority uses references to the Act, it means that the Contracting Authority shall proceed analogically in relation to the Act. However, these links to the Act do not imply that the Public Procurement is awarded in accordance with the rules stipulated in the Act.



### 3. **PUBLIC PROCUREMENT SPECIFICATION AND BASIC PRINCIPLES OF CONTRACTUAL RELATION**

#### 3.1 **Subject-matter of the Public Contract**

The subject matter of the Public Procurement is the supply of 5 pieces of the DN1000 hydroformed bellows in accordance with the technical specification, which forms annex no. 2 hereto and under the contract, which forms annex No. 3 hereto.

Applicants shall prepare the bid in accordance with all requirements of the Contracting Authority and in accordance with this Invitation and all its Annexes.

#### 4. **TYPE OF PUBLIC PROCUREMENT**

4.1 The Public Procurement is classified as a “supply” public procurement.

#### 5. **THE TIME AND PLACE OF DELIVERY**

5.1 The time of delivery is stipulated in the contract, which forms annex No. 3 hereto.

5.2 The place of delivery is stipulated in the contract, which forms annex No. 3 hereto.

#### 6. **TECHNICAL CONDITIONS**

6.1 If the technical conditions are set by a direct or indirect reference to the economic operators or products, or patents for inventions, utility models, industrial designs, trademarks or designations of origin, the supplier may offer another equivalent solution.

6.2 If the Annex No. 2 contains references to a standards or technical documents the supplier may offer another equivalent solution. In this case the supplier proves, that the proposed supplies satisfy in an equivalent manner the requirements defined by the Contracting Authority in the technical specifications.

6.3 **The applicant shall submit a description (e.g. catalogue sheets or technical specifications or drawings) of the offered product** within its bid to such extent that the Contracting Authority may reasonably verify that its technical requirements are met.

#### 7. **BUSINESS AND PAYMENT TERMS**

7.1 Business and payment terms and conditions are stipulated in the draft of the contract that forms Annex No. 3 of this invitation.

7.2 The signed draft of the contract does not have to be inserted in the bid. If the bid is selected as the winning bid, then (after fulfilling all mandatory prerequisites) the bidder shall be asked to conclude the contract with the Contracting Authority.

7.3 The contract shall be concluded in the version as is attached to this invitation (or as is officially modified during the award procedure by the Contracting Authority due to additional information/explanation).



7.4 Bidders particularly shall not refer in their bids to their business conditions and terms. If the bidders include their own business terms and conditions in the bid, such terms and conditions shall be irrelevant and the bidder will be requested to conclude the contract as is attached to this invitation.

## 8. THE DATE AND PLACE OF THE SUBMISSION OF BIDS

8.1 Bids must be submitted to the **Institute of Physics of Academy of Sciences of the Czech Republic, public research institution – ELI, department 95 – Martin Körber** at the address: **Za Radnicí 835, Dolní Břežany town, post code: 252 41, Czech Republic**, on **8. 3. 2022 until 2:00 pm**, at the latest.

8.2 Bids may be supplied by post, courier, or personally to the above mentioned address in working days between 8-15 hours. On the last day of the period for the submission for bids the bids may be submitted until **2:00 pm**.

## 9. ADDITIONAL INFORMATION

9.1 The supplier is entitled to require in written form explanations regarding the tender conditions from the Contracting Authority. The written request must be received by the Contracting Authority no later than 4 working days before the deadline for submission of bids.

9.2 The Contracting Authority sends explanations regarding the tender condition and possibly related documents no later than 2 working days after receiving written request from the supplier. If the request from the supplier is not delivered in time and despite this fact the Contracting Authority decides to provide explanations regarding the tender conditions, then the time limit in the preceding sentence does not need to be observed by the Contracting Authority.

9.3 The explanations regarding the tender conditions (including the exact wording of the request of the supplier) shall be provided to all suppliers at the same time and sent in the same manner as this invitation.

