

**CALL TO SUBMIT BIDS FOR A SMALL-SCALE PUBLIC PROCUREMENT FOR  
SUPPLY**

**pursuant to Art. 6 and Art. 27 of Act No. 134/2016 Coll., on public procurement,  
as amended (hereinafter referred to as the “Act”)**

As the contracting authority, Charles University with its registered office at Ovocný trh 560/5, Staré Město, 116 36 Prague 1, concerning 1<sup>st</sup> Faculty of Medicine, Kateřinská 1660/32, Nové město, 121 08 Prague 2, hereby invites you to submit a bid and to demonstrate your qualifications.

**1. TITLE AND TYPE OF THE PUBLIC CONTRACT, COMMENCEMENT OF THE TENDERING  
PROCEDURE**

Public contract title:	<b>Charles University 1<sup>st</sup> Faculty of Medicine – Rodent Ocular Background Imaging System</b>
CPV classification of the subject of the public procurement contract:	33122000-1 Ophthalmic equipment
Type and regime of public procurement contract:	Small public supply contract - open call
Public contract No. (DBID):	8397
Commencement of tendering procedure:	16.5.2024
Operational programme identification:	Operational Programme Jan Amos Komenský Call No. 02_22_012 Development of infrastructural facilities for doctoral study programmes Project name: Development of infrastructural facilities for doctoral study programmes at Charles University Project registration number: CZ.02.01.01/00/22_012/0005514

**2. IDENTIFICATION DATA OF THE PUBLIC PROCURING AUTHORITY**

Business name or title:	<b>Charles University</b>
Registered office:	Ovocný trh 560/5, Staré město, 116 36 Prague 1
Applies to the following component:	<b>1st Faculty of Medicine</b> Kateřinská 1660/32, Nové město, 121 08 Prague 2
Company ID No, VAT ID No:	00216208, CZ00216208
Authorised representative of the contracting authority (hereinafter the contracting authority):	prof. MUDr. Martin Vokurka, CSc., Dean of the 1st Faculty of Medicine of Charles University
Contact person of the contracting authority for the purposes of the tendering procedure:	Martina Patočková, Public Procurement Department, E-mail: <a href="mailto:martina.patockova@lf1.cuni.cz">martina.patockova@lf1.cuni.cz</a>
Electronic address of the contracting authority's profile:	<a href="https://zakazky.cuni.cz/profile_display_7.html">https://zakazky.cuni.cz/profile_display_7.html</a>

### 3. INFORMATION ABOUT THE SUBJECT OF THE PUBLIC CONTRACT

#### 3.1. Type of public contract

Small-scale public supply contract (hereinafter the public contract) announced by the contracting authority in compliance with the provisions of Art. 27 and Art. 31 of the Act in accordance with the procedure outside the Act, in compliance with the principles set out in Art. 6 of the Act. The tendering procedure to this public contract is not a tendering procedure in the sense of Art. 3 of the Act although the contracting authority uses this term in the call and other written documents processed to this public contract. The tendering procedure shall be conducted in accordance with the relevant internal regulations of the contracting authority; specific provisions of the law shall apply only if they are expressly referred to in this invitation or in other documents relating to this public contract.

This public contract is not divided into parts

#### 3.2. Preliminary market consultation

The contracting authority, by analogy with Art. 33 of the Act, conducted a preliminary market consultation (hereinafter referred to as "PTC") with suppliers:

- Phoenix-Micron, Inc. with registered office at: 543 NW York Drive, Suite 100 Bend, Oregon

The purpose of the PTC was to obtain information and data necessary for the determination of certain terms of reference. On the basis of the information obtained via the PTC, the following terms of reference were established: Call for bids: Estimated public contract value, Instrument specifications

Sample purchase contract text: Delivery period, Terms and conditions - warranty period, delivery period, period for rectification of defects and serious defects, provision of spare parts after the expiry of the warranty period.

