

In Litvínov on 25th of August 2020

Invitation to submit the bids and tender documentation

for the small scale public contract titled

**„AUTOKLÁV PRO KATALYTICKÉ TESTY / AUTOCLAVE
FOR CATALYTIC TESTS“**

1. IDENTIFICATION OF THE CONTRACTING AUTHORITY

Business name:	Unipetrol výzkumně vzdělávací centrum, a. s.
Registered office:	Revoluční 1521/84, 400 01 Ústí nad Labem
Identification number:	622 43 136
Person authorized to act on behalf of the contracting authority:	Ing. Jiří Hájek, MBA, chairman of the board; Ing. Josef Šimek, Ph.D., vice- chairman of the board
Data box identification:	95sgzgm

(hereinafter referred to as “**Contracting authority**”)

2. PUBLIC CONTRACT

Brief description of the public contract:	The subject of the public contract is the supply of the autoclave for catalytic tests
Classification of the subject matter of the public contract (CPV):	31600000-2 Electrical equipment and apparatus
Contracting authority's profile (URL of the public contract):	http://www.unicre.cz/verejne-zakazky
Public contract type:	Small scale public contract for supply
Procurement procedure type:	Open invitation pursuant to Article 5.6.3 of the Director's Directive SR-EK-01-05
Estimated value:	700 000,- CZK without VAT
Source of funding:	The public contract fulfilment will be financed from the Institutional support (Ministry of Industry and Trade of the Czech Republic)

3. CONTACT PERSON REGARDING THE PUBLIC CONTRACT

Main contact person:

Name, surname:	Bc. Ivana Čechová
Phone, e-mail:	Tel.: +420 471 122 232 e-mail: ivana.cechova@unicre.cz

Substitute of the main contact person:

Name, surname:	Ing. Ladislav Kudrlička
Phone, e-mail:	Tel.: +420 475 309 229 e-mail: ladislav.kudrlicka@unicre.cz

In case of electronic communication, the Contracting authority recommends to communicate with both contact persons.

4. DEFINITION OF THE SUBJECT MATTER OF THE PUBLIC CONTRACT

4.1. Subject matter of the public contract

The subject matter of the procurement proceeding is a conclusion of a purchase contract for the fulfilment of the public contract with one selected participant. The binding purchase contract draft forms Annex no. 2 of this tender documentation (hereinafter referred to as "**Contract**").

The subject matter of the public contract titled "**Autokláv pro katalytické testy / Autoclave for Catalytic Tests**" (hereinafter referred to as "**Public contract**") is a supply of a **high-pressure reactor with all components, including a control unit enabling control / adjustment of pressure, temperature and speed of stirrer with accessories**.

The device will be used for studying and performing chemical reactions at higher temperature and pressure, all according to the minimal technical specification described in Annex no. 1 of this tender documentation (after completion by the participant also Annex no. 1 of the Contract).

Fulfilment of the Public contract also includes:

- Detailed operating manual for the device in Czech or English language;
- Protocols and revisions required for putting the device into operation and for handover of the device **in two copies in a paper form and 1 copy in an electronic form on a CD** or other similar data carrier;
- Operator training at the place of installation of the device in minimum of 1 working day (8 hours) for at least 2 employees of the Contracting authority;
- Relevant certificates authorizing for the usage of the device in the Czech Republic, i.e. the

usual certificates issued by the respective state testing laboratory in some of the EU countries. These documents shall be submitted in the Czech or in English language;

- **24-month** warranty on the device;
- In case of repair of the device during the warranty period, the warranty period shall be extended by the duration of the repair, i.e. a period from reporting of the defect until its repair. If the warranty repair lasts longer than 3 months or the total repair time of the device in one year is longer than 3 months, the Contracting authority may request the supplier to provide a new device, its part or its defective unit;
- Commitment of the supplier to ensure availability of spare parts and consumable material for a period of **10 years** from the first installation of the device;
- Out-of-warranty service in a **minimal length of 5 years**;
- Reaction time of servicing **up to 48 hours**;
- Consultations on the delivered device during the warranty period;
- The supplier's commitment, **during the warranty period** from the date of handover and acceptance of the delivered device, to carry out confirmatory inspections, including among others checking the functionality of the device, its adjustment and calibration. The confirmatory inspection shall take place at least once a year, unless more frequent inspections are required by the manufacturer or supplier.

