

Procurement documents

to the public contract assigned in the public procurement pursuant to Act No. 134/2016 Coll., on Public Procurement, as amended (hereinafter referred to as "Act")

Name of the public contract:

Metagenomic analysis (sequencing of amplicon and data analysis)



ID data of the Client:

Name:	Česká zemědělská univerzita v Praze (in English: Czech University of Life Sciences Prague)
Business ID, VAT ID:	60460709, CZ60460709
Address of the head office:	Kamýcká 129, 165 00 Praha - Suchbát
Person authorised to act on behalf of the Client:	Ing. Jana Vohralíková, bursar
Legal form:	public university pursuant to the Act No. 111/1998 Coll.

Contact data of the Client:

Contact person:	Mgr. Iva Mádlová
Tel:	+420 224 384 068
E-mail:	pravni@rektorat.czu.cz
Contact internet address (Client's profile)	https://zakazky.czu.cz/

1. Introductory information

- 1.1 **Name:** **Metagenomic analysis (sequencing of amplicon and data analysis)**
- 1.2 **Classification:** **main subject-** code CPV 73111000
(Laboratory research)
- 1.3 **Estimated value of procurement set as estimated value of complete performance of the subject of the public contract:** **1,650,000 CZK without VAT.**
- 1.4 **Type of procurement:** public service contract.
- 1.5 **Regime of procurement:** below threshold
- 1.6 **Type of procurement procedure:** open procedure pursuant to Sect. 56 of the Act.
- 1.7 The estimated value of the procurement is set as maximal and unexceedable. Tender including tender price exceeding the estimated value of the part in which the tender has been submitted, shall be eliminated and the applicant shall be excluded from the procurement procedure.
- 1.8 Award criteria define the subject of the procurement in details necessary for the processing of the tender.
- 1.9 Award criteria are binding for the participants of the procurement (hereinafter referred to as "participant").
- 1.10 Words included in award criteria in singular refer to plural as well and vice versa, unless the context of award criteria implies otherwise. Headings of articles or paragraphs of award criteria are included only for better arrangement and do not have any influence on the interpretation of the award criteria.
- 1.11 In case the award criteria include direct or indirect references to specific contractors or products or patents for inventions, utility models, industrial models, trademarks or designation of origin, the Client shall explicitly enable offer of equal solutions similarly to Sect. 89 (6) of the Act.
- 1.12 The award criteria are provided free of charge on the contact internet address (Client's profile) specified on the first page of this procurement documents, during the whole period for submission of tenders.

2. Basic information to the subject of the procurement

The subject of the performance of the procurement is analysis of amplicon of delivered 400 pcs of samples of the subfamily Scolytinae (total DNA).

The subject of performance is narrowly defined in the award criteria, especially in the purchase contract which is the attachment No. 1 of this procurement documentation and technical specification and which is the attachment No. 4 of this procurement documents.

The procurement shall be financed within the scope of the project "Building an excellent scientific team at Faculty of Forestry and Wood Sciences of CULS in Prague and its technical facilities focused on mitigation of consequences of climate changes in forests (from the level of the gene to the level of the landscape)", which is co-financed from the Operational Programme Research, Development and Education, Reg. No.: CZ.02.1.01/0.0/0.0/15_003/ 0000433.

3. Business conditions

All binding business conditions are included in attachment No. 1 of procurement documents - in the purchase contract. The Client insists on the business conditions.

The participant by submitting a tender agrees with the contract in full extent. Missing data in the contract (especially tender price and identification data) shall be filled according to the tender of chosen Contractor with the data included in the bid cover sheet. The participant is not obliged to insert the contract in the tender, the Client shall not provide the purchase contract in an editable form.

The draft of a purchase contract's contents must correspond to other data included in the participant's tender. The Client explicitly notes that the tender must not include any other business conditions.

4. Technical specifications pursuant to Sect. 89 of the Act

Detailed technical specification is included in attachment No. 4 of these procurement documents.

5. Variants of tender

The Client does not allow any variants of tenders.

6. Requirements on processing the tender price

The participant shall set the tender price in the total amount of the whole subject of performance of the procurement, in accordance to the award criteria.

Further requirements:

- The tender price shall be in CZK.
- The tender price shall be without VAT, VAT shall be set and charged pursuant to valid legal regulations in the period of taxable performance.
- The tender price shall include all participant's costs connected to the performance of the subject of the procurement.

7. Other Client's requirements on the procurement

The chosen Contractor shall be, pursuant to Sect. 122 of the Act, sent a notice to submit:

- a) the originals or certified copies of documents attesting to its qualification where they have not already been made available to the Client;
- b) if data about the real proprietor cannot be gained by proceeding as set in Sect. 122 (4) of the Act, the Client shall send a notice to the chosen Contractor to submit a certificate from register similar to a register of real proprietors or
 - a. to provide identification data of all persons who are its real proprietors and
 - b. to submit evidence from which the relationship of the persons to the Contractor pursuant to (a) is clear, this evidence is especially
 - i. incorporation certificate or a similar register certificate,
 - ii. list of shareholders,

- iii. decision of the board of directors to pay a share of the profit,
- iv. company contract, articles of organisation or incorporation.

