



EVROPSKÁ UNIE  
Evropské strukturální a investiční fondy  
Operační program Výzkum, vývoj a vzdělávání



MINISTERSTVO ŠKOLSTVÍ,  
MLÁDEŽE A TĚLOVÝCHOVY

# Call to submit bids

pursuant to Act No. 134/2016 Sb., on procuring public  
procurement contracts (hereinafter the "Act")

Open above-limit proceeding titled:

**"Framework Agreement to Nucleic Acid Sequencing on  
the Illumina Sequencing Platform - divided into parts"**

**The contracting authority: Mendel University in Brno**

**Company ID No.: 621 56 489**

**VAT Reg. No.: CZ62156489**

**Registered office: Zemědělská 1665/ 1, 613 00 Brno**

**Represented by Prof. Ing. Danuše Nerudová, Ph.D. rector  
(hereinafter the "contracting authority")**





EVROPSKÁ UNIE  
Evropské strukturální a investiční fondy  
Operační program Výzkum, vývoj a vzdělávání



## 1. Basic information about the public contract

<b>Information about the contracting authority:</b>	
Name of the contracting authority:	Mendel University in Brno
contracting authority's registered office:	Zemědělská 1665/ 1, 613 00 Brno
contracting authority's Company ID No. and Tax ID No.:	62156489, CZ62156489
Data box:	85ij9bs
Person authorised to represent the contracting authority:	prof. Ing. Danuše Nerudová, Ph.D. rector
Project coordinator	prof. Dr. Ing. Libor Jankovský
Budget administrator:	Ing. Petra Doleželová
Contact person for public contract matters:	Bc. Lena Mikušová. Public contract administrator, e-mail: <a href="mailto:lena.mikusova@mendelu.cz">lena.mikusova@mendelu.cz</a> , +420 545 135 251
<b>Information about the procurement procedure:</b>	
Title of the procurement procedure:	Framework Agreement to Nucleic Acid Sequencing on the Illumina Sequencing Platform - divided into parts
Procurement procedure regime:	Open above-limit procedure
Subject:	Services
Source of funding:	Performance of the public contract is financed using money from EU structural fund - OP RDE - Project title: <b>"Phytophthora Research Centre"</b> with registration number CZ.02.1.01/0.0/0.0/15_003/0000453
Division of the procurement procedure into parts:	The procurement procedure is divided into 2 parts: Part 1: DNA Sequencing on the Illumina sequencing platform Part 2: RNAseq on the Illumina sequencing platform
Estimated value of the procurement procedure:	3,430,000 (CZK) excluding VAT, in words: three million four hundred and thirty thousand Czech korunas, excluding VAT.



	<p>With the following amounts of this sum for the following parts:</p> <p><b>Part 1:</b> DNA Sequencing on the Illumina sequencing platform: CZK 1,430,000 excluding VAT</p> <p><b>Part 2:</b> RNAseq on the Illumina sequencing platform: CZK 2,000,000 excluding VAT</p> <p>The estimated value of the public contract (hereinafter the "PC") was determined with regard to the value of the funds that the contracting authority procuring the public contract has available for the specific public contract and the specified estimated value is simultaneously the limit value.</p>
Submitting bids:	<p>The supplier may submit bids for one or both parts of the public contract depending on its capacity and ability, whereas a different supplier may be chosen for each part of the public contract.</p> <p>Item No. 7 of this Call to submit bids describes the method for evaluating bids submitted by bidders. Each part of the public contract shall be evaluated separately on the basis of the described evaluation criteria.</p>
The URL address of the procurement procedure on the contracting authority's profile:	<p><a href="https://zakazky.mendelu.cz/contract_display_4052.html">https://zakazky.mendelu.cz/contract_display_4052.html</a></p>
Deadline for submitting bids:	<p><b>7. 9. 2020 – 10:00 a.m.</b></p>
<b>The contracting authority reserves the following rights:</b>	
<p>- The contracting authority informs the supplier that, in accordance with Section 39(4) of the Act, it is entitled to evaluate the bids before evaluating fulfilment of the terms for participation in the procurement procedure.</p>	



