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**NÁRODNÍ
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Call for tenders including tender documentation

**to the sublimit public contract for supplies
awarded under the simplified sublimit procedure
called:**

"An integrated system for measuring cellular energetics"

Registration No.: 24FGU003103



1. Information about the contracting authority

The contracting authority within the meaning of Act No. 134/2016 Coll., on public procurement, as amended (hereinafter referred to as "ZZVZ"):

Name of the contracting authority: **Institute of Physiology of the CAS, v. v. i.**

Headquarters: Vídeňská 1083, 142 00 Praha 4

ID: 67985823

VAT: CZ67985823

Legal form: public research institution

Represented by: MUDr. Jan Kopecký, DrSc., Director

Correspondence address: Institute of Physiology of the CAS, v. v. i.
Vídeňská 1083
142 00 Prague 4

Contact person: Michaela Matějčková
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Kaplan & Nohejl, advokátní kancelář s.r.o., ID No.: 03235858, with registered office at Opletalova 1525/39, 110 00 Prague 1, has been entrusted with the processing of the tender procedure on the basis of contractual representation.

Responsible person: Mgr. Mgr. Tomáš Kaplan, attorney at law
Contact person: Mgr. Helena Hejsková, attorney at law
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Address: Opletalova 1525/39, 110 00 Prague 1

2. Details of the tender documentation

2.1 **Bindingness of the contracting authority's requirements**

The information and data provided in the individual parts of this tender documentation and in the annexes to the tender documentation define the binding requirements of the contracting authority for the performance of the public contract. The tenderer is obliged to fully and unconditionally respect these requirements when preparing its tender and to accept them in its tender. Failure to accept the requirements of the Contracting Authority set out in these tender documents (with the exception of formal tender requirements) or changes to the commercial terms and conditions will be considered

as non-compliance with the tender conditions, with the consequence that the tenderer will be excluded from further participation in the tender procedure.

Where a specific product is defined directly or indirectly in this invitation to tender or in the annexes, it shall be deemed to define the minimum standard required and may be replaced in the tender by a product of comparable or better performance. Parameters for comparison shall be understood to mean in particular performance and functional parameters. However, the tenderer must demonstrate and prove that the parameters proposed by the tenderer are equal to or better than the defined parameters.

If the terms and conditions of the public contract directly or indirectly refer to a particular supplier, products, patents for inventions, utility models, industrial designs, trademarks or appellations of origin, the contracting authority may offer another equivalent solution (Art.) This must be an equivalent deviation in the required level in terms of quality, safety and usability. In the tender, the tenderer must draw attention to this fact and demonstrate that its proposed solution is equal or better.

The Contracting Authority notes that it is committed to the principles of socially responsible procurement, environmentally responsible procurement and innovation, where relevant, in the procurement process.

2.2 Parts of the tender documentation

The tender documentation consists of the following parts:

- 1) Text part of the tender documentation
- 2) Bid Cover Sheet
- 3) Terms and conditions in the form of a contract
- 4) Table of technical parameters
- 5) Model affidavit of qualification
- 6) Sample affidavit of no conflict of interest

2.3 Additional information on tender conditions and delivery, site visit

2.3.1. The Supplier is entitled to request in writing from the Contracting Authority an explanation of the tender conditions. A written request for an explanation of the tender documentation shall be submitted in Czech or English to the address of the person in charge of the tender procedure pursuant to Article 1 of these tender documents or via the electronic tool - Tender Arena.

The exact wording of the request for clarification of the tender documentation, without identifying the supplier who requested the clarification of the tender documentation, and the actual clarification of the tender documentation shall be published, sent or transmitted by the contracting authority within 3 working days of receipt of the request for clarification of the tender documentation. The tender documentation clarification shall be published by the contracting authority at least 4 working days before the deadline for submission of tenders.



Explanations of the tender documentation and all other communications related to the tender procedure will be sent to suppliers in writing via the electronic tool - Tender Arena.

Pursuant to the provisions of Section 53(5) of the ZZVZ, the contracting authority reserves the possibility to announce the exclusion of a tenderer or the decision on the selection of a tenderer by publishing it on the profile of the contracting authority. In such a case, these notifications shall be deemed to have been delivered to all participants in the procurement procedure at the moment of their publication.

