

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:

Drosophila melanogaster embryo microinjection for germline transformation using the PhiC31 system, including Injection, and balancing of resultant lines



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– Suchbát
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:** Drosophila melanogaster embryo microinjection for germline transformation using the PhiC31 system, including Injection, and balancing of resultant line
- 1.2 **The estimated value of the small-scale public contract** is determined as the estimated value of the maximum performance of the subject of the small-scale public contract: **500,000 CZK without VAT.**
- 1.3 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 Framework Agreement, constituting integral part of this Invitation to Tender (Attachment 1). The place of performance (delivery) is the registered office of the Contracting Authority Kamýcká 129, 165 00 Prague – Suchbát.
- 1.4 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.
- 1.5 Tender conditions are binding for all Tenderers.
- 1.6 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.
- 1.7 Public contract type: services
- 1.8 This public contract shall be implemented within the scope of project “Building up an excellent scientific team and its spatiotechnical background focused on mitigation of the impact of climatic changes to forests from the level of a gene to the level of a landscape at the FFWS CZU Prague”, Reg. No. CZ.02.1.01/0.0/0.0/15_003/0000433, 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 procurement is the service of Drosophila melanogaster embryo microinjection for germline transformation using the PhiC31 system, including Injection, and balancing of resultant lines.

The subject of the small-scale public contract has been detailed in Attachment 1 – Binding model of the Framework Agreement and in Attachment 2 - Specification of the subject of performance, hereto. 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.

3. Terms of Business

Any and all binding terms of business shall be provided in the binding model of the Framework 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 Framework 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 Framework Agreement.

The completed binding model of the Framework 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 Framework Agreement (unsigned), including the required attachments, will also be submitted in the Tender in electronic form in .doc or .docx format (i.e., on a non-rewritable data carrier such as a CD-R in the event of submission in a paper form). The Contracting Authority warns that the electronic form of the Framework Agreement shall not replace the required paper form of the Framework Agreement according to the above in the case of submission in paper form.

The contents of the Framework 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 Framework 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. In addition, it shall add data on unit items specified by the Contracting Authority to the table included in Attachment 5, hereto.

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

The tender price shall be indicated in Czech Crowns.

The tender price in CZK (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.

Technical qualification will be documented by provision of the Tenderer’s sworn statement on the fulfilment of the qualification criteria as defined in Attachment 4, hereto. The technical qualification will be demonstrated by the participant as follows:

- must have at least 5 years of experience with the services required in this award procedure (Drosophila melanogaster germline transformation services)

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 Framework Agreement.

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

Tenders will be ranked in descending order according to the tender price. The participant's Tender with the lowest tender price will be evaluated as the most economically advantageous.

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 Framework Agreement, 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 Framework 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 Framework Agreement and require indemnification and penalties pursuant to relevant provisions of the Framework Agreement.

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

The Tender may be submitted in electronic form, exclusively by means of an electronic tool on the Contracting Authority's profile, or in paper form in two copies, in the original and a copy, in written form and in English. When submitted in paper form, the Tender shall also contain a non-rewritable data carrier, e.g., a CD-R with the required documents (see Article 3, herein). The Tender shall not contain transcripts or corrections that could mislead the Contracting Authority. The individual pages of the Tender shall be secured against unauthorised manipulation. The Tender shall be submitted in an opaque envelope, closed, or sealed in such a way as to exclude possible manipulation of the contents of the envelope without breaking it. The Tender shall be submitted to the address for the submission of tenders. The Tender may be delivered in person, through the holder of a postal license, or by a courier service to the mail room at the registered office of the Contracting Authority so that it is delivered within the deadline for submission of tenders.

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. Framework Agreement and attachments.** In order to substantiate the Framework Agreement and its attachments to the Tender, the Tenderer shall proceed according to this Invitation.

In the event that a person acts on behalf of or for the Tenderer on the basis of a power of attorney, a valid power of attorney in the original or in an officially certified copy must be submitted in the Tender following the draft Framework Agreement.

- D. Qualification documents.** The Supplier's qualification documents shall be provided in accordance with Article 6 of this Invitation to Tender.
- E. Price offer.** The Tenderer shall submit a completed Attachment 5, hereto.
- 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 or via the electronic tool on the Contracting Authority's profile (<https://zakazky.czu.cz>), directly under a specific public contract (the Contracting Authority draws attention to the need to comply with this requirement, otherwise the participant's inquiry on the Contracting Authority's profile may be lost).

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: 11/07/2022** **Time: 10:00**

Address for submission of Tenders: **CULS mail room, Kamýcká 129, 165 00 Praha – Suchbát**

The Tenderer may submit their Tender to the CULS mail room during the entire duration of the deadline for submission of Tenders on working days from 8:00 a.m. to 3:00 p.m., and on the last day of the deadline only until the deadline for submission of Tenders expires. The Tender must be delivered in sealed envelopes marked with the **name of the contract, "TENDER - DO NOT OPEN"**, the words **"DROSOPHILA MELANOGASTER EMBRYO MICROINJECTION FOR GERMLINE TRANSFORMATION USING THE PHIC31 SYSTEM, INCLUDING INJECTION, AND BALANCING OF RESULTANT LINES"**, and the address of the participant.

Decisive for the time of delivery of the Tender shall be its acceptance by the CULS mail room.

Tenders shall be further submitted in electronic form (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 Framework 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 Framework Agreement
- Attachment 2 – Specification of the subject of performance
- Attachment 3 – Tender Cover Sheet
- Attachment 4 – Statutory Declaration of Compliance with the Qualification Criteria (sample)
- Attachment 5 – Price offer

Place and date:
Prague, 24 June 2022

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