

# INVITATION TO TENDER AND TENDER DOCUMENTATION

## FOR THE SMALL-SCALE PUBLIC PROCUREMENT FOR SUPPLY

pursuant to § 6 and § 27 of Act No. 134/2016 Coll., on public procurement,  
as amended (hereinafter referred to as "ZZVZ")

The Contracting Authority Charles University, with its registered office at 560/5 Ovocný trh, Staré město, 116 36 Prague 1, in the matter of the unit: 1. lékařská fakulta, Kateřinská 1660/32, Nové město, 121 08 Prague 2, hereby invites you to submit a tender and to demonstrate your qualifications.

### 1. NAME AND TYPE OF PUBLIC CONTRACT, CPV CODE

Name of public contract:	<b>UK 1. LF -- Two-chamber pressure-volume loop (Advanced hemodynamics) - repetition</b>
Classification of the subject of the public contract according to CPV:	33124110-9 Diagnostic systems
Type and mode of procurement:	Small public supply contract – open call for tenders
Public Contract No. (DBID):	<b>9488</b>
Identification of the operational programme:	<b>Operational Programme Jan Amos Komenský</b> Call No. 02_22_012 Development of infrastructure facilities for doctoral study programmes Project name: Development of infrastructure facilities for doctoral study programmes at Charles University Project registration number: CZ.02.01.01/00/22_012/0005514

### 2. IDENTIFICATION DATA OF THE CONTRACTING AUTHORITY

Business name or name:	<b>Charles University</b>
Headquarters:	Ovocný trh 560/5, Old Town, 116 36 Prague 1
Faculty:	<b>1st Faculty of Medicine</b> Kateřinská 1660/32, Nové město, 121 08 Prague 2
ID No., VAT No.:	00216208, CZ00216208
Person authorised to represent the contracting authority (hereinafter referred to as the contracting authority):	prof. MUDr. Martin Vokurka, CSc. Dean of the 1st Faculty of Medicine, Charles University
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>

### RESPONSIBLE PROCUREMENT

Charles University, part of the 1st Faculty of Medicine, fulfils the principles for responsible procurement in accordance with the Responsible Procurement Strategy of Charles University and its internal regulations. This Strategy is in line with the UK Sustainable Development Strategy and follows the National Public Procurement Strategy in the Czech Republic. Public procurement contracts awarded by the 1st Faculty of Medicine therefore emphasise the topics of supply chain composition and conditions, with an emphasis on respect for decent working conditions, implementation of socially responsible procurement, and preference for environmentally friendly solutions. These principles 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 efficiency, economy, and effectiveness. The contracting authority has endeavoured to accommodate SMEs by simplifying the tender documentation as much as possible in order to minimise the work involved in submitting a tender.

The contract is suitable for small and medium-sized enterprises. The labour aspects, decent working conditions, and environmental responsibility (proper disposal of the waste generated in accordance with

environmental standards and in compliance with the relevant legislation) are incorporated in Article VIII of the model purchase contract (hereinafter also referred to as 'the contract').

### PROCESSING OF PERSONAL DATA

Information on the processing of personal data by the contracting authority Charles University in the context of public procurement can be found here: <https://www.cuni.cz/UK-9443.html>

### PREPARATION OF TENDER DOCUMENTATION AND CONTRACTUAL REPRESENTATION OF THE CONTRACTING AUTHORITY

By analogy, according to § 36 paragraph 4 of the ZZVZ, the contracting authority declares that this tender documentation was prepared by the contracting authority itself. No part of the tender documentation was prepared by a person other than the contracting authority.

### NOTICE OF THE CONTRACTING AUTHORITY

The contracting authority reminds the suppliers to pay particular attention to the documentation of all documents and information on the basis of which the contracting authority will evaluate the tenders when preparing their tender. By analogy, pursuant to Article 46(2) of the PPL, the tender may be supplemented by data, documents, samples, or models, provided that the data, documents, samples, or models so supplemented are subject to the evaluation of the tender according to the evaluation criteria set by the contracting authority.

