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Award of an above-threshold public supply contract in an open procedure pursuant to Section 56 of Act No. 134/2016 Coll., on Public Procurement (hereinafter referred to as "PPA") titled:

“PhD Infra ZČU KA 02-2 - Humanoid Robot for UWB (2024)”

Tender Documentation

(hereinafter referred to as “TD”)

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1. Contracting Authority

University of West Bohemia (hereinafter referred to as "UWB" or the "Contracting Authority")

having its registered office at: Univerzitní 8, 301 00 Plzeň

Identification number: 49777513 Tax identification number: CZ49777513

represented by: Prof. RNDr. Miroslav Lávička, Ph.D., Rector

Data box: zqfj9hj

Contracting Authority profile: <https://zakazky.zcu.cz>

Contact details of the Contracting Authority for the purposes of the procurement procedure

Contact person for the tender procedure:

Mgr. Štěpán Mátl, tel.: +420 377 631 012

Link to the Public Contract on the Contracting Authority's profile:

https://zakazky.zcu.cz/contract_display_6686.html?lang=en

Information on the project which provides funding of the subject of the public contract:

Project title	PhD Infra of UWB
Project registration number	CZ.02.01.01/00/22_012/005200

2. Tender Documentation and Its Accessibility

- 2.1. The Tender Documentation consists only of the following text of the TD including annexes.
- 2.2. The TD including annexes is published and can be downloaded from the profile of the Contracting Authority; the link can be found in Article 1 of this TD.

3. The Subject of the Public Contract

- 3.1. The subject of the Public Contract is the delivery of one humanoid robot capable of moving all its body parts with the ability to communicate with humans using multiple modalities.
- 3.2. Classification of the subject pursuant to the Common Procurement Vocabulary list (CPV):
 - a) 42997300-4 Industrial robots.
- 3.3. The Contracting Authority points out that the brief description of the subject of the public contract given in this Article is not complete and exhaustive. A full and detailed description of the subject of performance is specified, in particular, in the binding draft contract attached as Annex 2 to this TD (hereinafter referred to as the "Binding Draft Contract").

4. Estimated Value of the Public Contract and the Bid Price Limitation

- 4.1. The estimated value as well as the maximum total value of the public contract is EUR 306,000, excluding VAT.
- 4.2. The Bid price in EUR, excluding VAT, must not exceed the maximum total value according to Section 4.1 of this TD.

5. Deadline for Submission of Bids

- 5.1. The deadline for submission of Bids is set at 10:00 a.m. on July 4, 2024.
- 5.2. The opening of Bids in electronic form is not to be public. Within two working days of the deadline for the submission of Bids, the Contracting Authority is to publish on the

contracting authority's profile, at the link referred to in Article 1 of this TD, a report on the opening of Bids (without identifying the specific participants).

6. Technical Conditions

The technical conditions of the subject of performance are specified in the Binding Draft Contract.

7. Place of Delivery

The place of performance is specified in the Binding Draft Contract.

8. Visit to the Place of Delivery

With respect to the nature of the subject of delivery, no visit to the place of delivery will be held.

9. Date of Delivery

The delivery date is specified in the Binding Draft Contract.

10. Award Period

Pursuant to Section 40 of the PPA, the set award period is 4 months.

11. Security

The Contracting Authority does not require the provision of any security.

12. Method of Submission of the Bid

12.1 Bids can be submitted within the deadline for submission of bids exclusively in an electronic form via the electronic tool (portal) E-ZAK – the relevant link according to Article 1 of this TD, after prior registration.

12.2 The Supplier registration (if the Supplier has not been registered in E-ZAK yet) can be done in the E-ZAK electronic tool at <https://zakazky.zcu.cz/regitrace.html?lang=en>, or via FEN at <https://fen.cz/#/regitrace>. In case of any uncertainties or problems during the registration or submission of the Bid, the Contracting Authority recommends contacting the E-ZAK support (podpora@ezak.cz, tel.: +420 538 702 719).

13. Requirements for Uniformity in the Preparation of the Bid

13.1. The Bid is to be submitted in writing in an electronic form and in English.

13.2. The Bid must identify the person who represents the Supplier in the procurement procedure or is authorised to submit the Bid (hereinafter referred to as the "Authorised Person"). The Bid must include a document showing the right of the Authorised Person to act for the participant.

