



Invitation to Tender for a Small-Scale Public Contract to Award a Public Supply Contract in a Procurement Procedure in accordance with Sections 27 and 31 of the Act No. 134/2016 Coll. on Public Procurement, as amended

titled:

Ref. No.: 068/PV/OVZ/2023

“FoS - LGR/UPOL – Plant hormone ethylene quantification device”

Identification Data of the Contracting Authority:

Name: Palacký University Olomouc
Head office: Křížkovského 511/8, 771 47 Olomouc, Czech Republic
ID No.: 619 89 592
Tax ID No.: CZ 619 89 592
Banking details: Komerční banka, a.s., branch in Olomouc
Account No.: 43-3855090287/0100
Rector: prof. MUDr. Martin Procházka, Ph.D.
Contracting Authority's legal form: public higher education institution

Contact person for public contract matters: Mgr. Petra Vopálková
Telephone: +420 585 631 118, e-mail: petra.vopalkova@upol.cz

(hereinafter “Contracting Authority”)

Method of Award: invitation to tender

Contracting Authority's Profile: <https://zakazky.upol.cz>

Reference to the Contracting Authority's Public Contract:
<https://zakazky.upol.cz/vz00004692>

This Invitation to Tender (hereinafter “ITT”) serves as a basis for the submission of tenders for a small-scale public contract to award a public supply contract pursuant to the provisions of Sections 27 and 31 of the Act No. 134/2016 Coll. on Public Procurement, as amended (hereinafter “Act”).

However, this public contract is not governed by this Act.

This ITT contains all the conditions for the award of the public contract. The ITT is made in English language and, at the same time, it is published in full on the Contracting Authority's profile.



1 Subject-Matter of the Public Contract

1.1 Subject-Matter of the Public Contract

The subject-matter of the public contract is to supply a plant hormone ethylene quantification device needed for quantification of gaseous ethylene from living plants/plant material.

In addition to the supply itself, the subject-matter of the public contract is also delivery, installation, operator training, putting into operation and provision of warranty service. A detailed technical specification is indicated in Article 1 (1.2) of the ITT below.

1.2 Technical Specifications

The subject-matter of the public contract shall be fully operational, new, non-refurbished, without any additional costs for the Contracting Authority.

Any necessary equipment enabling the full installation of the complete facility required shall be included in the supply, without any further interventions or costs for the Contracting Authority to achieve all the parameters required by the Contracting Authority in this ITT.

Within the performance of the public contract, the Supplier is obliged to guarantee the technical parameters offered and to specify the exact designation of the goods offered, including their technical parameters, so that the Contracting Authority can verify that its requirements are met.

The Supplier is obliged to submit a declaration of conformity for the products offered.

If the goods offered by the Supplier fail to meet the technical conditions specified in this ITT, the Supplier shall be excluded from the procurement procedure.

The plant hormone ethylene quantification device must simultaneously fulfil the following Contracting Authority's minimal requirements:

- near real-time quantification capability (measurement time/time resolution <15 seconds);
- detection limit for gaseous ethylene at least 1 ppbv;
- linearity <2% or better;
- response time below 60 seconds;
- 24 hour stability 2% or better;
- dynamic range at least 0.1-5 ppmv
- incl. additional parts/software needed for proper "out of the box" use, like tubing, air filter/catalyzer, scrubbing of unwanted molecules etc.

1.3 Estimated Value of the Public Contract

The estimated total value of the public contract is **EUR 34.500,00 excluding VAT**.

In case that the tender price submitted by the Supplier is higher than the estimated value of the public contract, the Contracting Authority reserves the right to exclude this Supplier from the procurement procedure for failure to meet the procurement terms and conditions.



1.4 Period of Performance

The date of concluding a purchase contract to perform a public contract is subject to the termination of the procurement procedure.

Delivery to the place of performance shall be made within 16 weeks from the effective date of the purchase contract.

1.5 Place of Performance

The place of performance of the public contract is Palacký University Olomouc, Faculty of Science, Laboratory of Growth Regulators, Šlechtitelů 241/27, 783 71 Olomouc, Czech Republic.

