

INVITATION TO TENDER

Charles University Rectorate
invites you to submit a tender for a small-scale public contract for
services

Public contract title:

“CU Rectorate Central Library – Programming Services for Digital
Repository of CU”



UNIVERZITA
KARLOVA

Declaration of the public contracting entity

*The public contracting entity (“**the contracting entity**”) declares that based on its expected value this public contract is a small-scale contract under section 27 of Act No. 134/2016 Sb., the Public Procurement Act, as amended (“**the Public Procurement Act**” or “**the Act**”); under section 31 of the Act in such case the contracting entity is not required to follow the procedures provided in the Act, however, it is required to comply with the principles stated in section 6 of the Act.*

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1. Identification of the contracting entity and the public contract

1.1. Identification of the contracting entity

| | |
|---------------------------------|----------------------------------|
| Name of the contracting entity: | Charles University, Rectorate |
| Contracting unit: | Central Library |
| Registered Office: | Ovocný trh 560/5, 116 36 Praha 1 |
| Registration No.: | 00216208 |

1.2. Identification of the public contract

| | |
|-----------------------------------|---|
| Public contract title: | CU Rectorate Central Library – Programming Services for Digital Repository of CU |
| Mode and type of public contract: | Small-scale public contract for services |
| Type of procurement procedure: | Open invitation to tender |
| Address of the public tender: | https://zakazky.cuni.cz/vz00005169 |

1.3. Processing of personal data

Information on the processing of personal data by Charles University as the contracting entity in public procurement is available at <https://www.cuni.cz/UK-9443.html>.

2. Procurement conditions and annexes to the public contract

2.1. Procurement conditions

This invitation to tender ("ITT") and its annexes provide all the procurement conditions.

2.2. Annexes

- Annex No. 1 – Service deliverable technical specification
- Annex No. 2 – Supplier's tender form
- Annex No. 3 – Obligatory commercial terms and payment conditions
- Annex No. 4 – Template for affirmation of the code of ethics of the service manufacturer

3. Subject matter of performance of the public contract

3.1. Subject matter of performance of the public contract

The subject matter of this public contract is the provision of programming services for the Digital Repository of Charles University. A more detailed specification of the service is provided in Annex No. 1 to this ITT.

4. Expected value, time, and site of performance of the public contract

4.1. Expected value of the public contract

The expected value of this public contract is CZK 370,000 **excluding VAT**.

4.2. Time of the performance of the public contract

The performance of the public contract is expected to start within 14 calendar days of the date of effect of the contract.

The performance is expected to end in accordance with the supplier's tender, however no later than within one calendar year of the date of effect of the contract.

4.3. Site of the performance of the public contract

The site of performance of the public contract is the address of the registered office of the contracting entity.

5. Requirements for proving the qualifications of the supplier

To qualify to perform this public contract a supplier must:

- Prove compliance with the basic competence requirement;
- Prove compliance with the technical qualification requirement.

5.1. Proving qualifications

The supplier proves compliance with the qualification requirements by submitting a completed Annex No. 2 to this ITT.

5.2. Consequences of failure to comply with the qualification requirement

The contracting entity will exclude from the procurement procedure any selected supplier who fails to comply with the qualifications within the required scope.

6. Commercial terms and payment conditions

Annex No. 3 to this ITT clearly defines the commercial terms and payment conditions applicable to this public contract which must be included by the supplier in the contract proposal. The supplier accepts the commercial terms and payment conditions by submitting a tender in this ITT.

The contracting entity explicitly states that while it does not require that a binding signed contract proposal form part of the submitted tender, it does require the supplier to submit a contract which complies in full with the commercial terms and payment conditions stated in Annex No. 3 to this ITT. If the contract proposal submitted by the supplier contradicts to the commercial terms and payment conditions the supplier's tender will be excluded.

7. Requirements for determining the price

The price means the price for the entire subject of the performance of the public contract as stated in Article 3.1 of this ITT and Annex No. 1 to this ITT provided in EUR excluding VAT.

The maximum acceptable price for this public contract is 14,000 EUR excluding VAT.