2.3.2. With regard to the subject matter of this tender, no site visit will be carried out.

2.4 Rights of the contracting authority

The contracting authority reserves the right to:

- additionally, amend or supplement the terms and conditions of the public contract pursuant to § 99 of the ZZVZ;
- to specify the terms and conditions of the draft contract in those parts of the contract - by mutual agreement with the participant, which do not affect the change of the terms and conditions of the contract (in the context of Section 222 of the ZZVZ);
- verify the information and data declared by the tenderer in the tender before deciding on the selection of the supplier;
- not to return tenders submitted to the tenderers;
- not to reimburse the costs incurred by a tenderer in participating in a procurement procedure.

3. Characteristics of the public contract

3.1 Name of public contract

"An integrated system for measuring cellular energetics"

3.2 Details of publication of the notice of initiation of the procurement procedure

The procurement procedure was launched by publishing this invitation to tender on the profile of the contracting authority.

3.3 Place of performance of the public contract

The place of performance of the public contract is the seat of the contracting authority - the Institute of Physiology of the CAS v. v. i. Vídeňská 1083, 142 00 Prague 4.



3.4 Period of performance of the public contract

The contracting authority assumes that the performance of the public contract will commence immediately after the entry into force of the relevant contract, i.e. from the date of publication of the relevant contract in the Register of Contracts.

The contracting authority requires delivery of the subject of the public contract **within ten (10) weeks, i.e. within 70 calendar days from the effective date of the contract.**

3.5 Classification of the subject of the public contract and estimated value

The contracting authority specifies the subject of the public contract below:

Shortcode	Name	Full code
38300000	Measuring instruments	38300000-8

The estimated value of the public contract is **2.050.000,- CZK without VAT**, where the contracting authority sets the estimated value as the maximum and the highest permissible price of the subject of performance.

3.6 Definition of the subject of performance of the public contract

The subject of the public contract is the delivery of an instrument enabling simultaneous measurement of several parameters characterizing energy metabolism in suspended biological samples (cells, isolated mitochondria, tissue homogenates, permeabilized tissues). In particular, the equipment supplied shall allow simultaneous detection of the oxygen consumption rate and the redox state of the metabolic cofactors coenzyme Q and NAD(P)H.

The subject of performance must meet the following technical requirements:

The subject of the public contract must include **hardware**: an instrument that integrates electronic recording channels of sensors of the required quantities, namely a polarographic sensor for oxygen concentration, a sensor for detection of the redox state of coenzyme Q and a system for detection of autofluorescence NAD(P)H. The hardware must allow the connection of all three types of sensors into a single measuring chamber for simultaneous data acquisition. Due to the nature of the planned experiments, we require that at least two samples can be measured simultaneously, i.e. the instrument must have at least two measurement positions and two sets of sensors. **Software** enabling continuous acquisition and visualisation of data from all sensors and their subsequent analysis must be an integral part of the contract.

The customer requires that the system for measuring cellular energetics meet the following technical parameters, among others:



- High-resolution O₂ concentration detection - minimum 10 nM
- Barometric atmospheric pressure measurement for accurate calibration of O₂
- Measuring temperature range 5-42 °C
- Thermostatic provision of measuring temperature stability ± 0.01 °C

The subject of the public contract includes:

- Computer/integrated computer that meets the system operation requirements of the supplier.

The contracting authority requires that the subject matter of the public contract in relation to the software should also include:

- complete software tool for instrument control, data acquisition, and quantitative and qualitative data evaluation (workstations)
- the possibility of installing the evaluation software on other computers of the user

The equipment must meet all requirements based on technical and safety standards valid in the Czech Republic for this type. Part of the performance is the delivery of a declaration of conformity in Czech or English.

The contracting authority requires a warranty for the subject of the public contract, as well as for all its individual parts, of at least 24 months and the provision of service for the entire lifetime of the device, but for at least 10 years, by a trained technician.

The participant must provide:

- basic instruction and training of users - system operation, data acquisition and analysis
- Verification of the functionality of the equipment.