- By submitting a bid during the procurement procedure, the supplier accepts, fully and without reservations, the tender terms contained in this tender dossier, including all annexes and potential attachments to this tender dossier. Before submitting a bid the supplier is required to carefully read all the instructions, terms, deadlines and specifications contained in the tender dossier, and adhere to them. The information set out in the tender terms defines the contracting authority's binding requirements for performance of the public contract. The supplier is required to adhere to these requirements when executing the bid and submitting documents to prove qualifications.

- Legal persons and natural persons contacted with the invitation to submit a bid are identified as the "participant of the procurement procedure" or "supplier" for the purpose of this contract, and as the "provider" after the framework agreement has been concluded. Mendel University in Brno, announcing this public contract, is identified as the "contracting authority" or as the "client" in the draft of the framework agreement.

## 2. E-ZAK electronic tool:

- 2.1. All actions within the terms of the procurement procedure are carried out electronically by means of the E-ZAK electronic tool. The contracting authority informs the supplier that so-called registration of the supplier must be carried out and completed for full use of the entire potential of the E-ZAK electronic tool.
- 2.2. The contracting authority recommends that suppliers request the contracting authority's contact person for allocation to the public contract or that they monitor the address of the public contract.
- 2.3. If the contracting authority has registered the supplier in the E-ZAK electronic tool, it gives the contact data it obtained as publicly available - or other suitable contact data - as the supplier's contact data. Every supplier is required to check its contact data before completing registration in the E-ZAK electronic tool, and potentially correct this data or supplement it.

### 2.4. Delivery using the E-ZAK electronic tool:

**Delivery using the electronic tool takes place at the moment of acceptance of a data message to the electronic address of the addressee or the addressees of a data message in the electronic tool.**

This means that the participant of the procurement procedure is aware that all written documents sent by means of the E-ZAK electronic tool are considered **duly delivered on the day of their delivery to the addressee's user account in the E-ZAK electronic tool**. The participant accepts that whether the written document was read by its addressee or not, or whether the E-ZAK electronic tool sent the



EVROPSKÁ UNIE  
Evropské strukturální a investiční fondy  
Operační program Výzkum, vývoj a vzdělávání



MINISTERSTVO ŠKOLSTVÍ,  
MLÁDEŽE A TĚLOVÝCHOVY

addressee notification of delivery of the document to the contact e-mail address or not, has no effect on delivery of written documents.

2.5. The conditions and information concerning the E-ZAK electronic tool, including information about use of an electronic signature, are available at <https://zakazky.mendelu.cz/> - specifically at:

- <https://zakazky.mendelu.cz/data/manual/EZAK-Manual-Dodavatele.pdf>

- and

[https://zakazky.mendelu.cz/data/manual/QCM.Podepisovaci\\_applet.pdf](https://zakazky.mendelu.cz/data/manual/QCM.Podepisovaci_applet.pdf)

2.6. The contracting authority recommends that suppliers take the opportunity to test their browser settings, in order to prevent potential complications when submitting bids. Settings are checked by clicking on the "Browser setting test" link which is located to the left on the main page of the E-ZAK electronic tool (<https://zakazky.mendelu.cz>).

### 3. Subject of the contract - division into parts

3.1. The subject of the public contract is:

3.1.1. in the scope of part 1 of the public contract: provision of **DNA sequencing services on the Illumina sequencing platform in compliance with Appendix No. 1a - Technical specifications for Part 1 of the PC**, between the contracting authority and one supplier, for a limited period (from the time the framework agreement comes into force by registration in the Register of Contracts until 30 9. 2022).

3.1.2. in the scope of part 2 of the public contract: provision of **RNaseq services on the Illumina sequencing platform in compliance with Appendix No. 1b - Technical specifications for Part 2 of the PC**, between the contracting authority and one supplier, for a limited period (from 1 1. 2021 until 30 9. 2022).

