



Invitation to submit a bid including tender documentation

for simplified sub-threshold procedure pursuant to Act No. 134/2016 Coll., on public procurement (hereinafter referred to as the "Act")

Title of the public contract	Supply of acoustic camera, acoustic camera software and diagnostic equipment
Type of public contract	for deliveries
CPV public procurement (in particular)	38434400-0 Vibration analysers 38434200-8 Sound measuring equipment 38434300-9 Noise measuring equipment 38342000-4 Oscilloscopes 48151000-1 Computer control systems 30216000-6 Magnetic or optical reading devices 30216110-0 Scanners for computer use 48461000-7 Analysis and science software package
Co-financed from	Operational Programme Jan Amos Comenius
Project name	Infrastructure support for doctoral study programs of VŠB-TUO, reg. no. CZ.02.01.01/00/22_012/0008111

ČÁST I.

IDENTIFICATION DATA OF THE CONTRACTOR

Name of the contracting authority	University of Mining – Technical University of Ostrava, Faculty of Mechanical Engineering
Principal's registered office	November 17, 2172/15, 708 00 Ostrava - Poruba
Client ID	619 89 100
Legal form of the contracting authority	601 - College
Authorized person of the contracting authority	Prof. Ing. Robert Jěp, Ph.D., Dean of the Faculty of Mechanical Engineering
Client profile	https://zakazky.vsb.cz/
Contact person of the contracting authority	Mgr. Marcel Pobořil
Telephone contact	+ 420 597 329 211
E-mail	marcel.poboril@vsb.cz

Identification data for the tender documentation

Preliminary market consultations	Did not take place
Access to tender documentation	It is part of this Invitation to Submit a Bid including the tender documentation (hereinafter referred to as the "Invitation"), published on the contracting authority's profile

ČÁST II.

DEFINITION OF THE SUBJECT OF THE CONTRACT

2.1. The subject of the public contract is the supply of an acoustic camera for Near-Field Acoustic Localisation, software for the acoustic camera and the supply of diagnostic equipment updates.

The public contract is divided into two parts in accordance with the provisions of Section 35 of the Act. The supplier may submit a bid for one or both parts of the public contract. The information provided in this Invitation is binding for all parts of the public contract, unless otherwise stated in the Invitation.

A separate contract will be concluded for each part of the public contract.

Overview of the division of the public contract into individual parts:

Part 1: Acoustic Camera for Near-Field Acoustic Localisation and Acoustic Camera Software

Part 2: Diagnostic Equipment Update

2.2. Part 1: Acoustic Camera for Near-Field Acoustic Localisation and Software for acoustic camera

The subject of performance for part 1 of the public contract is the supply of an acoustic camera for Near-Field Acoustic Localisation, a permanent license for the software for measuring holography by acoustic field and the expansion of the BK Connect diagnostic tools. The performance also includes transport to the place of performance, installation, connection and commissioning of the equipment and training of the operator for a minimum of 2 working days.

Detailed technical specifications are set out in Annex 1a to this Call for Proposals. The terms and conditions of performance are further set out in the business terms and conditions (draft contract), which form Annex 2a to this Call for Proposals.

2.3. Part 2: Updating diagnostic equipment

The subject of performance for part 2 of the public contract is the supply of expanded diagnostic equipment (development and testing system for rapid prototyping of control and hardware in-the-loop applications, cables, three-axis accelerometers, recording and evaluation workstations, oscilloscope and other equipment). The performance also includes transport to the place of performance, installation, connection and commissioning of the equipment and training of the operator for a minimum of 2 working days.

Detailed technical specifications are provided in Annex No. 1b to this Call. The terms of performance are further provided in the business terms and conditions (draft contract), which form Annex No. 2b to this Call.

2.4. The subject of the public contract will be co-financed from the Jan Amos Comenius Operational Programme within the project "Infrastructural support of doctoral study programs of VŠB-TUO", reg. no. CZ.02.01.01/00/22_012/0008111.

2.5. The contracting authority draws the supplier's attention to the fact that the tender documentation for the public contract is a summary of the contracting authority's requirements, and not a final summary of all requirements arising from generally binding standards. The supplier must therefore always comply not only with the requirements contained in the tender documentation for the public contract, but also with the provisions of the relevant generally binding standards when preparing its offer.

2.6. **The place of performance (delivery) for all two public contracts** is the University of Mining - Technical University of Ostrava, Faculty of Mechanical Engineering, 17. listopadu 2172/15, 708 00 Ostrava – Poruba, University Library building, room UK420.

2.7. **Deadline for performance:** The subject of the public contract **for both parts of the public contract** will be delivered **no later than 10 weeks from the date of entry into force of the contract** with the selected supplier.