13.3. If more than one Supplier submits a joint Bid, they indicate in the joint Bid which of the parties to the joint Bid is authorised to act in the procurement procedure. The dispatch and delivery of a document to that Supplier is deemed to be a dispatch and delivery to each of the parties to the joint Bid.

13.4. Variants of the Bid are not permitted.

13.5. The Tenderer is to submit a Bid including all required documents listed in the Bid content, which is part of the Bid cover page (see the model in Annex 1 to this TD).

13.6. The Bid must include a completed Binding Draft Contract in a MS-Word-compatible format (doc, docx) including annexes, i.e. including Annex 1 completed by the Supplier (in a MS-Excel-compatible format (xls, xlsx)).

13.7. The Bid must not contain any overwriting or corrections that could mislead the Contracting Authority.

13.8. The Contracting Authority recommends that the Bid be divided into separate parts, arranged in the Bid in sequence and marked in accordance with the following instructions.

The Bid must include:

1. Bid cover sheet
2. a completed Binding Draft Contract in a MS-Word-compatible format, including Annex 1 in a format compatible with MS Excel
3. documents proving the basic qualification of the Supplier
4. documents proving the professional qualification of the Supplier
5. documents proving the technical qualification of the Supplier
6. declaration on word of honour re international sanctions and conflicts of interest

13.9. The Contracting Authority requires the Supplier to indicate in its Bid (in the cover page – Annex 1 to this TD) whether or not it falls into the category of "micro, small and medium-sized enterprise" under Commission Recommendation 2003/361/EC; see <http://eur-lex.europa.eu/legal-content/CS/TXT/?uri=URISERV:n26026>.

14. Method of Evaluation of Bids

The evaluation criterion is the economical advantageousness of the Bid, which will be evaluated according to the lowest Bid price, i.e. the total Bid price in EUR, excluding VAT. The lower Bid price is considered to be the more advantageous. In the event of equality of the total Bid price of several Suppliers ("identical Bids"), the ranking of the identical Bids will be decided by drawing lots in the presence of representatives of the Suppliers concerned. The Bid of the successful Supplier will be considered more advantageous of the identical Bids. The drawing of lots will take place only if it is necessary in view of the anticipated course of the procurement procedure, i.e., in particular if there is a match between the Bids which would be the most advantageous Bids after the evaluation, or if there is a match between the Bids of the Suppliers who should be considered as the selected Supplier under Section 125 of the PPA (after the selected Supplier has been excluded).

15. Calculation of the Bid Price

15.1. The Bid price will be set for the given period of performance as a maximum price including all costs, risks, profits and other exchange rate or financial effects for the entire period of performance of the contract in accordance with the conditions specified in the TD.

15.2. The total Bid price in EUR, excluding VAT, will be specified in the Binding Draft Contract (Article III. Section 2) and in the cover sheet of the Bid (see a model in Annex 1 to this TD).

15.3. The Contracting Authority does not specify the method of determining an exceptionally low Bid price or the price that will be considered as an exceptionally low Bid price in accordance with Section 113 of the PPA.

16. Qualification

Documents proving the fulfilment of qualifications are to be submitted in accordance with Section 45 of the PPA in Czech, Slovak or English, or in another language supplemented by a translation into Czech or English.

The Contracting Authority reserves the right to require the participant to submit an original or a certified copy of a document proving the compliance with the qualification criteria in accordance with Section 46, subsection 1 of the PPA, or to require these documents from the selected Supplier before entering into the contract.

Qualification can also be demonstrated pursuant to Sections 87, 228 and 234 of the PPA.

16.1. Basic Qualification

The Contracting Authority requires the evidence of meeting the basic qualification criteria pursuant to Section 74 of the PPA and in the manner according to Section 75 of the PPA (a model declaration according to Section 75, subsection 1 (c) and (d) of the PPA is given in Annex 1 to this TD).

16.2. Professional Qualification

The Contracting Authority requires the evidence of meeting the professional qualification pursuant to Section 77, subsection 1 of the PPA.

- 16.2.1. The participant is to submit the following to prove meeting the professional qualification pursuant to Section 77, subsection 1 of the PPA: a copy of an entry in the Commercial Register or other similar register, provided that an entry in such a register is required pursuant to another legal regulation.

16.3. Economic Qualification

Not required by the Contracting Authority.