3.2. The purpose of the public contract is:

3.2.1. In the scope of part 1: To obtain DNA data about the population structure of selected members of the *Phytophthora* genus.

3.2.2. In the scope of part 2: To obtain RNA data about the diversity of viruses in the genome of selected members of the *Phytophthora* genus.

### 4. CPV code, estimated value, time and place of performance

4.1. The subject of the public contract is defined by the following CPV code for both parts: **71900000-7 (laboratory services)**.

4.2. **The estimated total value of the public contract is: CZK 3,430,000 excluding VAT of this:**



EVROPSKÁ UNIE  
Evropské strukturální a investiční fondy  
Operační program Výzkum, vývoj a vzdělávání



MINISTERSTVO ŠKOLSTVÍ,  
MLÁDEŽE A TĚLOVÝCHOVY

4.2.1. The estimated and also limit value for part 1: DNA Sequencing on the Illumina sequencing platform **CZK 1,430,000 excluding VAT.**

4.2.2. The estimated and also limit value for part 2: RNAseq on the Illumina sequencing platform: **CZK 2,000,000 excluding VAT.**

4.3. **The estimated value of the public contract was determined with regard to the maximum value of funds that the contracting authority has available for the specific public contract and is therefore the limit value. The contracting authority will eliminate participant who will submit the bid with the total bid price exceeding the estimated value for the specific part of the procurement procedure.**

4.4. The required deadline for provision of the performance in question - i.e. the results of sequencing - is given in Appendix No. 1a in relation to part 1 - and is specified in Appendix No. 1b for part 2. The required place of collection of materials by the supplier at the registered office of the contracting authority will be specified separately in individual orders.

4.5. The site of performance is Mendel University in Brno - the specific office will be specified in individual orders.

## 5. Qualifications

5.1. The contracting authority requires submission of qualification documents - **demonstrating basic and professional competence** - in compliance with Section 45 and 73 of the Act. In compliance with Section 45 of the Act, **qualification documents may be submitted as simple copies**, or replaced with unified **European certification for public contracts** in accordance with Section 87 of the Act, or an **excerpt from the list of qualified suppliers** in accordance with Section 226 of the Act.

5.2. The supplier may use an **honourable statement of qualification** to prove qualifications for the purpose of the bid, in compliance with Section 86(2) of the Act. Appendix No. 5 (**Honourable Statement**) to this tender dossier contains a sample of this document.

5.3. Within the meaning of Section 86(3) of the Act, the contracting authority will require submission of electronic originals or authorised conversions of documents proving the required qualifications of the selected supplier, before concluding a framework agreement. The contracting authority will eliminate selected suppliers if they fail to submit these documents.



- 5.4. In compliance with Section 73 of the Act, the contracting authority requires fulfilment of basic and professional competence, whereas the documents proving basic competence in accordance with Section 74 of the Act and professional competence in accordance with Section 77(1) of the Act must prove that the required criterion of competence was fulfilled a maximum of **3 months before the date the procurement procedure was commenced.**
- 5.5. Basic competence: In accordance with Section 74(1) of the Act, the supplier is not competent if:
- it was legally effectively convicted of a crime set out in Appendix No. 3 to this Act, or a similar crime according to the legislation of the country of the supplier's registered office, in the 5 years prior to commencement of the procurement procedure; expunged convictions are not taken into consideration,
  - have a due payable tax debt in the Czech Republic or in the country of their registered office registered in the tax records,
  - have a due payable debt in relation to insurance premiums or fines for public health insurance in the Czech Republic or in the country of their registered office,
  - have a due payable debt in relation to insurance premiums or fines in relation to social security and contributions to the state unemployment policy in the Czech Republic or in the country of their registered office,
  - are undergoing liquidation, against whom a bankruptcy ruling was issued, against whom forced administration has been ordered according to another legal regulation or are in a similar situation according to the legislation of the country of the supplier's registered office.