2.8. **The total estimated value of the public contract is CZK 2,962,810 excluding VAT.**

Estimated value for part 1: CZK 1,132,230 excluding VAT.

Estimated value for part 2: 1,830,580 CZK excluding VAT.

The estimated value of the public contract for each part of the public contract is set as a maximum and cannot be exceeded by the participants.

2.9. Technical conditions of the public contract:

Technical conditions, specifications and technical and user standards are set out in the technical specification of the public contract, which forms Annex No. 1a and 1b to this Call and is provided to the participants in the tender procedure as a basis for preparing bids for the public contract. The participant is obliged to respect all technical parameters listed here, with the exception of references to specific suppliers or products, or patents for inventions, utility models, industrial designs, trademarks or designations of origin. It is necessary to respect the provisions of the relevant ČSN EN, EN, DIN, ISO or their parts, which have been declared binding by the authorized body. All materials and products must meet the requirements of Act No. 22/1997 Coll., on technical requirements for products and on amendments and supplements to certain acts, as amended.

If this Call or its annexes contain requirements or references to individual trade names, special company names, special product names, services or commercial materials that are considered distinctive for a certain company or organizational unit, or patents and utility models are provided only to specify and approximate the technical parameters and the contracting authority allows the use of another, qualitatively and technically similar solution.

- 2.10. This document is both an Invitation to Submit a Bid and a Tender Documentation. If the Tender Conditions mention the Invitation or Tender Documentation, this document and its annexes are meant.

ČÁST III. EXPLANATION OF THE TENDER DOCUMENTATION, AMENDMENT OR SUPPLEMENT TENDER DOCUMENTATION

3.1. Explanation of the tender documentation

The contracting authority will provide an explanation of the tender documentation in accordance with the provisions of Section 98 of the Act. The contracting authority shall publish the explanation of the tender documentation for a public contract below the threshold at least 4 working days before the end of the deadline for submitting tenders.

3.2. Change or addition to tender documentation

The contracting authority may amend or supplement the tender conditions contained in the tender documentation before the expiry of the deadline for submission of tenders in accordance with the provisions of Section 99 of the Act. Amendments or supplements to the tender documentation will be published or notified to suppliers in the same manner as the tender condition that has been amended or supplemented.

3.3. The supplier is entitled to request a written explanation of the tender documentation from the contracting authority.

The written request must be delivered **to the above-mentioned contacts of the contracting authority (to the electronic address of the contact person) or via the electronic tool E-ZAK** (available at <https://zakazky.vsb.cz/vz00002832>). The written request must be delivered to the contracting authority no later than 3 working days before the deadline according to paragraph 3.1 of the Call. _____

3.4. Since the entire Call is freely accessible on the contracting authority's profile, the contracting authority does not and cannot know which suppliers have used unlimited remote access to the Call and therefore does not know all the addresses to which it should provide explanations. However, the contracting authority will always publish the explanations including the exact wording of the request on the contracting authority's profile. **For these reasons, the contracting authority recommends that all suppliers regularly monitor the contracting authority's profile.**

ČÁST IV. CONTRACTING PARTY'S REQUIREMENTS FOR FULFILLING QUALIFICATIONS

Participants must meet the eligibility conditions and qualification criteria set out below by law and the contracting authority. The requirements for Basic and Professional Competence are identical for both parts of the contract. Requirements for demonstrating Technical Qualifications are defined separately for each part of the contract.

4.1. Basic eligibility according to Section 74 of the Act:

4.1.1. A supplier **is not** eligible if:

- a) has been convicted in the country of his/her registered office in the last 5 years prior to the commencement of the tender procedure for a criminal offence listed in Annex No. 3 to the Act or a similar criminal offence under the legal system of the country of the supplier's registered office; expunged convictions shall not be taken into account,
- b) has a tax liability recorded in the tax records in the Czech Republic or in the country of its registered office arrears,
- c) has an outstanding premium or penalty for public health insurance in the Czech Republic or in the country of his/her residence,
- d) has an outstanding payment in the Czech Republic or in the country of his/her residence of insurance premiums or penalties for social security and contributions to the state employment policy,

e) in liquidation (Section 187 of the Civil Code), against which a bankruptcy decision has been issued (Section 136 of Act No. 182/2006 Coll., on bankruptcy and methods of its resolution (Insolvency Act), as amended), against which compulsory administration has been ordered under another legal regulation (for example, Act No. 21/1992 Coll., on banks, as amended, Act No. 87/1995 Coll., on savings and credit cooperatives and certain measures related thereto and on the amendment of Act of the Czech National Council No.