#### 3.3. Material scope

**The subject of the public contract is imaging system with the possibility of photo documentation of rodent eye background for the Department of Ophthalmology of the 1st Faculty of Medicine, Charles University and University Hospital in Prague** (hereinafter the "goods" only).

The parameters of the goods (detailed technical specification of the subject of the public contract) are given in Annex 1 of the sample purchase contract (hereinafter referred to as the "contract"), which is part of this tender documentation. Suppliers submitting their bids under this tendering procedure shall comply with all the technical requirements set out in this Annex. **The bidder's bid must also include technical documentation of the offered goods, or a detailed description of the technical characteristics and technical data of the goods (e.g. product data sheet, product data sheet, product data sheets, technical documentation or manual, or manufacturer's declaration or any document indicating the performance and other technical characteristics of the product)** (hereinafter the "technical documentation" only).

The performance of the public contract includes transport of the goods to the place of performance, remote installation of the goods, and remote professional training of the operator. All the documents relating to the goods, in particular documents necessary for the acceptance and use of the goods by the buyer (user manual, etc.) will be sent with the goods.

If the tendering documents contain the business names of any products or deliveries, eventually, other markings related to a specific supplier, this shall entail only definition of the assumed characteristics and the tenderer is also entitled to suggest another, technically and qualitatively comparable solution, which must however be fully compliant with the minimum technical and functional requirements of the contracting authority.

#### 3.4. Applying responsible procurement

Charles University, part of the 1st Faculty of Medicine, fulfils responsible procurement in accordance with the Responsible Procurement Strategy of Charles University and its internal regulations.

*This Strategy is in line with Charles University's Sustainable Development Strategy and builds on the National Strategy for Public Procurement in the Czech Republic.* Therefore, public contracts awarded by the 1st Faculty of Medicine of Charles University accentuates the topics of the composition of the supply chain and conditions in it, with an emphasis on the observance of decent working conditions, the implementation of socially responsible procurement, and the preference for environmentally friendly solutions. These topics are applied in a proportionate and transparent manner, respecting the principles of equal treatment and non-discrimination in relation to suppliers

and the principles of effectiveness, economy and effectiveness. The contracting authority has tried to accommodate SMEs by simplifying its call for bids as much as possible in order to minimise the labour intensity of the bid (form processing and not requiring the submission of a signed draft contract).

In accordance with Art. 6 par. 4 of the Act, the contracting authority has considered the opportunities for socially responsible procurement, environmentally responsible procurement and innovation in this procurement and has identified the following relevant aspects which it has taken into account in the tendering terms of this public contract:

<b>Identified aspects of responsible public procurement or innovation that can be taken into account in public contract</b>	<b>Measures taken or justification why the contracting authority did not take the aspect into account in the tendering terms</b>
Labour and human rights (ethics), decent working conditions	Implemented in the tendering terms - in Art. VIII of the sample purchase contract text
Working conditions	Implemented in the tendering terms - in Art. VIII of the sample purchase contract text
Small and medium-sized enterprises	The subject of the public contract is also suitable for small and medium-sized enterprises. The contracting authority does not require technical qualifications.
Environment and circular economy	<p>Waste arising in connection with the performance of the subject-matter of the public contract will be disposed of in accordance with Act No 541/2020 Coll., on waste, as amended.</p> <p>The contracting authority shall award this public contract by means of an electronic instrument. Bids shall be submitted electronically via this e-tool only. All the communication with suppliers is done electronically. The majority of documents from the contracting authority are executed and signed electronically.</p>

### 3.5. Estimated value of the public contract

The estimated value of the public contract is **CZK 1,695,690**.

### 3.6. Period for performance of the public contract

Delivery of the goods: **No later than 8 weeks** from the publication of the purchase contract in the Register of Contracts pursuant to Act No 340/2015 Coll., on Special Conditions for the Effectiveness of Certain Contracts, Publication of Such Contracts and on the Register of Contracts (Act on the Register of Contracts), as amended (hereinafter referred to as the “Act on the Register of Contracts”). The supplier's (seller's) obligation is fulfilled by delivery of the goods to the place of performance (including return to the floor of the target building, if required in the order), remote installation including remote operator training and delivery of relevant documentation for the goods and acceptance of the goods by the contracting authority without any objections.