### AFFIDAVITS

The contracting authority attaches to this invitation the sample texts of the **Affidavits** containing the pre-filled requirements of the contracting authority, which are conditional on the participation of suppliers in the procurement procedure. The suppliers shall demonstrate compliance with all the requirements of the contracting authority, i.e., the requirements relating to the subject matter of the contract, to the qualifications, or to the submission of data relevant for the evaluation of tenders, by submitting these models, including the relevant annexes or other equivalent documents.

## 3. INFORMATION ON THE SUBJECT OF THE PUBLIC CONTRACT, ESTIMATED VALUE, TIME AND PLACE OF PERFORMANCE OF THE PUBLIC CONTRACT

### 3.1. TYPE OF PUBLIC CONTRACT

Small-scale public supply contract (hereinafter referred to as "public contract") awarded by the contracting authority in accordance with the provisions of § 27 and § 31 of the Public Procurement Act in accordance with the procedure outside the regime of the Act, in compliance with the principles under § 6 of the Public Procurement Act. The procurement procedure for this public contract is not a procurement procedure within the meaning of Section 3 of the Public Procurement Act, although the contracting authority uses this term in this invitation and in other written documents prepared for this public contract. This public contract is not divided into lots.

### 3.2. PRELIMINARY MARKET CONSULTATION

The contracting authority states that prior to the preparation of the public contract, it carried out a preliminary market consultation (hereinafter referred to as "PTC") by analogy pursuant to Section 36(4) of the ZZVZ. On the basis of the information obtained from the TQT, the tender conditions were set: (estimated value and period of performance of the public contract).

**CD Leycom, Asveldweg 2, 7556 BP Hengelo, The Netherlands**

### 3.3. SUBJECT OF THE CONTRACT

**The subject of the public contract is the delivery of a diagnostic system – a dual-chamber pressure-volume loop (Advanced hemodynamics), which allows simultaneous monitoring of the function of the right and left heart chambers in real time by measuring changes in pressure and volume parameters to the Institute of Physiology of the 1st Faculty of Medicine of Charles University.**

The required technical parameters are set out in Annex 1 to the Contract, which forms part of this tender documentation. Suppliers submitting a tender under this invitation to tender shall comply with all the technical requirements set out in this Annex. **The tenderer's tender shall also include the technical documentation of the goods offered, or a detailed description of the technical characteristics and technical data (e.g., product data sheet, product data sheet, product data sheets, technical**

**documentation or manual, manufacturer's declaration, or any document indicating the performance and other technical characteristics of the product)** (hereinafter referred to as 'technical documentation').

The Supplier shall demonstrate compliance with the technical conditions set by the Contracting Authority by properly and completely completing the **Technical Specification of the Subject of Performance** document, which the Supplier shall submit in the tender as Annex 1 to the Contract and by submitting the technical documentation. Failure to meet the requirements of the Contracting Authority as defined in the Technical Specifications may lead to the exclusion of the tenderer from the tender procedure.

**The performance of the public contract includes:**

- transport of the subject of performance to the place of performance;
- installation of the goods at the place of performance;
- commissioning, testing, and successful testing;
- professional training of the operator; and
- delivery of the relevant documentation for the goods (instruction manual, user manual or handbook, warranty card, etc.).

If **trade names** of certain products or supplies, or other designations related to a specific supplier, appear in the tender conditions, this is merely a definition of the expected characteristics and the supplier is entitled to propose other, technically and qualitatively comparable solutions, which must, however, fully meet the minimum technical and functional requirements of the contracting authority.

### **3.4. ESTIMATED VALUE OF THE PUBLIC CONTRACT**

The estimated value of the public contract is **CZK 981.447,00 excluding VAT**.

### **3.5. PERIOD OF PERFORMANCE OF THE PUBLIC CONTRACT**

**The goods shall be delivered within 30 days of the effective date of the contract, i.e., from the publication of the 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 the Register of Contracts (the Register of Contracts Act), as amended. The supplier's (seller's) obligation is fulfilled by delivery of the goods to the place of performance, installation at the place of performance, commissioning, testing, and successful testing, training of the operator and delivery of the relevant documentation for the goods and acceptance of the goods by the contracting authority without reservation.

### **3.6. PLACE OF PERFORMANCE OF THE SUBJECT OF THE PUBLIC CONTRACT**

The place of performance of the public contract is **the Institute of Physiology, 1st Faculty of Medicine, Charles University, Albertov 5, 128 00 Prague 2**, Joint Experimental Laboratory, Room No. 2.310.

