



EUROPEAN UNION
European Structural and Investing Funds
Operational Programme Research,
Development and Education



TENDER DOCUMENTATION

for a public procurement procedure for supplies in above-the-limit regime to be contracted in open proceedings

pursuant to Sec 56 Act No. 134/2016 Coll., on Public Procurement (hereinafter the “**PPA**”)

Sequential injection chromatography II

This tender documentation (“**Documentation**”) has been prepared in accordance with Sec 28 (1) letter b) PPA and represents a set of terms and conditions in level of detail that is sufficient to submit a bid in the tender (“**Bid**”), except for forms pursuant to Section 212 PPA. The rights and obligations of the Contracting Authority and bidders, respectively participants in the tendering procedure (hereinafter, for the purposes of this Documentation, only “**Supplier(s)**”) within this procedure which are not expressly stipulated herein shall be governed by relevant provisions of the PPA.

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1 Basic information about the Public contract

Contracting Authority:	<p>Univerzita Karlova, Farmaceutická fakulta v Hradci Králové</p> <p>Address: Akademika Heyrovského 1203/8, 500 05 Hradec Králové 5</p> <p>ID number: 00216208</p> <p>Represented by: doc. PharmDr. Tomáš Šimůnek, Ph.D., dean</p> <p>(hereinafter the “Contracting Authority”)</p>
Contracting Authority’s Attorney pursuant to Sec 43 PPA:	<p>HOLEC, ZUSKA & Partneři, sdružení advokátů</p> <p>Palác Anděl, Radlická 1c/3185, 150 00 Praha 5</p> <p>ID number: 662 31 051, Tax number: CZ 5912220776</p> <p>Represented by: JUDr. Karel Zuska, partner</p> <p>Contact person: Mgr. Karel Masopust</p> <p>e-mail: zakazky@holec-advokati.cz</p> <p>tel.: +420 296 325 235</p> <p>fax: +420 296 325 240</p> <p>(hereinafter the “Attorney”).</p>
Process:	Public procurements procedure for supplies (hereinafter the “ Public Contract ”) in above-the-limit regime to be contracted in open proceedings
CPV code:	38000000-5 - Laboratory, optical and precision equipments (excl. glasses)
Name of the Public contract:	Sequential injection chromatography II
Estimated value (excl. VAT)	USD 48.700,-
Availability of Documentation pursuant to Sec 96 PPA	Documentation has been published at the Contracting Authority’s website profile in full extent.
Bid submission deadline:	In accordance with the published notification on the public contract (“ Notification ”).

2 Purpose of the Public contract

The Contracting Authority is a public university and recipient of funding provided by the Ministry of Education, Youth and Sports of the Czech Republic for the Project "Creation of Specialized Team for Advanced Research on Separation (STARSS)", registration no. CZ.02.1.01/0.0/0.0/15_003/0000465, granted within the framework of the Operational Program Research, Development and Education (hereinafter "**OP RDE**"; hereinafter the "**Project**").

This Public Contract is for a contract to supply equipment required to complete tasks within the framework of the STARSS Project, specifically its aim concerning Automation of sampling, manipulation and on-line connection to separation and detecting stages (hereinafter "**Project Aim**").

3 Subject of the Public contract

3.1 General scope of the Public contract

The subject of the contract for supply will be entirely unique equipment consisting of one pump capable of at least 5 MPa / 750 psi pressure and three valves (two selection valves and one injection valve). This is a very specialized type of equipment, with specifically tailored software for controlling all parts of the device including the detector.

The supply will also include a short internship of the Contracting Authority's employees at the Supplier's plant during which the equipment will be finally adjusted in order to comply with the Contracting Authority's requirements for the Project Aim.

3.2 Specification of the Public contract

The Contracting Authority seeks supply of equipment for sequential injection chromatography, which will allow work in chromatographic train and which will comprise of:

- 1) one working pump capable of delivering maximum working pressure at least of 5 MPa/750psi,
- 2) two selection valves – 8 intakes working at maximum working pressure of 35 MPa/5000 psi,
- 3) one injection valve with 6 intakes working at maximum working pressure of 35 MPa/5000 psi,
- 4) spectro-photometric detector for measurements within the area of 200-850 nm,
- 5) optical flow cell with SMA connectors and quartz windows, cell body material PEEK with optical length of 10 mm,
- 6) two optical cables with SMA connectors for measurements within the area of 200-850 nm
- 7) computer with software controlling the entire system, and for collection and processing of detector data.