### 3.7. Place of performance of the public contract

The place of performance of the public contract is the Experimental Laboratory of the Department of Ophthalmology of the 1st Faculty of Medicine of Charles University, Pharmacological Institute of the 1st Faculty of Medicine of Charles University, Albertov 4, Prague 2, 1<sup>st</sup> Floor, Room No. 01132, 01133.

### 3.8. Business terms and conditions

The commercial terms and conditions relating to the subject of the public contract are defined by the sample purchase contract text, which is attached as Annex 1 to this call and which the supplier is obliged to use for drafting the contract for its bid. **The supplier shall only fill in the missing required information in the model contract text and shall not be entitled to amend or supplement the contract text in any other way.**

## 4. REQUIREMENTS FOR THE PROOF OF QUALIFICATIONS, CONFLICT OF INTEREST

### 4.1. Basic qualifications

The contracting authority requires fulfilment of the basic eligibility by analogy with Art. 74 par. 1 to 3 of the Act.

**The supplier shall demonstrate compliance with the basic eligibility requirements by submitting an affidavit** from which it must be unequivocally clear that the supplier meets the basic eligibility requirements.

The affidavit of basic competence must demonstrate compliance with the qualification by analogy with Art. 86 par. 3 of the Act no later than 3 months before the date of the opening of the tendering procedure, i.e. before the date of publication of this call on the contracting authority's profile. For the preparation of the affidavit in the bid, the contracting authority recommends that the suppliers use Annex 2 to this call - Sample affidavit texts (Affidavit of basic competence).

Instead of the aforementioned affidavit, the supplier may also prove its basic competence by analogy according to Art. 75 of the Act by submitting the documents referred to in Art. 75 par. 1 of the Act, i.e. by submitting:

- a) Excerpt from the Crimes Register in relation to Art. 74 par. 1 let. a) of the Act,
- b) Certificate from the competent tax authority in relation to Art. 74 par. 1 let. b) of the Act,
- c) Written affidavit in respect of excise duty in relation to Art. 74 par. 1 let. b) of the Act,
- d) Written affidavit in relation to Art. 74 par. 1 let. c) of the Act,
- e) Certificate from the competent district social security administration in relation to Art. 74 par. 1 let. d) of the Act,
- f) Excerpt from the Commercial Register, or a written affidavit in the case of not being entered in the Commercial Register, in relation to Art. 74 par. 1 let. e) of the Act.

If the supplier chooses to submit in the bid a plain copy of the above-mentioned documents proving the fulfilment of the essential competences instead of the affidavit, a plain copy shall be sufficient.

Where the qualification was acquired abroad, the bidder shall prove compliance with the qualification by means of documents issued in accordance with the legal system of the country in which it was acquired, to the extent required by the contracting authority.

The documents proving the fulfilment of the qualification obtained abroad shall be submitted by the supplier in the original language with their translation into Czech. The obligation to attach a Czech translation to the documents does not apply to documents in the Slovak language and, in the case of proof of education, to documents in the Latin language; the contracting authority may waive the obligation to submit a translation for other documents.

If a required document is not issued under the relevant legal regulations, it may be replaced by a written affidavit.

Alternatively, the supplier may also submit the following to prove its basic qualifications:

- By analogy with Art. 228 of the Act, an extract from the list of qualified suppliers, or its equivalent according to the supplier's registered office, provided that this document is not older than 3 months as of the last date on which the basic competence is to be demonstrated (i.e. the date of expiry of the deadline for submission of bids),
- By analogy, pursuant to Art. 234 of the Act, a valid certificate issued under an approved certified supplier scheme, or a certificate which is its equivalent according to the supplier's place of registered office.
- The obligation to submit the document may be fulfilled by the supplier by reference to the relevant information held in the public administration information system (Act No. 365/2000 Coll., on public administration information systems and on amendments to certain other acts, as amended) or in a similar system held in another Member State (by analogy within the meaning of Art. 6 par. 3 let. a) of the Act), which allows

unrestricted remote access. Such reference must contain an Internet address and logging data as well as instructions how to retrieve the requested information - if such data is necessary. The supplier may add such a reference in Annex 3 - Identification Data - Sample.