1.6 Responsible Public Procurement

The Contracting Authority shall award this public contract in accordance with the principles of socially responsible public procurement. In addition to the emphasis on purely economic parameters, socially responsible public procurement also takes into account the related impacts of the public contract, especially in the areas of employment, social and labour rights, the environment, and innovations.

Aspects of socially responsible public procurement are taken into account in commercial and other contractual conditions.

1.7 Warranty and Service

The Supplier shall provide a warranty for quality performance, which may not be less than 12 months.

The Supplier shall guarantee a timely service intervention within the warranty period, i.e. defect detection and discussion of necessary service operations with a person authorized in technical matters on behalf of the Contracting Authority, during the warranty period no later than 30 working days from the date of notification of the defect by the Contracting Authority, namely by a visit by a service technician, the Contracting Authority also allows remote diagnostics, if this is possible due to the nature of the defect. During the warranty period, any respective defects shall be removed within 60 working days at the latest from the day of the defect removal commencement, whereas the day of the start of defect removal is the day of the service intervention, unless otherwise agreed in writing by persons authorised by Contracting Parties to act in technical matters.

Moreover, the Supplier undertakes to perform full service of the equipment supplied free of charge throughout the whole warranty period (warranty service for the equipment supplied free of charge). The costs of performing the full warranty service for the goods supplied are included in the tender price submitted by the Supplier.

1.8 Conditions concerning the user support

The tender price must include basic operator training for the delivered device in the necessary scope for at least 3 persons in the scope of 2 working days (2x8 hours), which is a condition for proper delivery and acceptance of the goods.



All training shall take place at the place of the device installation, unless agreed otherwise in writing by the persons authorised by the contracting parties to act in technical matters. The Contracting Authority also accepts an online form of training.

All the costs related to the training as mentioned above (including the stay of service technicians or application specialists), are paid by the Supplier.

2 Commercial and Payment Terms

As integral part of its tender, the Supplier is obliged to submit a draft contract. The draft contract submitted by the Supplier shall respect binding commercial terms specified in Annex 3 to this ITT.

The Supplier shall only fill in the missing data in the above-mentioned binding commercial terms. The missing data are highlighted and marked with a comment **(to be completed by the Supplier)**. The Supplier shall not amend the text of any other provisions of the binding commercial terms. If the Supplier amends, in any way, other provisions of the binding commercial terms, the Contracting Authority shall deem this to be a violation of the procurement terms and conditions resulting in the exclusion of the Supplier from the the procurement procedure.

As required above, the Supplier shall designate the completed binding commercial terms as draft contract and, after it has been signed by a person authorised to act on behalf of / for the Supplier, insert it in the tender.

3 Supplier Qualification

The Supplier is obliged to prove their qualification by no later than the time limit for the submission of tenders.

The Supplier shall prove the qualification by proving the compliance of

- a) basic qualification,
- b) professional qualification.

3.1 Proof of Basic Qualification

The Supplier shall prove the basic qualification by submitting **the Supplier's Affidavit of Basic Qualification**, the text of which is annexed as Annex 2 to this ITT.

3.2 Proof of Professional Qualification

The Supplier shall prove the professional qualification by submitting a copy of:

- **An extract from the Commercial Register**, if registered in it, **or an extract from a similar register**, if registered in it – **the document shall not be older than 3 months from the date of the procurement procedure commencement.**

4 Evaluation of Tenders

Tenders shall be evaluated on the basis of their economic advantageousness.

Economic advantageousness of tenders shall be evaluated on the basis of the lowest tender price.



Tenders shall be evaluated on the basis of the absolute value of the total tender price in EUR excluding VAT for the complete subject-matter of the public contract. Tenders shall be ordered from the lowest to the highest tender price. The lowest tender price in EUR excluding VAT shall be evaluated as the best tender price.

The Contracting Authority shall not evaluate tenders, if only one tender is submitted.

5 Requirements for the Single Method of Processing the Tender Price

The tender price shall be final and non-exceedable, submitted by the Supplier on the basis of this documentation. The tender price shall be expressed in EUR excluding VAT.

The price of the subject-matter of the public contract shall be determined as a final and non-exceedable price, shall be determined on the basis of a tender, shall be valid throughout the whole period of implementation of the subject-matter of the public contract and shall include all costs incurred by the Supplier in connection with the subject-matter of the public contract.

