



UNIVERZITA
KARLOVA

WRITTEN REPORT OF THE CONTRACTING AUTHORITY

pursuant to Section 217 of Act No. 134/2016 Coll., on Public Procurement, as amended
(hereinafter referred to as "*the Act*")

for an above-threshold public supply contract
entered in an open procedure pursuant to Section 56 of the Act

Name of the public contract:

Multi-detector positron lifetime spectrometer Lot No. 2

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

The tender procedure was published in the Tenders Electronic Daily under the contract registration
number:

Z2025-007951

The Contracting Authority:

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

1. IDENTIFICATION OF THE CONTRACTING AUTHORITY

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

2. SUBJECT OF THE PUBLIC CONTRACT

Subject-matter of the public contract

2.1 The Contracting Authority divided the public contract in the sense of Section 35 and Section 101 of the Act into lots:

Lot No. 1: Digitizer

Lot No. 2: Detectors

Lot No. 3: High voltage supplies

Lot No. 4: Vacuum chamber with induction heating

2.2 Each lot of the public contract is a separate subject of the Contracting Authority's procedure in the procurement procedure. The economic operator is entitled to submit a tender for all lots of the public contract.

2.3 Unless the Documentation of procurement procedure stipulates otherwise, the individual provisions of the Documentation of procurement procedure apply to each lot of the public contract.

2.4 Unless the Documentation of procurement procedure stipulates otherwise, the economic operator is obliged to submit the required documents **for each lot of the public contract for which he submits a tender, separately.**

Subject-matter of lot No. 2 of the public contract

2.5 The subject-matter of lot 2 of the public contract is the supply of detectors according to the Contracting Authority's requirements.

2.6 The subject-matter of lot 2 of the public contract is further specified in the draft purchase contract (Annex No. 2b of the Documentation of the procurement procedure) and in the technical specification of lot 2 of the public contract subject (Annex No. 4b of the Documentation of the procurement procedure).

Classification of the subject of the public contract

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

Lot No. 2: Detectors

CPV code:

38300000-8 Measuring instruments
38424000-3 Measuring and control equipment
38000000-5 Laboratory, optical and precision equipments (excl. glasses)

3. THE PRICE AGREED IN THE PUBLIC CONTRACT

3.1 The procurement procedure of lot No. 2 of the public contract was cancelled.

4. THE TYPE OF PROCEREMENT PROCEDURE USED

4.1 The public contract was awarded in an open procedure according to Section 56 of the Act.

5. THE IDENTIFICATION OF THE PARTICIPANTS INCLUDING THEIR TENDER PRICES

5.1 Identification of participants who submitted a tender:

Lot No. 2: Detectors

Participant No.	Participant	Company Reg. No.	Registered office	The tender price in the CZK
1.	Hamamatsu Photonics Deutschland GmbH	HRB 79474	Arzberger Str. 10, 82211 Herrsching, Germany	1.370.120,40 CZK

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

6.1 The identification of all participants excluded from the procurement procedure of lot No. 2 of the public contract:

Participant **No. 1**

Participant: **Hamamatsu Photonics Deutschland GmbH**
Company Reg. No.: HRB 79474
Registered office: Arzberger Str. 10, 82211 Herrsching, Germany

Justification:

The Contracting Authority commenced the lot No. 2 of the procurement procedure of the public contract on 05.02.2025. The Contracting Authority commenced the open procedure by sending a contract notice for publication in the Tenders Electronic Daily and in the Official Journal of the European Union. The contract notice for publication was published in the Tenders Electronic Daily on 07.02.2025., under the contract registration number: Z2025-007951.

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

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

It follows from paragraph 18.11 of the documentation of the procurement procedure, that "The tender in each lot of the public contract must contain a duly elaborated technical specification of the public contract subject. The participant is not entitled to make any changes in the template for the technical specification (Annex No. 4a, Annex No. 4b, Annex No. 4c and Annex No. 4d of the Documentation of procurement procedure), except the adding the relevant data (description [the participant fills out] or [the participant fills out – YES/NO]). The technical specification submitted by the participant must clearly show that the performance offered by the participant for the performance of each lot of the public contract meets the all the requirements of the Contracting Authority set out in the technical specification."

As part of its tender, the participant submitted to the Contracting Authority a Specification of the public contract subject for lot No. 2 of the public contract in accordance with Annex No. 4b of the documentation of procurement procedure. In this document, the participant offered a subject of the public contract that does not meet the requirements set by the Contracting Authority. Specifically, the public contract subject offered by the participant does not meet the following requirements of the Contracting Authority for the public contract subject set out in the specification of the public contract subject for lot No. 2 of the public contract (Annex No. 4b of the documentation of procurement procedure):

- requirement No. 6 - cathode blue sensitivity ≥ 10 A/lmb;
- requirement No. 8 - pulse rise time ≤ 0.7 ns.

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

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

In addition to the above, the participant's tender submitted to the procurement procedure also contained other shortcomings, in particular the following:

- the participant's tender does not contain all documents to prove basic qualification (in particular, copy of an entry in the Criminal Records for members of the governing body of the participant, confirmation from the Czech Tax Office on the absence of tax arrears, confirmation from the Czech Social Security Administration on the absence of arrears, copy of an entry in the Commercial Register);
- the participant's tender contained documents to prove basic qualification, that are older than 3 months before the commencement of the procurement procedure (in particular, Information from the Central Trade Register for participant, Certification in tax matters for participant, Certificate of compliance for participant);
- the participant's tender includes a list of significant supplies, which does not indicate that the participant meets the technical qualification.

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

7.1 The procurement procedure of lot No. 2 of the public contract was cancelled.

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

8.1 The procurement procedure of lot No. 2 of the public contract was cancelled.

9. JUSTIFICATION OF THE CANCELLATION OF THE PROCUREMENT PROCEDURE

9.1 The procurement procedure of lot No. 2 of the public contract was cancelled on 10.05.2025.

Justification:

The Contracting Authority commenced the Lot No. 2 of the procurement procedure on 05.02.2025. The Contracting Authority commenced the open procedure by sending a contract notice for publication in the Tenders Electronic Daily. The contract notice for publication was published in the Tenders Electronic Daily on 07.02.2025.

In Lot No. 2 of the procurement procedure, the following participants submitted tender:

Lot No. 2 - Detectors

Participant number	Participant	Company Reg. No.	Registered office
1.	Hamamatsu Photonics Deutschland GmbH	HRB 79474	Arzberger Str. 10, 82211 Herrsching, Germany

Given that the subject of the tender offered by the participant did not meet the requirements set by the Contracting Authority, the participant did not meet the conditions for participation in the tender procedure, thus fulfilling the grounds for its exclusion from the procurement procedure pursuant to Section 48(2)(a) of the Act.

As there are no participants in Lot No. 2 of the procurement procedure after the deadline for submission of the tenders (resp. the only participant was excluded from Lot No. 2 of procurement procedure), the Contracting Authority cancels Lot No. 2 of the procurement procedure in accordance with Section 127(1) of the Act.

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

10.1 No conflict of interest was detected for any person.

In Prague on 22.05.2025

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