16.4. Technical Qualification

The Contracting Authority requires the evidence of technical qualification pursuant to Section 79, subsection 2 (b) and (k) of the PPA.

- 16.4.1. 16.4.1 To demonstrate meeting the qualification pursuant to Section 79, subsection 2 (a) (b) of the PPA, the Supplier is required to submit:
- a) **A list of significant deliveries** provided by the Supplier for the last eight (8) years prior to the commencement of this procurement procedure, at least within the scope of three (3) significant deliveries according to Article 16.4.2. of this TD.
1. For the purposes of this procurement procedure, a significant delivery means: the supply of at least one humanoid robot with a value of at least EUR 200 000 excluding VAT.
 2. The list of significant deliveries in the form of the Supplier's declaration on word of honour is to include, in particular, a description of the subject of performance, the price (the price need not be specified in a fully accurate and exhaustive manner, but it is sufficient if it is given in such a form as to enable the assessment of the fulfilment of the specified qualification requirement), the delivery period and the identification of the client (a model of the list is given in Annex 1 to this TD).
 3. Pursuant to Section 84 of the PPA, the Contracting Authority stipulates, in the case of a joint Bid of several Suppliers or in the case of proving the fulfilment of the qualification through other persons, that for the purpose of proving the fulfilment of the technical qualification according to Section 79, subsection 2 (b) of the PPA, the services provided are not to be summed up, i.e., at least one of the Suppliers submitting a joint Bid, or the Supplier or its subcontractor in the case of a procedure under Section 83 of the PPA, must demonstrate compliance with the technical qualification criteria under Section 79, subsection 2 (b) of the PPA (the specified number of significant services provided) separately.
 4. For the avoidance of doubt, it is stipulated that the qualification requirement under Section 79, subsection 2 (b) of the PPA will be met by a single reference delivery (i.e., within a single contractual relationship), the subject of which was the delivery of at least three (3) corresponding humanoid robots (each with a price above EUR 200,000, excluding VAT).
- 16.4.2. To demonstrate compliance with the qualification requirement pursuant to Section 79, subsection 2 (a) k) of the PPA, the Supplier is to submit:
- a) **a description of the subject matter to be supplied**, i.e., in its Bid, the Supplier is to provide:

1. a technical description (including a photograph) of the robot offered, in such scope and detail that it can be verified that the robot offered meets the requirements specified in Annex 1 to the Binding Draft General.

17. Subcontractors

The Contracting Authority does not require any information on subcontractors pursuant to Section 105 of the PPA.

18. Terms and Conditions, Payment Terms and Other Requirements of the Contracting Authority

- 18.1. The terms and conditions, payment terms and other conditions and requirements of the Contracting Authority for the manner and procedure for the delivery of the subject of performance are specified in the Binding Draft Contract.
- 18.2. The Supplier may only add to and amend the parts of the Binding Draft Contract that are highlighted in yellow.
- 18.3. In the case of the use of templates and patterns listed in Annex 1 to this TD, the Supplier is to complete all required information as required by this TD and the specific Annex, especially the yellow highlighted parts.

19. Cooperation of the Selected Supplier

- 19.1. The Contracting Authority requires the selected Supplier to provide the necessary cooperation to conclude a contract for the performance of the public contract in the scope further specified in this article of the TD within five (5) working days from the receipt of the Contracting Authority's invitation.
- 19.2. The Contracting Authority may, pursuant to Section 122, subsections 3 and 4 of the PPA, require the selected Supplier to submit originals or certified copies of documents of qualification, if they have not already been submitted within the procurement procedure.
- 19.3. The Contracting Authority requires the selected Supplier to provide cooperation for the conclusion of the contract pursuant to Section 124 of the PPA in the following form: the signing of the contract by the Supplier will take place after the invitation of the Contracting Authority. The selected Supplier undertakes to sign the contract and return it to the Contracting Authority within five (5) working days of receipt of the Contracting Authority's invitation and the final copy of the contract.
- 19.4. The Contracting Authority points out that this Public Contract will be published by the Contracting Authority in the Register of Contracts (see Article IX of the Binding Draft Contract), including all its annexes, i.e., in a form containing also any data meeting the parameters of trade secret or confidential information pursuant to Section 218 of the PPA, unless the selected Supplier informs the Contracting Authority in the Bid at the latest about the data or parts of the Binding Draft Contract (annexes), whose publication is excluded by a specific legal regulation, together with a reference to a specific provision of such a legal regulation and specific reasons for the prohibition of publication of these parts. The duly and reasonably identified parts of the contract will not be published or will be made illegible by the Contracting Authority before publication. Before the publication of the contract, the Contracting Authority is to render personal data unidentifiable in accordance with the methodological guidance on the application of the Register of Contracts Act (see <https://www.dia.gov.cz/egovernment/registr-smluv/metodicke-dokumenty>).
- 19.5. For the purpose of publishing the Contract in the Register of Contracts (see Section 5 of Act No. 340/2015 Coll.), the Contracting Authority requires the selected Supplier to submit a completed Binding Draft Contract in an electronic form, including all annexes in a format compatible with MS Word (doc, docx) or MS Excel (xls, xlsx), or annexes that do not contain any personal data (added to the Contract by the Supplier) in a PDF format with a text layer (i.e., not a simple scan). In the case the selected Supplier requires any of the