According to Section 74(2) of the Act - if the supplier is a legal person, the condition according to paragraph 1(a) must be met by this legal person and also by all other members of its statutory body. If a legal person is a member of the supplier's statutory body, then the condition according to paragraph 1(a) must be met

- by this legal person,
- each member of the statutory body of this legal person, and
- the person representing this legal person in the supplier's statutory body.

According to Section 74(3) of the Act - If a branch unit participates in the procurement procedure and this unit is owned by

- and this is a unit of a foreign legal person, the condition according to paragraph 1(a) must be met by this legal person and the manager of the branch unit,



b) and this is a unit of a Czech legal person, the condition according to paragraph 1(a) must be met by the persons specified in paragraph 2 and the branch unit manager.

- 5.6. The supplier proves fulfilment of the conditions of basic competence in relation to the Czech Republic by submitting:
- a) Excerpts from the Criminal Records Register in relation to Section 74(1)(a) of the Act;
  - b) Confirmation from the relevant tax office in relation to Section 74(1)(b) of the Act;
  - c) A written honourable statement in relation to excise tax in relation to Section 74(1)(b) of the Act;
  - d) A written honourable statement in relation to Section 74(1)(c) of the Act;
  - e) Confirmation from the relevant district of Social Security Administration in relation to Section 74(1)(d) of the Act;
  - f) Excerpt from the company register, or submission of a written honourable statement in the event that it is not registered in the company register, in relation to Section 74(1)(e) of the Act.
- 5.7. If the supplier is a person with registered office abroad, it demonstrates fulfilment of the condition of basic competence according to letter a) only in relation to the country of its registered office.
- 5.8. The supplier proves fulfilment of professional competence according to Section 77(1) of the Act in relation to the Czech Republic by submitting an excerpt from the company register or other similar records, if another legal regulation requires registration in such records.
- 5.9. Suppliers may prove fulfilment of qualifications by certificate issued within the terms of the certified supplier system, which contains the prerequisites set out in Section 234 of the Act. This certificate substitutes fulfilment of qualifications in the scope of the data given therein.
- 5.10. In the event that multiple suppliers take part in the tender jointly, each supplier proves basic competence and professional competence in accordance with Section 77(1) of the Act separately.
- 5.11. In the event that qualification was obtained in a foreign country, it is proven by documents issued according to the legislation of the country in which it was obtained in the scope required by the contracting authority.

## 6. Explanation of the tender dossier

- 6.1. The supplier is entitled to request a written explanation of the tender dossier in compliance with Section 98 of the Act. The contracting authority also provides an





explanation of the tender dossier if such an explanation or the related documents are published on the contracting authority's profile at least 5 business days before elapse of the deadline for submission of bids. In relation to adherence to the principle of fair treatment of all suppliers, additional information cannot be provided by telephone.

- 6.2. The contracting authority reserves the right to publish an explanation of the tender dossier either on the basis of a request by the supplier, or at its own impulse, as information from the contracting authority.
- 6.3. Potential explanations of the tender dossier will be regularly published on the contracting authority's profile:  
[https://zakazky.mendelu.cz/contract\\_display\\_4052.html](https://zakazky.mendelu.cz/contract_display_4052.html).

## 7. Method of evaluation of the bids

- 7.1. The economic benefits of the bid are an evaluation criterion for procuring the public contract in both parts (part 1 and part 2 of the public contract).
- 7.2. The economic benefits of the bid will comply with the provisions of Section 114(2) of the Act, evaluation on the basis of the most advantageous ratio of individual evaluation criteria, whereas the contracting authority chooses the bid price, the duration of storage of samples by the supplier after handing over the results of sequencing and the duration of storage of the sequencing results data, as the individual evaluation criteria.
- 7.3. Economic benefits of the bid - individual criteria:
- |   |   |               |
|---|---|---------------|
| 7.3.1. Total bid price  | - | weight: 90 %  |
| 7.3.2. Duration of storage of samples by the supplier after handing over the results -      |   | weight: 5 %   |
| 7.3.3. The ability to store results data throughout the duration of the framework agreement |   | - weight: 5 % |
- 7.4. Description of the individual evaluation criteria.