Because the Equipment is part of the research and development project, it shall be deducted from VAT. Customs duties will be also deducted.

Details concerning supply are provided in the Purchase Contract ("**Contract**") which is attached hereto as *Annex No. 3*.

3.3 Estimated value

Estimated value of this Public Contract shall be USD 48.700,-

The estimated value of this tender was based on information gained by means of market research.

3.4 Parts of the Public Contract

This Public Contract is not divided into individual parts.

The reason for this Public Contract not being divided into parts is the fact that the subject of the Public Contract represents a homogenous whole lacking any classification by individual domains; the Contracting Authority anticipates that the complete subject of the Public Contract will be executed fully by one single Supplier meeting the terms and conditions hereof. The selected Supplier shall be responsible for the composition, delivery and adaption of the Apparatus.

4 Place and Time for Performance of the Public Contract

The place of performance of the Public Contract shall be defined as the seat of the Contracting Authority.

Anticipated time of execution: within 12 weeks of the effectiveness of the Contract.

The initial Contract execution date depends on the completion of the tendering procedure.

5 Suppliers' Qualification

5.1 Fulfilment of Qualification Criteria

Suppliers need to meet requirements relating to qualification as defined in Sec 73 *et seq* PPA. Suppliers shall demonstrate that they meet these qualification requirements in the manner and extent specified herein.

Qualification requirements for this Public Contract shall be met by Suppliers who will duly demonstrate the following in their Bid:

- a) Basic qualification pursuant to Sec 74 PPA;
- b) Professional qualification pursuant to Sec 77 PPA;
- c) Technical qualification criteria pursuant to Sec 79 PPA.

5.2 Authenticity and age of documents proving qualification

5.2.1 Authenticity

Documents to be provided by Suppliers to demonstrate their qualification may be submitted in simple copies (pursuant to Sec 45 (1) PPA); the Contracting Authority will allow that Suppliers substitute, in accordance with Sec 86 (2) PPA, affidavits in place of documents where applicable.

Suppliers providing affidavits in place of documents shall make sure that such affidavits are duly signed by statutory representatives of the Supplier or, if signed by another person, Suppliers shall demonstrate that such other person has been duly authorized to take such legal acts, which demonstrates the Supplier's qualification.

The Contracting Authority shall require, in accordance with Sec 86 (3) PPA, that the selected Supplier submits, prior to executing the Contract hereunder, originals / notarized copies of documents demonstrating Supplier's qualification.

5.2.2 Age

Documentation demonstrating basic qualification pursuant to Sec 74 and professional qualification pursuant to Sec 77 (1) shall demonstrate fulfilment of the required qualification criterion no later than 3 months prior to the commence of the tender proceeding.

5.3 Demonstrating Suppliers' qualifications – foreign entities

In case the required qualification is obtained abroad, it shall be demonstrated by documents issued in accordance with the law of such country, where it has been obtained, in the extent required by the Contracting Authority.

5.4 Basic qualification

5.4.1 Extent

Suppliers who (within the meaning of Sec 74 (1) PPA)

- a) have been, in the last 5 years prior to commencement of this tendering procedure, finally convicted of a criminal offence listed in Annex No. 3 to PPA or similar criminal offence(s) under the laws of the Supplier's headquarters country; sentences that had already been struck will not be considered;
- b) have, in the Czech Republic or country of its headquarters, payable tax arrears (outstanding unpaid tax);
- c) have, in the Czech Republic or country of its headquarters, payable insurance arrears or sanction(s) relating to public health insurance,
- d) have, in the Czech Republic or country of its headquarters, payable social security insurance arrears or sanction(s) relating to social security insurance or contributions toward the state employment policy,
- e) are in liquidation, or subject to insolvency, bankruptcy, under forced administration (receivership) in accordance with other legal regulation or in similar situation according to the laws of the country where headquartered

WILL BE DEEMED TO HAVE BEEN DISQUALIFIED HEREFROM.

If the Supplier is a legal entity, the conditions imposed by Sec 74 (1) letter a) PPA shall be met by the legal entity and each member of its statutory body. Should a legal entity be a member of the Supplier's statutory body, the conditions imposed by Sec 74 (1) letter a) PPA shall be met by such legal entity,

- a) and each member of its own statutory body, and
- b) by the person representing this legal entity within the statutory body of the Supplier.