data in the published Contract or its annexes to be rendered unidentifiable pursuant to the preceding paragraph of this TD (beyond personal data), it is to submit the Contract or its annexes in an electronic form as specified in the preceding sentence, including the data rendered unidentifiable.

19.6. The selected Supplier will be invited to provide cooperation after the Contracting Authority has decided on its selection.

20. Other Requirements of the Contracting Authority for the Performance of the Public Contract

Not determined.

21. Reserved Changes to the Obligation according to Section 100 of the PPA

Not determined.

22. Other Information Relating to the Procurement Procedure

22.1. The Supplier/Bidder is entitled to request in writing an explanation of the tender documentation or the tender conditions within the time limit set out in Section 98, subsection 3 of the PPA and Section 242, subsection 5 (a) of the PPA. The request for clarification must be received no later than eight (8) working days before the deadline for submitting objections to the tender requirements pursuant to Article 22.7 of this TD. The written request must be delivered to the Contracting Authority via the E-ZAK electronic tool in the manner specified in Article 12.1 of this TD or to the Contracting Authority's data box. In the event that the request for clarification is not received within the time limit and in the manner specified above, the Contracting Authority is not obliged to provide clarification.

22.2. All explanations of the tender documentation or the tender conditions will be published on the profile of the Contracting Authority at the link specified in Article 1 of this TD. The Contracting Authority recommends keeping up by following this website.

22.3. All communication between the Contracting Authority and Suppliers/Bidders is to be conducted in accordance with Section 211 of the PPA in writing, electronically and in English.

22.4. Should the Contracting Authority require the submission of a document in the original or in an officially certified copy (especially in the context of a notice pursuant to Section 122, subsection 3 of the PPA and of the request pursuant to § 46 of the PPA), it is to be submitted in an electronic form bearing a valid recognized electronic signature of a person authorized to act for the person who has drawn up the document (without compromising the integrity of the electronic signature), or in an electronic form created on the basis of an authorized conversion (Czech point network) from an original or certified copy of the document in a paper form.

22.5. In the event of a conflict between the text of this TD and the Binding Draft Contract, the Binding Draft Contract shall prevail.

22.6. Participants in the procurement procedure are not entitled to be compensated for costs incurred in connection with the preparation and submission of the Bid, unless otherwise stated in the PPA.

22.7. Objections to the tender conditions must be delivered to the Contracting Authority (pursuant to Section 242, subsection (5) of the PPA) no later than 72 hours before the deadline for submission of Bids according to Article 5 of this TD.

22.8. The Contracting Authority reserves the right to cancel the procurement procedure in accordance with Section 127, subsection 2 (e) of the PPA in the event that it is not allocated the funding to the extent anticipated, or if any inspection by the funding provider

prior to the conclusion of the contract reveals such deficiencies in the procurement procedure that would prevent the provision of the funding to the extent anticipated.

Annexes

Annex 1 – Sample documents for the submission of a Bid in the MS-Excel format

(cover sheet, basic qualification – Declaration on Word of Honour)

Annex 2 – Binding Draft Contract, including annexes

Annex 3 – Declaration on Word of Honour re international sanctions and conflicts of interest

In Pilsen on (see electronic signature)

University of West Bohemia

Prof. RNDr. Miroslav Lávička, Ph.D.

Rector *signed electronically*