



# Invitation to Tender, Including Tender Documentation

For a simplified below-the-limit procedure pursuant to Act No. 134/2016 Coll., on Awarding Public Contracts, as amended (hereinafter, "the Act")

Title of public contract	<b>Debugger – SW III.</b>
Type of public contract	For delivery
CPV of public contract (namely)	48986000-3 Software bundle for testing programs
Co-financed from	The Operational Programme for Research, Development and Education
Project title	Research Center for Advanced Mechatronic Systems
Registration no. of project	CZ.02.1.01/0.0/0.0/16_019/0000867

## PART I. IDENTIFICATION OF CONTRACTING AUTHORITY

Name of Public Procurer	<b>VSB – Technical University of Ostrava, Faculty of Electrical Engineering and Computer Science</b>
Offices of Contracting Authority	17. listopadu 2172/15, 708 00 Ostrava - Poruba
ID of Contracting Authority	61989100
VAT No. of Contracting Authority	CZ61989100
Authorized representative of Contracting Authority	prof. Ing. Pavel Brandštetter, CSc., dean of Faculty of Electrical Engineering and Computer Science
Contracting Authority's profile	<a href="https://zakazky.vsb.cz/">https://zakazky.vsb.cz/</a>
Contact person for Contracting Authority	Ing. Miroslav Jílek
Telephone contact	+ 420 597 329 131
E-mail	<a href="mailto:miroslav.jilek@vsb.cz">miroslav.jilek@vsb.cz</a>

Identification information to tender documentation

Preliminary market consultations	Did not take place
Access to tender documentation	The documentation is a part of this Invitation, published on the Contracting Authority's profile

## PART II. DEFINITION OF THE SUBJECT OF THE CONTRACT

- 2.1. The subject of the public contract is the delivery of 1 license for debugging and disassembling of software for x86, x64, ARM, PowerPC (e200, e500), MIPS, SuperH, Tricore CPU architectures.  
  
Detailed technical specification of the subject of the public contract is listed in the technical terms and conditions of the subject of the contract, which forms Appendix No. 1 to this tender documentation.
- 2.2. **The Place of fulfillment** (delivery) is the registered offices of the Contracting Authority - VSB – Technical University of Ostrava, Faculty of Electrical Engineering and Computer Science, 17. listopadu 2172/15, 708 00 Ostrava - Poruba.

- 2.3. **Period of Fulfillment is a maximum of 40 calendar days** from the taking effect of the contract with the selected supplier. An exception to the delivery deadline stated in the preceding sentence is technical support, which will be provided for a period of 24 months from the date of delivery of the SW.
- 2.4. **The anticipated value of the public contract is 4 820,00 EUR without VAT.**
- 2.5. The subject of the public contract is co-financed from the Operational Programme of Research, Development and Education (hereinafter referred to as "OP VVV") within the framework of the project "Research Center for Advanced Mechatronic Systems" (Registry No. CZ.02.1.01/0.0/0.0/16\_019/0000867) budget item No 1.4.1.1.12.
- 2.6. This document is also an Invitation to Submit a Bid and the Tender Documentation. If the Tender conditions mention the Invitation or Tender Documentation, this refers to this document and its Appendices.
- 2.7. If there are requirements or references to individual trade names in this Invitation or its appendices, a specific business designation, the specific designation of products, performances and/or business materials that apply to a particular enterprise or organizational unit as distinctive or, patents and utility models, these are given only for specification and approximation of technical parameters and the Contracting Authority allows the use of a qualitatively and technically similar solution.

