



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



Justification of Purposefulness of Public Contract

Public Contract name: **Beam transport mirrors for the L3 laser beam lines**

Type of Public Contract and Procedure: above-the-threshold public contract for supplies in negotiated procedure without publication.

Negotiated procedure without publication is applicable since conditions stated in Sec. 23 (5) (a) of the Act are met and the supplied products are manufactured purely for the purposes of research or development.

Number in the Official Information System of Public Contracts: 635088

Contracting Authority: Fyzikální ústav AV ČR, v. v. i.
Seat: Na Slovance 2, 182 21 Praha 8
Identification No.: 68378271
Tax Identification No.: CZ68378271
Person authorized to represent the Contracting Authority: prof. Jan Řídký, DrSc., Director

Statement of Reasons for Purposefulness of Public Contract Pursuant to Sec. 2 of the Decree n. 232/2012 Coll.	
The data pursuant to Sec. 1, where a modification occurred in contrast to the facts pursuant to Sec. 1 of the regulation (modifications in contrast to Justification of Purposefulness of Public Contract for Purposes of Contracting Authority Prior Information Notice):	
a) description of the needs to be accomplished through the performance of a public contract	No changes
b) description of the subject matter of a public contract	Subject-matter of the Public Contract is purchase of the 1 Petawatt, 30 J, 30 fs, 10 Hz, 820 nm beam transport mirrors for the ELI L3 laser. These mirrors will guide the short pulse

	of the compressed L3 laser pulses from the pulse compressor output entirely in vacuum with up to 18 mirrors and over a distance of up to 88 meters to the experimental areas. There are two types of mirrors to be purchased: 1. Flat turn mirrors (TM) 2. Flat leak mirrors (LM) Mirrors TM will be used for "s" as well as "p" polarization while leak mirrors LM are only used for "s" polarized light.
c) a mutual relationship between the subject matter of a public contract and the needs of the contracting entity	No changes
d) foreseen deadline of the performance of a public contract	May 2016 – December 2016 The foreseen deadline of the performance of the public contract has been changed due to the immediate availability of the production capacity of one of the potential suppliers.
The description of the risks attaching to the performance of a public contract which were taken into account by the contracting entity in setting forth tender conditions. It particularly involves the risks of failure to execute a public contract, delay with the performance of a public contract, reduced quality of the performance, expending additional financial costs	Not realizing the Public Contract might jeopardize a fulfilment of aims and conditions emerging from a realization of the projects, whose proper realization the Contracting Authority has pledged to.
The contracting authority may delimit the variants of the accomplishment of the need and justification of the selected variant of the public contract (<i>optional</i>)	The Contracting Authority is not aware of any other way of accomplishing its needs.
The contracting authority may delimit to what extent the public contract will influence the performance of envisaged target. (<i>optional</i>)	A successful realization of the public contract achieves a fulfilment of the Contracting Authority needs and a reaching of the envisaged target.
Supplementary information justifying the purposefulness of a public contract (<i>optional</i>)	

Statement of Reasons for Proportionality of the Requirements on Technical Qualifications Prerequisites for the Performance of a Public Supply Contract Pursuant to Sec. 3 (1) of the Decree n. 232/2012 Coll. (justification of proportionality of the requirements on technical qualifications prerequisites in relation to the subject matter of the public contract and to the risks attaching to the performance of the public contract)	
Justification of proportionality of the requirements for the list of principal deliveries. <i>(The contracting entity shall fill it in compulsorily, where the required financial value of all principal deliveries amounts in the aggregate to at least three times the estimated value of the public contract.)</i>	Not relevant
Justification of proportionality of the requirement for submission of the list of technicians or technical bodies. <i>(The contracting authority shall fill it in compulsorily, where it requires the submission of the list of more than three technicians or technical bodies).</i>	Not relevant
Justification of proportionality of the requirement for production of the description of technical facilities and measures used by the economic operator for ensuring quality control, and description of facilities or equipment of the economic operator designed for research.	Not relevant
Justification of proportionality of the requirement on the check carried out on the production capacities by the contracting authority or on its behalf by another person and, if necessary, a check on measures relating to assurance of quality and research.	Not relevant
Justification of proportionality of the requirement for submission of samples, descriptions or photographs of the products to be supplied.	Not relevant
Justification of proportionality of the requirement for production of evidence attesting conformity of a required product issued by the relevant authority.	Not relevant