The contracting entity will exclude from this procurement procedure any selected supplier whose tender contains a total price exceeding the maximum acceptable price for this public contract.

The supplier states the price in Annex No. 2 to this ITT.

The price must be fixed and independent of changing conditions in the course of implementation of the public contract. The price must cover all costs required for due implementation of the subject of the public contract; the price must be stated as the maximum possible price. The price must be guaranteed over the entire term of the contract.

The price may be exceeded only due to a change in Value Added Tax regulations.

8. Formal requirements and content of the tender

The tender must be prepared in the Czech or English language and must not contain revisions and corrections which could mislead the contracting entity.

The contracting entity **requires that tenders be submitted via a completed supplier's tender form, which forms Annex No. 2 to this ITT** - the supplier must complete all fields highlighted in yellow and enclose **as a minimum the required attachments:**

- A contract proposal;
- Project/service work plan prepared in accordance with paragraph 2.2 of the obligatory commercial terms and payment conditions which form Annex No. 3 to this ITT;
- Signed affirmation on the code of ethics which forms the Annex No. 4 to this ITT.

9. Mode, place, and deadline for submitting the tenders

9.1. Mode and place for submitting the tenders

The contracting entity enables submission of the tender solely via the E-ZAK electronic tool available at: https://zakazky.cuni.cz/profile_display_2.html.

Suppliers can find detailed instructions on how to submit a tender via the electronic tool in the User Manual for Suppliers (*Uživatelská příručka pro dodavatele*) available at CZ: <https://zakazky.cuni.cz/data/manual/EZAK-Manual-Dodavatele.pdf>.

EN: https://zakazky.cuni.cz/manual_2/ezak-manual-contractors-cdd-pdf
(<https://zakazky.cuni.cz/manual.html>)

Using the electronic tool in the Czech or English language, the supplier submits the data and documents specified in the following points to the contracting entity:

1. Evaluation criteria that can be expressed in numbers (i.e., the price in EUR excluding VAT) are entered by the supplier in electronic format in the electronic tool following the instructions in the User Manual for Suppliers.
2. The content of the tender is uploaded by the supplier in electronic format to the electronic tender form created in the attested electronic tool E-ZAK, which guarantees compliance with all the conditions of safety and confidentiality of uploaded data, and which makes it impossible for the contracting entity to access the tenders before the expiration of the stipulated time limit for making them accessible based on the applicable protocol.
3. The supplier uploads to the electronic tool as attachments all the documents which form part of the supplier's tender as listed in Article 8 of this ITT (the contracting entity recommends submitting the tender documents in one pdf format).

Information on the processing of personal data by the contracting entity in public procurement is available at: <https://www.cuni.cz/UK-9443.html>. (<https://cuni.cz/UKEN-903.html>)

9.2. Deadline for submitting tenders

The deadline for submitting tenders is stated in the contracting entity's profile at <https://zakazky.cuni.cz/vz00005169> in the section entitled "Information on the public contract".

9.3. Opening of the tenders

The opening of tenders **in electronic format is closed to public**, therefore the suppliers who submitted a tender in the procurement procedure cannot participate in the opening.

10. Mode of evaluation of tenders and evaluation criteria

The tenders will be evaluated based on their economic advantage, where the basic evaluation criterion for awarding the public contract is **the total amount of the price**.

The total price in EUR excluding VAT (for suppliers not registered for VAT, the total price in EUR) prepared in accordance with Article 7 of this ITT will be evaluated.

Based on a comparison of the above-defined prices the contracting entity will rank the tenders where the tender evaluated as the most successful will be the supplier's tender with the lowest price.

The supplier is not entitled to make the price proposed in his tender conditional upon any additional terms. Stating additional conditions or several different prices at various places in the tender may constitute grounds for excluding the tender from further assessment and evaluation. The contracting entity is entitled to proceed by analogy if the price is stated in another form or currency than that required by the contracting entity.

11. Explanation of the procurement conditions

A written request for explanation of the procurement conditions must be delivered to the contracting entity no later than 4 working days before the expiration of the deadline for submitting tenders. The contracting entity will send a reply explaining the procurement conditions for this ITT including any related documents within two working days of delivery of the request.