8. Qualification requirements

8.1 General Client's requirements on proving of qualification

- 8.1.1 Documents proving qualification may be provided in a simple copy.
- 8.1.2 The Contractor is entitled to substitute submission of the proofs in the tender by sworn statement.
- 8.1.3 Before the conclusion of the contract, the Client asks the chosen Contractor to submit originals or certified copies of the qualification proofs if these have not already been submitted in the procurement.
- 8.1.4 In case of a requirement to submit a Contractor's (or other person's) sworn statement, this statement must include all required data and it must be signed by the person authorised to act on behalf of the Contractor (or other person whom the statement concerns). If an agent acts on behalf of the Contractor on the basis of a power of attorney, the power of attorney must be submitted in the original or certified copy.
- 8.1.5 If the qualification of a participant changes after the submission of documents or affirmation regarding qualification, the participant is obliged to announce such change to the Client within five working days and to submit new documents or affirmation of qualification within 10 working days from the announcement of such change. The participant shall not become obliged to announce changes and submit new documents under the first sentence if the qualification is changed in such a manner that the qualification requirements are still met, or the criteria for evaluation of tenders have not been influenced.
- 8.1.6 In case the qualification has been gained abroad, the participant submits documents issued according to the legislative of the country in which it has been gained, in the scope required by the Client.
- 8.1.7 If the Contractor is not able to prove a part of its qualification (except proving the basic qualification and professional qualification - submitting an entry in the Commercial Register) in full extent, it is entitled to prove the qualification in the remaining extent through another person. Another person means a person for whom the Contractor shall perform a specific part of the procurement or who shall provide some things or rights to the Contractor for performance of the procurement. In such a case, the Contractor is obliged to submit to the Client:
 - (a) documents proving professional qualification - entry in the Commercial Register - by the other person,
 - (b) documents proving that a missing part of the qualification has been fulfilled by the other person,
 - (c) documents proving that the basic qualification was fulfilled by the other person and a written commitment of the other person to provide performance intended for the performance of the public contract or to provide things or rights which the Contractor is entitled to use when performing the public contract, at least to the extent to which the other person has proved its qualification instead of the Contractor.

- 8.1.8 In case of submitting the tender by several Contractors together, each Contractor is obliged to prove the basic qualification and professional qualification - entry in the Commercial Register - if it is registered in Commercial Register or a certificate from another similar register if it is registered in it, in full extent- Qualification pursuant to other points is proved by all Contractors together.
- 8.1.9 Contractors submitting tender jointly are obliged to submit a pledge that all these Contractors shall, in relation to the Client and third parties in any legal relations commencing in connection to the performance of the procurement and its subject, be bound jointly and indifferently unless specified otherwise in a special regulation, for the whole period of the contract and for the period of other obligations under this procurement and its subject.
- 8.1.10 In order for qualification to be proved, it is possible to submit documents registered in the system that helps identify the certificates requested as a proof of qualification (e-Certis).
- 8.1.11 Documents demonstrating basic qualifications and entry in the Commercial Register must demonstrate the fulfilment of the required qualification criterion not later than 3 months before the date of the commencement of the procurement.

8.2 Basic qualification

- a) The Contractor fulfils the basic qualification pursuant to Sect. 74 (1) (a) of the Act if it 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; this condition must be fulfilled by the Contractor and in case it is a legal person every member of the board of directors (and if a legal person is a member of the board of directors, this legal person must fulfil the conditions, each member of the board of directors of this legal person and the person representing this legal person in the board of directors of the Contractor);
- b) The Contractor fulfils the basic qualification pursuant to Sect. 74 (1) (b) of the Act if it has no outstanding tax arrears registered in tax records in the Czech Republic or in the country of its registered office,
- c) The Contractor fulfils the basic qualification pursuant to Sect. 74 (1) (c) of the Act if it has no 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) The Contractor fulfils the basic qualification pursuant to Sect. 74 (1) (d) of the Act if it has no 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) The Contractor fulfils the basic qualification pursuant to Sect. 74 (1) (e) of the Act if it is not in liquidation, has not been declared insolvent, in respect of it no receivership has 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.

Proof of basic qualification:

The Contractor may prove its basic qualification by its sworn statement from whose contents it is clear that the Contractor fulfils the basic qualification required by the Client.

The Client provides a sample sworn statement in the attachment of the award criteria for proving of basic qualification which the Contractor may only filled with relevant data and have it signed by a person authorised to act on behalf of the Contractor and insert this signed document in the tender.

8.3 Professional qualification

The Contractor shall prove its professional qualification pursuant to Sect. 77 of the Act by submitting:

- a) a 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.

8.4 Technical qualification criteria

Pursuant to Sect. 79 (2) (b) of the Act:

The Contractor shall submit a list of significant supplies or significant services provided over the past three years before the commencement of the procurement procedure, including prices and dates of their provision and the identification of clients.

