



**THIS DOCUMENT IS MERELY AN INFORMATIVE TRANSLATION TO HELP FOREIGN ECONOMIC OPERATORS (I.E. SUPPLIERS/ CONTRACTORS) UNDERSTAND THEIR RIGHTS AND OBLIGATIONS IN THE BELOWMENTIONED PROCUREMENT PROCEDURE AND HAS NO LEGAL EFFECTS WHATSOEVER. LEGALLY BINDING IS THE PROCUREMENT DOCUMENTATION IN CZECH LANGUAGE. PLEASE TAKE THIS IN ACCOUNT WHEN READING THIS INFORMATIVE DOCUMENT.**

## INVITATION AND PROCUREMENT DOCUMENTATION

Technical university of Liberec (hereinafter „Contracting authority“), hereby invites economic operators to submit a tender in the following Small-scale public contract pursuant to Section 6 and Section 27 of Act No. 134/2016 Coll., on Public Procurement, as amended (hereinafter referred to as the "ZZVZ").

The public contract is not awarded in according ZZVZ, pursuant to Section 31 ZZVZ. Where reference is made in the text to a ZZVZ provision, the application of that provision is analogous.

The invitation contains the procurement documentation.

**Name of public contract:** 005\_Ve\_ERDF2\_Sterilizátor EO/ EO Steriliser (BIO\_020)

**Internal number:** 21/9615/005

**Name of program:** Operational Program Research, Development and Education

**Project title:** Procurement infrastructure of TUL new study programs

**Registration number:** CZ.02.2.67/0.0/0.0/18\_057/0013357

**Contracting authority:** Technická univerzita v Liberci/Technical university of Liberec

Address: Studentská 1402/2, 461 17 Liberec I-Staré Město

Reg. no.: 46747885; DIČ: CZ46747885

**Represented by:** doc. RNDr. Miroslav Brzezina, CSc., rector

**Contact person:** RNDr. Ivana Večeřová; tel.: +420 485 353 044;

e-mail: zakazky@tul.cz

**Profile of the contracting**

**authority:** <https://zakazky.tul.cz/>

The procurement documentation is published in full in electronic form on the profile of the contracting authority <https://zakazky.tul.cz> for the entire duration of the contract.

### 1. Subject of public contract

Type of public contract by subject: Public supply contract

Type of public contract by value: Small-scale public contract

CPV code: 33191100-6 Steriliser



## Subject of public contract: EO steriliser - 1 piece

- Freely standing device in the chemical hood with the depth of 65 cm
- Weight 20 kg - 30 kg
- Sterilisation gas: 100 % ethylene oxid
- Cycle temperature – room temperature
- Front loading
- Maximal exterior dimensions D×W×H (cm): 58 x 40 x 60
- Minimal interior dimensions D×W×H (cm): 45 x 33 x 30
- Cabinet capacity: 40-60 l
- Liner bag size: small (10-15 l) and big size (35-50 l)
- Sterilisation cycles – 12 and 24 hours
- Aeration cycle – 2-4 hours
- Refill kits available on the market
- No need of ventilated storage for gas kits
- Optional abator (efficiency at least 95 %) available for the device on the market
- No water or vacuum line required
- Delivered with exhaust tubing, humiditube, exposure indicator stickers, dosimeters, humiditichips and ETO gas kits (including gas ampoules and liner bags)

**Warranty:** 24 months

### Other requirements:

- transport to the buyer's registered office,
- technical documentation
- Declaration of Conformity,
- technical support,

## 2. Estimated value

**Maximum allowed value of the public contract (excluding VAT): 150 000,00 CZK**

The offer exceeding the maximum allowed value of the public contract do not meet the award criteria and the contracting authority will exclude a participant from a procurement procedure according to § 48 (2) a) of ZZVZ.

## 3. The method of defining the tender price

The participant includes the tender price in the contract and in the following structure:

- price excluding VAT
- VAT (optional),
- price including VAT (optional).