Should the participant in the tendering procedure be a branch of an enterprise

- a) of a foreign legal entity, the conditions imposed by Sec 74 (1) letter a) PPA shall be met by the legal entity and the manager of the branch of such enterprise,
- b) Czech legal entity, the conditions imposed by Sec 74 (1) letter a) PPA shall be met by persons listed in Sec 74 (2) PPA and the manager of the branch of such enterprise.

5.4.2 Demonstration of basic qualification

Suppliers demonstrate their fulfilment of basic qualifications under paragraph 5.4.1. above in relation to the Czech Republic by submitting:

- a) Extract from the Criminal Register in relation to Sec 74 (1) letter a),
- b) confirmation from the locally competent financial authority in relation to Sec 74 (1) letter b),
- c) written affidavit in relation to consumption tax as per Sec 74 (1) letter b),
- d) written affidavit in relation to Sec 74 (1) letter c),
- e) confirmation from the district social security administration in relation to Sec 74 (1) letter d),
- f) extract from the Commercial Registry or by affidavit in writing in case the person has not been registered with the Commercial Registry, in relation to Sec 74 (1) letter e).

Suppliers may use the template affidavit attached hereto as *Annex No. 1 - Affidavit providing the fulfillment of the basic qualification criteria*.

If the Supplier is a person headquartered abroad, it shall demonstrate meeting basic qualification with respect to letter a) above only in relation to the country where it has its headquarters.

5.5 Professional qualification

Supplier shall demonstrate its professional qualification in relation to the Czech Republic by submitting an **extract from the Commercial Registry** or similar registry, if the law requires such registration.

Documentation demonstrating professional qualification of Suppliers may not be submitted if the laws in the country where such Supplier is headquartered do not require similar professional qualification.

5.6 Technical qualification

5.6.1 List of important deliveries

The Contracting Authority will require that Suppliers submit a **List of Important Deliveries** (LID) provided in the last 3 years prior to commencement of this tendering procedure including the price thereof and period when provided, along with identification of the client.

5.6.2 Minimum LID requirements

The Contracting Authority requires that Supplier provide LID listing at least 2 important deliveries. Important deliveries shall be understood as delivery of similar Sequential injection chromatography. Minimum financial extent of the delivery of similar character shall be at least USD 24.000,-.

5.6.3 Conflict of Interest

In the event it is demonstrated that the Supplier has a conflict of interest, which could negatively affect performance of the Public Contract, the Contracting Authority may, pursuant to Sec 79 (1) PPA, deem the technical qualification not duly demonstrated.

5.7 Demonstrating qualification through other persons (Sec 83 PPA)

Suppliers may demonstrate certain parts of their technical qualification through other person(s). Suppliers shall be in such cases required to provide the Contracting Authority with the following documentation:

- a) documentation demonstrating fulfilment of professional qualification pursuant to Sec 77 (1) by another,
- b) documentation demonstrating fulfilment of the missing part of the qualification by another person,
- c) documentation demonstrating fulfilment of the basic qualification pursuant to Sec 74 by another person, and
- d) a commitment certified by such another person in writing to provide performance intended for the Public Contract or to provide assets or rights with which the Supplier will be authorized to dispose during execution of the Public Contract, at least in the extent, in which such another person demonstrated its qualification on behalf of the Supplier. This requirement will be deemed to have been met, if the written commitment of another person includes joint and several liability of this person for the performance of the Public Contract along with Supplier. Should a Supplier demonstrate qualification through another person, and submit documentation pursuant to Sec 79 (2) letter b) or d) PPA relating to such person, the commitment in writing made out by such person shall also include, that such person shall perform those services that are directly related to the qualification criterion it demonstrated.

5.8 List of Qualified Suppliers

Suppliers may demonstrate their qualifications by presenting a certificate from the List of Qualified Suppliers, in the manner and extent required in Sec 228 *at seq* PPA.

5.9 Certified Suppliers System

Suppliers may demonstrate their qualifications by presenting a certificate from the approved system of certified suppliers, in the manner and extent required in Sec 233 *at seq* PPA.

5.10 Changes in Suppliers Qualification

Should the Suppliers' qualification change, after the documentation or affidavits demonstrating qualification had already been submitted in the tendering procedure, Suppliers shall be obliged to notify such change to the Contracting Authority within do 5 business days thereof, and submit, within 10 business days from notification, new documentation of affidavits concerning such changed qualification.

6 Bid language

Bids may be prepared in the **Czech or English language** in line with the Contracting Authority requirements stipulated herein and in the PPA; this requirement does not apply to documents submitted within the Bid outside the Contracting Authority's requirements (e.g. additional publicity information).