As part of its bid (as Annex no. 1 of the Contract), the supplier shall submit completed Annex no. 1 of this tender documentation, in which it shall be at a designated place specified, how in particular the offered device meets the minimal technical requirements of the Contracting authority.

The subject matter of the Public contract is further specified by the binding draft of the Contract and its annexes. The technical specification of the subject matter of the Public contract is further specified in Annex no. 1 of this tender documentation, which after its completion by the participant shall form Annex no. 1 of the Contract (see above).

If the Contracting authority in the specification of the subject matter of performance of the Public contract mentions references to specific products, services, manufacturers or business names connected to a certain type of products, services or certain manufacturer, it is mentioned in order to more clearly define its requirements (as an example), or due to requirement of compatibility of the offered performance of the Public contract with other devices already used by the Contracting authority. Unless expressly stated otherwise in a specific case, the Contracting authority also allows other technically and qualitatively similar device.

4.2. Time of the fulfilment

The fulfilment of the subject matter of the Public contract shall commence immediately after the effective conclusion of the Contract.

Delivery, installation and putting into operation of the required **Autoclave for catalytic tests** device, including all parts and other components, consumable material and operator training, must be completed within **60 calendar days** from the conclusion of the Contract.

4.3. Place of the fulfilment

The place of fulfilment of the Public contract is in the building of the Contracting authority at the address Chempark, Záluží 1, 436 70 Litvínov, building no. 2828.

The Public contract shall be performed in a closed area of Chempark. The supplier will be obliged to respect the rules issued by the site administrator, UNIPETROL RPA s.r.o, identification number: 275 97 075, with its registered office at Litvínov - Záluží 1, Postal Code 436 70, for the activities of suppliers - **see Annex no. 4 of this tender documentation (it is at the same time Annex no. 2 of the Contract)**.

The suppliers are pursuant to these rules among other things obliged to arrange conditions for entry into the site with the site administrator.

The participant is obliged to get to know these rules in detail before submitting the offer.

4.4. Access to the tender documentation

The tender documentation is freely accessible on the Contracting authority's profile - <http://www.unicre.cz/verejne-zakazky/aktualni>.

4.5. Fulfilment by subcontractors

The participant must state in the bid which parts of the performance of the Public contract it intends to subcontract and state the identification data of each subcontractor. List of subcontractors containing their identification data and the extent in which they will take part in the fulfilment of the Public contract shall be submitted by the participant in its bid as **Annex no. 3 of the Contract**. If the participant does not intend to use subcontractors for the fulfilment of the Public contract, it shall state this information in **Annex no. 3 of the Contract**.

Contracts concluded between the participant and subcontractor shall be submitted by the participant in its bid only if a fulfillment of a part of the qualification is proved with these persons. Other conditions in relation to subcontracting are stated in the binding draft of the Contract.

The supplier is responsible for the activities of the subcontractor as if it was provided directly by the supplier.

5. CONTRACTING AUTHORITY'S REQUIREMENTS ON QUALIFICATION

5.1. Qualification requirements

Qualified for the fulfilment of the Public contract is analogically to § 73 et seq. of the Act no. 134/2016 Coll., Public Procurement Act, as amended ("**PPA**"), supplier who proves compliance with:

- a) basic eligibility pursuant to § 74 PPA;
- b) professional eligibility pursuant to § 77 PPA;
- c) technical qualification pursuant to § 79 PPA.

5.2. Basic eligibility pursuant to § 74 PPA

The basic qualification is fulfilled by the supplier if it pursuant to § 74 par. 1 PPA:

- a) has not been convicted by final judgement in the country of its registered office in the last 5 years prior to the commencement of the procurement procedure of a criminal offense listed in Annex no. 3 of the PPA or a similar criminal offense under the law of the participant's country of registered office; expunged convictions are not taken into account;
- b) has no tax arrears due in the tax records in the Czech Republic or in the country of its registered office;
- c) has no arrears due in respect of payments and penalties of public health insurance in the Czech Republic or in the country of its registered office;
- d) has no arrears due in respect of payments or penalties of social security contributions and contributions to the state employment policy in the Czech Republic or in the country of its registered office;
- e) is not in liquidation, a bankruptcy decision has not been issued against it, no compulsory administration has been ordered against it under another legal regulation, and it is not in a similar situation pursuant to the law of the country of its registered office.