586/1992 Coll., on income taxes, as amended, Act No. 363/1999 Coll., on insurance and amending certain related acts) or in a similar situation according to the legal system of the country of the supplier's registered office.

4.1.2. If the supplier is a legal entity, the condition under paragraph 4.1.1. letter a) of the Call must be met by this legal entity and each member of the statutory body. If a member of the statutory body of the supplier is a legal entity, the condition under paragraph 4.1.1. letter a) of the Call must be met by:

- a) this legal entity,
- b) each member of the statutory body of this legal entity and
- c) a person representing this legal entity in the statutory body of the supplier.

4.1.3. If a branch of the plant participates in the tender procedure

- a) foreign legal entities must meet the condition according to paragraph 4.1.1. letter a) of the Call
This legal entity and the head of the branch of the plant must comply with
- b) Czech legal entities must meet the condition according to paragraph 4.1.1. letter a) of the Call
persons specified in paragraph 4.1.2. and the head of the plant branch.

4.1.4. Demonstration of basic competence

In accordance with the provisions of Section 53, paragraph 4, third sentence of the Act, the supplier demonstrates compliance with the basic eligibility conditions by submitting a sworn declaration; a sample sworn declaration is attached as Annex No. 4 to this tender documentation.

Documents proving **basic eligibility pursuant to Section 74 of the Act** must demonstrate compliance with the required eligibility criteria **no later than 3 months before the date of commencement of the tender procedure.**

4.2. Professional competence according to Section 77 of the Act

The contracting authority requires proof of professional competence pursuant to Section 77 of the Act, i.e. a supplier is qualified if he submits **an Extract from the Commercial Register** (Section 77(1) of the Act) or other similar evidence, if another legal regulation requires entry in such evidence.

The supplier does not have to submit the above-mentioned document if the legal regulations in the country of its registered office do not require similar professional qualifications.

4.3. Technical qualification according to Section 79 of the Act

4.3.1. **Part 1: Acoustic Camera for Near-Field Acoustic Localisation and Acoustic Camera Software**

To demonstrate compliance with the supplier's technical qualifications, the contracting authority requires:

- a) In accordance with the provisions of **Section 79, paragraph 2, letter b) of the Act, submission of a list of significant supplies provided in the last 3 years** prior to the start of the tender procedure, including the price and time of their provision and identification of the contracting authority.

The minimum level for meeting this technical qualification criterion is defined by the contracting authority as the submission of **at least 1 delivery, the subject of which was the delivery of an acoustic camera, with the financial value of this delivery being at least 250 thousand CZK excluding VAT.**

To demonstrate this technical qualification criterion, the Supplier may use the sample list of provided supplies, which is Annex No. 5 to this Call. The list must also include contact details of the person who can confirm the provision of the supplies in question.

To demonstrate compliance with this technical qualification criterion, the supplier may, pursuant to Section 79(1) of the Act, use services provided by:

- i. together with other suppliers, to the extent that he participated in the performance of the services, or
- ii. as a subcontractor, to the extent that he participated in the performance of the service.

- b) In accordance with the provisions of **Section 79, paragraph 2, letter k) of the Act, submission of a description of the products intended for delivery (acoustic camera for Near-Field Acoustic Localisation, software for measuring holography by acoustic field, extension of diagnostic tools BK Connect)**, from which it will be clear whether the offered performance meets the parameters required by the contracting authority, by completely completing Annex No. 1a of the Call and by providing technical descriptions of the equipment (acoustic camera for Near-Field Acoustic Localisation, software for measuring holography by acoustic field, extension of diagnostic tools BK Connect), from which at least the manufacturer and type designation of the offered equipment will be clear (e.g. technical sheet, catalog sheet or other suitable form).

The contracting authority does not allow the replacement of the above-mentioned documents proving compliance with the technical qualification with a sworn declaration that will not contain information decisive for assessing compliance with the required qualification.

4.3.2. Part 2: Diagnostic equipment update

To demonstrate compliance with the supplier's technical qualifications, the contracting authority requires:

In accordance with the provisions of **Section 79, paragraph 2, letter k) of the Act, submission of a description of the products intended for delivery**, from which it will be clear whether the offered performance meets the parameters required by the contracting authority, by completely completing Annex No. 1b of the Call and by providing technical descriptions of the equipment (technical descriptions do not have to be submitted for the items BNC-BNC cable, Cable for three-axis accelerometers, Magnetic pads for accelerometers, Pads for gluing accelerometers, Electrically insulated pad, Front panel for HW LAN-XI and Cables), from which at least the manufacturer and type designation of the offered equipment will be clear (e.g. a technical sheet, catalog sheet or other suitable form).

