**Invitation to submit a bid**

for the small size public procurement

„***Deformable mirror for FSYNC***

***TP22\_016***”

(“**Public Procurement**”) that is to be concluded in the procedure according to the Rules for applicants and beneficiaries (“**Rules**”) under the Research, Development and Education Operational Programme.

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: Michal Razým

Telephone: +420 608 467 163

E-mail: Michal Razym@eli-beams.eu

(“**Contracting Authority**”)

# General information

The subject matter of the Public Contract shall be funded from Research, Development and Education Operational Programme.

## The Contracting Authority does not follow the rules for public procurements set out in the act no. 134/2016 Coll., on public contracts awarding (“**Act**”), because the Public procurement is considered a small size public procurement within the meaning of Section 27 of the Act.

## 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.

## 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 Act.

# Public procurement specification

## The subject matter of this Public Procurement for supplies is the supply of a set of four crystals with accessoriesin accordance with the technical specification, which forms annex No. 3 hereto and under the contract, which forms annex No. 1 hereto (“**Product**”).

## The bidder shall include in its bid the description of the offered Product, so that the Contracting Authority may verify that its technical requirements are met.

## The maximum permissible total bid price for the Product is **2 000 000 CZK excl. VAT**.

# The time and place of delivery

## The time of delivery is stipulated in the contract, which forms annex No. 2 heteto.

## The place of delivery is: ELI Beamlines research centre, Průmyslová 836, post code 252 41, Dolní Břežany, Czech Republic.

# Business and payment terms

## Business and payments terms and conditions for perfoming the Public Procurement are contained in the binding draft of the contract that forms Annex 2 hereto. After the most suitable bid placed within the Public Procurement is selected, the Contracting Authority will conclude with the selected bidder the contract attached hereto as the binding draft contract with only missing parts completed in accordance with the selected bid (identification data of the selected bider, price, etc.).

## The bidder does not have to include the completed contract in its bid. By submitting its bid the bidder expresses its unconditional consent with wording of the contract, which will be concluded after this procedure is completed.

## If the bidder includes in its bid any additional business or legal terms or any reference thereto or the draft contract modified in any way, such additional or contrary terms shall be deemed irrelevant and the Contracting Authority will request that the bidder concludes the contract in line with art. 4.1 hereof.

## If the selected bidder refuses to conclude the contract for Public Procurement performance in line with art. 4.1 hereof the Contract Authority will conclude the contract with a bidder on the second, third or other places always under the condition that all the bidders with higher ranking refused to conclude the contract.

# The date and place of the submission of bids

## Bids must be submitted to the address: **Fyzikální ústav AV ČR, v. v. i.** - **ELI**, **DEP. 95 – Michal Razým**, **Za Radnicí 835, Dolní Břežany, post code: 252** **41, Czech Republic, on 4. 10. 2022** until **13:00** at the latest.

## 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 **13:00** o'clock.

# Additional INformation

## 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 sumbission of bids.

## 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.

## 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.

## 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.

## The Contracting Authority may modify the tender conditions before the deadline for sumbission 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 sumbission of bids. In the event such a modifications, which may extend the range of potentional bidders, the Contracting Authority will extend the deadline so that the potential bidders have the entire lenght of the original deadline for the submission of bid.

# evaluation criteria

## Bids shall be evaluated on the basis of the lowest bid price criterion.

## In the case that two or more bids contain the same lowest bid price, 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.

# bid price

## The Bidder shall stipulate the total bid price in the bid cover sheet in the structure requested therein.

## 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.

## The total bid price must not exceed the amount set out in Art. 2.3 hereof. Should the total bid price of any bidder exceed the referred to limit, the bidder will be excluded from this Public Procurement procedure.

# formal bid requirements

## All bids must be submitted 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 „Deformable mirror for FSYNC TP22\_016”. On the envelope shall be address to which the Contracting Authority may send information regarding the Public Procurement.

## 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 hereto.

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

## The Contracting Authority recommends that all parts of the bid are 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.

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

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

## The bids must be structured in the following manner:

#### **Cover sheet (Bid sheet)**

#### Bidders shall fill in cover sheet annexed hereto

#### **The detailed enough decription of the offered Product**

#### *Recommendation*

#### *Bidders may (despite the signed contract is not a mandatory part of the bid – see art. 4.2 hereof) include into their bids 4 counterparts of signed and completed contract to speed up the process of its conclusion for the case the bidder is selected*

# final provisions

## The Contracting Authority is entitled to cancel the award procedure anytime prior to the signature of the contract.

## The Contracting Authority does not allow alternative bids.

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

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

## The Contracting Authority reserves the right to publish/ distribute a notice on Public Procurement awarding conclusions in the same way as this Invitation to bid.

# list of annexes

#### Annex 1 (Cover sheet)

#### Annex 2 (Draft of the contract)

#### Annex 3 (Technical specification)

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RNDr. Michael Prouza, Ph.D., director

# annex 1

**cover sheet of the bid (BID SHEET)**

**Public procurement title:** Deformable mirror for FSYNC TP22\_016

**Contracting Authority:** Fyzikální ústav AV ČR, v.v.i.

**Registered office:** Na Slovance 2, 182 21 Praha 8

**Registration No.:** 68378271

**Person authorized to act**

**on behalf of the bidder:** RNDr. Michael Prouza, Ph.D., director

**Contact person:** Michal Razým

**Telephone:** +420 608 67 163

**E-mail:** Michal.razym@eli-beams.eu

**Bidder: ………………………………………………………………**

**Registered office: ………………………………………………………………**

**Identification No.: ………………………………………………………………**

**Person authorized to act**

**on behalf of the bidder: ………………………………………………………………**

**Contact person: ………………………………………………………………**

**Contact address: ………………………………………………………………**

**Telephone: ………………………………………………………………**

**E-mail: ………………………………………………………………**

**Bid price and information needed for contract completion**:

**Total bid price**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ EUR excl. VAT

**Defects notification email address**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By submitting this bid the bidder expresses its consent with binding draft contract of the Contracting Authority annexed to Invitation to bid for this Public Procurement and commits to conclude the contract with the Contracting Authority, if this bid is selected as the most suitable one.

In \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Company name

Authorised representative signature

# annex 2

**draft of the contract**

# annex 3

**TECHNICAL SPECIFICATION**