At the same time, the total tender price shall be indicated in the tender cover sheet – Annex 1 to this ITT.

In case of any differences between the tender price included in the tender cover sheet or in tender price calculation and the tender price included in the draft contract, the price included in the draft contract shall be deemed as the tender price.

Proof of tender price:

The Supplier proves their tender price by providing the following data:

- indicating the tender price in the draft contract (Annex 3 to the ITT),
- indicating the total tender price in the tender cover sheet (Annex 1 to the ITT),
- indicating the tender price in the detailed price calculation.

6 Submission of Tenders

6.1 Time Limit for the Submission of Tenders

The time limit for the submission of tenders expires on **25. 07. 2023 at 10:00 a.m.**

Tenders may be submitted in person or by registered mail to the following address:

Palacký University Olomouc

Podatelna RUP

Křížkovského 511/8, 771 47 Olomouc, Czech Republic

Contact person: Mgr. Petra Vopálková, tel.: +420 585 631 118, e-mail: petra.vopalkova@upol.cz,

on working days from 8:00 a.m. to 2:00 p.m. during the whole period for the submission of tenders. Tenders shall be delivered before the end of the above-mentioned time limit.



6.2 Opening of Tenders

The opening of tenders is not open to public. However, suppliers may ask in writing for a tender opening protocol.

The opening of tenders shall take place on **25. 07. 2023 at 10:00 a.m.**

7 Variants of Tenders

The Contracting Authority does not accept any variants of tenders.

8 Tender Content and Form

8.1 Tender Content

The Supplier's tender shall contain draft purchase contract signed by a person authorised to act on behalf of / for the Supplier.

The tender shall also contain other documents required by the Contracting Authority, as well as documents and information proving the Supplier's qualification.

Tenders shall be submitted with the following structure:

- tender cover sheet with the Supplier's identification data and the total tender price (Annex 1 to the ITT),
- proofs of qualification:
 - affidavit of basic qualification (Annex 2 to the ITT),
 - proof of professional qualification,
- draft contract signed by a person authorised to act on behalf of / for the Supplier, drawn up according to this ITT (Annex 3 to the ITT),
- proof of technical specification and guaranteed technical parameters of the subject-matter of the public contract tendered, including the exact (specific) designation of the goods tendered,
- detailed price calculation,
- Supplier's affidavit signed by a person authorised to act on behalf of / for the Supplier (Annex 2 to the ITT).

8.2 Tender Form

The tender shall be submitted as one original document (designated as "ORIGINAL") in a paper form, in writing, in English, Czech or Slovak language, in a properly sealed envelope with the Supplier's stamp or signature placed over the envelope closure.

Each supplier may submit one tender only.

If the Supplier submits multiple tenders individually or together with other suppliers, the Contracting Authority shall exclude such Supplier from the procurement procedure.

Tenders shall be submitted:

- in writing, in a paper form,
- in English, Czech or Slovak language,
- as one original document,



- in a properly sealed envelope designated as:

„FoS - LGR/UPOL – Plant hormone ethylene quantification device - DO NOT OPEN (NEOTEVÍRAT)”

The Supplier must place an address on the envelope, to which the Contracting Authority can send a notification informing that the Supplier's tender was submitted after the expiration of the time limit for the submission of tenders.

9 Publication of Notification of Exclusion of the Supplier or Selection of the Supplier

The Contracting Authority reserves the right to publish a notification of exclusion of the Supplier by publishing the notification on the Contracting Authority's profile. In such case, the notification of exclusion of the Supplier shall be deemed to be delivered upon its publication on the Contracting Authority's profile.

The Contracting Authority reserves the right to publish a notification of selection of the Supplier by publishing the notification on the Contracting Authority's profile. In such case, the notification of selection of the Supplier shall be deemed to be delivered upon its publication on the Contracting Authority's profile.

In such cases, the above-mentioned notifications shall be deemed to be delivered upon their publication on the Contracting Authority's profile. The notifications shall not be sent by post.

10 Publication of the Invitation to Tender

The Contracting Authority ensures unlimited and direct remote access to this ITT in full, as well as to its annexes, via the E-ZAK electronic tool on the Contracting Authority's profile: <https://zakazky.upol.cz>.