The subject of this part of the public contract is:

- delivery of the subject of performance to the place of performance and its installation, including its accessories, computer, software and commissioning of the entire assembly,
- the possibility of time-limited free download and installation of software upgrades used in the system during the period of system support by the supplier,
- handing over all documentation (operational user and administrator documentation for the system to the extent enabling proper use and maintenance of the system), including instructions in Czech or English,
- briefing and training of staff to the extent required,
- ensuring warranty service of the subject of performance, including ensuring the supplier's readiness to remove defects within the time limits specified in the



- terms and conditions - draft purchase contract and keeping records of service interventions and records of settings of all components in the operation and service log,
- availability of service and spare parts for at least 10 years.

Other possible minimum functional and technical requirements for the subject of performance are specified in the terms and conditions - in the relevant draft purchase contract, which is an annex to this tender documentation.

4. Conditions of performance of the public contract

4.1 Assistance during financial control

Participants must note that pursuant to Section 2(e) of Act No. 320/2001 Coll., on Financial Control in Public Administration, as amended, the selected contractor will be obliged to cooperate in the performance of financial control during the performance of the public contract.

This obligation also applies to those parts of the tender, the contract and related documents that are subject to protection under special legal regulations (e.g. as trade secrets, classified information), provided that the requirements imposed by legal regulations (e.g. Act No. 255/2012 Coll., on Control (Control Regulations), as amended) are met. The participants acknowledge that the selected supplier will also be obliged to contractually bind its subcontractors to a similar obligation. The obligation under this paragraph shall last for a period of 10 years from the date of entry into force of the contract.

4.2 Publicity rules

The participants acknowledge that the contracting authority is obliged to comply with the publicity requirements required by the project under which the subject of performance is being procured in all relevant documents relating to the procurement procedure or procedure, i.e. in particular in the tender documentation, in all contracts and other documents relating to the contract.

4.3 Financing and the possibility for the Contracting Authority to withdraw from the Contract

The bidders must note that the subject of the contract will be financed by the research, development and innovation project number LX22NPO5104 entitled "National Institute for Metabolic and Cardiovascular Diseases Research" and that the contracting authority reserves the right to withdraw from the contract in accordance with the project

rules in the event that the costs to be incurred under this contract are determined to be ineligible.

In accordance with Section 127(2)(e) of the Public Procurement Act, the contracting authority is entitled to cancel a procurement procedure if it does not receive a subsidy from which the contract or its individual parts should be fully or partially covered.

4.4 General binding conditions of performance

Before submitting a tender, the bidder is obliged to familiarize itself with all generally binding legal regulations and applicable standards that apply to the subject of the public contract. The tenderer shall be responsible for ensuring that the public contract is performed in accordance with all generally applicable laws, regulations and standards applicable to the subject matter of the public contract.

5. Requirements for the method of processing the tender price and payment terms

5.1 Requirements for the method of processing the tender price

The total tender price will be set in the tender as the maximum allowable amount for the performance of the tender, including all fees, packaging, transport and storage costs, installation and training, related supplies and services, and any other costs associated with the performance of the tender. The tender price must include all costs associated with the performance of the contract, including any increased costs associated with the evolution of input prices up to the time of completion of the subject of the contract, and must be related to the estimated time of performance.

The Contracting Authority requires that bidders specify the total price in the Bid Cover Sheet. All prices shall be quoted in CZK excluding VAT, the amount of VAT and the price including VAT will be calculated at the legal rate at the date of submission of the tender. Bidders from the European Union and third countries must express the price excluding VAT and the price including VAT. VAT, even if they do not pay VAT themselves, as they must take into account the tax legislation in force in the Czech Republic.

The total bid price indicated in the Bid Cover Sheet shall be the same as the bid price indicated in the contract for the entire subject of performance. For the avoidance of doubt, the price indicated in the Tender Cover Sheet shall be decisive for the evaluation of tenders.



The contracting authority has set the maximum and maximum admissible tender price for the subject of performance at CZK **2,050,000.00, VAT excluded**. If the tender price for the subject of performance of the public contract specified in the Cover Sheet of the tender exceeds this amount, it will be considered as non-compliance with the terms of reference with the consequence of the exclusion of the participant from further participation in the procurement procedure in this part of the contract.

5.2 Conditions under which the tender price may be exceeded

The contracting authority defines the following conditions under which it is possible to exceed the amount of the offer price: if the VAT rates are increased in the course of performance. The decisive date for any increase in the offer price due to a change in VAT is the date of the taxable performance.

5.3 Payment terms

A detailed specification of the payment terms is set out in the draft purchase contract for the relevant part of the public contract, which forms an annex to this tender documentation.

