



## INVITATION TO SUBMIT A BID

for the small size public procurement „Vacuum valves in 2018“ (“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 The subject matter of the Public **This Public contract 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.
- 2.5 Part of this invitation is also the tender documentation for the Public Procurement.



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

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

The subject matter of the tender will be the delivery of vacuum valves and provision of related services as specified herein.

Vacuum valves will be a part of an extended vacuum system that centrally provides backing and roughing vacuum to large vacuum vessels at ELI-Beamlines facility. The valves will provide sealed separation between two regions with different pressures. Vacuum valves will be used for applications under high vacuum or ultra-high vacuum. The vacuum valves categorized according to type of flange, drive and applicable pressure range.

Subject-matter of the Public Contract, i.e. vacuum valves and related services, are in detail specified in **Annex No. 2 Technical Specifications (Requirement Specification Document)** and **Annex No. 4 Framework Purchase Contract** hereto.

#### 3.2 **Basic principles of contractual relation between the Contracting Authority and the selected supplier**

The purpose of the present Public Contract shall be conclusion of a Framework Purchase Contract with a single contractor.

As stated in the Framework Purchase Contract the supplier shall deliver vacuum valves (as defined in the contract) as per the Contracting Authority's individual orders to be made in writing. The Contracting Authority shall have the right to issue an order for vacuum valves in writing at any time during the terms hereof.

The amount / numbers of ordered vacuum valves depend solely on the discretion of the Contracting Authority. The Contracting Authority shall not be bound by expected number of individual items as indicated herein to be ordered under the Framework Purchase Contract. However, in case the Contracting Authority expressly stipulates a minimum quantity to be bought under the Framework Purchase Contract (see **Annex No. 3 Price Sheet**) regarding any particular product, it is legally bound to order such minimum quantity under the Framework Purchase Contract.

The Contracting Authority is entitled, while observing the maximum overall financial limit of the Framework Purchase Contract to order also higher quantity within a particular item of the subject-matter of performance of the Public Contract than indicated in **Annex No. 3 hereto Price Sheet**.

The above mentioned principles mean that the Contracting Authority as a buyer shall be bound after signing the Framework Purchase Contract by description of the subject-matter of performance within the Public Contract (products specifications), by unit prices stipulated by the applicant in its bid for the Public Contract, by the maximum overall financial limit within validity of the Framework Purchase Contract and not by expected



numbers of products to be purchased (as indicated in **Annex No. 3 hereto Price Sheet**) unless it is stipulated herein expressly otherwise (minimal guaranteed quantities).

Applicants shall prepare the bid in accordance with all requirements of the Contracting Authority and in accordance with this Tender Documentation 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 framework Purchase Contract shall be concluded immediately after the Contract Awarding Procedure is finished.

5.2 The place of delivery is ELI Beamlines facility, in Dolní Břežany town, Czech Republic.

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

6.1 The applicant shall submit catalogue sheets or technical specifications in other form for all the offered items within its bid which will allow verifying whether Contracting Authority’s technical requirements stipulated hereby have been met. Meeting the technical parameters set forth herein (including all annexes) must be undoubtedly clear.

6.2 Furthermore, the bidder will identify **the manufacturer, the trade name of the product and the ordering number** regarding each item (type of product) in the **Price Sheet (Annex No 3 hereto)** which will form a part of the bid.

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

7.1 Business and payment terms and conditions are stipulated in the draft of the contract that forms **Annex 4** of this invitation. The bidder must fill in that parts of the binding draft contract that are designated to be amended by colours or any other clear instructions.

7.2 The bidders are not allowed to change or supplement the draft of the contract, i.e. the bidders must accept the draft of the contract as is attached to this invitation.

7.3 The draft of the contract must be signed by a person authorized to act on behalf of the bidder. If the draft of the contract is signed on the basis of the power of attorney or other authorization, then the power of attorney or other authorization must be included in the bid.

#### 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 12.7.2018 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. **BINDING BIDS**

9.1 The bidders shall be bound by their bids for the period of 60 days from the last day, on which bids could be submitted.

## 10. **ADDITIONAL INFORMATION**

10.1 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.

10.2 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.

10.3 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.

10.4 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.

10.5 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.

## 11. **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.



## 12. EVALUATION CRITERIA

- 12.1 Bids shall be evaluated on the basis of the lowest bid price criterion. Evaluated will be the bid price without value added tax.
- 12.2 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.

## 13. BID PRICE

- 13.1 The applicant shall be obliged to give the Total bid price within its bid in **EUR net of VAT** in the structure given in the **Annex no. 3 Price Sheet**.
- 13.2 The applicant is obliged to price all items which form subject-matter of the Public Contract.
- 13.3 The 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.

## 14. FORMAL BID REQUIREMENTS

- 14.1 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 "**Vacuum valves in 2018**". On the envelope shall be address to which the Contracting Authority may send information regarding the Public Procurement.
- 14.2 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.
- 14.3 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.
- 14.4 The bid must contain the draft of the contract signed by the person authorized to act on behalf of the bidder.
- 14.5 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.
- 14.6 The bidder must submit a bid in its original (paper) form and one copy of the bid in paper form.
- 14.7 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).



14.8 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.

14.9 The bids must be structured in the following manner:

a) **Cover sheet**

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

b) **Meeting technical conditions** – see paragraph No. 6

c) **Price sheet** - see paragraph No. 13

d) **The draft of the contract** signed by the person authorized to act on behalf of the bidder (Annex 4 to this invitation).

## 15. FINAL PROVISIONS

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

15.2 The Contracting Authority does not allow alternative bids.

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

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

## 16. LIST OF ANNEXES

1. Annex 1 Cover sheet of the bid
2. Annex 2 Technical specification
3. Annex 3 Price sheet
4. Annex 4 Framework purchase contract

In Prague on .....<sup>26.6.2018</sup>..... 2018

.....  
RNDr. Michael Prouza, Ph.D., director



**ANNEX 1**

**COVER SHEET OF THE BID**

**Public procurement title:** Vacuum valves in 2018

**Contracting Authority:** Institute of Physics of Academy of Sciences of the Czech Republic, public research institution

**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:** Martin Körber

**Telephone:** +420 266 051 376

**E-mail:** Martin.Korber@eli-beams.eu

**Bidder:** .....

**Registered office:** .....

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

**Tax Identification No.:** .....

**Person authorized to act on behalf of the bidder:** .....

**Bank account:** .....

**Contact person:** .....

**Contact address:** .....

**Telephone:** .....

**E-mail:** .....

**Signature:** \_\_\_\_\_

**Name:** .....

**Position:** .....

**Date:** .....



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



## ANNEX 2

### TECHNICAL SPECIFICATION



EUROPEAN UNION  
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Operational Programme Research,  
Development and Education



MINISTRY OF EDUCATION  
YOUTH AND SPORTS

## ANNEX 3

### PRICE SHEET



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Development and Education

  
MINISTRY OF EDUCATION,  
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## ANNEX 4

### FRAMEWORK PURCHASE CONTRACT