If the participant is a legal person, both this legal person and every member of its statutory body shall meet the condition under letter (a). If a member of the participant's statutory body is a legal person, condition under letter (a) shall be met by: (i) that legal person; (ii) any member of the statutory body of that legal person; and (iii) a person representing that legal person in the participant's statutory body.

If a participant of the procurement procedure is a branch of a business of: i) a foreign legal person, condition according to letter (a) shall be met by this legal person and the head of the branch of the business; ii) a Czech legal entity, the condition under letter (a) shall be met by the persons referred to in the preceding paragraph and by the head of the branch of the business.

The supplier proves the fulfilment of the basic eligibility requirements in relation to the Czech Republic by submitting the documents according to § 75 par. 1 PPA, which include:

- a) a copy of an entry in the Criminal Record in respect of requirement stated in letter a) above;
- b) a confirmation from a relevant tax office in respect of requirement stated in letter b) above;
- c) a written affidavit regarding excise duty in respect of requirement stated in letter b) above;
- d) a written affidavit in respect of requirement stated in letter c) above;
- e) a confirmation from a relevant district social security administration in respect of

requirement stated in letter d) above; and

- f) a copy of an entry in the Commercial Register, or a written affidavit in the event that the economic operator is not incorporated in the Commercial Register, in respect of requirement stated in letter e) above.

Documents proving basic eligibility according to § 74 PPA must prove the fulfillment of the eligibility requirements no later than 3 months before the day of the submission of the bid.

The participant may prove the fulfillment of the basic eligibility requirements by an **affidavit**, which will show that the participant meets the qualification requirements. To prove the fulfillment of the basic eligibility requirement, the participant might use the model forming Annex no. 5 of this documentation.

5.3. Professional eligibility pursuant to § 77 PPA

Entry in the Commercial Register or similar register pursuant to § 77 par. 1 PPA

The participant shall prove the fulfilment of professional eligibility in relation to the Czech Republic pursuant to § 77 par. 1 PPA by submitting a copy of **an entry in the Commercial Register** or similar register, if registration is required by another legal regulation.

The record proving professional eligibility must prove the fulfilment of the eligibility requirements at the latest 3 months before the date of the bid submission.

5.4. Technical qualification pursuant to § 79 PPA

The Contracting authority requires proof of fulfillment of technical qualification pursuant to § 79 par. 2 letter b), c) and d) PPA.

5.4.1. List of significant supplies pursuant to § 79 par. 2 letter b) PPA

To prove the technical qualification pursuant to § 79 par. 2 letter b) PPA the Contracting authority requires the submission of a list of significant supplies made (completed) by the supplier in the last **three (3) years** before the commencement of the procurement procedure.

The submitted list must show that the supplier in the specified period made (completed) at least **one (1) significant supply**, the subject matter of which was the delivery of a similar device, **i.e. a device for studying and performing chemical reactions at higher temperature and pressure**, in the minimal value of **300,000.00 CZK without VAT**.

If a significant supply was provided for remuneration in a different currency than Czech currency, the Contracting authority will for an assessment of this qualification requirement use the exchange rate of the Czech crowns and this currency, which was announced by the Czech National Bank on the day of commencement of this procurement procedure, i.e. the date of publication of this invitation on the Contracting authority's profile.

The submitted list must always show the price and time of provision of the supply in question and the identification of the client, as well as the contact person of the client and contact details of this person for the possibility of verification of the references. The submitted list must clearly

show compliance with the requirements of the Contracting authority.

The recommended model of the list of significant supplies forms Annex no. 6 of this tender documentation.