The Contractor meets this qualification criterion if it provided at least 2 services of a similar character to the subject of performance of this performance over the past three years (i.e. metagenomic analysis) in the value of at least 400,000 CZK without VAT per each. To rule out any doubts the Client specifies that the above-mentioned minimal value must be proved within one service and it cannot be reached by counting more lower values of more supplies.

The Client provides a sample sworn statement in the attachment of the award criteria for proving of technical qualification criteria which the participant may only fill with relevant data and have it signed by a person authorised to act on behalf of the participant.

9. Evaluation of tenders

Basic criterion for the evaluation is **economic advantageousness of the tenders**. The contractor shall evaluate the economic advantageousness of tenders according to the lowest tender price.

The evaluation shall be done in the following way:

Tenders shall be ordered in the applicable part of the procurement according to the total amount of the tender price in CZK without VAT. The tender with the lowest tender price shall be chosen as economically most advantageous.

The participant is not entitled to condition data suggested by it which are subject of the evaluation by another condition. Conditioning or providing several different values are reasons for excluding the tender and the participant from the procurement procedure. Similarly the Client shall proceed in case

of providing a value which is a subject of the evaluation in another form or unit than the Client specified.

10. Terms and requirements for the processing of the tender

10.1.1 All information the participant includes in the tender and in any communication with the Client (especially explanation of the tender pursuant to Sect. 46 of the Act) must be true. In case this requirement fails to be met, the Client shall proceed pursuant to Sect. 48 of the Act.

For this purpose the Client has the right to verify any information provided by the participant in the tender or its additional explanation.

10.1.2 The Client notifies the Contractor that pursuant to Sect. 48 (7) and (9) it must exclude such chosen Contractor who is a joint-stock company or has a legal form similar to a joint-stock company and has issued other than exclusively booked shares.

10.1.3 The tender shall be submitted in original and in written form, in Czech or English language.

10.1.4 The tender shall not include overwritings and corrections which may confuse the Client.

10.1.5 The tender shall be submitted in electronic form exclusively through an electronic tool on the Client's profile. The tender may not be delivered through data boxes.

10.1.6 The participant shall use the order of documents specified in the following points of these instructions for processing of the tender:

A. Contents of the tender. The tender shall have contents with numbers of pages provided at individual sections (chapters).

B. Bid cover sheet. For creating the bid cover sheet, the participant shall use the attachment No. 3 of the award criteria - Bid cover sheet. The bid cover sheet shall include the following information: Name of the procurement, basic identification information of the Client and Contractor (including persons authorised to further acting), date and signature of the person authorised to act on behalf of the participant.

In the tender the bid cover sheet must include identification information of the participant in the extent stated in Sect. 28 (1) (g) of the Act. The participant shall in the bid cover sheet explicitly state its contact address (including e-mail) for written contact of the participant and the Client. At this address, all written documents during the procurement procedure shall be delivered to the participant by the Client.

C. Documents for proving of qualification. The participant shall provide document for proving of qualification pursuant to the Act. The Client has specified requirements for proving of qualification pursuant to the Act in Article 8 of the award criteria.

D. Other documents, terms and requirements relating to the subject of performance of the procurement. The participant shall submit other documents required by the Client in these award criteria.

11. Request for explanation of procurement documents

Request for explanation of procurement documents may be delivered in writing, in electronic form through electronic tool at the Client's profile (<https://zakazky.czu.cz>) at least 3 working day before

the termination of the period in which the Client is obliged to publish the explanation of the procurement documents on the Client's profile (see Sect. 98 (1) of the Act).

The explanation of procurement documents including the exact wording of the requirement shall be published and sent pursuant to Sect. 98 of the Act.

12. Visit to the site of performance

Visit to the site of performance of the procurement shall, with regard to the subject of performance of the procurement, not be realized.

13. Period and place for submission of tenders

Period for submission of tenders: **Date: 7. 12. 2018** **Time: 9:00**

The participant may deliver the tender in the period for submission of tenders in electronic form, exclusively **via the electronic tool at the Client's profile <https://zakazky.czu.cz>**.

14. Opening of envelopes with tenders

Opening of tenders in electronic form means making their contents accessible to the Client. Tenders in the electronic form are opened by the Client after the period for submission of tenders, without the presence of the public.

15. Communication in the procurement procedure

Written communication between the Client and the Contractor shall be in compliance to the Act only electronical, unless the Client specifies otherwise during the procurement procedure. The Client prefers written communication through the electronic tool (Client's profile) at the address <https://zakazky.czu.cz/>. The tender may be submitted only through the Client's profile.

The Contractor may submit a tender or communicate with the Client if it is registered and signed in here: <https://zakazky.czu.cz/registrace.html>. Detailed information on the use of the electronic tool is available at: <https://zakazky.czu.cz/manual.html>.

of the rector's office at the Client's address.

16. Other parts of the procurement documents - attachments

Attachment No.1 - Contract

Attachment No.2 - Sample of the sworn statement for proving qualification

Attachment No.3 - Bid cover sheet

Attachment No.4 - Technical specification

In Prague on 15. 11. 2018

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Bursar, v. r.