#### **4.2. Professional competence**

**The contracting authority requires the supplier to prove the fulfilment of professional competence by analogy with Art. 77 par. 1 of the Act by submitting an excerpt from the Commercial Register**, if the supplier is registered in it, or other similar register if another legal regulation requires registration in such a register. The excerpt from the Commercial Register must prove fulfilment of the qualifications analogically pursuant to Art. 86 par. 3 of the Act at the latest 3 months before the start of this tendering procedure, i.e. before the date of publication of this call to bid on the contracting authority's profile.

The supplier does not need to provide evidence of professional competence if the legislation of the country of its establishment does not require similar professional competence.

#### **4.3. Affidavit of absence of conflict of interest**

The supplier must prove the absence of a conflict of interest within the meaning of Art. 4b of Act No. 159/2006 Coll., on Conflict of Interest, as amended (hereinafter also referred to as "ZSZ"). The bid must include an affidavit of no conflict of interest, a sample of which is attached as Annex 2 to this call to bid. The contracting authority may, by analogy with Art. 48 par. 2 let. a) of the Act and Art. 48 par. 8 of the Act, exclude from the tendering procedure a supplier who fails to submit an affidavit of no conflict of interest.

In accordance with Art. 4b, third sentence, of the Public Procurement Act, the contracting authority shall not award this public contract to a supplier to whom the hypothesis of Art. 4b, first sentence, of the Public Procurement Act applies.

#### **4.4. Requirements and reservations of the contracting authority arising from the International Sanctions Act and EU Council Regulation No. 2014/833, as amended by EU Council Regulation No. 2022/576 (economic sanctions)**

4.5.1 By analogy with Art. 48a of the Act, the contracting authority reserves the right not to award a public contract to a supplier against whom international sanctions are applied pursuant to Art. 2 of Act No. 69/2006 Coll., on the Implementation of International Sanctions, as amended (hereinafter referred to as the "*international sanctions*"). More information on the international sanctions adopted can be found on the website of the Financial and Analytical Office and on the websites of the European Council and the Council of the EU. For this reason, the contracting authority requires the supplier to declare in its bid that it is not a supplier subject to any international sanctions and that it is not aware that any of its subcontractors through whom it will perform the contract or part of it will be subject to any international sanctions.

4.5.2 The contracting authority reserves the right, pursuant to Art. 5k of Regulation (EU) No. 833/2014 concerning restrictive measures in view of Russia's activities destabilising the situation in Ukraine, as amended by EU Council Regulation 2022/576 (hereinafter referred to as "EU Council Regulation"), not to award the contract to a supplier that is:

- a) Any Russian national, natural person residing in Russia or legal person, entity or body established in Russia,
- b) Legal entity, subject or body, which is more than 50% owned, directly or indirectly, by one of the entities referred to in let. a),
- c) Supplier acting on behalf or at the direction of any of the entities referred to in let. a) or (b),
- d) Association of suppliers (within the meaning of Art. 82 of the Act) whose member is an entity referred to in let. a), b) or c) and
- e) Person demonstrating part of the qualification (within the meaning of Art. 83 of the Act), or performing (even if only part of) the subject of the public contract by a subcontractor who would perform more than 10% of the estimated value of the public contract and who would also be the entity referred to in let. a), b), c) or d).

The contracting authority reserves the right not to award this contract to a supplier subject to other restrictions - sanctions and limitations listed in the EU Sanctions Map on [www.sanctionsmap.eu](http://www.sanctionsmap.eu).