The contracting authority does not allow the replacement of the above-mentioned documents proving compliance with the technical qualification with a sworn declaration that will not contain information decisive for assessing compliance with the required qualification.

PROOF OF QUALIFICATION AND SUBMISSION OF DOCUMENTS:

- 4.4. In accordance with the provisions of Section 53, paragraph 4, sixth sentence of the Act, suppliers shall submit copies of documents on qualification in their tenders and may replace them with a written declaration on honour or a single European certificate for public procurement pursuant to Section 87 of the Act.** The contracting authority may request the submission of originals or officially certified copies of these documents during the tender procedure.
- 4.5. Before concluding the contract, the contracting authority may request the selected supplier to submit originals or certified copies of qualification documents, if they have not already been submitted in the tender procedure.
- 4.6. If the contracting authority requires the submission of a document and the supplier is unable to submit the requested document for reasons not attributable to it, it is entitled to submit another equivalent document.
- 4.7. If the law or the contracting authority requires the submission of a document according to the legal system of the Czech Republic, the supplier may submit a similar document according to the legal system of the state in which this document is issued. A document that is drawn up in a language other than the one specified by the contracting authority for submitting the tender shall be submitted with a translation into the language specified by the contracting authority. If the contracting authority has doubts about the accuracy of the translation, it may request the submission of an officially certified translation of the document by an interpreter entered in the list of experts and translators. A document in the Slovak language and a document of education in the Latin language shall be submitted without a translation. If the required document is not issued according to the relevant legal system, it may be replaced by a written declaration of honor.
- 4.8. The obligation to submit a document may be fulfilled by the supplier by referring to the corresponding information kept in the public administration information system or in a similar system kept in another Member State which allows unrestricted remote access. Such a link must include the internet address and the data for logging in and searching for the requested information, if such data is necessary.
- 4.9. If the qualification was obtained abroad, it is proven by documents issued in accordance with the legal system of the country in which it was obtained, to the extent required by the contracting authority.
- 4.10. In the case of joint participation of suppliers, each supplier shall demonstrate the basic competence and professional competence according to paragraph 4.2. of the Call for Proposals separately, and the other parts of the qualification and competence jointly.

4.11. The supplier may prove the technical qualifications required by the contracting authority **through other persons**. In accordance with the provisions of Section 83, paragraph 1 of the Act, the supplier is obliged to submit to the contracting authority:

- a) documents proving the fulfillment of professional competence pursuant to Section 77(1) of the Act by another person,
- b) documents proving the fulfillment of the missing part of the qualification through another person,
- c) documents proving that another person has fulfilled the basic qualification pursuant to Section 74 and
- d) a contract or a confirmation of its existence signed by another person, the content of which is the obligation of another person to provide performance intended for the performance of a public contract or to provide items or rights that the supplier will be entitled to dispose of in the performance of a public contract, **at least to the extent that another person has proven his qualification as a supplier.**

4.12. When proving the fulfillment of the qualification, the supplier may submit to the contracting authority an extract from the list of qualified suppliers pursuant to Section 228 of the Act. If the supplier submits to the contracting authority an extract from the list of qualified suppliers, this extract shall replace the document proving:

- a) professional competence pursuant to Section 77 of the Act to the extent that the data in the extract from the list of qualified suppliers demonstrate compliance with the professional competence criteria, and
- b) basic eligibility pursuant to Section 74 of the Act.

The contracting authority is obliged to accept an extract from the list of qualified suppliers if, as of the last date on which basic competence or professional competence is to be demonstrated, the extract from the list of qualified suppliers is not older than 3 months.

The contracting authority does not have to accept an extract from the list of qualified suppliers indicating the initiation of proceedings pursuant to Section 231(4) of the Act.

As well as an extract from the list of qualified suppliers, the supplier may prove its qualification by means of a certificate originating from another Member State in which the supplier is established and which is similar to the extract from the list of qualified suppliers.

4.13. In the event that the supplier submits to the contracting authority a certificate issued within the framework of the system of certified suppliers pursuant to Section 233 et seq. of the Act, this certificate, to the extent of the data specified therein, replaces the proof of the supplier's fulfillment of the qualification.

As well as a certificate, a supplier can prove their qualification by means of a certificate that comes from another Member State in which the supplier is established and which is similar to a certificate issued under the certified supplier system.

ČÁST V.

SUBMITTING AN OFFER

5.1. **Place for submitting bids** - Bids are submitted only in electronic form, via the electronic tool E-ZAK available at <https://zakazky.vsb.cz>. The URL of the public procurement is: <https://zakazky.vsb.cz/vz00002832>.