**Tender price must include all costs of performance of the public contract and must be set as maximal and must not be exceeded.**

Tender price must also be determined with taking into account the development of prices in the relevant market, including the development of the exchange rate of the Czech currency to the foreign currencies until the fulfillment of the subject of the public contract.

If the tender price should be in a foreign currency (i. e. other than CZK) the tender price shall be converted in CZK for the purposes of tender assessment and evaluation. The exchange rate determined by the Czech National Bank (Česká národní banka) <https://www.cnb.cz/cs/financni-trhy/devizovy-trh/kurzy-devizoveho-trhu/kurzy-devizoveho-trhu/>

as of the commencement date of the Small-scale public contract, i.e. on the date of publication of the invitation to tender on the profile of the contracting authority. This date is shown on the E-ZAK the contracting authority's profile.

#### 4. Time limit and address for receipt of tenders

##### **Time limit for receipt of tenders:**

**A tender can be submitted until 26<sup>th</sup> January 2021 to 10:00**

Tender submitted (delivered) after this time limit shall not be considered as submitted and it shall not be taken into consideration during the procurement procedure.

##### **Address for receipt of tenders:**

The Contracting Authority allows submitting a tender either in paper or electronic form (the participant **may not submit a tender in both ways**):

**In electronic form:** via electronic tool E-ZAK (website <https://zakazky.tul.cz/>).

Or

**In written form** (via post service or in person) to the address:

Technical university of Liberec

Veřejné zakázky

Studentská 1402/2

461 17 Liberec

Czech Republic

**The contracting authority will not accept tenders submitted by email**

**To submit an electronic tender**, it is necessary to make a registration in the electronic tool E-ZAK at link <https://zakazky.tul.cz/regitrace.html?lang=en> or in the electronic tool FEN at link <https://fen.cz/#/regitrace>. It is always necessary to perform a subsequent verification of the participant's account via the FEN tool. Verification is performed either electronically, which requires an electronic signature based on a qualified certificate, or by sending a printed application by post to the address of the registered office of the FEN operator (Spojené nástroje elektronické s.r.o., náměstí Před Bateriemi 18, 162 00 Praha 6 – Střešovice). It is also required to submit an excerpt from the Register of Companies or a certificate of incorporation if the entity (applicant for registration) is registered in it, or an extract from another similar register. In the case of registration of a foreign contractor, the operator requires the submission of an officially certified translation of all parts of the application into the Czech language. Detailed instructions for registering and verifying your account can be found on the FEN website, also in English, at link <https://sites.google.com/fen.cz/napovedafen-en>.

The contracting authority shall launch the opening of envelopes without undue delay after the expiry of the time limit for the submission of tenders. Opening of tenders is not public.

## 5. Time and place of performance of the public contract

**Delivery term:** maximum 50 days from the effective day hereof.

**Place of delivery:** Technická univerzita v Liberci/Technical university of Liberec, Budova T (Building T), Třebízského 1244 /2, 460 01 Liberec I-Staré Město , Czech Republic.

## 6. Qualification criteria and evidence of their fulfillment

Basic and professional qualification the participant shall prove with an Affirmation (Annex no. 1) The Contracting Authority requires an economic operator to prove the fulfillment of basic and professional qualification by analogy according to § 74 and § 77 of ZZVZ

**In the offer, the participant submits an affirmation** (see Annex 1) to fulfill basic and professional qualification:

- in a simple copy or a paper original (paper offer)
  - or in an electronic original or a handwritten scan (electronic offer)
- to fulfill basic and professional qualification.

**The selected economic operator** shall prove the fulfillment of the basic and professional qualification by submitting **an affirmation** (see Annex 1) in a simple copy or a paper original (paper offer) or in an electronic original or a manual signature scan (electronic offer) or an extract from the List of Approved Economic Operators or a Certificate issued under an approved System of Certified Economic Operators.