By submitting a bid in this tendering procedure, the supplier agrees to the handling and processing of personal data contained in the bid and other documents submitted to the contracting authority in connection

with this tendering procedure in accordance with Act No. 110/2019 Coll., on the processing of personal data, for possible control of the data provided by the supplier in the affidavits, for a period of at least 10 years from the granting of this consent, or at least for the period for which the contracting authority is obliged to archive documents under the contract for the performance of the subject of the public contract.

By submitting a bid in this tendering procedure, the supplier represents that neither it, its beneficial owners, nor any subcontractors and beneficial owners of such subcontractors, are domiciled or resident in the non-cooperative jurisdiction and, therefore, the proceeds of this public contract will not be directed to any non-cooperative jurisdiction countries. The contracting authority reserves the right not to award this contract to a supplier to whom the reservation referred to in the preceding sentence would apply.

The contracting authority requires that the above conditions be met for the award of this contract, even though it is not a public contract under the Public Procurement Directives. For this reason, the contracting authority requires the supplier to declare on oath that he is not a supplier to whom any of the above reservations would apply, see [Annex 2 to this call](#) for more details.

The contracting authority shall, by analogy with Art. 48A par. 2 let. b) of the Act, exclude the selected supplier subject to international sanctions from the tendering procedure or, by analogy with Art. 48A par. 3 let. b) of the Act, require the selected supplier to replace its subcontractor subject to international sanctions.

#### **4.5. Supplier's affidavit of beneficial ownership and use of subcontractors**

In its bid, the supplier is obliged to specify (indicate) which parts of the performance of the public contract it intends to carry out through subcontractors known to it at the time of submission of the bid and to provide their identification data. The supplier shall provide the information in question in a declaration, a sample of which is attached as Annex 2 to this call to bid. The supplier shall also indicate in this affidavit its beneficial owners within the meaning of Art. 2 par. e) of Act No. 37/2021 Coll., on the registration of beneficial owners, as amended, and the beneficial owners of its subcontractor(s) who will participate in the subject of performance of this public contract by more than 10% of the estimated value of the public contract and who are known to the supplier at the date of submission of its bid. The subcontractor that the supplier is obliged to fill in this table may also be an individual, e.g. a self-employed person.

## **5. REQUIREMENTS FOR BID PRICE SPECIFICATION**

**The supplier shall set the bid price in the absolute amount of CZK and indicate it in Art. II par. 1) of the sample contract text.** The bid price shall be set as the highest permissible price and must include all the costs necessary for proper fulfilment of the subject of the public contract including all related costs (i.e. especially the goods purchase costs, cost of transport of the goods to the point of performance including any costs of handling mechanisms, goods insurance costs, guarding of the goods until their handover and takeover, taxes and charges related to the supply of the goods and the costs of the accompanying documents).

The bid price shall be broken down as follows:

- Bid price in CZK excluding VAT,
- VAT rate in % and VAT amount in CZK,
- Bid price CZK including VAT.

**A foreign bidder shall indicate only the price in CZK excluding VAT.**

## **6. EVALUATION OF BIDS**

Tenders will be evaluated on the basis of their economic merit by analogy with Art. 114 par. 2 of the Act, **according to the lowest bid price.** The ranking of bids will be determined according to the amount of the bid price in CZK excluding VAT indicated in Art. II par. 1 of the draft contract, from the bid with the lowest bid price excluding VAT to the bid with the highest bid price excluding VAT. **The bid with the lowest bid price in CZK excluding VAT will be evaluated as the most economically advantageous bid.**

The supplier shall not be entitled to make the information proposed by it subject to evaluation conditional. Conditionality of the proposed data or the indication of several different values for the same data shall be grounds

for excluding the supplier concerned from the tendering procedure.