The contracting entity prefers that the request for explanation of the procurement conditions be sent via the E-ZAK electronic tool (contracting entity's profile), available at the following address: https://zakazky.cuni.cz/profile_display_2.html, or via email to **jakub.rihak@ruk.cuni.cz**.

To comply with the principle of equal treatment of all suppliers it is not possible to explain the procurement conditions over the phone.

The contracting entity may also provide an explanation of the procurement conditions of this ITT to the suppliers without any previous request.

The contracting entity will provide an explanation of the procurement conditions including the exact wording of the request via the contracting entity's profile in the E-ZAK electronic tool.

12. Additional procurement conditions

12.1. Solution variants

The contracting entity will not accept other solution variants for the tender. The supplier may submit only one tender.

12.2. Verification of information provided by the supplier

The contracting entity reserves the right to verify the information provided by the supplier with third parties and the supplier is obliged to cooperate fully to this end.

12.3. Exceptionally low price

The contracting entity reserves the right to assess during the procurement procedure whether the price offered by a supplier shows any signs of being an exceptionally low price.

12.4. Notice of exclusion/selection of supplier

The contracting entity reserves the right to inform of a decision to exclude a supplier and of a decision on the selection of the supplier by publishing the information in the contracting entity's profile where such notifications are considered delivered as soon as they are published in the E-ZAK contracting entity's profile.

12.5. Cancellation of the procurement procedure

The contracting entity reserves the right to cancel the procurement procedure or to not sign a contract with any of the suppliers.

12.6. Supplier's expenses related to participation in the procurement procedure

The supplier is not entitled to be reimbursed for the expenses related to its participation in this procurement procedure. The supplier is not entitled to monetary compensation including a compensation for loss of profits if the contracting entity uses its rights stated above in this article.

12.7. Delivery of documents via electronic tool/contracting entity's profile

All acts of the contracting entity within this procurement procedure will be carried out using the E-ZAK electronic tool, which simultaneously serves as the contracting entity's profile. All documents delivered via the E-ZAK electronic tool are considered delivered on the day of their delivery to the user account of the document addressee in the tool. The document is considered delivered even in the case that it was not read by the addressee or if the addressee was not notified of the delivery of the document to the user account by an email message.

12.8. Publishing of the contract in the register

The Contracting Parties note that this Contract must be published in the register of contracts under Act No. 340/2015 Sb., as amended and agree to it. The entire text of the contract will be published including all its annexes. The contract will be sent to the register by the contracting entity immediately after it enters into force. The contracting entity at the same time agrees to inform the supplier of the contract registration by sending the supplier a copy of the confirmation of the contract publication from the contract register administrator immediately after receiving it, or to complete in the cover form the relevant field with the supplier's data box ID (in such a case both contracting parties will receive the confirmation of registration of the contract from the administrator of the register of contracts simultaneously).

12.9. Responsible public procurement

Charles University applies responsible public procurement in accordance with the Strategy of Responsible Public Procurement at CU and its internal regulations. Public contracts awarded by Charles University therefore emphasise the composition of the supply chain and the conditions in it, focusing on compliance with dignified working conditions, implementation of socially responsible public procurement, and a preference of environmentally friendly solutions. These principles are applied in a reasonable and transparent way while respecting the principles of equal treatment, avoiding discrimination against suppliers, and respecting the principles of suitability, economy and efficiency.

In this particular public contract the contracting entity has identified and takes into account in the procurement conditions the principles of "worker's and human rights" and "ethical purchasing" in the requirement to submit the code of ethics of the manufacturer (see Annex No. 4 to this

procurement document) in order to ensure that the applicable labour law and human rights regulations are followed within the entire supply chain.

A signed affirmation of the code of ethics of the service manufacturer will be submitted by the selected supplier before the signing of the contract. If the contracting entity finds out during the period of performance of the contract that the affirmation of the manufacturer does not reflect the reality, the contracting entity is entitled to withdraw from the contract concluded to perform this public contract.