6. Terms and Conditions

The contracting authority has set out the commercial terms and conditions for the implementation of the public contract in the form of the text of the draft purchase contract. The text of the purchase contract is part of the tender documentation and forms Annex 2 to this invitation to tender. The tenderer shall fill in the information in the text of the contract that is intended to be filled in (indicated by the blank underlined and highlighted spaces in the purchase contract). If the tenderer completes, changes or otherwise modifies the draft purchase contract other than as permitted by the tenderer, the tenderer's tender will be excluded and the tenderer will be excluded from further participation in the tender procedure. The duly completed purchase contract shall form part of the tender. If several suppliers submit a joint tender, all suppliers submitting a joint tender must be identified in the header of the contract.

7. Qualification of participants

The Participant is obliged to meet and prove the qualification in accordance with the provisions of § 73 an. ZZVZ to the extent further specified by the contracting authority. The Contracting Authority requires the fulfilment of basic and professional competence and technical qualification in the following scope.

7.1 Basic eligibility (§ 74 ZZVZ)

The basic eligibility is met by a supplier who

- a) has not been convicted of a criminal offence committed for the benefit of an organised criminal group or a criminal offence of participation in an organised criminal group, a criminal offence of trafficking in human beings, a criminal



offence of fraud, credit fraud, subsidy fraud, sharecropping, negligent sharecropping, money laundering, money laundering, a criminal offence of misuse of information and position in business relations, negotiation of an advantage in the award of a public contract in the country of its seat in the last 5 years prior to the commencement of the procurement procedure, during a public tender and public auction, fraud in the award of a public contract and in a public tender, fraud in a public auction, damage to the financial interests of the European Union, offences of a generally dangerous nature, offences against the Czech Republic, a foreign state and an international organisation, offences against the exercise of the powers of a public authority and an official person, offences by public officials, bribery and other interference with the activities of a public authority, or a similar offence under the law of the country of the supplier's seat; where the supplier is a legal person, this condition must be fulfilled both by that legal person and by each member of the supplier's statutory body, and where the supplier's statutory body or a member of the supplier's statutory body is a legal person, this condition must be fulfilled both by that legal person and by each member of the legal person's statutory body and by the person representing that legal person on the supplier's statutory body; where a branch plant of a foreign legal person participates in the tendering procedure, this condition must be fulfilled by that legal person and by the head of the branch plant; where a branch plant of a Czech legal person participates in the tendering procedure, this condition must be fulfilled by that legal person, by each member of the statutory body of that legal person, by the person representing that legal person in the supplier's statutory body and by the head of the branch plant;

- b) has no tax arrears due in the Czech Republic or in the country of its registered office;
- c) does not have any outstanding arrears of insurance premiums or penalties for public health insurance payable in the Czech Republic or in the country of its registered office;
- d) does not have any arrears of social security contributions or penalties payable in the Czech Republic or in the country of its registered office;
- e) is not in liquidation, has not been the subject of a bankruptcy order, has not been placed under receivership under another legal provision or is in a similar situation under the law of the country of the supplier's domicile.

7.2 Professional competence (§ 77 (1) of the ZZVZ)

Professional competence shall be met by a supplier who has ***an extract from the commercial register*** or other similar register, if another legal regulation requires entry in such a register. The documents referred to in paragraph 1 or 2 of Article 77 of the PPL do not have to be submitted by the supplier if the legislation in the country of its establishment does not require similar professional competence.

7.3 Technical qualifications (§79 ZZVZ)



The technical qualification is met by a supplier who has completed **at least 2 significant deliveries** in the last 3 years prior to the commencement of the tender procedure, which had the scope of financial resources spent by the client in connection with the implementation of the performance of at least CZK 1,000,000,- excluding VAT for each delivery individually. A significant delivery is considered to be a delivery which the supplier has carried out (completed) for one contracting authority or another person and which consisted in the supply of the same or similar performance as the subject of this contract, i.e. the supply of laboratory equipment - measuring instruments.