## **7. BID PROCESSING REQUIREMENTS**

**In its bid, the supplier must at minimum provide the following:**

- a) Supplier's identification data (including a contact person and e-mail address for communication during the tendering procedure - see Annex 3 to this call to bid for a recommended sample);
- b) Proof of meeting the basic qualification requirements (see Art. 4.1. and Annex 2 to this call);
- c) Proof of professional competence (see Art. 4.2 of this call);
- d) Affidavit of absence of conflict of interest (see Art. 4.4 and Annex 2 to this call);
- e) Affidavit on the requirements arising from Council Regulation (EU) No. 2014/833, as amended by Council Regulation (EU) No. 2022/576 (see Art. 4.5 and Annex 2 to this call);
- f) Draft Contract, including its Annex 1;
- g) Technical documentation of the goods (see Art. 3.3 of this call);
- h) Additional documents at the supplier's discretion.

In the event of failure to submit documents or to meet the requirements referred to in a) to g) above, the contracting authority will consider the bid incomplete and may exclude the supplier concerned from the tendering procedure.

**A bid must be submitted as one original copy in the Czech language.** If the supplier submits its bid or part of it in another language, it shall also provide a translation of the parts of the bid submitted in the other language into Czech. This requirement does not apply to any catalogues, brochures, technical data sheets, technical documentation of the goods referred to in let. g) above, etc., which may be submitted in English. If the contracting authority has any doubts as to the accuracy of the translation, it may request the submission of an officially certified translation of the bid or part of the bid into Czech by an interpreter registered in the list of experts and interpreters. Documents in the Slovak language and documents of education in the Latin language shall be submitted without translation.

The bid shall not include regulations and corrections, which could mislead the contracting authority.

## **8. EXPLANATION, CHANGE OR SUPPLEMENTATION OF THE PROCUREMENT DOCUMENTS**

An explanation of the specifications will be provided on the basis of a written request from the supplier to the contracting authority received no later than 4 working days before the deadline for submission of bids. Questions regarding the tendering conditions may be sent to the contact person of the contracting authority for the purposes of the tendering procedure, Martina Patočková, namely:

- by post to the address of the contracting authority: Charles University, 1<sup>st</sup> Faculty of Medicine, Public Procurement Department, Kateřinská 1660/32, 121 08 Prague 2,
- By e-mail: [martina.patockova@lf1.cuni.cz](mailto:martina.patockova@lf1.cuni.cz);
- Via data box (ID: piyj9b4 with the indication "1. LF UK OVZ" in the data message subject);
- Eventually, in person to the contracting authority's registry.

The contracting authority will send an explanation of the tender conditions, including the exact wording of the request without identifying the applicant, to the suppliers invited to submit a bid within 2 working days of receipt of the request.

Explanation of the tender documents, eventually, change or supplementation of the tender requirements may be provided by the contracting authority also on own initiative. If the nature of the amendment or supplement to the terms of reference so requires, the contracting authority will extend the deadline for submission of bids accordingly.

## **9. TIME LIMIT FOR BID SUBMISSION**

The time limit for bid submission shall begin on the day following the date on which this call to bid is sent to the suppliers invited to submit their bids and shall end at the date and time specified below.

**Bid submission deadline:                      Date: 31.5.2024    Hour: 10:00 a.m.**

**A bid may only be submitted in its electronic form via the E-ZAK electronic tool available at:**  
[https://zakazky.cuni.cz/profile\\_display\\_7.html](https://zakazky.cuni.cz/profile_display_7.html).

Suppliers can find detailed instructions for submitting a bid via the electronic tool in the "User Guide for Suppliers", available at: <https://zakazky.cuni.cz/data/manual/EZAK-Manual-Dodavatele.pdf>.

A test of your browser and system settings can be found at: [https://zakazky.cuni.cz/test\\_index.html](https://zakazky.cuni.cz/test_index.html).

A bid will be submitted by the supplier in the electronic form in an electronic bid sheet, created in the certified electronic tool E-ZAK, which guarantees compliance with all the requirements of security and confidentiality of the data entered, including absolute inaccessibility of the bid on the part of the contracting authority before the expiry of the deadline for their protocol access. The supplier shall insert into the electronic tool as annexes all the documents required by the contracting authority to be submitted as part of the bid. The size of a single file shall not exceed 50 MB. The contracting authority is not responsible for any technical conditions on the supplier's side.