- 7.4.1. Total bid price: given as the sum of the multiple of the unit prices and the estimated quantity of performance for part 1: DNA sequencing on the Illumina sequencing platform (according to Appendix 2a - calculation of the bid price for part 1 of the PC and Appendix No. 4 - Bid cover letter) and for part 2: . RNAseq on the Illumina sequencing platform (according to Appendix 2b - calculation of the bid price for part 2 of the PC and Appendix No. 4 - Bid cover letter)



7.4.2. The contracting authority sets the second individual criterion as the duration of storage of the samples by the supplier after handing over the results of sequencing in excess of the minimum requirements of the contracting authority set out in Appendix No. 1a (for part 1 of the PC) and in Appendix No. 1b (for part 2 of the PC) - i.e. for both parts of the public contract at least: 4 weeks and a maximum: of 52 weeks - a longer period of storage is an advantage during evaluation. The contracting authority determines the minimum and maximum values of the offered scope and the weight of the specific criterion, as follows:

<b>Criterion</b>	<b>Scope [in weeks]</b>	<b>Weight</b>
Duration of storage of samples by the supplier after handing over the results (at least 4 weeks)	4 – 52	5 %

7.4.3. The contracting authority has determined the ability to store the sequencing data results throughout the duration of the framework agreement as criterion No. 3 - whereas the minimum required period for storage of the results is set as a fixed period of 52 weeks. If the participant is capable of storing the data throughout the duration of the framework agreement (i.e. in excess of the set fixed period of storage of 52 weeks), the value 1 will be added to the point rating below and, if the participant is not capable of doing so, this criterion will be allocated the value zero in the point rating. The weight of this individual criterion is 5%.

7.4.4.

<b>Criterion</b>	<b>Value</b>	<b>Weight</b>
the ability to store data throughout the duration of the framework agreement (in excess of the set fixed minimum period of storage - 52 weeks)	yes - 1 / no - 0	5 %

7.5. The contracting authority will evaluate bids under the condition of adherence to all technical and other conditions set out in the tender dossier, on the basis of economic benefits according to the calculation below for each part of the public contract separately. The participant who achieves the greatest percentage -



points will be considered the participant with the most advantageous bid in the specific part of the public contract.

7.6. The formula for determining economic benefits:

$$c = 90 * \frac{c_{min}}{c_n} + 5 * \frac{l_{vn}}{l_{vmax}} + 5 * (0d \text{ or } 1d)$$

7.7. In the formula given above the following are:  $c_{min}$  is the minimum offered price,  $c_n$  is the price of the evaluated bid,  $l_{vmax}$  is the maximum offered period of storage of samples after handing over the results of sequencing and  $l_{vn}$  is the offered period of storage of samples after handing over the results of sequencing in the evaluated bid,  $1d$  is value "1" in the event that the participant is capable of storing the data throughout the duration of the framework agreement and  $0d$  is value "0" if the supplier is not capable of storing the data throughout the duration of the framework agreement.

7.8. The calculation will be carried out to an accuracy of two decimal points.

7.9. The most advantageous bid during the evaluation will be the bid with the highest number of allocated points ( $c$ ), whereas the maximum number of points that can be allocated is 100.

7.10. The bids will be placed in descending order (from the highest number of points to the lowest number of points) and the most advantageous bid will be the bid with the highest total number of points (per cent).

7.11. If the evaluation committee considers a submitted bid a bid offering an exceptionally low bid price, it will proceed in compliance with Section 113 of the Act.

7.12. If multiple suppliers, who would place first to second on the basis of the evaluation results, achieve the same number of points, the supplier will be chosen on the basis of the lower total price for the given number of sequences (in Appendix No. 2a and No.2b). If the calculated price for the specified numbers of sequences is identical, the contracting authority will cancel the procurement procedure in compliance with the provisions of Section 127(2)(d) of the Act.