5.2. **The deadline for the delivery of bids is set by the contracting authority by 10:00 a.m. on April 9, 2025.** If the bid is submitted after the deadline specified in the previous sentence, the contracting authority's electronic tool will not accept this bid.

5.3. All conditions and information regarding the electronic tool, including information on the use of the electronic signature, are available in the user guide and the electronic signature manual.
that:

<https://zakazky.vsb.cz/manual.html> (especially in the User Guide document, point "Supplier Registration" and point "Electronic Tenders and Requests to Participate")

Technical support of the operator of the electronic tool E-ZAK - tel.: +420 538 702 719, e-mail: podpora@ezak.cz, website: <https://www.ezak.cz/>.

5.4. The supplier may submit only one bid.

ČÁST VI.

METHOD OF EVALUATING OFFERS ACCORDING TO EVALUATION CRITERIA

- 6.1. Each part of the public contract will be evaluated separately. Bids in both parts of the public contract will be evaluated according to their **economic advantage**. The economic advantage of the bids will be evaluated according to **the lowest bid price**. The bid price that is the lowest among all evaluated bids for the relevant part of the public contract will be evaluated best.
- 6.2. When evaluating the bid price, **the total amount in CZK excluding VAT** for the entire subject of performance of the relevant part of the public contract specified in the draft contract (Article VIII 1 of this Call) will be decisive. The order of bids will be compiled in ascending order from the lowest to the highest bid price. Each part of the public contract will be evaluated separately.

ČÁST VII.

REQUIREMENTS FOR THE METHOD OF PROCESSING THE OFFER PRICE

- 7.1. The total bid price for individual parts of the public contract will be determined as the aggregate price for the entire subject of performance of the given part of the public contract, which is required by the contracting authority in this Call and the commercial terms and conditions. The total bid price for individual parts of the contract will be stated in the draft contract for the relevant part of the public contract (see Annex No. 2a or 2b to this Call).
- 7.2. The bid price will be stated in Czech currency in the following breakdown: bid price excluding value added tax (VAT), VAT separately and total bid price including VAT.
- 7.3. The total bid price in the above-mentioned composition will be stated on the bid cover sheet – see Annex No. 3 to this Call. In the event of a discrepancy between the bid price stated in the draft purchase contract and the cover sheet, the bid price stated in the draft purchase contract shall apply.
- 7.4. The bid price will be set as the "maximum allowable" price and must include all costs associated with the complete implementation of the subject of the public contract.
- 7.5. The estimated value of each part of the public contract (1,132,230 CZK excluding VAT for part 1 of the public contract and 1,830,580 CZK excluding VAT for part 2 of the public contract) is the maximum and cannot be exceeded by the participants' bids. Exceeding the estimated value by the participant's bid is eligible for the participant's exclusion from this tender procedure.

ČÁST VIII.

BUSINESS TERMS AND CONDITIONS, INCLUDING PAYMENT TERMS

As part of this Call, the Contracting Authority submits the business terms and conditions, including payment terms, which are binding for the performance of the public contract in question, in the form of a binding draft purchase contract (hereinafter referred to as the "draft contract") within the meaning of Section 37, paragraph 1, letter c) of the Act. Draft contract for part 1 of the public contract constitutes Annex No. 2a to this Call and the draft contract for part 2 of the public contract constitutes Annex No. 2b to this Call.

The draft contract defines the future framework of the contractual relationship. The written draft contract must accept the text of the Invitation or other documents containing the definition of the subject of the contract. **The written draft contract must fully accept the text of the terms and conditions, which form Annex No. 2a or 2b to this Call, and they cannot be deviated from (the participant only fills in the marked parts of the draft contract, or according to the notes and only adjusts the draft contract appropriately to their extent).** Failure to meet this condition is considered a violation of the tender conditions with the result of excluding the participant from further participation in the tender procedure. The data specified in the draft contract must not differ from the data specified in another part of the participant's offer. In the event of discrepancies, the written draft contract is always decisive.

ČÁST IX.

REQUIREMENTS FOR VARIANTS

The contracting authority does not accept alternative solutions.

ČÁST X.**OTHER REQUIREMENTS FOR THE SELECTED SUPPLIER**

10.1. The contracting authority, in accordance with the provisions of Section 122, paragraph 3 of the Act, **shall send a call to the selected supplier to be submitted:**

- a) documents on his/her qualifications that the contracting authority requested and does not have available, including documents pursuant to Section 83(1) of the Act; if the contracting authority does not proceed pursuant to Section 122(4) (b) of the Act, the documents on basic competence must demonstrate compliance with the required competence criteria at the time pursuant to Section 86(3) of the Act,
- b) documents or samples, the submission of which is a condition for concluding a contract, if the contracting authority proceeded in accordance with Section 104 of the Act and does not have them available,
- c) documents pursuant to Section 85(1), if the contracting authority requested them and does not have them available.