7.4 Proof of qualification

The supplier shall demonstrate compliance with the required qualifications by submitting:

➤ to demonstrate basic competence:

- (a) extracts from the criminal records of the supplier and of the other persons referred to in Article 7.1(a) [Article 7.1(a)],
- (b) a certificate from the competent tax authority Article 7.1(b)],
- (c) a written affidavit in respect of excise duty (Article 7.1(b)),
- (d) a written affidavit (Article 7.1(c)),
- (e) a certificate from the competent district social security administration (Article 7.1(d)),
- (f) an extract from the commercial register or a written affidavit if not registered in the commercial register (Article 7.1(e)),

➤ to demonstrate professional competence:

- (g) an extract from the commercial register or other similar register, if it is entered therein,

➤ to demonstrate technical qualification:

- (h) a list of significant supplies carried out by the supplier in the last 3 years prior to the start of the tendering procedure, including the price, the period of their provision and the identification of the client.

7.5 Form of qualification

All documents proving the fulfilment of the qualification shall be submitted by the supplier in a copy. **Suppliers are entitled to replace the submission of these documents by an affidavit or a Single European Certificate.** A model affidavit of basic and professional competence is attached as Annex 4 to the tender documentation.

During the tender procedure, the contracting authority may request the submission of originals or officially certified copies of the qualification documents in accordance with point 7.4 of the tender documentation.

Evidence of basic and professional competence must prove that the required eligibility criterion has been met no later than 3 months before the date of launching the tendering procedure.

The fulfilment of the qualification requirements may also be demonstrated by electronic means pursuant to Section 213 of the ZZVZ, if this is possible due to the nature of the relevant qualification requirements.

All documents proving the fulfilment of the qualification shall be submitted by the Supplier **in Czech, English or German**, or in the original language with an accompanying translation into Czech, English or German. The document in Slovak and the proof of education in Latin shall be submitted without translation.

7.5.1. Proof of qualification through other persons

If the Supplier is unable to demonstrate full compliance with the technical qualifications required by the Contracting Authority, it is entitled to demonstrate compliance with the technical qualifications in the missing range through other persons. In such a case, the supplier is obliged to submit to the contracting authority:

- a) documents proving the fulfilment of professional competence pursuant to Section 77(1) of the ZZVZ by another person,
- b) documents proving that the missing part of the qualification is met by another person,
- c) evidence of fulfillment of basic competence pursuant to § 74 ZZVZ by another person,
- d) a written undertaking by another person to provide the performance intended for the performance of the public contract or to provide the goods or rights which the supplier will be entitled to dispose of in the performance of the public contract, at least to the extent that the other person has demonstrated qualification on behalf of the supplier.

7.5.2. Proof of qualification where more than one person submits a tender jointly

If the subject matter of the public contract is to be performed by several suppliers jointly and for this purpose they submit or intend to submit a joint tender, each of the suppliers is obliged to demonstrate compliance with the basic competence pursuant to Section 74 of the Public Procurement Act and professional competence pursuant to Section 77(1) of the Public Procurement Act in full and separately. The suppliers must demonstrate jointly that they meet the technical qualification.

If the subject of the public contract is to be performed jointly by several suppliers, they are obliged to submit to the contracting authority, together with the documents proving that the qualification requirements have been met, a contract containing an undertaking that all such suppliers will be jointly and severally liable to the contracting

authority and to third parties in respect of any legal relations arising in connection with the public contract, for the entire period of performance of the public contract and for the duration of any other obligations arising from the public contract.

7.5.3. Proving qualifications obtained abroad

If the qualification was obtained abroad, it shall be proved by documents issued in accordance with the legal system of the country in which it was obtained, to the extent required by the contracting authority.

If this Act or the contracting authority requires the submission of a document under the legal system of the Czech Republic, the supplier may submit a similar document under the legal system of the state in which the document is issued; this document shall be submitted with a translation into Czech, English or German. The document in the Slovak language and the proof of education in the Latin language shall be submitted without translation. If the required document is not issued under the relevant legal regulations, it may be replaced by an affidavit.

7.5.4. The contracting authority's procedure for assessing qualifications

The contracting authority, or the evaluation committee authorised by the contracting authority, will assess the demonstration of the selected supplier's fulfilment of the qualification in terms of the requirements set out in accordance with the ZZVZ. The contracting authority stipulates that the qualifications of the selected supplier will be assessed by the evaluation committee after the evaluation of the tenders.