## 8. Method of executing the bid price

8.1. The bid price (unit and total) must include all the costs essential for due provision of the service, including all related costs (particularly all costs related to transport and handing over of the samples, etc.) - i.e. including all costs, risks, profit and financial impact (e.g. inflation). The bid price shall be determined as the maximum



and "highest permissible" price and must include all the supplier's costs related to due performance of the public contract, including all related costs, i.e. particularly wage costs, transportation costs, possibly exchange rate differences, sending invoices, etc.

8.2. The participant is required to determine:

8.2.1. Unit bid prices as an absolute amount in Czech korunas excluding VAT, which shall be given -

- for part 1: "DNA Sequencing on the Illumina sequencing platform" in Appendix 2a - Calculation of the bid price for part 1 of the PC
- for part 2: "RNAseq on the Illumina sequencing platform" in Appendix 2b - Calculation of the bid price for part 2 of the PC

8.2.2. The total bid price as an absolute amount broken down into an amount excluding VAT, the VAT amount in CZK And in %, and the amount in CZK including VAT, which shall be given for both parts in Appendix No. 4 - Bid cover sheet.

8.3. The unit bid price is always understood to mean the price per 1 unit of measure for specific performance (items of the subject of performance) specified in Appendix No. 2a - Calculation of the bid price for part 1 and in Appendix 2b - Calculation of the bid price for part 2.

8.4. The total bid price is always understood to mean the sum of all unit prices in the estimated quantity - or the price for part 1 of the public contract specified in Appendix No. 2a by calculation in the table in the row titled "Total bid price (row: 5) and the price for part 2 of the public contract specified by calculation in the table in the row titled "Total bid price" (row: 8) in Appendix 2b.

8.5. The technical requirements are set out in Appendix 1a - Technical specifications for part 1 of the PC and in Appendix No. 1b\_Technical specifications for part 2 of the PC, whereas these technical requirements are set as the minimum requirements.

8.6. The contracting authority informs the supplier that the quantity of individual items set out in Appendix 2a and in Appendix 2b is only approximate and the real quantity may be higher or lower, or possibly zero.

## 9. Requirements for execution of the bid and its structure

9.1. The supplier is required to determine the following in the bid:

9.1.1. **Unit bid price** in Appendix No. 2a - Calculation of the bid price for part 1 of the PC and/or in Appendix 2b - Calculation of the bid price for part 2 of the PC - depending on which part a bid is being submitted for.

9.1.2. **Total bid price** in Appendix No. 4 - Bid cover sheet (for part 1 of the public contract and/or for part 2 of the public contract - depending on which part a bid is being submitted for).



9.1.3. **Proposed duration of storage of samples** from the time the results are handed over, in excess of the minimum requirement in Appendix No. 4 - Bid cover sheet (for part 1 of the public contract and/or for part 2 of the public contract - depending on which part a bid is being submitted for).

9.1.4. **Ability to store the resulting sequencing data** throughout the duration of the framework agreement - in Appendix No. 4 - Bid cover sheet (for part 1 of the public contract and/or for part 2 of the public contract - depending on which part a bid is being submitted for)

**9.2. The bid must contain the following parts at least:**

9.2.1. **Bid cover sheet** (see Appendix No. 4), duly completed and signed by the competent person

9.2.2. **Completed calculation of the bid price** - this being: Appendix No. 2a and/or Appendix No. 2b - calculation of the bid price (depending on whether the participant is submitting a bid for just one or both parts of the public contract) in which all the yellow highlighted fields must be completed in compliance with the contracting authority's requirements.

9.2.3. **Documents proving fulfilment of qualification requirements** (basic and professional competence) - can be replaced by an honourable statement (see Appendix No. 5)

## **10. Instructions for submitting the bid**

10.1. Each supplier may only submit one bid, for one or for both parts of the public contract.

10.2. **The bids are submitted in writing - exclusively in electronic form, by means of the E-ZAK electronic tool specified by the contracting authority, here:**  
[https://zakazky.mendelu.cz/contract\\_display\\_4052.html](https://zakazky.mendelu.cz/contract_display_4052.html)

10.3. Bids submitted otherwise than electronically by means of the E-ZAK electronic tool specified by the contracting authority, will not be opened by the contracting authority and will not be included in the evaluation.