5.4.2. *List of technicians participating on the performance of the Public contract and certificates of education and professional qualifications, pursuant to § 79 par. 2 letter c) and d) PPA*

To prove the technical qualification pursuant to § 79 par. 2 letter c) and d) PPA the Contracting authority requires submission of a list of specialists participating on the performance of the Public contract (hereinafter referred to as “**Implementation team**”), meeting the following requirements of the Contracting authority:

At least one **(1)** technician, who:

- is authorized to perform service activities on the device offered by the supplier;
- has experience in servicing the type of equipment offered by the supplier of a minimum length of 3 years;
- is authorized to work on electrical equipment up to 230 V according to Decree no. 50/1978 Coll., on professional competence in electrical engineering, as amended, at least at the level of "Self-employed workers" according to § 6 of the Decree or comparable within the EU;
- is able to communicate in the Czech, Slovak or English language, possibly also with help of translator, who will be provided for this purpose by the supplier at his own expense.

To prove compliance with the requirements of technical qualification, the supplier shall submit an affidavit, the recommended model of which forms Annex no. 6 of this tender documentation.

5.5. Common provisions on qualification

5.5.1. *Authenticity of documents proving the fulfillment of the qualification*

In all cases the supplier shall prove the fulfillment of the qualification by the relevant documents submitted in plain copies.

The Contracting authority allows to prove entire qualification by an affidavit.

In order to ensure the proper conduct of the procurement procedure, the Contracting authority may require submission of the original or a certified copy of the document.

The Contracting Authority may, prior to concluding of the Contract, ask the selected supplier to submit originals or certified copies of the qualification documents, if they have not already been submitted in the procurement procedure.

5.5.2. *Age of documents proving the fulfillment of the qualification*

Documents proving basic eligibility pursuant to § 74 PPA and professional eligibility pursuant to § 77 par. 1 PPA must prove the fulfilment of the required eligibility criteria no later than 3 months before the commencement of the procurement procedure (the date of publication of

this invitation).

5.5.3. Proof of qualification received abroad

In case the qualification was received abroad, it is proved by the records issued according to the legal regulations of the country where it has been received, within the scope required by the Contracting authority.

A copy of an entry in the Criminal Record in the Czech Republic is issued by the Criminal Register. A certificate for tax arrears of foreign suppliers in the Czech Republic is issued by the Tax Office for Prague 1 and a certificate for arrears of foreign suppliers in the Czech Republic on payments or penalties of social security contributions and contributions to the state employment policy in the Czech Republic is issued by the Prague Social Security Administration.

5.5.4. Proof of part of qualification by means of other persons

Unless explicitly stated otherwise in this tender documentation, the supplier may prove a specific part of technical qualification required by the Contracting authority by means of other persons. In such case, the supplier is obliged to submit to the Contracting authority the following documents:

- a) documents proving the fulfilment of the professional qualification pursuant to § 77 par. 1 PPA by another person (a copy of an entry in the Commercial Register or other similar register);
- b) documents proving the fulfilment of the missing part of the qualification by another person;
- c) documents proving the fulfilment of basic eligibility pursuant to § 74 PPA by another person; and
- d) a written commitment from another person (possibly also in the form of a contract with the supplier) to provide a performance intended for the fulfilment of the Public contract or to provide items or rights, which the supplier will be authorized to dispose with within the Public contract performance, at least to the extent to which another person has proved the qualification fulfilment for the supplier.

Detailed conditions for proving qualifications or professional eligibility by means of third parties are analogically governed by § 83 PPA.

5.5.5. Joint proof of qualification

In case of joint participation of suppliers, each supplier shall prove the basic eligibility and professional eligibility pursuant to § 77 par. 1 PPA on its own.

The Contracting authority requires that all suppliers submitting a joint bid are liable jointly and severally; in such case, the suppliers shall in their bid submit a written commitment on joint and several liability (possibly also in the form of a contract) in connection with the awarded Public contract.

5.5.6. Alternative methods of proving qualification

The Contracting authority also allows to prove the fulfilment of the qualification by means of other documents allowed for this purpose by PPA, in particular by **an extract from the list of qualified suppliers and an extract from the system of certified suppliers**.

6. BUSINESS TERMS, INCLUDING PAYMENT TERMS

Business and payment terms for the performance of the Public contract are specified in the **binding draft of the Contract forming Annex no. 2 of this tender documentation**.

The participant shall in its bid submit a duly completed and signed draft of the Contract. The model draft of the Contract may not be changed, amended or otherwise modified by the participant. The participant shall only complete the required information, which are specified in the Contract for this purpose.

