EXPLANATORY NOTES 1 TO THE PROCUREMENT DOCUMENTS

pursuant to the stipulations of Section 98 (3), Act 134/2016 Coll., Public Procurement Act, as amended (hereinafter referred to as PPA)

Name of the public contract:	**Photoemission System for Investigation the Surface Electronic Structure of Quantum Materials at the Atomic Level**
Reference number at the Public Procurement Registry:	Z2023-057812
System ID:	P24V00000280
Contracting authority:	University of West Bohemia with registered seat at: Univerzitní 8, 301 00 Pilsen Company reg. no.: 497 77 513

On 18 June 2024, the contracting authority received a request for explanation to the procurement documents containing the following questions to the technical specifications and the purchase contract:

Question 1, Technical Specifications:

Page 1, paragraph 6:
The system must also feature the possibility to connect, at a suitable location, a UHV case (already present at NTC) using a DN40CF flange, including connection to a turbomolecular pump

The UHV case can connect to the LoadLock, what is the specification of “vacuum tubing” - see the English version of the specifications?

Contracting authority’s response:

Ad 1) YES, we are confirming that the UHV suitcase must connect via a DN40CF flange; your proposed solution using the LoadLock is one of the possible variants. In the connection of the UHV case to the equipment being supplied (subject of supply under this procurement procedure), the condition of aeration and air pumping to the UHV mode must be observed.

The drawings of the UHV case are attached.

Question 2, Technical Specifications:

Page 1, paragraph 7:
The system must also include a DN63CF flange which will be fitted with an X-ray source in the future.

Is it possible for the chamber to feature DN100CF for future upgrade with a monochromatic X-ray source?

Contracting authority’s response:

Ad 2) YES, the minimum diameter flange of DN63CF has been defined for the connection of an X-ray source. Therefore, it is possible that a connection flange DN100CF be designed at the chamber; this will need to be fitted with an adapter to the required DN63CF flange.

Question 3, Technical Specifications:

Page 1, paragraph 7
All visors must also be fitted with a lead coating as protection from radiation.

Are alternative coatings permitted - such as aluminium?

Contracting authority's response:

Ad 3) NO, the supply of the apparatus requires to feature lead-coated visors. This condition is necessary to deliver work safety at the laboratory and in the operation of the supplied apparatus.

Question 4, Technical Specifications:

Page 2, paragraph 3:
The analytical chamber must also feature a system for storing 10 samples

Is a chamber for 5 samples permitted?

Contracting authority's response:

Ad 4) NO, the analytical chamber must feature a system for storing 10 samples.

Question 5, Technical Specifications:

Page 2, paragraph 7:
The analyser must consist of two interconnected hemispheres and must feature the option of continuous operation of the two parts in energy dispersion mode. Furthermore, it must be possible for the other hemisphere to operate in a mode to compensate the deviations caused by the first hemisphere operating in the energy dispersion mode.

Is it possible to use an analyser with only one hemisphere as long as it meets all technical specifications?

Contracting authority's response:

Ad 5) A solution with only one hemisphere is not permitted as the double-hemisphere design results in minimum or nearly non-existent geometry deformation. The use and combination of the two hemispheres offers to obtain higher precision in measurement and results in samples with lower measurement uncertainty. Therefore, this design is required to meet the technology and scientific requirements of the QM4ST project. This is why this condition has been explicitly mentioned in the procurement documents. This configuration is the prerequisite to correct evaluation and exploration of physical phenomena and other question arising from the realisation of research activities under the QM4ST project.

Question 6, Technical Specifications:

Page 4, paragraph 1:
Specification of connections allowing for transfer of samples using the existing SARPES system at the NTC laboratories.

Do we need to provide the drawings of the individual components or of the entire connection to the existing system?
Do you permit the rotation of the existing system by 90 degrees for a better (shorter) connection?

Contracting authority's response:

Ad 6) We require the design of the connection, including the drawings and description of the solution as well as the list of components for connection of the existing equipment to the supplied apparatus, subject of supply as per this procurement procedure.

NO, 90 degrees rotation of the apparatus is not permitted as it is governed by the dimensions of the room where the apparatus is installed.

Question 7, Purchase Contract:

item I.7.m) Connection to the existing system
Preparation of technical documentation and specification of the vacuum components so as to allow for mutual (i.e., bi-directional) transfer of samples with the SARPES system at the NTC laboratories. The documentation shall include a list of recommended vacuum components required for an operational, bi-directional transfer.

Do we need to supply just the drawings or do we need to design the entire connection into the existing system?

Contracting authority's response:

Ad 7) We require the design of the connection, including the drawings and description of the solution as well as the list of components for connection of the existing equipment to the supplied apparatus, subject of supply as per this procurement procedure.

Question 8, Purchase Contract:

II.3 - Fines
In the event of delay on the party of the Seller at the delivery of the subject of purchase, including its commissioning, the Buyer shall be entitled to demand that the Seller pay a contractual fine at the rate of 0.05% of the purchase price of the subject of purchase less VAT per each commencing day of delay. This shall not affect the Buyer's title to compensation for damage nor the amount by which that damage would exceed the amount of the contractual fine.

The contract does not specify the maximum fine limit in the case of delayed delivery. Is it possible to set these sanctions to no more than 5% of the overall price?

Contracting authority's response:

Ad 8) The contractual fine is a motivator towards meeting the obligation on time and in full. Any specification of a higher limit would only serve to limit that motivation.

Question 9, Purchase Contract:

V.6 - Warranty
The Contracting Parties shall draw a certificate on the removal of the defect in which appointed representatives of the Contracting Parties confirm the removal of the defect. The warranty period shall extend by the time elapsed from notification of any warranty defect to the removal of that defect.

In the event of existence of such defect. Can the warranty be applied only to the defect component and not to the entire system?

Contracting authority's response:

Ad 9) NO. This cannot be accepted as we assume that a defective component will prevent a full use of the apparatus.

The nature of Explanatory notes to the procurement documents shall not constitute an extension for the time limit for submission of tenders.

The time limit for submission of tenders remains unaffected and expires on **9 July 2024 at 10:00 hours**.

Given in Pilsen, see the date in the electronic signature

Mgr. Kateřina Sladká, MBA
Digitálně podepsal Mgr. Kateřina Sladká, MBA
Datum: 2024.06.21 11:30:23 +02'00'

.....

University of West Bohemia
Mgr. Kateřina Sladká, MBA
Legal Department