11 Publication of Explanation of Procurement Documents and Amendment of or Supplement to Procurement Documents

The Supplier is entitled to require the Contracting Authority to explain the procurement documents. The request shall be in writing, in Czech, Slovak, or English. The written request shall be received three working days before the expiry of the time limit for the submission of tenders at the latest.

The Contracting Authority shall provide the Supplier with an explanation of the procurement documents in writing within three working days from the day of the receipt of the request, via the E-ZAK electronic tool.

The explanation of the procurement documents (without identification data of the asking Supplier) shall be also provided in writing by the Contracting Authority to all the other suppliers, via the E-ZAK electronic tool.

The Contracting Authority may also provide the suppliers with a written explanation of the procurement documents without a prior request via the E-ZAK electronic tool.



The Contracting Authority may amend or supplement the procurement terms and condition included in this ITT in writing, before the expiry of the time limit for the submission of tenders. The Contracting Authority shall make the amendment of or supplement to the procurement documents available via the E-ZAK electronic tool.

12 Requirements for the person of the Supplier

12.1 Requirements arising from the Act No. 159/2006 Coll.:

According to the Section 4b of the Act No. 159/2006 Coll., on conflict of interests, as amended, the Contracting Authority is prohibited from awarding a public contract to a supplier who is a company in which the public official referred to in the Section 2 paragraph 1 letter c) of this act or a person controlled by it owns a share representing at least 25% of the partner's participation in the company.

For this reason, the Contracting Authority requires the Supplier to honestly declare that is not a supplier to which the above prohibition would apply. The Supplier shall therefore submit a written Affidavit in its tender, see Appendix No. 2 of the ITT.

12.2 Requirements in relation to the SITUATION REGARDING EU SANCTIONS ADOPTED AGAINST RUSSIA AND BELARUS (e.g. Council Regulation (EU) No. 269/2014 or 208/2014 or 765/2006):

The Contracting Authority requires the Supplier to honestly declare that neither he nor the supplier with whom he may submit a joint tender, nor his subcontractor is a person, entity or body listed on the EU sanctions list in the annexes to these regulations, nor is he otherwise a sanctioned person. The Supplier shall therefore submit an written Affidavit in its tender, see Appendix No. 2 of the ITT.

13 Other Terms and Conditions

13.1 Contracting Authority's Rights

The Contracting Authority reserves the right to:

- amend the estimated period of the public contract implementation,
- verify the data included in tenders,
- refuse all tenders,
- cancel the procurement procedure before the conclusion of a contract without giving any reason,
- reduce, to an insignificant extent, the scope of the subject-matter of the public contract without giving any reason.

In accordance with Article 13 of the Regulation of the European Parliament and of the Council (EU) 2016/679 on the protection of natural persons in connection with the processing of personal data and on the free movement of such data (hereinafter referred to as "GDPR"), the Contracting Authority hereby informs the participants of the selection procedure of processing of personal data for the purpose of carrying out the tender procedure according to the Act. As part of the implementation of the tender procedure, the Contracting Authority may process the personal data of suppliers and their subcontractors (from among natural persons entrepreneurs), members of statutory bodies and contact persons of suppliers and their subcontractors, persons through whom the supplier's qualifications are proven, members of the supplier's implementation team and the actual owners of the supplier. The contracting



authority will process personal data only to the extent necessary for the implementation of the tender procedure and only for the period specified by legal regulations, in particular the Act. Data subjects are entitled to exercise their rights according to Articles 13 to 22 of the GDPR in writing at the address of the Contracting Authority's registered office.

13.2 Annexes

The following annexes form an integral part to this ITT:

Annex 1 – Tender Cover Sheet

Annex 2 – Supplier's Affidavit

Annex 3 – Binding Commercial and Payment Terms

All documents are available in electronic form.

Olomouc, dated: 10. 07. 2023

UNIVERZITA PALACKÉHO V OLOMOUČI
rektor
Křižkovského 511/8, 771 47 Olomouc

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prof. MUDr. Martin Procházka, Ph.D.
Rector of Palacký University Olomouc