### **PART III. ADDITIONAL INFORMATION TO THE TENDER CONDITIONS AND EXPLANATION OF THE TENDER DOCUMENTATION**

- 3.1. Clarification of Tender Documentation  
The Contracting Authority will publish an explanation for the below-limit tender for public procurement at least 4 business days prior to the conclusion of the bid submission period.
- 3.2. Amending or Supplementing the Tender Documentation  
The Contracting Authority may amend or supplement the tender specifications contained in the tender documentation before the deadline for submission of bids. The changing or supplementing of the tender specifications will be published or announced to suppliers in the same way as the tender condition that was amended or supplemented was published.
- 3.3. The Supplier is entitled to require an explanation of the tender documentation in electronic format from the Contracting Authority. The written request must be delivered **to the above listed contact persons of the Contracting Authority**. The request must be delivered to the Contracting Authority at the latest within 3 working days prior to the passing of the deadline pursuant to paragraph 3.1 of the Invitation.

### **PART IV. BID SUBMISSION**

- 4.1. **Place of submitting bids** - Bids are submitted in electronic format only, via the electronic tool E-ZAK available at the address <https://zakazky.vsb.cz/>.
- 4.2. **The contracting authority shall stipulate the deadline for submitting bids by 17<sup>th</sup> August 2020 by 10:00 a.m.** If the bid is sent after the deadline specified in the previous sentence, the contracting authority's electronic tool will not accept the bid.
- 4.3. All the conditions and information concerning the digital tool, including information about the use of electronic signatures, is available in the user handbook and electronic signature handbook at:

<https://zakazky.vsb.cz/manual.html?lang=en> (in particular document Contractor user guide points "Contractor sign in" and "Electronic bids and participation requests")

Technical support from the operator of the electronic tool E-ZAK - phone: +420 538 702 719, e-mail: [podpora@ezak.cz](mailto:podpora@ezak.cz), web: <https://www.ezak.cz/>.

- 4.4. The supplier may only submit one bid.

## **PART V. METHOD OF EVALUATION OF THE BIDS ACCORDING TO EVALUATION CRITERIA**

- 5.1. The evaluation criteria of this public tender is **the lowest bid price** for the entire subject.
- 5.2. When evaluating the bid price its **total amount in CZK without VAT**, stated in the draft contract, will be decisive.

## **PART VI. REQUIREMENTS FOR THE METHOD OF PROCESSING OF THE BID PRICE**

- 6.1. The total bid price will be set as the total price for the whole subject of the public contract. The total bid price will be included in the draft contract.
- 6.2. The bid price will be in stated in EUROS.
- 6.3. The bid price will be set as the "highest allowable" price and must include all the costs associated with the complete implementation of the subject of the public contract.

## **PART VII. TERMS AND CONDITIONS OF BUSINESS, INCLUDING PAYMENT TERMS**

Terms and conditions of business (**draft contract must include**):

- Identification of the contracting parties, including Company ID and VAT No., if these have been assigned.
- The subject of fulfillment (specified quantitatively and qualitatively), fully compliant with Appendix No. 1 of this Invitation, including statement of the precise name of the offered SW.
- The total price for the entire subject of this public contract in EURO without VAT. This price will be the final price and cannot be exceeded.
- Fulfillment time: maximum of 40 calendar days from the effective date of the contract with the selected supplier. An exception to the deadline mentioned in the previous sentence is the technical support that will be provided for 24 months from the delivery of SW.
- Payment terms:
  - o No advance payment will be provided,
  - o The total price will be paid on the basis of an invoice,
  - o The invoice will be issued for the total price, including technical support, after the delivery of the SW (that is, after provision of the license),
  - o The issued invoice must contain the name of the project, and registration number of the project.
  - o The maturity date of the invoice will be at least 14 calendar days from its delivery to the Contracting Authority.
- Place of fulfillment: VSB – Technical University of Ostrava, Faculty of Electrical Engineering and Computer Science, 17. listopadu 2172/15, 708 00 Ostrava - Poruba.
- Total period of technical support at least 24 months from SW delivery.

- The Contract shall enter into force on the date of its signature by both Contracting Parties and become effective as of the day of its publication in the Register of Contracts pursuant to Act No. 340/2015 Coll. on the Register of Contracts.
- The Contract must contain information on the fact that the acquisition of the SW is co-financed from the Operational Programme of Research, Development and Education within the project "Center for Advanced Mechatronic Systems Research".