Statement of Reasons for Proportionality of the Requirements on Technical Qualifications Prerequisites for the Performance of a Public Service Contract Pursuant to Sec. 3(2) of the Decree n. 232/2012 Coll. (justification of proportionality of the requirements on technical qualifications prerequisites in relation to the subject matter of the public contract and to the risks attaching to the performance of the public contract)	
Justification of proportionality of the requirements for the list of principal services. <i>(The contracting entity shall fill it in compulsorily, where the required financial value of all principal services is in the aggregate at least three times the amount of the estimated value of the public contract.)</i>	Not relevant
Justification of proportionality of the requirement for submission of the list of technicians or technical bodies. <i>(The contracting authority shall fill it in compulsorily, where it requires the submission of the list of more than three technicians or technical bodies).</i>	Not relevant
Justification of proportionality of the requirement for production of the description of technical facilities and measures used by the economic operator for ensuring quality control, and description of facilities or equipment of the economic operator designed for research.	Not relevant
Justification of proportionality of the requirement on the check carried out on the production capacities by the contracting authority or on its behalf by another person and, if necessary, a check on measures relating to assurance of quality and research.	Not relevant
Justification of proportionality of the requirement for production of a certificate of education and professional qualifications of the economic operator or those of the economic operator's managerial staff or of persons with equal status and persons responsible for providing relevant services <i>(The</i>	Not relevant

<i>contracting entity shall fill it in compulsorily, where it requires submission of a certificate of education higher than secondary education with GCSE (general certificate of secondary education) exam, or a certificate of professional qualifications longer than three years).</i>	
Justification of proportionality of the requirement for production of the statement of the average annual manpower of the economic operator or of other persons engaged in the performance of contracts of similar nature and of the number of economic operator's managerial staff or of persons with equal status.	Not relevant
Justification of proportionality of the requirement for production of the statement of tools or aids, operating and technical equipment available to the economic operator for carrying out the public contract	Not relevant

Statement of Reasons for Delimitation of Commercial Terms and Conditions for Public Supply Contracts and Public Service Contracts Pursuant to Sec. 4 of the Decree n. 232/2012 Coll.	
Justification of delimitation of the commercial term setting forth maturity of invoices longer than 30 days	Not relevant
Justification of delimitation of the commercial term setting forth the requirement for third party liability insurance for the damage brought about by the economic operator to third persons amounting to twice the estimated value of the public contract.	Not relevant
Justification of delimitation of the commercial term setting forth the requirement for a bank guarantee higher than 5 % of the public contract value.	Not relevant
Justification of delimitation of the commercial term setting forth the requirement for a guarantee period	Not relevant

longer than 24 months	
Justification of delimitation of the commercial term setting forth a contractual penalty in the event of default of the economic operator higher than 0.2 % of the estimated value of the public contract for each day of delay.	Not relevant
Justification of delimitation of the commercial term setting forth a contractual penalty in the event of default of the contracting entity higher than 0.05 % of the due	Not relevant
Justification of delimitation of other commercial terms and conditions pursuant to Sec. 5(2). The contracting authority shall justify delimitation of commercial terms and conditions of a public supply contract and public service contract in proportion to its needs and to the risks attaching to the performance of the public contract.	Not relevant

Justification for Technical Conditions specification of Public Contract Pursuant to Sec. 5 of the Decree	
Technical Condition Statement	Technical Condition Statement Reasons
Dimension and Geometry	The mirrors have to reflect the laser beam, and to ensure a safety margin and an alignment margin. The laser beam is 240x240mm ² , and has to be reflected to 90degrees.
Wavelength and spectral bandwidth	The mirrors have to reflect a laser pulse that some specific spectral properties.
Damage threshold	The reflected laser beam is a high energy one, the mirrors have to sustain such energy.
Surface quality	The mirror has to reflect the laser beam without modifying the beam profile quality.
Packaging and shipping	The mirrors have to be packed and shipped in order to respect higher level of cleanliness and handling. Such mirrors are hardly replaceable in case of delivery defect.

Justification for Basic and Partial Evaluation Criteria setting pursuant to Sec. 6 of the Decree	
Evaluation Criterion	Statement of Reasons
Bids shall be evaluated pursuant to Section 78 paragraph 1 b) of the Act based on the total bid price.	Contracting Authority decided to evaluate the bids based on the submitted price. Seeking technical solution can be thoroughly specified in the technical specification annex of the Tender Documentation allowing only qualified bidders to pass the assessment stage of the Public Contract awarding. Remaining bids thus can be evaluated based on their submitted price since all of them will comply with technical criteria.

Justification of Public Contract estimated Value pursuant to Sec. 7 of the Decree	
Value	Justification for total Value
600 000 USD net of VAT	The estimated value was established and adjusted on the basis of continuing marked research and on the previous experience of employees of the contracting authority with equivalent subject-matters.