The contracting authority recommends that suppliers take particular account of the speed of their Internet connection when submitting their bids so that it is submitted within the deadline for submission of bids (submission of the bid means the final upload of the bid into the electronic tool after all the attachments have been uploaded).

The contracting authority does not require an electronic signature of the bid or an electronic signature of any individual bid documents.

There will be no public opening of bids for this public contract as it is not a public contract awarded under the law.

## **10. ADDITIONAL PUBLIC CONTRACT REQUIREMENTS**

The contracting authority informs the supplier that the contracting authority is an obliged entity within the meaning of Act No. 106/1999 Coll., on free access to information, as amended, and is obliged to provide information in accordance with this Act. The obligation of the contracting authority to provide information in full also applies to this public contract.

The contracting authority also informs the suppliers that, pursuant to Art. 219 of the Act, it will publish the contract and any amendments thereto in the Register of Contracts pursuant to the Act on the Register of Contracts, or on the contracting authority's profile.

The contracting authority also draws attention to the fact that, pursuant to Art. 2 let. e) and Art. 13 of Act No. 320/2001 Coll., on financial control in public administration and on amendments to certain acts (Act on financial control), as amended, the selected supplier (and its subcontractors, if any) will be obliged to cooperate in the performance of financial control. This obligation shall also apply to those parts of the bid, contract and related documents which are subject to protection under specific legislation (e.g. as trade secrets, classified information), provided that the requirements imposed by the applicable legislation, e.g. Act 255/2012 Coll., on control (Control Regulations), as amended. The selected supplier shall be obliged to contractually commit its sub-contractors to fulfil this obligation.

### **The contracting authority reserves the rights and conditions stipulated below:**

- a) The contracting authority precludes submission of variant bids.
- b) The supplier shall bear all of its own costs associated with participation in the tendering procedure and shall not be entitled to reimbursement of costs incurred in connection with participation in the tendering procedure.
- c) The supplier shall refrain from any action that may undermine the transparent and non-discriminatory nature of the tendering procedure.
- d) The contracting authority reserves the right to exclude from the tendering procedure any supplier whose bid does not comply with the requirements set out in this call to bid and its annexes. The contracting authority shall send the notice of exclusion to the excluded supplier electronically.
- e) The contracting authority reserves the right to cancel the tendering procedure at any time. In the event of cancellation, the contracting authority shall immediately communicate this information in the same way as it initiated the tendering procedure. In the event of cancellation of the tendering procedure after the deadline for submission of bids, the contracting authority shall inform the supplier who submitted its bid within the deadline for submission of bids in writing by electronic means.
- f) The mere selection of a supplier does not create a contractual relationship with the contracting authority for the supplier concerned.
- g) The contracting authority is not awarding this public contract in the regime of the Act although the contracting



authority in this call analogically refers to some provisions of the Act. In accordance with Section 241 of the Act, no objection may be raised against the procedure followed by the contracting authority in this tendering procedure.

- h) The contracting authority will send the notice of the outcome of the tendering procedure or the notice of late submission of a bid to the supplier concerned electronically.
- i) In the event of a change in the obligation from the contract concluded on the basis of the results of this tendering procedure and termination of the obligation from this contract, the contracting authority will proceed by analogy according to Art. 222 and Art. 223 of the Act.
- j) The contracting authority further reserves the right to:
  - Reject a submitted bid;
  - Request the supplier to clarify or supplement its bid in writing and to verify the information provided by the supplier in its bid by analogy with Art. 46 of the Act;
  - That the submission of a bid does not confer on the supplier any rights to conclude a contract with the contracting authority.

## 11. ANNEXES

Annex 1 - Sample purchase contract, including its Annex 1

Annex 2 – Sample affidavit texts

Annex 3 – Identification data

In Prague, on 15/5/2024

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prof. MUDr. Martin Vokurka, CSc.  
Dean of the 1<sup>st</sup> Faculty of Medicine of Charles University