



UNIVERZITA  
KARLOVA

## WRITTEN REPORT OF THE CONTRACTING AUTHORITY

pursuant to Section 217 of Act No. 134/2016 Coll., on Public Procurement, as amended

(hereinafter referred to as "**the Act**")

for a below-the-threshold public supply contract entered in a simplified below-the-threshold procedure pursuant to Section 53 of the Act

Name of the public contract:

### Testing station for testing water electrolyzers

(hereinafter referred to as the "**public contract**")

The tender procedure was commenced with the publication of an invitation to tender on the Contracting Authority's profile on:

**24.02.2025**

The Contracting Authority:

**Charles University**  
**Faculty of Mathematics and Physics**  
Company Reg. No: 00216208  
registered office: Ovocný trh 560/5, 116 36 Praha 1

## 1. IDENTIFICATION OF THE CONTRACTING AUTHORITY

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Name of the Contracting Authority:	<b>Charles University, Faculty of Mathematics and Physics</b>
Company Reg. No.:	00216208
Registered office:	Ovocný trh 560/5, 116 36 Praha 1
Person authorized to represent the Contracting Authority:	doc. RNDr. Mirko Rokyta, CSc. dean of the Faculty of Mathematics and Physics
Profile of the Contracting Authority at:	<a href="https://zakazky.cuni.cz/profile_display_15.html">https://zakazky.cuni.cz/profile_display_15.html</a>

## 2. SUBJECT OF THE PUBLIC CONTRACT

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### Subject-matter of the public contract

**2.1** The subject-matter of the public contract is the supply of a testing station for complex testing of Proton Exchange Membrane water electrolyzers (PEM-WE) and Anion Exchange Membrane water electrolyzers (AEM-WE) according to the Contracting Authority's requirements.

**2.2** The subject-matter of the public contract is further specified in the draft purchase contract (annex of the Documentation of the procurement procedure) and in the specification of the public contract subject (annex of the Documentation of the procurement procedure).

### Classification of the subject of the public contract

**2.3** The Contracting Authority has defined the subject of the public contract according to the main vocabulary of the single classification system for public procurement purposes (Common Procurement Vocabulary):

CPV code:

38000000-5	Laboratory, optical and precision equipments (excl. glasses)
38970000-5	Research, testing and scientific technical simulators

## 3. THE PRICE AGREED IN THE PUBLIC CONTRACT

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**3.1** The price agreed in the public contract concluded with the selected economic operator amounts to:

**3.860.000,- CZK without VAT.**

## 4. THE TYPE OF PROCEREMENT PROCEDURE USED

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**4.1** The public contract was awarded in a simplified below threshold procedure according to Section 53 of the Act.

## 5. THE IDENTIFICATION OF THE PARTICIPANTS INCLUDING THEIR TENDER PRICES

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### 5.1 The identification of the participants:

Tender No.	Participant	Company Reg. No.	Registered office	Tender price of the participant (in CZK without VAT)
2.	ScienceTech s.r.o.	02103621	Dolní Konec 24, 696 06 Vacenovice, CZE	3.860.000,-
3.	THESIX TECHNOLOGY SOLUTIONS CORP.	3195614	55 Commerce Valley Dr. W., Suite 502 Thornhill, ON L3T 7V9, Canada	3.175.000,-

## 6. THE IDENTIFICATION OF ALL PARTICIPANTS EXCLUDED FROM THE PROCUREMENT PROCEDURE INCLUDING A STATEMENT OF GROUNDS FOR THEIR EXCLUSION

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### 6.1 The identification of participants excluded from the procurement procedure:

#### **Participant** **No. 3**

Participant: **THESIX TECHNOLOGY SOLUTIONS CORP.**  
Company Reg. No.: 3195614  
Registered office: 55 Commerce Valley Dr. W., Suite 502 Thornhill, ON L3T 7V9, Canada

#### **Justification:**

The Contracting Authority commenced the procurement procedure of the public contract on 24.02.2025 with the publication of an invitation to tender on the Contracting Authority's profile.

As part of the public procurement procedure, a meeting of the evaluation committee (hereinafter referred to as the "**Committee**") took place, which, based on the decision of the Contracting Authority in accordance with Section 42 of the Act, performs tasks related to the evaluation of tenders, assessment of fulfilment of the conditions for participation in the procurement procedure and assessment of the abnormally low tender price.