### **3.7. TERMS AND CONDITIONS**

**The commercial terms and conditions relating to the subject of the public contract are defined by the model text of the Contract**, which forms Annex 1 to this invitation and which the Supplier is obliged to use for the preparation of the draft contract in the tender. **The Supplier shall only fill in the missing required information in the model text of the Contract and shall not be entitled to otherwise modify or supplement the text of the Contract in any way.** The draft contract in the tender need not be signed.

## **4. REQUIREMENTS FOR DEMONSTRATING QUALIFICATIONS**

### **4.1. BASIC ELIGIBILITY**

The contracting authority requires fulfillment of basic competence **by analogy with § 74 (1) to (3) of the ZZVZ**. **The supplier shall demonstrate compliance with the basic competence by submitting an affidavit** from which it must be unequivocally clear that the supplier meets the basic competence. The affidavit of basic eligibility must demonstrate fulfillment of the qualification by analogy pursuant to Article 86(3) of the ZZVZ no later than 3 months before the date of the start of the tendering procedure, the date of the start of the tendering procedure being indicated in the E-ZAK tool.

**For the preparation of the affidavit in the tender, the contracting authority recommends that suppliers use Annex 2 of this invitation – sample texts of affidavits (Affidavit of Basic Competence).**

Instead of the aforementioned affidavit, the Supplier may also prove basic competence by analogy according to § 75 of the ZZVZ by submitting the documents referred to in § 75 (1) of the ZZVZ, i.e., by submitting:

- a) an extract from the criminal record in relation to Section 74(1)(a) of the ZZVZ,
- b) confirmation from the competent tax office in relation to Section 74(1)(b) of the ZZVZ,
- c) a written affidavit in relation to excise duty in relation to Section 74(1)(b) of the PPLA,
- d) a written affidavit in relation to Section 74(1)(c) of the ZZVZ,
- e) confirmation of the competent territorial social security administration in relation to Section 74(1)(d) of the ZZVZ,
- f) an extract from the Commercial Register, or by submitting a written affidavit in the event that it is not entered in the Commercial Register, in relation to Section 74(1)(e) of the PPLA.

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

Alternatively, the supplier may also submit the following to demonstrate basic competence:

- **by analogy according to § 228 of the ZZVZ, an extract from the list of qualified suppliers**, or its equivalent according to the supplier's registered office, if this document is not older than 3 months as of the last date on which the basic eligibility is to be demonstrated (i.e., the date of expiry of the deadline for submission of tenders),
- **by analogy according to § 234 ZZVZ valid certificate issued within the approved system of certified suppliers**, or a certificate that is its equivalent according to the country of the supplier's registered office.

#### 4.2. PROFESSIONAL COMPETENCE

The contracting authority requires the supplier to prove the fulfilment of professional competence **by analogy to Section 77(1) of the ZZVZ** by submitting an extract from the **Commercial Register**, if the supplier is registered in it, or other similar register, if another legal regulation requires registration in such register.

**If the tenderer is a foreign legal entity, the tenderer** shall submit an extract from the commercial register, or its equivalent under the law in force in the country of its registered office, place of business or place of residence, in the language(s) in which the document is issued at the tenderer's registered office. If this language is not English or Czech, the tenderer shall submit this document accompanied by a translation into English or Czech.

#### 4.3. TECHNICAL QUALIFICATIONS

- **The contracting authority requires fulfilment of the technical qualification by analogy according to § 79 (2) (c) and (d) of the ZZVZ:**

The Contracting Authority requires the submission of a **List of technicians** (at least **one** service or inspection technician who is trained by the manufacture/supplier of the goods to be supplied in the performance of service, maintenance, and inspection) who will participate in the performance of the subject matter of the public contract (in particular within the meaning of Article V(6) of the Contract), regardless of whether they are employees of the Supplier or persons in another relationship with the Supplier (hereinafter referred to as responsible persons).