The contracting authority may require the supplier to clarify in writing the information or documents submitted or to provide further information or documents to demonstrate that the qualifications have been met. The supplier shall comply with this obligation within a reasonable time limit set by the contracting authority. The contracting authority may make this request repeatedly. In the case of such a procedure, the facts decisive for the assessment of compliance with the conditions of participation pursuant to Article 46(2) of the Public Procurement Act may occur even after the deadline for submission of tenders has expired.

7.5.5. Proof of qualification by means of an extract from the list of qualified suppliers

When proving its qualification, the supplier may submit to the contracting authority an extract from the list of qualified suppliers (§ 228 ZZVZ) within the time limit for proving compliance with the qualification, while this extract replaces the proof of compliance:

- a) basic competence according to § 74 of the ZZVZ, and

- (b) professional competence pursuant to Section 77 of the Public Procurement Act to the extent that the data in the extract from the list of qualified suppliers demonstrates compliance with the professional competence criteria.

The contracting authority shall accept an extract from the list if the extract from the list is not older than 3 months on the last date on which compliance with the qualification has to be demonstrated.

As well as the extract from the list of qualified suppliers, a supplier may prove his qualification by means of a certificate from another Member State in which the supplier is established, which is equivalent to the extract from the list of qualified suppliers.

7.5.6. Proof of qualification by means of a certificate from a certified supplier scheme

When proving its qualification, the supplier may submit to the contracting authority a certificate issued within the certified supplier system (§ 234 ZZVZ) within the period for proving the fulfilment of qualification, which must contain all the elements set out in § 239 ZZVZ. The data in the certificate must be valid at least on the last day of the period for proving the fulfilment of qualification.

Under the above conditions, the certificate proves, to the extent of the information contained therein, the fulfilment of the qualification by the supplier. The contracting authority further stipulates that if the submitted certificate does not fully demonstrate full compliance with all the individual qualification requirements laid down by the contracting authority, the tenderer shall be obliged to attach to the certificate any other documents required by the supplier to prove the qualifications not contained in the submitted certificate.

As well as a certificate, a supplier may prove qualification by a certificate originating from another Member State in which the supplier is established, which is equivalent to a certificate issued under the certified supplier scheme.

7.6 Restoration of eligibility

Pursuant to Section 76 of the ZZVZ, a tenderer may prove that, despite failure to meet basic eligibility or fulfilment of the grounds for ineligibility pursuant to Section 48(5) and (6) of the ZZVZ, it has restored its eligibility to participate in the tender procedure if it proves to the contracting authority that it has taken sufficient corrective measures during the tender procedure. This shall not apply for the period for which the tenderer has been finally sentenced to a ban on the performance of public contracts or participation in concession procedures.

7.7 Change of qualification and consequence of failure to meet the qualification

If, after submitting the documents or declaration of qualification, the tenderer's qualifications change during the procurement procedure, the tenderer must notify the



contracting authority of the change within 5 working days and submit new documents or declaration of qualification within 10 working days.

A supplier who fails to meet the qualifications to the required extent or fails to inform the contracting authority of a change in its qualifications will be excluded from participation in the procurement procedure.

8. Conditions and requirements for the form, structure and manner of preparation and submission of the tender

8.1 Requirement for the form, structure and content of the tender

- Each bidder may submit only 1 bid for the tender.
- A tenderer may submit a tender only in electronic form via the electronic tool Tender Arena at <https://www.egordion.cz/nabidkaGORDION/profilFUAVCR>

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- The contracting authority points out that, in view of the technical possibilities of the Tender arena tool, the tender in electronic form may not exceed 200 MB, of which a maximum of 100 MB may be used for documents to prove qualification and a maximum of 100 MB for other tender documents. The tender must be processed using acceptable file formats, i.e. Microsoft Office (Word, Excel), Open Office, PDF, JPEG, GIF or PNG. The value of the tender price, as specified in these tender documents, will also be submitted by the tenderer in the form of an entry in the tender form which will be displayed when the tender is submitted electronically. This is without prejudice to the obligation to submit other documents containing the tender price as part of the tender.