The information completed by the participant to the draft of the Contract must be in compliance with the participant's bid. The participant is also allowed to adjust the identification of the supplier, if the prescribed wording does not correspond to its legal form or if a joint bid is submitted.

The participants shall attach to the completed and duly signed draft of the Contract all its annexes referred to by the Contract.

The Contracting authority requires that the participant submit Annex no. 1 of this tender documentation as Annex no. 1 to the Contract. In this Annex no. 1 the participant shall, at the place defined for that purpose, specify in what specific way the performance offered by the participant meets the minimal requirements of the Contracting authority.

If the Contract is signed on behalf of the participant by an agent on a basis of a power of attorney or by another person on a basis of an authorization, the bid shall also include a proper power of attorney or authorization authorizing this person to act on behalf of the participant. This power of attorney shall be signed by a guaranteed electronic signature of the person authorized to act on behalf of the participant.

7. REQUIREMENTS FOR THE BID PROCESSING

The participant shall in its bid prepare a separate bid price for the delivery of the device, which is **the Autoclave for catalytic tests** with all components and accessories as defined in Article VII. par. 1 of the Contract (hereinafter referred to as **"Bid price of the delivery"**) and separate bid price for the provision of out-of-warranty service of the delivered device as defined in Article VII. par. 3 of the Contract (hereinafter referred to as the **"Bid price of the service"**).

7.1. Bid price of the delivery

The participant shall set the Bid price of the delivery based on the specification of the subject matter of the Public contract and on the technical conditions specified in this tender

documentation and in its Annexes. The participant shall prepare a separate bid price for the delivery of the device, which is **the Autoclave for catalytic tests** and related performance, and a separate bid price for the out-of-warranty service. **The bid price shall be stated in the Czech currency (CZK).**

The participant shall set the total bid price for the delivery and installation of the device, which is **the Autoclave for catalytic tests** and related training and other performance, by filling it in Article VII. par. 1 of the Contract.

The Bid price of the delivery shall include all costs of the supplier connected to the performance of the subject matter of the Public contract.

7.2. Bid price of the service

The participant shall in its bid set a uniform hour rate for the provision of **the out-of-warranty service** defined in Article I. par. 3 of the Contract, by filling in the bid price for **1 hour of service intervention** in Article VII. par. 3 of the Contract. **The bid price shall be stated in the Czech currency (CZK).**

The Bid price of the service without VAT shall include all costs connected to the intervention of the participant (including the costs of transport to the place of service intervention, costs of work of persons in any position). The supplier is entitled to charge a fee for service intervention solely from the moment of arrival of the service technician at the place of service intervention.

The Bid price of the service without VAT shall include all contractual obligations and all matters and items necessary for the proper provision of the service activities under the Contract. The Bid price of the service with VAT may be increased only in connection with a change of legal regulations regarding the VAT rate and not more than by the amount corresponding to this legislative change.

The Bid price of the service does not include only the costs of the purchase of any spare or additional parts necessary for the service intervention.

7.3. Other conditions for the bid price processing

The bid price shall include all supplies, work, acts, training, services and all other activities necessary for the proper and faultless performance of the subject matter of the Contract so that it is performed in compliance with applicable laws, standards, decrees and regulations, as amended, as well as in compliance with technical specifications stated in this tender documentation or its Annexes.

The Contracting authority will not allow an inflation increase in the price, an inflation clause has not been agreed upon. The bid price already includes the development of prices in the given business field, it also includes the development of the exchange rates of the currency, in which the performance of the Public contract is paid, to other currencies. The price is final.

8. BIDS EVALUATION

The Contracting authority will, as per § 114 par. 2 PPA, evaluate the lowest total bid price according to the following criteria:

	Partial evaluation criterion	Relevancy
1.	Bid price of the delivery without VAT	90 %
2.	Bid price of the service without VAT	10 %

8.1. Partial evaluation criterion no. 1 - Bid price of the delivery without VAT

The subject matter of this partial evaluation criterion is the Bid price of the delivery without VAT prepared in compliance with Article 7.1 of this tender documentation and completed by the participant in Article VII. par. 1 of the Contract submitted in the participant's bid.

A lower Bid price of the delivery without VAT means a better bid.