Should the PPA or the Contracting Authority require submission of document according to the laws of the Czech Republic, Suppliers may submit similar document according to the laws of the country, where such document is being issued; such foreign documents shall be submitted along with their translation into Czech. Should the Contracting Authority have doubt about the correctness of the translation, it may request that an official translation is procured using a qualified translator into the Czech language who is registered on the list of authorized translator and interpreters. Documents in Slovak and education certificates (diplomas etc.) in Latin may be submitted without translation. Should the requested document not be issued under the laws of the 'issuing' country, it may be substituted by an affidavit.

7 Recommended method of preparation and form of the Bid

7.1 Recommendations relating to structure, contents and preparation of the Bid, incl. documents relating to qualification

7.1.1 Bid structure

The Contracting Authority requires that the Bid is structured as follows:

- a) Cover Sheet according to *Annex No. 2* hereto;
- b) Bid Contents;
- c) Power of Attorney for the person authorized by the Supplier's statutory representative to act and sign on behalf of the Supplier (where applicable);
- d) documentation demonstrating fulfilment of basic qualification;
- e) documentation demonstrating fulfilment of professional qualification;

- f) documentation demonstrating criteria relating to technical qualification;
- g) Bid price structure in accordance with guidelines stipulated in Art. 11 hereof;
- h) Duly signed draft Contract with all pertinent data filled in (draft Contract shall be signed by the person who is authorized to act and sign on the Supplier's behalf in accordance with method of signing designated in the Commercial Registry extract or by a representative, who has been duly empowered for such legal act according to valid law); this draft shall fully comply with terms and conditions stipulated herein – *Annex No. 3*; the Contract shall be accompanied with all requested Annexes;
- i) CD / USB disc containing the Bid in its entirety in electronic form.

7.1.2 Recommended formal requirements for the Bid

- a) The Bid shall be submitted in one (1) hardcopy original and one (1) copy;
- b) Original hardcopy of the Bid shall be denoted with the words “**ORIGINAL**” in the upper right hand corner of the overleaf. Copy of the Bid shall be denoted with the words “**COPY**” in the upper right hand corner of the overleaf; the Bid shall also contain a CD/USB disc containing an electronic copy of the Bid; the electronic copy shall be true and complete copy of the Bid (for instance in the PDF format). The electronic version of the Bid on CD/USB disc shall be produced using only generally known and available means including generally used software (such as MS Office), in a version that is currently in general use;
- c) The Bid shall be clearly printed and legible without errors, corrections and other discrepancies which could mislead the Contracting Authority;
- d) The Bid shall be secured against tampering and removal of individual sheets, i.e. secured by binding / string / seal with the ends taped over and stamped and signed by authorized person. If the Bid is submitted in binder or similar, the sheets shall be secured against tampering but allow free browsing;
- e) All sheets within the Bid should carry page numbers in uninterrupted series, starting with 1 on the overleaf / cover sheet. Should the Supplier insert into the Bid any separate document, which is already separately page-numbered, the Supplier shall number these pages again using the numerical sequence used for the entire Bid;
- f) Suppliers shall submit the Bid in the required number of copies, in one closed, non-transparent and undamaged sealed envelope or similar packaging in a manner stipulated in Art. 11 hereof. Should the Bid be too large for one envelope / box, each envelope or box shall carry its number / total number of envelopes / packages comprising the Bid.

7.2 Joint Bid Requirements

Joint Bid is a bid submitted by more than one Supplier together. In such a case, the Suppliers submitting such joint bid shall be considered to constitute one Supplier.

Submission of a joint Bid shall be considered to constitute a joint commitment of all involved Suppliers, with such Suppliers being liable, according to Sec 1874 Act No. 89/2012 Coll., Civil Code, as amended, jointly and severally.

8 Tender Documentation Clarification

Suppliers may request in writing that the Contracting Authority provides clarification to this Documentation (by e-mail, post or personal delivery).

All clarifications issued shall be published at the Contracting Authority's web profile.

Clarification requests shall be submitted in the Czech or English language to the Attorney (Art. 1 hereof). Clarification requests shall be delivered in line with Sec 98 (3) PPA no later than 8 business days prior to the Bid submission deadline.

Clarifications shall be distributed and published at the Contracting Authority's web profile in line with Sec 98 (4) PPA within 3 business day from receipt of the request.