The contracting authority also provides detailed information on how to submit a tender in electronic form:

- a) The certified electronic tool eGORDION v. 3.3 - Tender arena (hereinafter referred to as "Tender arena"), available on the Internet at www.tenderarena.cz, where detailed instructions for its use and contacts for user support are also available, will be used for the submission of the tender.
- b) In order to submit a tender in electronic form, the supplier must have a personal computer with at least the following performance: a CPU frequency of 1 GHz, an operating memory of 1024 MB, a hard disk of 20 GB; be connected to the Internet with a minimum connection speed of 2 Mbps (DOWNLOAD) / 512 Kbps (UPLOAD); have an Internet browser installed on the computer (Microsoft Internet Explorer version 9.0 or higher, Mozilla Firefox version 30.0 or higher) that has Java Script enabled and has Java software version 1.8 or higher installed.
- c) In order to be able to submit a tender in electronic form, the supplier must be



registered as a supplier in the electronic tool Tender Arena (link "Supplier registration" on the website www.tenderarena.cz) and the supplier's user must have the role of "tenderer" to submit a tender. The processing of the registration should not exceed 48 hours (working days) upon submission of all required documents and is free of charge.

- d) If the requirement for signing specific documents is specified in this ZD, while not allowing the replacement of this document by a plain copy, these individual documents constituting the offer, where they are signed by a person authorised to represent the supplier, must be provided with an electronic signature based on a qualified certificate in accordance with Act No. 297/2016 Coll., on trust services for electronic transactions, as amended.
 - e) The contracting authority is not responsible for technical conditions on the part of the supplier. The Contracting Authority recommends suppliers to take into account in particular the speed of their internet connection when submitting their tender so that it is submitted within the deadline for submission of tenders (submission of the tender means the final submission of the tender to the Tender Arena after uploading all required attachments).
- The tender must contain a duly completed draft purchase contract (completed with the marked spaces).
 - The tender, including all documents and annexes, will be prepared **in Czech or English, or documents to prove qualification may be submitted in German**. If a tenderer submits documents in a language other than Czech or English as part of its tender, it must enclose with them a translation into Czech or English (this does not apply in the case of documents in Slovak, documents of education in Latin and documents to prove qualification in German). In case of doubt about the submitted translation, the contracting authority is entitled to request the submission of an officially certified translation of the document into Czech by an interpreter registered in the list of experts and interpreters. The tenderer may attach to the tender brochures and similar materials for the information of the contracting authority, which are not mandatory documents attached to the tender, also in a language other than Czech or English. The tender shall be clearly legible and shall not contain any corrections or alterations which could mislead the contracting authority.
 - The Contracting Authority reserves the right to verify and check the information provided by the participants in their tenders. The contracting authority shall exclude a tenderer from the tender procedure if the tenderer provides false information in its tender.
 - A completed Bid Cover Sheet containing the bidder's identifying information will also be included in the bid. If more than one tenderer submits a tender jointly (joint tender), they shall indicate in the tender, in addition to the contact address referred to in the previous sentence, the person who will be authorised to represent them in their dealings with the contracting authority during the tendering procedure.

8.2 Requirement of no conflict of interest

The contracting authority requires the supplier to confirm in the tender the absence of an obstacle to participation in the procedure pursuant to Section 4b of Act No. 159/2006 Coll., on Conflict of Interest, as amended, as well as other facts specified in the model declaration, which forms Annex 5 to the invitation to tender.

8.3 Required breakdown - order of content of the offer

The tender will include the sections listed below:

- Bid Cover Sheet
- Draft Purchase Agreement
- Documents to prove qualification - see Article 7.4.
- Tender evaluation documents
- Documents for any additional requirements or other documents
- Technical specification of the subject of performance

8.4 Method of submission of the offer

The tender shall be submitted in electronic form exclusively via the Tender arena electronic tool on the Internet at the following address:

<https://www.egordion.cz/nabidkaGORDION/profilFUAVCR>

in the section of the relevant contract "Integrated system for cellular energy measurement"

direct link:

<https://www.tenderarena.cz/profil/detail.jsf?identifikator=FUAVCR>

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If the tender is not delivered to the contracting authority within the time limit or in the manner specified in the tender documentation, it shall not be deemed to have been submitted and shall not be taken into account during the tendering procedure.

In the case of delivery via an electronic instrument, the decisive date shall be the moment of receipt of the data message at the electronic address of the addressee of the data message in the electronic instrument.

8.5 Variants of the offer

The contracting authority excludes variants of the offer.

8.6 Certainty

The contracting authority does not require the provision of a security in accordance with § 41 of the ZZVZ.