The supplier shall demonstrate compliance with the above **qualification requirements of the responsible persons** by submitting a list of them indicating:

- name and surname of the technician;
- contractual relationship with the supplier;
- certificate or other evidence of technician training

**In order to demonstrate compliance with the requirement, the Supplier shall submit an Affidavit – List of Technicians, a sample of which is attached as Annex 2 to this Invitation to Tender, showing compliance with the minimum requirements set out above.**

#### 5. REQUIREMENTS FOR THE METHOD OF PROCESSING THE TENDER PRICE

**The Supplier shall set the tender price in CZK and enter it in Article II, paragraph 1 of the Contract.**

The tender price shall be set as the maximum admissible and not to be exceeded and shall include all costs necessary for the proper performance of the subject of the public contract, including all related costs (i.e., in particular the cost of acquiring the goods, the cost of transporting the goods to the place of performance, including the cost of handling mechanisms, if any, the cost of insuring the goods, the cost of guarding the goods until handover and acceptance, taxes and charges associated with the delivery of the goods, and the cost of accompanying documentation).

**The tender price will be broken down as follows:**

- offer price in CZK without VAT
- VAT rate in % and VAT amount in CZK
- offer price in CZK including VAT

- **A foreign participant, or a non-VAT payer, shall indicate only the price in CZK excluding VAT.**

## **6. EVALUATION OF BIDS**

The tenders will be evaluated according to their economic advantageousness **by analogy with Section 114(2) of the ZZVZ, according to the lowest tender price.** The order of the bids will be determined according to the amount of the bid price in CZK excluding VAT specified in Article II(1) of the draft purchase contract, from the bid with the lowest bid price in CZK excluding VAT to the bid with the highest bid price in CZK excluding VAT. **The bid with the lowest bid price in CZK excluding VAT will be evaluated as the most economically advantageous.**

	<b>Criterion</b>	<b>Weight of the criterion</b>
1	<b>Tender price in CZK without VAT</b>	<b>100 %</b>

The participant in the selection procedure will appreciate the subject of performance in Annex no. 1 Specifications. The participant is not entitled to condition the evaluation criteria with other requirements.

## **7. REQUIREMENTS FOR BID PREPARATION**

**The supplier must provide at least the following documents in its tender:**

1. **Supplier's identification data;**
2. **Demonstration of basic eligibility according to Article 4.1 of this call for tenders;**
3. **Proof of professional competence according to Article 4.2 of this call for tenders;**
4. **Demonstration of technical qualification according to Article 4.3 of this call for tenders;**
5. **The affidavits referred to in Articles 10.1 to 10.4 of this call for tenders;**
6. **Model Purchase Agreement including its Annex 1;**
7. **Technical documentation of the goods.**

If the above documents are not submitted, the tender will be considered incomplete.

**The tenderer is not required to sign the tender or individual tender documents, including the draft contract.**

**The tender will be submitted in writing in electronic form  
in Czech or English.**

In accordance with Section 45(3) of the ZZVZ, the contracting authority specifies that the languages of the tender are Czech and English. The tender may be submitted either in its entirety in Czech or in English, or any part of the tender may be submitted in Czech and the remaining part of the tender may be submitted in English. If the tenderer submits any part of the tender in a language other than Czech or English, it shall also provide a translation of the parts of the tender submitted in a language other than Czech or English into Czech or English. If the contracting authority has doubts about the accuracy of the translation, it may request the submission of an officially certified translation of the part of the tender concerned into Czech or English by an interpreter registered in the list of experts and interpreters. Documents in Slovak and proof of education in Latin shall be submitted without translation.

## **8. CLARIFICATION, AMENDMENT, OR SUPPLEMENT TO THE TERMS OF REFERENCE**

Clarification of the terms of reference will be provided on the basis of a written request from the supplier delivered to the contracting authority no later than 4 working days before the deadline for submission of tenders. Such requests may be sent electronically, using the E-ZAK tool or e-mail [ovz@lf1.cuni.cz](mailto:ovz@lf1.cuni.cz)

The contracting authority will publish an explanation of the terms of reference, including the exact wording of the request without identifying the applicant, within **2 working days** of receipt of the request. The contracting authority may also provide an explanation of the terms and conditions, or an amendment or supplement to the terms and conditions, on its own initiative. If the nature of the amendment or supplement to the specifications so requires, the contracting authority shall extend the deadline for submission of tenders accordingly.