**At the meeting, the Committee concluded that the participant did not meet the conditions for participation in the procurement procedure, to the following extent:**

It follows from paragraph 18.11 of the documentation of the procurement procedure, that "*The tender must contain a duly elaborated technical specification of the public contract subject. The participant is not entitled to make any changes in the template for the technical specification (Annex No. 3 of the Documentation of procurement procedure), except the adding the relevant data (description [the participant fills out] or [the participant fills out – YES/NO]). The technical specification submitted by the participant must clearly show that the performance offered by the participant for the performance of the public contract meets the all the requirements of the*

*Contracting Authority set out in the technical specification (Annex No. 3 of the Documentation of procurement procedure)."*

As part of its tender, the participant submitted to the Contracting Authority a Specification of the public contract subject in accordance with Annex No. 3 of the documentation of procurement procedure. In this document, the participant offered a subject of the public contract that does not meet the requirements set by the Contracting Authority. Specifically, the public contract subject offered by the participant does not meet the following requirements of the Contracting Authority for the public contract subject set out in the specification of the public contract subject (Annex No. 3 of the documentation of procurement procedure):

- requirement No. 12 - Must enable impedance measurement in potentiostatic mode across the entire operational range of the electrolyser (up to 100 A);
- requirement No. 16 - Amplitude range: min. 10 mV to 2.5 V.
- requirement No. 19 - Additional Measurement Modes: "Half-cell" measurements for parts of the test cell (using additional voltage inputs in the system) – at least one input.

**Given that the public contract subject offered by the participant does not meet the requirements set by the Contracting Authority, the participant clearly does not meet the conditions for participation in the procurement procedure, thereby fulfilling the reason for its exclusion from the procurement procedure pursuant to Section 48(2)(a) of the Act.**

**Based on the above facts, the Contracting Authority decided to exclude the participant from participation in the procurement procedure as stated above.**

## **7. THE IDENTIFICATION OF THE ECONOMIC OPERATORS WITH WHICH A CONTRACT WAS CONCLUDED INCLUDING A STATEMENT OF REASONS FOR THEIR SELECTION**

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**7.1** The identification of the economic operators with which the contract was concluded:

### **Selected economic operator**

<b>Participant</b>	<b>No. 2</b>
Participant:	<b>ScienceTech s.r.o.</b>
Company Reg. No:	3195614
Registered office:	Dolní Konec 24, 696 06 Vacenovice, CZE

### **Justification**

#### **The evaluated tender data**

Tenders were evaluated in accordance with Section 114 (1) of the Act on the basis of their **economic advantageousness**.

The economic advantageousness of tenders will be evaluated in accordance with Section 114 (2) of the Act, second sentence, on the basis of the **lowest tender price**.

The Contracting Authority has set the tender price as the only evaluation criterion, with the lowest tender price meaning the lowest price for the entire subject of the public contract, i.e. **the total price for the supply of a testing station for complex testing of Proton Exchange Membrane water electrolyzers (PEM-WE) and Anion Exchange Membrane water electrolyzers (AEM-WE) according to the draft purchase contract in CZK without VAT.**

#### Description of data evaluation

The Contracting Authority has set in accordance with Section 115 of the Act the **tender price** as the only evaluation criterion, while the **tenders will be evaluated by ranking the tenders** according to the tender price from the tender with the lowest tender price to the tender with the highest tender price.

**The most economically advantageous tender is the tender with the lowest tender price.**

**For the evaluation of the tenders are decisive tender prices without VAT.**

#### Description of value comparison

see *Description of data evaluation*.

#### The result of the evaluation of tenders

The tenders were not evaluated in accordance with Section 122(2) of the Act, because there was only one participant in the procurement procedure at the time of the evaluation of tenders.

#### The result of the assessment of the fulfilment of the conditions for participation

The economic operator fulfilled all the conditions for participation in the procurement procedure.

#### The result of the assessment of the abnormally low tender price

The abnormally low tender price was not identified in the economic operator's tender.

## **8. THE IDENTIFICATION OF SUBCONTRACTORS OF THE ECONOMIC OPERATORS WITH WHICH THE CONTRACT WAS CONCLUDED**

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**8.1** The contracting authority is not aware of any subcontractors of the contracted suppliers.

## **9. A LIST OF PERSONS WHO WERE FOUND TO HAVE A CONFLICT OF INTEREST AND A LIST OF SUBSEQUENTLY ADOPTED MEASURES, WHERE A CONFLICT OF INTEREST WAS DETECTED**

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**9.1** No conflict of interest was detected for any person.

In Prague on 20.06.2025

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**Charles University**  
**Faculty of Mathematics and Physics**  
pp KOUKAL LEGAL, advokátní  
kancelář s.r.o.  
JUDr. Pavel Koukal, lawyer and  
Managing Partner