Based on the comparison of the Bid prices of the delivery without VAT of individual participants, the participant with the lowest Bid price of the delivery without VAT will be awarded 100 points, other bids will receive the number of points corresponding to the ratio of the lowest Bid price of the delivery without VAT and evaluated Bid price of the delivery without VAT multiplied by number 100, which will be rounded to two decimal places.

8.2. Partial evaluation criterion no. 2 - Bid price of the service without VAT

The subject matter of this partial evaluation criterion is the Bid price of the service without VAT, i.e. the hour rate for the provision of out-of-warranty service without VAT, prepared in compliance with Article 7.2. of this tender documentation and completed by the participant in Article VII. par. 3 of the Contract submitted in the participant's bid.

A lower Bid price of the service without VAT means a better bid.

Based on the comparison of the Bid price of the service without VAT of individual participants, the participant with the lowest Bid price of the service without VAT will be awarded 100 points, other bids will receive the number of points corresponding to the ratio of the lowest Bid price of the service without VAT and evaluated Bid price of the service without VAT multiplied by number 100, which will be rounded to two decimal places.

8.3. Final evaluation

The points awarded in the relevant partial evaluation criterion will then be multiplied by the level of significance (relevancy) and rounded to two decimal places. The sum of the edited number of points for both partial criteria determines the order of the participant in the overall evaluation of the bid. The one awarded with the most points will be the winning participant.

9. BIDS

9.1. Deadline for bids submission

Participants must submit their bids within the deadline for bids submission. The Contracting authority sets the following deadline for the submission of the bids:

7. 9. 2020 until 10:00 a.m.

9.2. Language of the bid

The Contracting authority requires that the bid must be submitted in Czech or English language, except for the documents proving the qualification, which may also be submitted in the Slovak language and, in case of evidence of education, also in Latin. If the participant in its bid submits documents in another language, it is also obliged to attach their translation into Czech or English language. In case of any doubt, the Contracting authority is entitled to request submission of an officially certified translation.

9.3. Negotiation language

The negotiation language of this procurement procedure is Czech language and English language. All documents completed by the Contracting authority in this procedure will be completed in Czech language and in English language. The suppliers are entitled to communicate with the Contracting authority within this procurement procedure in Czech or English language. This shall not affect the article 9.2 of this tender documentation.

9.4. Bids variants

The Contracting authority does not allow any bids variants.

9.5. Bid submission method

The bids may be submitted solely in paper form. Place for bid submission:

Unipetrol výzkumně vzdělávací centrum, a.s.,

Areál Chempark,

436 70 Litvínov – Záluží 1

The bid may be submitted in person, on working days from 8:00 to 13:00, on the last day of the deadline for submission of bids from 8:00 to 10:00. In case of submission of the bid in another way, the bid must be delivered to the Contracting authority before 10:00 on the last day of the deadline for bid submission.

The moment of receiving the bid by the Contracting authority is a decisive moment for the delivery of the bid. In case of delivery of the bid by post or in another similar method, the

decisive moment is the moment of receiving the bid by the Contracting authority, not e.g. the date of delivery of the bid to the postal service.

The participant is responsible for the timely submission of the offer.

9.6. Opening the bids

The opening of envelopes containing the bids will take place without undue delay after the deadline for the bid submission at the head office of the Contracting authority, **not in public and without the participation of the suppliers**. The Contracting authority will provide the suppliers with a report of the opening of the bids upon their request.

9.7. Envelope containing the participant's bid

The supplier shall submit the bid in an opaque, sealed and intact envelope or other opaque, sealed and intact package with a significant marking: ***"Autoclave for catalytic tests"***, the business name of the participant and the participant's address for delivery and with the marking **"OFFER - DO NOT OPEN"**. The envelope or other packaging shall be properly secured against manipulation (the Contracting authority recommends to paste over and stamp or otherwise mark the joints of the envelope with the participant's identification information).

To ensure faster and smoother course of the procurement procedure, the Contracting Authority asks the participants to submit the bid, in addition to the original, also in one printed copy and in an electronic copy on a CD or other similar data carrier.