## 9. TIME AND PLACE FOR SUBMISSION OF TENDERS

**The deadline for submission of tenders is indicated on the profile of the contracting authority E-ZAK, see below.**

**The tender can be submitted only in 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)

For detailed instructions on how to submit a tender via the electronic tool, suppliers can refer to the "User Guide for Suppliers" available at: <https://zakazky.cuni.cz/data/manual/EZAK-Manual-Dodavatele.pdf>

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

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

The Contracting Authority recommends that suppliers take into account in particular the speed of their internet connection when submitting their tender so that it is submitted within the deadline for submission of tenders (submission of the tender means the final upload of the tender to the electronic tool after uploading all attachments).

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

There will be no public opening of tenders for this tender as it is not a public contract awarded under the Act.

## 10. CONFLICT OF INTEREST, INTERNATIONAL SANCTIONS, SUBCONTRACTORS AND OTHER CONTRACTOR'S TERMS AND CONDITIONS

### 10.1. AFFIDAVIT OF NO CONFLICT OF INTEREST

The Supplier must demonstrate the absence of a conflict of interest within the meaning of Section 4b of No. 159/2006 Coll., on Conflict of Interest, as amended. The tender must include an Affidavit of No Conflict of Interest, a specimen of which is attached as Annex 2 to this invitation to tender.

### 10.2. REQUIREMENTS RESULTING FROM COUNCIL REGULATION EU NO 833/2014, AS AMENDED BY COUNCIL REGULATION EU NO 2022/576

The contracting authority reserves the right, **by analogy with Section 48a of the Public Procurement Act**, not to award a public contract to a supplier if this is contrary to international sanctions pursuant to Section 2 of Act No. 69/2006 Coll, More information on the international sanctions adopted can be found on the website of the Financial 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 tender that it is not a supplier subject to international sanctions and that it is not aware of the fact that international sanctions apply to any of its subcontractors through whom it will perform the contract or part of it.

Furthermore, the Contracting Authority reserves the right, pursuant to Article 5k of Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's activities destabilising the situation in Ukraine, as amended by Council Regulation (EU) No 2022/576 (hereinafter referred to as the "EU Council Regulation"), to award the contract only to the person (or several suppliers submitting a joint tender) who, in particular:

- a) is not a Russian citizen, natural or legal person, entity or body established in Russia;
- b) is not a legal person, entity or body which is more than 50% owned, directly or indirectly, by one of the entities referred to in point (a);
- c) is not a supplier acting on behalf or at the direction of one of the entities referred to in points (a) or (b);
- d) it is not an association of suppliers (within the meaning of Section 82 of the ZZVZ) whose member is an entity referred to in points (a), (b) or (c); and
- e) does not demonstrate part of the qualification (within the meaning of Section 83 of the Public Procurement Act) nor will it perform (even if only part of) the subject of the public contract by a subcontractor that would perform more than 10% of the estimated value of the public contract and which would also be an entity referred to in points a), b), c) or d).

The Participant further declares that it is not subject to other restrictions – sanctions and limitations listed in the EU Sanctions Map at [www.sanctionsmap.eu](http://www.sanctionsmap.eu).

Further, the Bidder shall affirmatively state in the Bid that **neither it nor 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 procurement will not be directed to the Non-Cooperative Jurisdiction.

The contracting authority requires that the above conditions are also met for this public 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 it is not a supplier to whom the above reservations would apply, [see Annex 2 to this invitation to tender](#).

The contracting authority shall, [by analogy with Section 48a\(2\)\(b\) of the PPL](#), exclude the selected supplier subject to international sanctions from the tender procedure, or, [by analogy with Section 48a\(3\)\(b\) of the PPL](#), require the selected supplier to replace its subcontractor subject to international sanctions.

### 10.3. SUPPLIER'S AFFIDAVIT OF BENEFICIAL OWNERSHIP AND USE OF SUBCONTRACTORS

In the tender, the supplier is obliged to specify (indicate) which parts of the public contract it intends to perform through subcontractors known to it at the time of submission of the tender and to provide their identification data. The supplier shall provide this information in the declaration, a specimen of which is attached as Annex 2 to this invitation to tender. The subcontractor that the supplier is required to fill in this table may also be a natural person, e.g., a self-employed person (self-employed).