10.4. **The deadline for submitting bids ends on 7. 9. 2020 at 10:00 a.m.** The contracting authority will not open bids accepted after the date and time specified above and these shall not be included in the evaluation.

10.5. The bids will be opened immediately after the deadline for submitting the bids elapses. With regard to the fact that the bids are submitted exclusively electronically, the opening of the bids will not be public.

10.6. The bid must be executed in the Czech, Slovak or English language.

10.7. The supplier gives the contact address for written contact between the supplier and the contracting authority and the e-mail address for electronic written contact



EVROPSKÁ UNIE  
Evropské strukturální a investiční fondy  
Operační program Výzkum, vývoj a vzdělávání



MINISTERSTVO ŠKOLSTVÍ,  
MLÁDEŽE A TĚLOVÝCHOVY

between the supplier and the contracting authority, in the bid. The supplier also gives the ID of a functional data box.

- 10.8. All documents or statements on which the supplier's signature is required, must be signed by the supplier's statutory body or the person authorised to act on behalf of the supplier. If the supplier is represented by an agent on the basis of a power of attorney, a power of attorney in the electronic original or as an authorised conversion must be appended to the bid.
- 10.9. If multiple suppliers submit a bid jointly (joint bid), they give the person who will be authorised to represent these suppliers during contact with the contracting authority during the procurement procedure, as well as the contact addresses according to the preceding sentence, in the bid. If the bid is submitted jointly by several suppliers, these are required to submit a contract to the contracting authority, which contains the obligation that all these suppliers shall act jointly and without distinction towards the contracting authority and third persons, in relation to any legal relations arising in relation to the public contract, throughout the duration of performance of the public contract and also throughout the duration of other obligations arising from the public contract, together with documents proving fulfilment of qualification requirements.
- 10.10. The contracting authority does not permit versions of the bids in accordance with Section 102 of the Act.

## 11. Other rules applying to the public contract

- 11.1. The contracting authority will select the supplier in compliance with Section 122 of the Act.
- 11.2. The contracting authority shall establish the actual owner of the selected supplier if this is a legal person, in accordance with the Act on some measures against legalisation of the proceeds of criminal activities and the financing of terrorism (hereinafter the "real owner") from the records of data about real owners in accordance with the act regulating public registers of legal and natural persons. The contracting authority will give the established data in the documentation on the public contract. If the data about the real owner cannot be established from the aforementioned records, the selected supplier shall be asked to submit documents and data about the real owners in accordance with the provisions of Section 122(5) of the Act.
- 11.3. The contracting authority informs the suppliers that, in accordance with Section 48(7) and (9) of the Act, it must eliminate a selected supplier who is a joint stock company or has a legal form similar to a joint stock company and has not issued exclusively booked shares.



EVROPSKÁ UNIE  
Evropské strukturální a investiční fondy  
Operační program Výzkum, vývoj a vzdělávání