## PART VIII. OTHER REQUIREMENTS FOR FULFILLMENT AND COURSE OF THE PUBLIC CONTRACT

The Contracting Authority will request a selected supplier with headquarters abroad and which is a public limited-liability company or has a legal form similar to a public limited liability company, to submit, within a reasonable time, a written declaration of honor stating which persons are shareholders whose aggregate nominal value exceeds 10% of the tenderer's registered capital, indicating the source from which the information on the share capital of the shareholders is based; this application is considered as a request under § 46 of the Act.

## PART IX. TERMS AND CONDITIONS FOR BID PROCESSING

- 9.1. In its bid, the Tenderer will provide its identification data, in the scope of: Company name, registered offices/place of business/domicile, the name of the person authorized to act on behalf of the Tenderer, the Company ID number, VAT number, telephone number, e-mail - see Appendix No. 2 to this Invitation.
- 9.2. In its bid, the Tenderer will submit a draft contract signed by a person authorized to act on behalf of or as the Tenderer. If the draft contract is signed by an authorized person, the relevant power of attorney must also be part of the Tenderer's bid.
- 9.3. **The draft contract must accept the text of the Invitation (especially part VII) or other documents containing the specification of the subject of the contract.** The information contained in the draft contract must not differ from the information given in the other part of the Tenderer's bid. In case of discrepancies, the draft contract is always decisive.
- 9.4. **The bid will be presented in Czech or English.** This Invitation and its Appendices are prepared in Czech and English. The Tenderer can use the Czech or English version of each attachment (so the bid does not need to include both language versions). Papers and documents submitted in a language other than Czech or English must be accompanied by a translation into Czech or English. The translation requirement does not apply to documents relating to the prospectuses, technical descriptions and technical data sheets of the products offered. The obligation to attach a translation does not apply to documents in Slovak.
- 9.5. **The Contracting Authority recommends (voluntary) that the tenderers use the following document order in their bids (contents):**
  - 1) **Bid cover sheet** (possible to use Appendix no. 2 of this Invitation),
  - 2) **Duly completed and signed draft contract**
  - 3) Other documents at the tenderer's discretion.

## PART X. OTHER PROVISIONS

- 10.1. The Contracting Authority shall not reimburse the tenderers for the costs incurred in participating in the procedure.

- 10.2. Opening of bids - In accordance with Section 109(1) of the Act, the bids shall be opened after the deadline for submitting bids passes. Given that bids shall be submitted in electronic format only, there shall be no public opening of the bids.
- 10.3. The Contracting Authority does not accept variant solutions.
- 10.4. The Contracting Authority does not require proof of qualification.
- 10.5. The Contracting Authority reserves the possibility to assess (through the Evaluation Committee) whether the bids of the tenderers contain an exceptionally low bid price, in accordance with § 113 of the Act.
- 10.6. By submitting the bid, the tenderer grants the Contracting Authority consent to check and verify the information given in the submitted bids. The Contracting Authority will exclude a tenderer from the award procedure if the tenderer states false information in its bid.
- 10.7. The Contracting Authority reserves the right to notify a tenderer of exclusion from the tender procedure, or to announce the selection of the Supplier on the Contracting Authority's profile pursuant to § 53 paragraph 5, of the Act. In such a case, the notice shall be deemed to have been delivered to all parties to the procurement procedure at the time of its publication on the profile.**
- 10.8. The Contracting Authority hereby makes it known that the selected supplier is an entity obliged to cooperate in the performance of a financial audit pursuant to § 2 letter e) of Act No. 320/2001 Coll., on Financial Audits in Public Administration, as amended.

## **PART XI. APPENDICES TO THE INVITATION TO TENDER**

- Appendix no. 1) Technical Specifications  
Appendix no. 2) Bid Cover Sheet (sample)

In Ostrava, date

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prof. Ing. Pavel Brandštetter, CSc.  
Dean of Faculty of Electrical  
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