9.4 The Contracting Authority is entitled to provide explanations regarding the tender conditions without prior request. In such cases the Contracting Authority proceeds analogically according to the preceding paragraphs.

9.5 The Contracting Authority may modify the tender conditions before the deadline for submission of bids elapses. The modification has to be notified to the suppliers in the same manner as the tender conditions that was the subject of modification. If the Contracting Authority through explanations of the tender conditions makes modification of the tender conditions and the nature of the such modification requires it, the Contracting Authority shall adequately extend the deadline for the submission of bids. In the event such a modifications, which may extend the range of potential bidders, the Contracting Authority will extend the deadline so that the potential bidders have the entire length of the original deadline for the submission of bid.



#### 10. **EXCEPTIONALLY LOW BID PRICE**

During the assessment whether or not the bid fulfils the Contracting Authority's requirements, the Contracting Authority reserves the right to assess whether the bid price of the bidder is exceptionally low. The Contracting Authority shall proceed analogically according to the Section 113 of the Act.

#### 11. **EVALUATION CRITERIA**

11.1 Bids shall be evaluated on the basis of the lowest bid price criterion. Evaluated will be the bid price without value added tax.

11.2 In the case that two or more bids contain the same bid price (without value added tax), the time of the submission of the bid shall be a decisive element, i.e. the bid that was submitted earlier shall have priority over the bid that was submitted later.

#### 12. **BID PRICE**

12.1 The applicant shall be obliged to state the total bid price within its bid in **EUR or CZK net of VAT** in the Annex no. 4.

12.2 Only for the purposes of evaluation by the evaluation committee, the bid price submitted in CZK shall be converted into EUR. The middle exchange rate declared by the Czech National Bank on the last day, on which the bids could be submitted, shall be used.

12.3 The total bid price is the maximum price that cannot be exceeded and shall include all costs that the bidder shall incur during the performance of the Public Procurement.

#### 13. **FORMAL BID REQUIREMENTS**

13.1 All bids must be in writing in duly sealed envelope designated by the identification data of the bidder. The envelope must be designated by inscription "**DO NOT OPEN**" and by title of the Public Procurement "**L4 10PW Laser Beam Distribution Vacuum Bellows TP22\_006**". On the envelope shall be address to which the Contracting Authority may send information regarding the Public Procurement.

13.2 The bid shall contain identification data of the bidder. This requirement is fulfilled by filling the cover sheet of the bid, which forms Annex 1 to this invitation.

13.3 The bid must be submitted in Czech, Slovak or English language. This requirement is fulfilled if documents that by its nature cannot be in the required language are at least translated into one of the required languages.

13.4 All pages in the bid must be secured against unauthorized manipulation (e.g. bound by string and sealed), so that additional documents cannot be inserted nor any pages removed. The bid must be clearly readable, without any crossed words or other discrepancies.

13.5 The bidder must submit a bid in its original (paper) form.

13.6 The bidder must also include in the bid a CD-ROM, USB, or other generally used data carrier with an electronic copy of the bid (all paper documents in the bid).

13.7 If the bid is submitted jointly by several bidders (joint bid), a contact person authorized to represent all such bidders must be designated in the bid.



13.8 The bids must be structured in the following manner:

a) **Cover sheet**

Bidders shall fill in cover sheet (Annex 1 to this invitation).

b) **Description of the offered product** – see art. 6.3 of this invitation

c) **Price table** – the bidder shall fill in Annex 4 to this invitation

14. **FINAL PROVISIONS**

14.1 The Contracting Authority is entitled to cancel the award procedure initiated by this invitation.

14.2 The Contracting Authority does not allow alternative bids.

14.3 The Contracting Authority is entitled to change or supplement the provisions of this invitation.

14.4 The bidders shall bear all their costs connected with their participation in the award procedure initiated by this invitation.

15. **LIST OF ANNEXES**

Annex 1 Cover sheet of the bid

Annex 2 Technical specification

Annex 3 Purchase contract

Annex 4 Price table

In Prague on 24. 2. 2022