MINISTERSTVO ŠKOLSTVÍ,  
MLÁDEŽE A TĚLOVÝCHOVY

- 11.4. The contracting authority reserves the right to eliminate participants of the procurement procedure who meet the conditions specified in the previous item of the tender dossier, at any time during the procurement procedure, taking into consideration the principles set out in Section 6 of the Act.
- 11.5. The procurement procedure may only be cancelled under the terms set out in Section 127 of the Act. If the contracting authority cancels the procurement procedure, the suppliers do not become entitled to make any claims against the contracting authority.
- 11.6. The supplier is not entitled to any compensation of costs related to participation in the public contract.
- 11.7. If any changes occur to the data given in the bid before the framework agreement is concluded with the selected supplier, the relevant supplier is required to immediately inform the contracting authority of this change in writing. If any changes occur to the supplier's qualifications, the procedure is according to Section 88 of the Act.
- 11.8. The contracting authority reserves the right to verify the information contained in the supplier's bid with third parties. In this case the supplier is required to provide the appropriate assistance.
- 11.9. According to Act No. 320/2001 Sb., on financial inspection, as amended, the supplier is a person required to cooperate during financial inspections.
- 11.10. The supplier is required to store documents related to performance of the contract until 31.12.2033 and allow persons authorised to perform inspections of the project (this particularly concerns the supplier, the Ministry of Labour and Social Affairs, the Ministry of Finance, the Supreme Audit Office, the European Commission, the European Court of Auditors) from which the contract is funded, to perform an inspection of these documents.
- 11.11. The selected supplier is aware of the obligation to publish the complete framework agreement, including the appendix/appendices, on the contracting authority's profile, and in the Register of Contracts in compliance with Act No. 340/2015 Sb., Act on the special terms of the effect of some contracts, publishing these contracts and on the Register of Contracts (the Act on the Register of Contracts). The buyer (contracting authority procuring the contract) assures that the documents are published.
- 11.12. No person other than the contracting authority was involved in execution of the terms of the tender. The tender dossier does not contain information that is the result of a preliminary market consultation within the meaning of Section 33 of the Act.



## 12. Business and Payment Terms

- 12.1. The contracting authority submits the business terms as an integral element of the tender dossier, within the meaning of Section 37(1) of the Act. The business terms determined for this public contract are executed in the form and structure of a framework agreement, which defines the future contractual relationship and which is binding for the supplier and forms Appendix No. 3 - Business terms - framework agreement to this Call to submit bids. **The bid does not include Business terms - the selected supplier will be asked to submit the completed business terms.**
- 12.2. At the request of the contracting authority, the selected supplier will enter the data essential for execution of a draft of the agreement (particularly its own identification and the bid unit price and other information required in the form fields and in the parts of the text highlighted in yellow) and will submit the business terms supplemented in this manner as a draft of the agreement.
- 12.3. **The contracting authority requires that the participants accept the business terms obligatorily in full.** The framework agreement shall be concluded with the selected supplier in the wording identical to the submitted business terms, see Appendix No. 3 to this Call to submit bids. The selected supplier will enter its own identification data, the sales price and other essential data in the text, where this option is allowed by the contracting authority, i.e. in the form fields, in the text highlighted in yellow or according to the contracting authority's other instructions, into the agreement - **no other modifications to the business terms are permissible.**
- 12.4. After filling in the relevant data, the supplier removes the yellow highlighting from the agreement and the instructions with the yellow highlighting (i.e. it submits the agreement without this yellow highlighting). If the supplier fails to adhere to the conditions for modification of the framework agreement, i.e. it changes parts of the text, modification of which the contracting authority did not permit by highlighting in yellow, or the supplier gives data that is in conflict with the requirements of the contracting authority or contains provisions different to the business terms submitted by the contracting authority, the framework agreement will not be concluded.

## 13. Appendices to the Call to submit bids:

- 13.1. The following appendices are integral elements of the tender dossier:

Appendix No. 1a	Technical specifications for part 1 of the PC
Appendix No. 1b	Technical specifications for part 2 of the PC





EVROPSKÁ UNIE  
Evropské strukturální a investiční fondy  
Operační program Výzkum, vývoj a vzdělávání



MINISTERSTVO ŠKOLSTVÍ,  
MLÁDEŽE A TĚLOVÝCHOVY

Appendix No. 2 a	Calculation of the bid price for part 1 of the PC
Appendix No. 2b	Calculation of the bid price for part 2 of the PC
Appendix No. 3	Business terms - framework agreement
Appendix No. 4	Bid cover sheet
Appendix No. 5	Honourable statement

In Brno

.....  
prof. Ing. Danuše Nerudová, Ph.D.  
Rector of Mendel University in Brno