The content of the data carrier should be formed by a completed bid of the participant, including all attachments in electronic form. Signed documents will be attached in their scan, i.e. only after they are signed by an authorized person. An electronic copy of the Contract from the bid will be in .doc(x) format. The data carrier should be secured against rewriting.

9.8. Content of the bid

The bid shall contain all requirements required by the Contracting authority or by law. The Contracting authority recommends following division of the bid:

- **Bid cover sheet** with identification information of the supplier – the Contracting authority recommends using Annex no. 3 of this tender documentation. The identification of the supplier will be duly completed and signed.
- **content of the bid** stating numbers of pages for each part (chapter);
- **draft of the Contract** duly completed and signed, including all required annexes, in particular completed Annex no. 1 and Annex no. 3;
- **certificates and documents proving the fulfilment of the eligibility / qualification;**
- **documents of subcontractors** by whom the participant proves the fulfillment of a part of the qualification. If the participant proves the fulfillment of a part of the qualification

criteria by means of subcontractor(s), it shall also in its bid submit documents pursuant to art. 5.5.4. of this tender documentation;

- **information on subcontracts**, which the participant submits only if it intends to get certain parts of the performance done by a subcontractor. The list will specify the parts of the performance of the Public contract that the participant intends to get done by the specific subcontractors. The document must contain the identification information of all subcontractors and the specification of the subcontractor's performance. This document will form Annex no. 3 of the Contract.

9.9. Restriction during the submission of the bids

Every participant can only submit **one bid**.

No employee of the Contracting authority may participate in the bid processing.

In case of violating the defined principles, the Contracting authority will exclude all bids submitted in this way and then will exclude all such participants.

10. COMMUNICATION BETWEEN THE CONTRACTING AUTHORITY AND THE SUPPLIERS

Communication between the Contracting authority and the suppliers during the procurement procedure shall be in writing and only by electronic means. An exception is the bid, which is submitted by the suppliers exclusively in paper form.

The Contracting authority requires that the participants states in the bid, ideally on the bid cover sheet (Annex no. 3 of this tender documentation), the contact person regarding the bid submission including electronic contact (e-mail or data box) for future communication within the procurement procedure.

All written documents within the procurement procedure will be sent by the Contracting authority to the electronic contacts stated in the bids from the suppliers, or to the data boxes.

11. EXPLANATION OF THE TENDER DOCUMENTATION

In compliance with § 98 PPA, the supplier is entitled to ask the Contracting authority for the explanation of the tender documentation only in written electronic form. The electronic request must be delivered to the Contracting authority **no later than 4 working days** before the deadline for submission of the bids by sending it to

- a) The Contracting authority's data box; or
- b) E-mail address ivana.cechova@unicre.cz and at the same time to e-mail address ladislav.kurdlicka@unicre.cz.

The Contracting authority shall publish the explanation of the tender documentation on the Contracting authority's profile at the latest within **3 working days** after delivery of the request

of the supplier. The explanation of the tender documentation, including the exact wording of the request, will be published in the same way as the Contracting Authority published this tender documentation.

12. OTHER CONDITIONS AND RIGHTS OF THE CONTRACTING AUTHORITY

12.1. Other conditions

The Contracting authority is entitled not to return the submitted bids to the suppliers and not to reimburse the costs incurred to the supplier by participating in the procurement procedure for the Public contract.

The Contracting authority is entitled to verify the information stated by the supplier in the bid.

12.2. Publishing of the Contract

The supplier, with whom the Contract will be concluded, is aware of the fact that the Contract, including all its possible amendments, will be published on the profile of the Contracting authority. Information marked by the supplier pursuant to § 218 par. 1 PPA, while respecting § 218 par. 2 letter b) PPA, are not subject to this rule. The supplier shall clearly specify such information in the bid.

13. Annexes

Following Annexes form an integral part of this tender documentation:

- Annex no. 1 – Technical specification of the Public contract;
- Annex no. 2 – Binding Contract draft;
- Annex no. 3 – Model identification of the bidder;
- Annex no. 4 – Conditions of entry and movement in Chempark Záluží;
- Annex no. 5 – Model affidavit;
- Annex no. 6 – Declaration on technical qualification requirements

Ing. Jiří Hájek, MBA
chairman of the board

Ing. Josef Šimek, Ph.D.
vice-chairman of the board