8.7 Deadline for submission of a tender

Research, development and innovation project number LX22NPO5104 entitled "National Institute for Research on Metabolic and Cardiovascular Diseases"

All tenders must be received by the contracting authority by the closing date for submission of tenders, i.e. **4 July 2024 at 10:00**.

9. Conditions for opening tenders

The contracting authority will open the bids in electronic form (make their contents available) after the deadline for submission of bids in accordance with § 109 of the ZZVZ.

10. Evaluation of offers

Bids from participants will be evaluated on the basis of their economic merit.

The economic advantage of the tenders submitted for the tender will be determined on the basis of the lowest tender price.

The evaluation of tenders will be carried out by members of an evaluation committee appointed by the contracting authority.

The Contracting Authority reserves the right to submit tenders to independent experts who will prepare supporting opinions and reports for the evaluation committee.

10.1 Requirements for the submission of information by the supplier on the evaluation criterion

Bidders shall provide the following information in their bids in relation to the evaluation criteria, which will be used by the awarding authority to assess the bids:

evaluation criterion: numerical criterion - weighting 100%

- a completed "Tender Cover Sheet" with the amount of the tender price for the supply of the entire subject of performance in the breakdown required by the contracting authority.

10.2 Method of evaluation of tenders

The contracting authority will evaluate the total amount of the tender price for the supply, excluding VAT, offered by the tenderer. The total amount of the tender price shall be indicated in the Tender Cover Sheet.

The total amount of the offer price excluding VAT will be evaluated according to its absolute amount in Czech crowns.



The tender with the lowest total tender price will be the best evaluated by the contracting authority under this evaluation criterion. The other tenders will be ranked in ascending order from the lowest total tender price to the highest total tender price. This will also determine the final ranking of the tenders.

The maximum and maximum admissible offer price is CZK 2,050,000.00 excluding VAT.

In the event that a participant indicates a higher value than the maximum and maximum admissible value in the Tender Cover Sheet, which is the basis for the evaluation, or indicates a zero value, this will be considered as non-compliance with the tender conditions with the consequence of exclusion of the participant from further participation in the tender procedure.

11. Assessment of compliance with the conditions for participation in the tendering procedure and other conditions for the conclusion of the contract

After the evaluation of the tenders, the contracting authority, or a committee appointed by the contracting authority, will assess whether the offer of the selected tenderer meets the conditions for participation in the tender procedure.

The contracting authority may, for the purposes of ensuring the proper conduct of the procurement procedure, require the tenderer to clarify the data, documents, samples or models submitted or to supply additional or missing data, documents, samples or models within a reasonable time. The contracting authority may make this request repeatedly.

In the case of the selected supplier, if it is a legal entity, the contracting authority shall ascertain the data on its beneficial owner pursuant to the Act on Certain Measures against the Legalization of Proceeds from Crime and Terrorist Financing (hereinafter referred to as the "beneficial owner") from the register of data on beneficial owners pursuant to the Act regulating public registers of legal and natural persons.

If it is not possible to ascertain the data on the beneficial owner by means of the procedure from the register of data on beneficial owners, a condition for the conclusion of the contract is the fulfilment of the obligation of the selected supplier, which is a legal person, to submit an extract from a register similar to the register of data on beneficial owners, or

- a) the identification data of all persons who are its beneficial owners according to the Act on Certain Measures against Money Laundering and Terrorist Financing, and
- b) documents establishing the relationship of all the persons referred to in point (a) to the supplier; these documents shall include, in particular
 1. an extract from the commercial register or other similar records,



2. list of shareholders,
3. the decision of the statutory body on the payment of the profit share,
4. articles of association, articles of incorporation or statutes.

The contracting authority draws attention to the fact that in accordance with the provisions of Section 48(7) and (9) of the ZZVZ, a participant who is a joint stock company or has a legal form similar to a joint stock company and does not have exclusively book-entry shares issued will be excluded from the tender procedure.

12. Annexes to the tender documentation

The following documents are attached to this tender document in electronic form:

- Annex 1 - Tender Cover Sheet
- Annex 2 - Draft Purchase Agreement
- Annex 3 - Table of technical parameters
- Annex 4 - Model affidavit of qualification
- Annex 5 - Model affidavit of conflict of interest and other facts

In Prague on _____

Institute of Physiology of the CAS, v. v. i.
MUDr. Jan Kopecký, DrSc., Director