The Contracting Authority may provide clarifications to Suppliers without receiving specific requests where it feels such clarification may be necessary. The Contracting Authority shall publish / distribute such clarification no later than within 5 business days prior to the Bid submission deadline.

9 Manner, time and place for Bid submissions

Supplier shall submit its Bid **in writing** in one sealed envelope (box / package) as follows:

All submitted and properly sealed envelopes (boxes / packages) containing Suppliers' Bids shall bear the name of the Supplier at the front upper left corner of the Bid and be marked with the name of the tender procedure: **"Sequential injection chromatography II" DO NOT OPEN**. The envelope / package shall be sealed with a stamp and signed by authorized person. The postal address of the place of delivery / addressee (i.e. the **Attorney's offices**), shall be provided in the lower right hand corner. Bids shall be delivered to the address of the **Attorney** specified in Art. 1 hereof.

The deadline for Bid submissions shall be specified in the Notification (hereinafter the **"Deadline"**).

The decisive moment / time for the submission of the Bid shall be the time when the Attorney takes receipt of the Bid at his offices.

10 Bid opening: Date, place and procedure

Bids shall be opened in the date specified in the Notification.

Bid opening may be attended by representatives of those Suppliers who have duly delivered their Bids prior to the Deadline. Due to organizational reasons, the number of representatives who may attend the opening will be limited to one representative per Supplier. The Contracting Authority shall require that each representative submits a power of attorney and an extract from the Commercial Registry or similar document, showing composition of the Supplier's statutory body. Should the opening be attended by the member of the Supplier's statutory body, the extract from

the Commercial Registry or similar document and identification document will suffice; identification document will be required also for Suppliers – natural persons.

11 Structure of the Bid Price

11.1 Total price

Supplier shall make a price offer for the complete supply of the subject matter hereof, including any and all associated costs (fees, duties, additional costs related to exchange rate, price development, increased costs that may triggered by specific commercial terms and similar) by defining the absolute maximum total price in the USD.

The total price must be structured as the maximum price for the performance of the subject matter here as follows:

- Total Bid price excluding VAT in USD,
- VAT in USD
- Total Bid price including VAT in USD.

If VAT is not applicable, Supplier should indicated as N/A.

12 Evaluation

The fundamental criterion for evaluation Bids will be what constitutes the most economically advantageous Bid.

The evaluation will include the only evaluation criterion:

Evaluation criterion	Weight
Total price in USD excluding VAT	100 %

The evaluation shall evaluate the Bids according to their Bid price. **Total price excluding VAT in USD shall be evaluated.**

The Contracting Authority shall choose the most economically advantageous Bid for the conclusion of the contract. The most economically advantageous Bid shall be the Bid with the lowest **Total Bid price excluding VAT in USD.**

The Total Bid Price shall be quoted as the fixed price, not subject to any adjustment whatsoever during the entire term of the Contract. The total Bid price shall be specified as the maximum acceptable price including all associated costs and fees and shall include all costs relating to the execution of the Public Contract under the terms and conditions defined in the binding draft of the Contract.

The Evaluation committee shall not perform evaluation, if only one Bid by one Supplier is submitted.

Evaluation committee shall prepare a report on the Bid evaluation, which shall form a part of the notification on the selection of the Supplier within the meaning of Sec 123 PPA.

13 Commercial and other terms

Commercial and other terms within the meaning of Sec 37 (1) letter c) PPA, defining the future framework for the contractual relationship between the Contracting Authority and the selected Supplier, have been stipulated in detail in the binding draft of the Contract, which is attached hereto as *Annex No. 3*.

Suppliers shall fill in the required information into this binding draft Contract (their own identification information, information relating to evaluation criteria and other data as may be highlighted throughout the text of the draft Contract). The resulting filled-in binding draft shall be then submitted as their own draft Contract. The draft Contract shall be duly signed by person(s) duly authorized by the Supplier to act and sign on its behalf.

Suppliers shall not be authorized to amend or modify the text of the draft Contract with the exception of information that they are required to fill in. Should a Supplier amend or modify any part of the Contract, which the Contracting Authority did not authorize, or enters information that are contrary to the Contracting Authority's requirements, the Bid shall be considered to have failed to comply with tendering terms and conditions.

14 Exceptionally Low Bid price

The Contracting Authority shall evaluate whether the prices offered constitute an especially low Bid price prior to distributing notification on the selection of the Supplier.

In the event an exceptionally low Bid price is identified, the Contracting Authority shall request the Supplier to justify the method of arriving at such price in writing and proceed pursuant to Sec 113 PPA.