10.2. In the invitation pursuant to the previous paragraph, the contracting authority may stipulate that the selected supplier must submit:

- a) originals or officially certified copies of documents pursuant to the previous paragraph,
- b) documents of basic competence pursuant to Section 74 of the Act proving compliance with the required criteria eligibility after delivery of the invitation pursuant to the previous paragraph, or
- c) a written declaration of honour stating that the data relevant for assessing the fulfilment of the qualification contained in the documents pursuant to the previous paragraph, which are available to the contracting authority, have not changed, or new documents if the relevant data in these documents have changed.

10.3. For the selected supplier, if it is a Czech legal entity, the contracting authority will find out the data on its beneficial owner pursuant to Act No. 37/2021 Coll., on the Register of Beneficial Owners, regulating the register of beneficial owners (hereinafter referred to as the "beneficial owner") from the register of beneficial owners pursuant to the same Act (hereinafter referred to as the "register of beneficial owners").

10.4. The contracting authority will also invite the selected supplier, if it is a foreign legal entity, to submit an extract from a foreign register of similar beneficial owners or, if there is no such register,

- a) to communicate the identification data of all persons who are its beneficial owner, and
- b) to submit documents showing the relationship of all persons under letter a) to the supplier; these documents are in particular:
 - an extract from a foreign register similar to a public register,
 - list of shareholders,
 - decision of the statutory body on the payment of a share of profit,
 - articles of association, memorandum of association or articles of association.

10.5. The contracting authority shall exclude the selected supplier,

- a) if it is a Czech legal entity that has a beneficial owner, unless it was possible to determine the data on its beneficial owner from the register of beneficial owners in accordance with the provisions of Section 122(5) of the Act; the entry made available in the register of beneficial owners after the notification of the exclusion of the supplier is sent shall not be taken into account,
- b) who has not submitted data, documents or samples pursuant to the provisions of Section 122, paragraphs 3, 4 or 6 law, or
- c) for which the result of sample tests does not comply with the tender conditions (if relevant).

10.6. The contracting authority shall verify with the selected supplier whether the grounds for exclusion pursuant to the provisions of Section 48(7) of the Act are met, based on information kept in the commercial register. If the information kept in the commercial register indicates that the grounds for exclusion pursuant to Section 48(7) of the Act are met, the contracting authority shall exclude the participant in the tender procedure from the tender procedure.

10.7. The contracting authority shall request the selected supplier with its registered office abroad, which is a joint-stock company or has a legal form similar to a joint-stock company, to submit, within a reasonable period of time, a written declaration of honour stating which persons are the owners of shares whose aggregate nominal value exceeds 10% of the registered capital of the tendering procedure participant, indicating the source from which the data on the size of the shareholders' share is based; this request shall be considered a request pursuant to Section 46 of the Act.

