

TENDER DOSSIER

pursuant to Section 44 of Act No. 137/2006 Coll., on public procurement,
as amended

for drawing up bids for an above-the-threshold public contract for services
awarded pursuant to Section 27 of the Act
in an *open procedure* with the title:

“Design and build of a laser-driven undulator source”

Names of projects to which the tender procedure relates

ELI: “EXTREME LIGHT INFRASTRUCTURE”

Contracting entity:



TENDER DOSSIER

for drawing up bids for an above-the-threshold public service contract awarded pursuant to Act No. 137/2006 Coll., on public procurement, as amended (hereinafter "Act")

Name of the public contract: "Design and build of a laser-driven undulator source"

Contracting entity: Fyzikální ústav AV ČR, v.v.i. (*Institute of Physics ASCR, v.v.i.*)
Seat: Na Slovance 2, 182 21 Prague 8
Id. No.: 68378271
Tax Id. No.: CZ68378271
Person authorised to act on behalf of the contracting entity: Doc. Jan Řídký,
DrSc., Director

(hereinafter the "Contracting Entity" for the purposes of this Tender Dossier and the "Client" for the purposes of the attached Contract for Work)

Pursuant to Section 151 of the Act, the Contracting Entity is represented in the exercise of the rights and performance of the duties related to the tender procedure by **OTIDEA a.s.**, Id. No.: 27142442, a company with its registered office at Na Příkopě 31, 110 00 Prague 1.

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1 SPECIFICATION OF THE SUBJECT OF PERFORMANCE UNDER THE PUBLIC CONTRACT

1.1 Description of the subject of performance under the public contract

The Contracting Entity is the beneficiary of a subsidy from the operational programme "Research and Development for Innovations" for the purposes of implementation of the ELI (Extreme Light Infrastructure) project in the Czech Republic (hereinafter the "ELI Project"). The ELI Project is one of the projects planned within the "ESFRI Roadmap". The main objective of the ELI Project is to build a state-of-the-art facility and subsequently implement a series of research and application projects concerning the interaction of light with matter with an intensity of radiation that is approximately 100 times greater than the currently achievable values. More information on implementation of the ELI Project in the Czech Republic can be found at: www.eli-beams.eu.

The subject of the public contract consists in the selection of a contractor who will provide for the following tasks based on the executed contract for work:

- a) Design and develop:
 - i. an experimental setup to measure properties of laser-driven plasma wakefields by the injection of external, well-characterized electron beams from the electron gun ("**system of experimental setup**" hereafter) and
 - ii. probing tools of laser-driven plasma wakefields ("**probing tools**" hereafter),

this all in order to verify simulations of plasma wakefield acceleration, to study and to control the emittance growth and energy distribution dynamics of the electron beams ("**Partial Execution D1**" or "**Measurement apparatus**" hereafter).

Within the scope of this Partial Execution D1, the candidate shall firstly provide a conceptual design for the system of experimental setup and probing tools.

This fundamental research shall improve the general understanding of the electron generation process, eventually resulting in higher LUX beamline undulator radiation qualities.

- b) Design of a test beamline for generating laser-driven undulator light in the X-ray range (up to the water-window range and further up to few keV photon energy). The design shall include a detailed description of the required laser-plasma gas target, electron beam optics, undulator device and the vacuum system ("**LUX beamline**" hereafter). The LUX beamline design shall enable to achieve LUX beamline parameter values corresponding to the Technical Specification ("**Partial Execution D2**" hereafter).

Within the scope of this Partial Execution D2, the Contractor shall provide a conceptual design of the LUX beamline, and continue to elaborate this concept until a detailed design is produced allowing its construction.

- c) Build and assemble the Measurement apparatus mentioned in paragraph a) consisting of the experimental setup system and probing tools, and using an electron gun of the bidder to perform an initial measurement of the laser driven wakefields ("**Partial Execution D3**" hereafter).