15 Communication between the Contracting Authority and Suppliers

No communication between the Contracting Authority Suppliers may prejudice confidentiality of Bids or completeness of the information contained therein. The Contracting Authority shall not be allowed to access the Bids' contents before the deadline for their submission.

Documents exchanged pursuant to the PPA may be delivered in person, by courier service, by postal service operator licensed under a special law, by electronic means, via data box or otherwise.

The Contracting Authority requires, in order to maintain legal clarity of the tendering procedure, that all communication with the Contracting Authority is conducted solely and exclusively in writing. Any other methods of communication, e.g. personal meetings, telephone conferences etc., shall be excluded except as expressly regulated in a statutory procedure. All acts by the Contracting Authority towards Suppliers or acts by Suppliers toward the Contracting Authority within the tender procedure shall be in writing. Acts toward the Contracting Authority shall be delivered to the Attorney referred to in Art 1 of this Documentation.

In the case of personal deliveries, deliveries by post or courier, the delivery / receipt shall be deemed to be the moment when the addressee takes physical receipt of the document. When communicating by means of a data box, document shall be deemed to have been delivered by delivery into the addressee's data box.

If a Bid is submitted by more Suppliers jointly, they are required to state in their Bid what is their joint delivery address for any correspondence with the Contracting Authority. Transmission of any documents to this joint address shall constitute a proper delivery to all participants in the joint Bid. The Contracting Authority has however reserves the right to send documents to each Supplier - party to a joint Bid separately.

16 Other

16.1 The rights of the Contracting Authority

The Contracting Authority reserves the following rights and conditions:

- a) Given the nature of the subject-matter of the Public Contract, the Contracting Authority will not allow alternative Bid pursuant to Sec 102 PPA;
- b) The Contracting Authority reserves the right to postpone the commencement date of the Public Contract in connection with actual completion date for this tendering procedure;
- c) The Contracting Authority shall not make any payment to Suppliers in connection with their participation herein;
- d) The Contracting Authority may perform evaluation of fulfilment of conditions relating to participation in the tender prior to Bid evaluation or after the Bid evaluation process.

16.2 Binding nature of the Contracting Authority's requirements

The information and data stipulated by the Contracting Authority in various parts of the tender Documentation constitute mandatory requirements. Each Supplier shall be obliged to fully and unconditionally respect these requirements when processing their respective Bids. Non-acceptance of the Contracting Authority requirements specified in the tender Documentation may constitute failure to fulfil tender terms and conditions.

16.3 Additional conditions before conclusion of the Contract

The selected Supplier, who is a legal entity, shall be obliged to submit the following information prior to concluding the Contract:

- a) Identification information for all persons who are the actual owners of the legal entity, pursuant to the Act on certain measures combating legalization of proceeds of crime and financing of terrorism,
- b) Documentation which document the relationship of all persons under letter a) above to the Supplier; this documentation includes but is not limited to:
 - a. Extract from the Commercial Registry or other similar registry,
 - b. List of shareholders,

- c. Decision of the statutory body on distribution of profits,
- d. Articles of association, bylaws or Founder's Deed.

16.4 Confidentiality

Suppliers shall be obliged to treat all information that will be provided to them during the tender procedure period as strictly confidential (except for information that were published). Suppliers shall be obliged to refrain from any acts that might disrupt the transparent and non-discriminatory conduct of the procurement procedure, in particular any actions that could result in a distortion of competition between Suppliers within this Public Contract tendering procedure.

Should parties hereto exchange any information identified as confidential with each other during the Contract negotiations, the receiving party to which the information was provided shall not disclose such information to any third party, nor use it contrary to their purpose for its own needs, regardless of whether the Contract is eventually concluded or not. The party breaching this duty shall be liable to pay damages, in accordance, by analogy, with Sec 2913 Act no. 89/2012 Coll., Civil Code.

16.5 Site inspection

There will be no site inspections.

16.6 Tender period

The Contracting Authority does not define the tender period.

16.7 Preparation of the tender terms and conditions

These terms and conditions were not prepared by any persons outside the Contracting Authority. Preliminary market consultations were not held.

Annexes:

Annex No. 1 – Affidavit providing the fulfillment of the basic qualification criteria;

Annex No. 2 – Cover sheet;

Annex No. 3 – Purchase Contract.

In Prague on 15. 11. 2017

Doc. PharmDr. Tomáš Šimůnek, Ph.D., dean