The contracting authority reserves the right to request from the selected contractor the submission of the original **affirmation** or the submission of simple copies / electronic or paper originals of documents proving the fulfillment of qualification, which the affirmation was made. These are the documents referred to in Sections 75 and 77 ZZVZ relating to the competence and qualifications set out in these procurement procedure.

The documents demonstrating basic qualification under Section 74 ZZVZ and professional qualification under Section 77 (1) ZZVZ shall demonstrate the fulfilment of the required qualification criterion not later than three months before the date of the submission of the tender.

Participants registered in the List of Approved Economic operators (Section 226 and following of ZZVZ) can prove the fulfillment of qualification requirements with the extract from the List provided that on the last day on which the basic qualification or professional qualification is to be proved, the extract is not older than three months.

Participants who were issued certificates under the System of Certified Economic Operators (Section 233 and following of ZZVZ) can prove the fulfillment of qualification requirements or their certain part by submitting a valid certificate to the extent recorded in the certificate.

The contracting authority shall ensure itself an extract from the List of Approved Economic operators / a copy of an entry in the Commercial Register, in relation to the Czech Republic from the publicly available register and verify its correctness.

For the purposes of qualification, the contracting authority reserves the right to proceed in accordance with Sections 81 to 88 of ZZVZ analogously and to use analogically the procedures specified here.

#### **A. Basic qualification:**

1.

The economic operator declares that it meets the basic qualification according to Section 74 of Act No. 134/2016 Coll., on Public Procurement (hereinafter referred to as the „APP“), i. e. the economic operator:

- a) was not convicted by final judgement in the country of its registered seat of a crime specified in Annex No. 3 to this Act or another similar crime pursuant to the law of the country of its registered office in the past five years preceding the commencement of the procurement procedure; expunged convictions are disregarded,
- b) has not outstanding tax arrears registered in tax records in the Czech Republic or in the country of its registered office,
- c) has not outstanding arrears in respect of payments and penalties of public health insurance in the Czech Republic or in the country of its registered office,
- d) has not outstanding arrears in respect of payments and penalties of social security contributions and contribution to the national employment policy in the Czech Republic or in the country of its registered office,
- e) is not in liquidation, has not been declared insolvent, in respect of whom the receivership has not been imposed under another legal regulation or it is not in a similar situation pursuant to the law of the country of its registered office.

2.

The economic operator declares that if it is a legal person, both this legal person and every member of its governing body shall meet the condition specified in paragraph a) of subsection (1). Where a legal person is a member of the governing body of the economic operator, the condition specified in paragraph a) of subsection (1) shall be met by

- a) this legal person,
- b) every member of the governing body of this legal person, and
- c) the person representing this legal person in the governing body of the economic operator.

3.

The economic operator declares that if it is a branch of a business of

- a) a foreign legal person, the condition specified in paragraph a) of subsection (1) shall be met by this legal person as well as the head of the branch,
- b) a Czech legal person, the condition specified in paragraph a) of subsection (1) shall be met by the persons referred to in subsection (2) as well as the head of the branch.

#### **B. Professional qualification**

The economic operator declares that it meets the professional qualification pursuant to Section 77 (1) of ZZVZ, i.e. that it holds copy of an entry in the Commercial Register or other similar records provided that registration in such records is required pursuant to another legal regulation.

## **7. Other requirements for the tender**

### **1. Language:**

The tender must be submitted in **English or Czech language**.

**Annex P1 - Affirmation** is bilingual (Czech and English),

**annex P2 – Contract** is bilingual (Czech and English), contractor has to fill in the text boxes in both languages.

## 2. Electronic form of the tender

Electronic form of the tender shall be submit via electronic tool E-ZAK.

## 3. Written form of the tender

Tender must be made in one written original.

Tenders must be delivered in a properly sealed envelope clearly marked:

**NEOTVÍRAT** (i.e. DO NOT OPEN!“).

**005\_Ve\_EO Steriliser**

The participant will write down the company name and address of its seat on the envelope.

