

Invitation to Tender and Tender Conditions for a Small-Scale Public Contract

awarded in a tender outside the regime of Act 134/2016 Coll., on the award of public contracts, as amended (hereinafter referred to as the "Act"), and awarded in accordance with the Bursar's Directive No. 5/2017 of 1 July 2017 and further according to the Rules for Applicants and Beneficiaries - General Part, Operational Programme Research, Development and Education, Programming Period 2014-2020, Version 5, valid from: 9 November 2017

Name of the small-scale public tender:

Supply of soil hygrometers



Identification of the Contracting Authority:

Name:	Czech University of Life Sciences Prague
Company Reg. No., VAT No.:	60460709, CZ60460709
Address:	Kamýcká 129, 165 00 Prague– Suchdol
Authorised representative of the Contracting Authority:	prof. Ing. Róbert Marušák, Ph.D., Dean, FLD
Legal status:	Public higher education institution established and existing pursuant to Act 111/1998 Coll.

Contact data of the Contracting Authority:

Contact person:	Magdaléna Bičová
Telephone:	+420 774 878 811
E-mail:	VZFLD@staidl-leska.com
Contracting Authority profile:	https://zakazky.czu.cz

1. Initial Information

- 1.1 **Name of the public contract:** Supply of soil hygrometers
- 1.2 **The estimated value of the small-scale public contract** is determined as the estimated value of the complete performance of the subject of the small-scale public contract: **495,868.00 CZK without VAT.**
- 1.3 **The estimated value of the small-scale public contract is also the value of the maximum and non-exceedable price of performance. In the event that a Tenderer offers a higher price, it will be excluded from the Tender due to non-compliance with the conditions specified herein.**
- 1.4 Time and place of performance of the public contract – deadline of this small-scale public contract has been defined in the binding model of the Purchase Agreement, constituting integral part of this Invitation to Tender (Attachment 1).
- 1.5 The place of performance is the registered office of the Contracting Authority Kamýcká 129, 165 00 Prague – Suchbát.
- 1.6 The tender conditions specified herein as well as in the attachments hereto (hereinafter jointly referred to as the “Invitation to Tender” or “Tender Conditions”) provide details of the small-scale public contract, as required for the purpose of tender submission.
- 1.7 Tender conditions are binding for all Tenderers.
- 1.8 The terms provided herein in singular include also plural and vice versa, unless otherwise required by the context. The headings of the articles/sub-articles are only provided for clarification and are irrelevant for the interpretation of the Tender Conditions.
- 1.9 Public contract type: supply as above
- 1.10 This public contract shall be implemented within the scope of project “Advanced research supporting the forestry and wood processing sector’s adaptation to global change and the 4th industrial revolution“, Reg. No. CZ.02.1.01/0.0/0.0/16_019/0000803, co-financed from the Operation Programme Research, Development and Education.

2. Basic Information about the subject of the Public Contract

The subject of the small-scale public contract is the procurement of soil hygrometers for highly accurate and non-invasive soil moisture measurements in the study of tree responses to climate change, especially drought stress, including all components, accessories and documents (in particular the technical data sheet and warranty card) necessary for their proper use. The subject of performance is also the transport of equipment to the place of performance and training of the Contracting Authority on their basic functionalities during handover and acceptance.

The subject of the small-scale public contract has been detailed in Attachment 2, hereto – Technical Specification. The Contracting Authority requires the complete delivery of all parts of the subject of performance, the Contracting Authority shall not accept the partial performance of the subject of this small-scale public contract.

The Contracting Authority requires the Tenderer to submit detailed technical specifications of the offered equipment units and accessories, if any (technical data sheets, declaration of conformity and other relevant documents), constituting Attachment 1 of the binding model of the Purchase Agreement submitted by the Tenderer.

3. Terms of Business

Any and all binding terms of business shall be provided in the binding model of the Purchase Agreement to be concluded with the Contractor and constituting Attachment 1, hereto. The Tenderer must not alter the Terms of Business.

In the binding model of the Purchase Agreement, the Tenderer can only insert specific data (colour shading or boxes "to be completed by the Tenderer" etc.). The Supplier is not allowed to alter the binding model of the Purchase Agreement.

The completed binding model of the Purchase Agreement must be signed by Tenderer's authorised representative, and then submitted to the Contracting Authority together with all specified attachments within the scope of the Tender. A completed binding model of the Purchase Agreement (unsigned), including the required attachments, will also be submitted in the Tender in electronic form in .doc or .docx format.

The contents of the Purchase Agreement submitted by the Tenderer, including attachments, must correspond to other data provided in the Tenderer's Tender.

4. Alternative tenders

Alternative tenders are not acceptable.

5. Requirements for Calculation of the Tender Price

The Tenderer shall insert the tender price to the binding model of the Purchase Agreement, in the format as required and in the box as provided. The Supplier cannot alter this format or make it conditioned by other facts, variables etc. Discounts, if any, must be included in the total price. The price will be fixed (no alternative prices) and shall not be increased.

The tender price must include any and all costs incurred by the Tenderer during the course of performance of the contract.

The tender price shall be indicated in Czech Crowns.

The tender price (without VAT) shall be considered in the tender evaluation procedure.

6. Qualification Requirements

General qualification will be documented by provision of the Tenderer's sworn statement on compliance with the qualification criteria, as defined in Attachment 4, hereto.

Professional qualification will be documented by provision of the Tenderer's sworn statement on compliance with the qualification criteria, as defined in Attachment 4, hereto.

During the course of the award procedure, the Contracting Authority may ask for provision of originals or authenticated copies of the qualification documents.