ČÁST XI.**TERMS AND CONDITIONS FOR PROCESSING THE OFFER**

- 11.1. The participant shall provide his/her identification data in his/her offer, including: name of the business company, registered office/place of business/residence, name of the person authorized to act on behalf of the participant, company ID, VAT number, telephone number, e-mail address – see Appendix No. 3 to this Call.
- 11.2. The participant shall submit a draft contract in its bid signed by a person authorized to act on behalf of or on behalf of the participant. If the draft contract is signed by an authorized person, the participant's bid must also include the relevant valid power of attorney (a simple copy of the power of attorney is sufficient). The draft contract is prepared for each part of the public contract separately. **The participant shall submit a separate draft contract for each part of the public contract for which it submits a bid**
- 11.3. **The offer will also include other documents required by law and the contracting authority, including documents and information proving the fulfillment of qualifications.**
- 11.4. The contracting authority, in accordance with the provisions of Section 105, paragraph 1, letter b) of the Act, requires that **the supplier specify in its tender the parts of the public contract that it intends to award to one or more subcontractors.** The supplier shall provide the identification data of each subcontractor (if known to it) and the scope of their expected work. The supplier may use Annex No. 6 to this Call – List of Subcontractors. The participant shall submit a list of subcontractors separately for each part public contract for which he is submitting a bid
- If the supplier will perform the subject of the public contract itself, it will state this in its offer in the form of a sworn declaration and will not fill out the annex.
- 11.5. **Applies only to Part 2 of the public contract:**
- For processor performance requirements (CPU) for the items Mobile recording and evaluation workstation and Mobile evaluation and analytical unit (see Annex No. 1b of the Tender Documentation), the contracting authority sets minimum benchmark values according to www.cpubenchmark.net. The participant is obliged to provide in the offer a relevant means (e.g. a web page imprint) of the number of points obtained in the benchmark test on the date of processing or submission of the offer for the above-mentioned items.**
- 11.6. **The offer will be submitted in the Czech language.** For documents and papers submitted in another language, documents in other than the Czech language must be accompanied by a translation into the Czech language. The obligation to attach a translation into the Czech language does not apply to documents in the Slovak language and to documents of education in the Latin language.
- 11.7. The participant's offer must not contain transcriptions or corrections that could mislead the contracting authority.
- 11.8. **The contracting authority recommends (optionally) that participants use the following order in their bids: documents (contents):**
- 1) **Cover sheet of the offer** (Annex No. 3 of this Call can be used) containing the identification data of the participant and the signature of the authorized person(s) of the supplier, or other data required by the contracting authority. The participant shall submit 1 cover sheet of the offer, in which the data on the parts of the contract for which he/she is submitting the offer will be filled in. The participant shall delete or not fill in the other parts of the Cover sheet of the offer.
 - 2) **Documents to prove qualification** (see Part IV. Call):
 - **Basic competence**
 - **Professional competence**
 - **Technical qualification** for each part of the public contract for which the participant submits a tender separately
 - 3) **A duly completed and signed draft contract** (see Annex No. 2a or 2b of this Call) **including the annex.** The Participant shall submit a separate draft contract for the part of the contract for which it is submitting a bid.

- 4) **List of subcontractors**, or a declaration of non-use of subcontractors, for each part for which the participant submits a separate tender,
- 5) **Evidence of the number of points obtained in the benchmark test** (applies only to part 2) _____
public contracts – see Article 11.5 Tender documentation)
- 6) **Affidavit** (see Annex No. 7 of the Call),
- 7) Other documents at the discretion of the participant (e.g. association agreement, information on subcontractors).

11.9. The participant is solely responsible for the completeness of the content of the offer - the list of documents contained in this article, the prompts serve only to facilitate the participant's orientation when completing the offer -

If a document is not included in this list, the obligation to include it in the offer may arise from the tender conditions or from the law, and the participant cannot escape responsibility for the incomplete content of the offer by referring to this list of documents.

11.10. In accordance with the provisions of Section 45(4) of the Act, the supplier may fulfil the obligation to submit a document by referring to the corresponding information kept in the public administration information system or in a similar system kept in another Member State which allows unrestricted remote access. Such a reference must contain the internet address and the data for logging in and searching for the requested information, if such data is necessary.

11.11. The supplier who submitted the bid in the tender procedure may not be the person through whom another supplier demonstrates qualification in the same tender procedure. The tender cover sheet shall include a declaration by the supplier that he is not a subcontractor through whom another supplier demonstrates qualification in the same tender procedure.

11.12. If a supplier submits multiple bids individually or together with other suppliers or has submitted a bid and is at the same time a person through whom another tendering participant demonstrates qualification in the same tendering procedure, the contracting authority shall exclude such tendering participant.

11.13. The contracting authority requires that in the case of a joint bid by several suppliers, a written document signed by all suppliers (for example, a contract) be submitted, which will result in the division of responsibility for the performance of the public contract. The contracting authority requires that all suppliers submitting a joint bid bear joint and several liability.

ČÁST XII.

EXTREMELY LOW OFFER PRICE

12.1. The contracting authority reserves the right to assess (through the evaluation committee) whether the participants' offers do not contain an exceptionally low offer price, in accordance with Section 113 of the Act.

12.2. The contracting authority does not set out a precise algorithm for determining an exceptionally low bid price pursuant to Section 113(2) of the Act, but reserves the right to assess the bid price or costs as exceptionally low even in cases not specified in Section 113(2) of the Act.

ČÁST XIII.

OTHER ARRANGEMENTS

13.1. The contracting authority does not reimburse the participants for costs incurred from participation in the tender procedure.

13.2. Opening of bids - In accordance with the provisions of Section 109, paragraph 1 of the Act, the opening of bids will take place after the deadline for submission of bids has expired. Given that only bids will be submitted in electronic form, there will be no public opening of bids.

13.3. By submitting a bid, the supplier grants the contracting authority consent to verify and check the data provided in the bids. The contracting authority will exclude the participant from the tender procedure if the participant provides false data in his bid.