## 4. Structure of tender

The tender shall be submitted in this structure:

- A. Description of the subject of the public contract (technical specification demonstrating compliance with the requirements of the contracting authority) including the tender price.
- B. Affirmation of the fulfillment of the basic and professional qualification criteria in Czech language (annex no. 1) – signed by authorized person/ or the documents demonstrating fulfillment of basic qualification under Section 74 ZZVZ
- C. Contract proposal

## 5. Variants will be not accepted.

# 8. Business and payment conditions, the contract

Business and payment conditions are included in the contract proposal (annex P2).

### **Contract proposal**

The participant will fill in the text boxes in both languages in accordance with his tender and shall attach to the tender.

The participant is not entitled to change any of the contract's provisions

If the participant prepares a contract proposal contrary to this provision, the participant will be excluded from the public procurement.

# 9. Technical specification

Technical specification means requirements for the properties of the subject of the public contract. The technical specification is listed above in the specification of the subject of the public contract.

# 10.Evaluation criteria

Tenders will be evaluated on the basis of their economic advantageousness. The contracting authority shall evaluate the economic advantageousness of tenders **on the basis of the lowest tender price** (excluding VAT).

Tender with the lowest tender price will be considered the best.

In order to conclude a contract, the contracting authority will select the participant whose tender has been evaluated as the most economically advantageous on the basis of the lowest tender price (excluding VAT).



## 11.Explanation/supplementation of tender documents

Requests for an explanation of tender documentation must be received in writing, via electronic tool E-ZAK (website <https://zakazky.tul.cz/>) or by email to [zakazky@tul.cz](mailto:zakazky@tul.cz).

The request must be received by the contracting authority no later than 4 labour days before the deadline for submission of tenders. The Contracting Authority will send an explanation of tender documentation no later than 2 working days after receipt of the request.

The contracting authority may explain the tender documentation without an economic operator's request.

## 12.Other conditions and reserved rights

1. If it is required to submit an electronic original of a document that the selected economic operator has only in paper form, an authorized conversion of that document shall be carried out. (Authorized conversion - complete conversion of a paper document into a document contained in a data message or data file in a manner ensuring compliance of the content of these documents and attaching a conversion clause. More information can be found at <http://www.czechpoint.cz/> )
2. The contracting authority reserves the right **to publish a notice of the selection of the economic operator** / a notice of exclusion of a participant from the procurement procedure / a notice of cancellation of the public contract on the contracting authority profile EZAK ([zakazky.tul.cz](http://zakazky.tul.cz)). In that case the notice is deemed to have been sent to all participants.
3. When clarifying or supplementing data, documents, samples or models, the contracting authority shall proceed similarly in accordance with Section 46 of ZZVZ
4. When excluding participants from the procurement procedure, the contracting authority shall similarly use the reasons and procedures specified in § 48 of ZZVZ.
5. The contracting authority is entitled to set aside the award procedure before signing the contract without giving any reason.
6. the contracting authority may assess the fulfilment of the conditions for participation in the procurement procedure before or after the evaluation of tenders
7. The contract will be published in the Register of contracts if the conditions for publishing in accordance with Act no. 340/2015 Coll. (on Register of contracts) are met and eventually on the contracting authority's profile in accordance with ZZVZ.
8. The contracting authority reserves the right to verify the participant's information from publicly available sources.
9. Costs of drawing-up a tender will not be reimbursed by the contracting authority. Submitted tenders will not be returned.
10. The contracting authority point out that the selected economic operator and their subcontractors, where relevant, shall be obliged to co-operate in the execution of financial control to Article 2(e) Act 320/2001 Coll., concerning financial control in public administration.

In Liberec 7/1/2021

On behalf of the contracting authority: RNDr. Ivana Večeřová

*Annex P1 - Affirmation on basic and professional qualification criteria*

*Annex P2 – Contract proposal*