Supplier who is not subject to the obligation to register the beneficial owner pursuant to Act No. 37/2021 Coll, on the registration of beneficial owners, as amended (hereinafter referred to as the "Beneficial Owners Registration Act"), shall at the same time indicate in the Affidavit attached as Annex 2 to this Invitation to Tender its beneficial owners within the meaning of Section 2(2)(a) of the Act. (c) of the Act on the registration of beneficial owners 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 tender and who are not subject to the obligation to register the beneficial owner pursuant to the Act on the registration of beneficial owners.

### 10.4. PROCESSING OF PERSONAL DATA

The suppliers give their consent to the handling and processing of personal data contained in the tender and other documents submitted to the contracting authority in connection with this procurement procedure, in accordance with Act No. 110/2019 Coll., on the processing of personal data, for possible control of the data provided by the participant in the affidavits, for a **minimum period of 10 years** from the granting of this consent, or for a minimum period for which the contracting authority is obliged to archive documents under the contract for the performance of the subject of the public contract. The consent is set out in Annex 2 to this invitation to tender.

Further information on the processing of personal data by the contracting authority Charles University, 1st Faculty of Medicine of Charles University, in the context of public procurement can be found here: <https://www.cuni.cz/UK-9443.html>

### 10.5. OTHER RESERVED RIGHTS AND CONDITIONS OF THE CONTRACTING AUTHORITY

- a) The contracting authority also informs the contractor that pursuant to Section 219 of the Public Procurement Act, it will publish the contract and any amendments thereto in the Register of Contracts pursuant to Act No. 340/2015 Coll., on Special Conditions of Effectiveness of Certain Contracts, Publication of Such Contracts and on the Register of Contracts (Act on the Register of Contracts), as amended, or also on the profile of the contracting authority.
- b) The contracting authority also draws attention to the fact that pursuant to Section 2(e) and Section 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 contractor (and its possible subcontractors) will be obliged to cooperate in the performance of financial control. This obligation shall also apply to those parts of the tender, contract, and related documents which are subject to protection under special legislation (e.g., as trade secrets, classified information), provided that the requirements imposed by the applicable legislation, in particular Act No 255/2012 Coll., on control (Control Act), as amended, are met. The selected contractor will also be obliged to contractually oblige its subcontractors, if any, to this obligation.
- c) The contracting authority excludes the possibility of submitting variant bids.
- d) The Participant shall bear all of its own costs associated with participation in the procurement procedure; the Participant shall not be entitled to reimbursement of costs incurred in connection with

- participation in the procurement procedure.
- e) The tenderer is obliged to refrain from any action that could undermine the transparent and non-discriminatory conduct of the procurement procedure.
  - f) The contracting authority reserves the right to exclude from the tender procedure any participant whose offer does not meet the conditions set out in the invitation and its annexes.
  - g) The contracting authority reserves the right to cancel the procurement procedure at any time during the procedure. In the event of cancellation of the procurement procedure, the contracting authority shall immediately publish this information in the same way as it initiated the procurement procedure. In the event of cancellation of the tendering procedure after the deadline for the submission of tenders has expired, the contracting authority shall inform in writing the tenderers who had submitted a tender within the deadline for submission of tenders, with the exception of those tenderers who have been excluded from the tendering procedure.
  - h) The mere selection of a supplier does not create a contractual relationship with the contracting authority.
  - i) The contracting authority is not awarding this public contract under the Act, although it refers to certain provisions of the Act by analogy in this invitation. No objections may be lodged in the case of a small-scale public contract within the meaning of Section 241 of the PPL.
  - j) In the event of a change in the contract obligation and termination of the contract obligation, the contracting authority will proceed by analogy according to § 222 and § 223 of the ZZVZ.
  - k) The contracting authority further:
    - reserves the right to request from the participant a written clarification or supplementation of the offer and to verify the information provided by the participant in the offer by analogy with Section 46 of the ZZVZ;
    - states that the submission of a tender does not confer on the tenderer any rights to conclude a contract with the contracting authority.

## **11. ATTACHMENTS**

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Annex 1 - Model Purchase Agreement including its Annex 1 Technical specification  
Annex 2 - Affidavits

In Prague on 24.1.2025

prof. MUDr. Martin Vokurka, CSc. v.r.  
Dean of the 1st Faculty of Medicine, Charles University