13.4. **The contracting authority reserves the right, pursuant to the provisions of Section 53, paragraph 5 of the Act, to announce the exclusion of a participant in the tender procedure or to announce the selection of a supplier on the contracting authority's behalf. In such a case, the notices are deemed to have been delivered to all participants in the tender procedure at the time of their publication.**

- 13.5. The contracting authority hereby informs that the selected supplier is a person obliged to cooperate in the performance of financial control pursuant to Section 2, letter e) of Act No. 320/2001 Coll., on financial control in public administration, as amended.

ČÁST XIV. INFORMATION ON THE PROCESSING OF PERSONAL DATA

- 14.1. The contracting authority, in its capacity as the personal data controller, hereby informs the participants in the tender procedure of the processing of personal data for the purpose of implementing the tender procedure in accordance with the law, pursuant to Article 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter referred to as "GDPR").
- 14.2. As part of the implementation of the procurement procedure, the contracting authority may process personal data of suppliers and their subcontractors (including natural persons doing business), members of statutory bodies and contact persons of suppliers and their subcontractors, persons through whom the supplier demonstrates its qualifications, members of the supplier's implementation team and the actual owners of the supplier.
- 14.3. The contracting authority will process personal data only to the extent necessary for the implementation of the tender procedure and only for the period specified by legal regulations, in particular by law. Data subjects are entitled to exercise their rights under Articles 13 to 22 of the GDPR in writing at the address of the contracting authority's registered office.

ČÁST XV. SOCIAL RESPONSIBILITY, INTERNATIONAL SANCTIONS, CONFLICT OF INTEREST

- 15.1. In accordance with the provisions of Section 6 of the Act, the contracting authority considered possible impacts on the social sphere before initiating the tender procedure. The contracting authority requires that the supplier declares on honor within its tender (a sample declaration is included in Annex No. 7 to this Call) that it will ensure throughout the implementation of the subject of the public contract:
- fulfillment of all obligations arising from the legal regulations of the Czech Republic, in particular from labor regulations, regulations in the field of employment and occupational health and safety, towards all persons who participate in the performance of the public contract; it will also ensure the fulfillment of these obligations by its subcontractors,
 - negotiating and adhering to contractual terms and conditions with its subcontractors comparable to the terms and conditions agreed in the public procurement contract, at least to the extent of the contractual fines;
 - proper and timely fulfillment of financial obligations to its subcontractors, where proper and timely fulfillment is considered to be full payment of invoices issued by the subcontractor for services properly provided for the performance of the public contract, within the agreed deadlines and in full accordance with the contractual terms of the concluded contractual relationship with the subcontractor;
 - that the impact on the environment is minimized when fulfilling the public contract, especially by sorting waste, saving energy, and respecting sustainability or the possibilities of the circular economy.
- 15.2. With regard to the impact of international sanctions on the area of public procurement, the contracting authority requires the supplier to declare on its honour in its tender that the supplier is not subject to any international sanctions pursuant to Act No. 69/2006 Coll., on the implementation of international sanctions, as amended (a model declaration is part of Annex No. 7 to this Call), in particular, but not exclusively, that, within the meaning of Council Regulation (EU) No. 269/2014 and its implementing regulations, no funds or economic resources will be made available, directly or indirectly, to or for the benefit of natural or legal persons, entities or bodies or natural or legal persons, entities or bodies associated with them, listed in Annex I to Council Regulation (EU) No. 269/2014, as amended.
- 15.3. The contracting authority is prohibited, pursuant to Section 4b of Act No. 159/2006 Coll., on Conflict of Interest, as amended (hereinafter referred to as the "ZSZ"), from awarding a public contract to a supplier that is a commercial company in which a public official referred to in Section 2, paragraph 1, letter c) of the ZSZ or a person controlled by him owns a share representing at least 25% of the shareholder's participation in the commercial company. For this reason, the contracting authority requires the supplier to declare on honor that it is not a supplier to which the prohibition referred to in the previous sentence of this paragraph of the Call would apply (a sample declaration is part of Annex No. 7 of this Call).

ČÁST XVI.

ANNEXES TO THE CALL

Annex No. 1a: Technical specification for part 1 of the public contract

Annex No. 1b: Technical specification for part 2 of the public contract

Annex No. 2a: Business conditions for part 1 of the public contract

Annex No. 2b: Business conditions for part 2 of the public contract

Annex No. 3: Tender cover sheet (sample)

Annex No. 4: Sample affidavit to demonstrate basic competence

Annex No. 5: Form List of significant deliveries

Annex No. 6: List of subcontractors

Annex No. 7: Declaration of Honour

In Ostrava on

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Prof. Ing. Robert Štěp, Ph.D.

Dean of the Faculty of Mechanical Engineering