7. Tender Evaluation Procedure

The basic criteria of evaluation shall be the **financial aspects**, which will be assessed with respect to the lowest tender price by the Contracting Authority, as provided in Article IV of the Agreement.

The tender price without VAT shall be relevant for the evaluation.

Submitted tenders shall be classified in descending order, from the lowest to the highest price. The supplier offering the lowest tender price will be the winner.

The tender evaluation will be conducted prior to the assessment. In this event, only the Tender of the specific Tenderer will be considered, which should be awarded the contract, based on the prior evaluation.

8. Conditions and Requirements for Preparation of the Tender

Any and all information provided by the Tenderer in its Tender as well as any communication with the Contracting Authority (particularly explanations on the Tender) must be real. The Tenders that do not comply with this provision shall not be considered.

Should violation of this condition be discovered after conclusion of the Agreement or, as the case may be, during the course of performance of the small-scale public contract, the Contracting Authority may withdraw from the Agreement and require indemnification and penalties pursuant to relevant provisions of the Agreement.

For this purpose, the Contracting Authority reserves the right to require verification/clarification of any information provided in Tenderer's Tender.

In the event that several tenderers submit a Tender jointly (Joint Tender), they shall also indicate in the Tender the person who will be authorized to represent these Tenderers (as the only one) in contact with the Contracting Authority during the tender procedure.

The Tender shall be submitted in electronic form only, exclusively through an electronic tool on the profile of the Contracting Authority. The Contracting Authority shall not allow the submission of Tenders in paper form or in electronic form in any other way than in the form specified above.

The Tender shall not contain transcripts or corrections that could be misleading for the Contracting Authority.

The following order of documents must be observed by the Tenderer:

- A. Contents of the Tender.** The contents of the Tender must include a list of numbered pages of individual sections (chapters).
- B. Cover sheet.** The cover sheet must be issued in compliance with the sample in Attachment 3 of this Invitation to Tender – Tender Cover Sheet. The following information must be provided on the cover sheet: name of the small-scale public contract, essential identification data of the Contracting Authority and the Tenderer (including the names of the persons authorised for further negotiations), date and signature of the Tenderer's authorised representative.

On the cover sheet, the Tenderer shall provide its contact address (including e-mail) for correspondence with the Contracting Authority. All messages and information from the Contracting Authority will be sent to this address during the course of the award procedure.
- C. Qualification documents.** The Supplier's qualification documents shall be provided in accordance with Article 6 of this Invitation to Tender.
- D. Draft Purchase Agreement** - according to Attachment 1 to this invitation, signed by a person authorized to represent the participant in the procurement procedure, supplemented by missing data.
- E. Attachment 1 of the draft Purchase Agreement – Detailed technical specification of the offered equipment.**

- F. **Other documents, conditions and requirements relevant for the subject of this public contract.** The Tenderer shall also provide other documents as required by the Contracting Authority in the Terms of Business.

9. Clarification of the Tender Conditions

Tenderers may submit a written request for clarification of the Tender Conditions. Tenderers must deliver the request no later than 4 working days before the deadline for submission of tenders to the contact email of the Contracting Authority: VZFLD@staidl-leska.com.

The Contracting Authority shall send its clarification of the tender conditions, or related documents, no later than 2 working days after receiving the request, see above.

Tenderer.

10. Place and Deadline for Tenders

Deadline: **Date: 18/01/2021** **Time: 10:00**

Tenders shall be submitted in electronic form only (see also Article 8, herein). The Tenderer may submit the Tender in electronic form throughout the entire period for the submission of tenders, exclusively via **the electronic tool on the profile of the Contracting Authority** (<https://zakazky.czu.cz>).

The time for submission of Tenders shall be governed by the system time in the electronic tool of the Contracting Authority.

11. Other Provisions

The Contracting Authority shall reserve the right to cancel the Tender at any time or not to select any of the Tenderers.

The costs associated with the Tenderer's participation in the Tender shall not be reimbursed by the Contracting Authority.

The Contracting Authority shall reserve the right to verify the information contained in Tender with third parties and the Tenderer shall be obliged to provide it with all necessary cooperation in this regard.

The information provided in the individual parts of this Invitation and its attachments define the binding requirements of the Contracting Authority for the performance of the small-scale public contract. The Tenderer shall be obliged to fully and unconditionally respect these requirements when preparing their Tender. Failure to accept the requirements of the Contracting Authority specified in this Invitation and its attachments shall be considered as a non-compliance with the Tender Conditions with a possible consequence of exclusion of the Tenderer from the tender procedure.

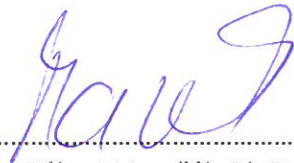
In the event that this Invitation and its attachments contain direct or indirect references to a specific Tenderer or product, or patent for an invention, utility model or industrial design, trademark or designation of origin, the Contracting Authority shall expressly allow the use of other, qualitatively and technically equivalent solutions to fulfil the functionality required by the Contracting Authority or obvious to the expert (albeit in a different way).

A selected Contractor that fails to enter into the Purchase Agreement with the Contracting Authority without undue delay, may be excluded from the tender procedure by the Contracting Authority. In the event that the selected Contractor shall be excluded, the Contracting Authority may request the next Contractor in line to enter into a contract.

12. Further Parts of the Invitation to Tender – Attachments

- Attachment 1 – Binding model of the Purchase Agreement
- Attachment 2 – Technical Specification
- Attachment 3 – Tender Cover Sheet
- Attachment 4 – Statutory Declaration of Compliance with the Qualification Criteria (sample)

Place and date:
Prague, 7 January 2021



.....
*prof. Ing. Róbert Marušák, Ph.D.,
Dean, FLD*