The electron gun of the bidder must enable injection of electron bunches with parameters within the following ranges (the parameters do not have to cover the whole range though):

- energy of injected electrons must be within the range of 1 to 10 MeV, total charge of the electron bunch must be within the range of 0.1 to 5 pC and the electron bunch length must be smaller than 20 fs ("**electron gun**" hereafter).

- d) Prepare a software simulation of the laser-driven plasma wakefield acceleration corresponding to the experimental setup in paragraph c) ("**Partial Execution D4**" hereafter).
- e) Build, assemble and put into operation the LUX beamline from paragraph b) and demonstrate the generation of undulator radiation from laser-plasma accelerated electrons. ("**Partial Execution D5**" hereafter).
- f) Measure the properties of laser-driven wakefields. For this measurement use the experimental setup mentioned in paragraph c) and a multi-hundred Terawatt class laser system provided by the Contractor. Perform [software] simulations of the laser-driven plasma wakefield acceleration, mentioned in paragraph d) by corresponding measurements. Fine-tune these simulations in order to achieve a better agreement between their results and the results of the measurement ("**Partial Execution D6**" hereafter).

The Contracting Entity requires the parameters of the Bidder's laser system (according to the first sentence) to fulfil at least the following requirements: minimal power 150 TW, wave length within the range from 600 to 1200 nm and pulse duration less than 100 fs.

- g) Further develop (optimize) the LUX beamline mentioned in paragraph e) to comply with the LUX beamline parameters defined in the Technical specification and demonstrate the generation of undulator radiation in the soft X-ray energy range from laser-plasma accelerated electrons ("**Partial Execution D7**" hereafter).
- h) Design and develop an experimental device demonstrating the synchronization of IR laser pulse ("**pump pulse**" hereafter) and undulator radiation ("**probe pulse**" hereafter) using the LUX beamline mentioned in paragraph g) ("**experimental setup**" hereafter). Build and commission this experimental device and demonstrate the synchronization of the pump – probe pulses ("**Partial Execution D8**" hereafter). The parameters of this experimental device shall correspond to the Technical Specification.
- i) Deliver the LUX beamline as used to generate the undulator radiation necessary for the experiment in letter g) to the Contracting Entity's ELI-Beamlines site in Dolní Břežany along with the experimental setup. This delivery shall include required laser-plasma gas target, electron beam optics, the undulator device and the vacuum system. ("**Partial Execution D9**" hereafter). The LUX beamline must comply with the Technical specification.
- j) Design an extension of the LUX beamline [as described in paragraph i)] to a later free electron laser ("**FEL**" hereafter) operation so that the FEL parameters correspond to the Technical Specification. The design includes advanced beam optics and diagnostics, based on experience with detailed design studies towards a proof-of-concept FEL-setup. Within the scope of this Partial Execution, the bidder shall firstly provide a conceptual design of the LUX beamline extension and then verify the conceptual design by a complete start-to-end simulation of the proposed FEL beamline ("**Partial Execution D10**" hereafter).

The bidder's performance shall also include training of persons designated by the Contracting Entity and assistance to the Contracting Entity in completing the LUX – beamline in infrastructure of ELI-Beamlines.

The subject of performance under this public contract is specified in further detail in Annex No. 4 to this Tender Dossier ("**Technical Specifications of the Performance**") and also in Annex No. 3 to this Tender Dossier ("**Contract for Work**").

1.2 Term of performance of the public contract

Expected commencement:

June 2012

Expected completion:

November 2015

1.3 Place of performance of the public contract

The place of performance of the contract shall be the seat of the Contracting Entity and other places required for the performance of the contract following from Annex No. 3 to this Tender Dossier.

1.4 Classification of the subject of performance under the public contract

Classification of the subject of performance under the public contract corresponds to the following item:

- Scientific and technical engineering services – **CPV code: 71350000-6**

1.5 Maximum value of the performance under the public contract

The maximum value of the performance under the public contract is:

CZK 51.800.000,- excl. VAT

By setting the maximum value of the performance under the public contract, the Contracting Entity stipulates the highest permissible bid price in this tender procedure, which may not be exceeded.

The subject of performance will be financed from the means of the Operational Programme "Research and Development for Innovations" (hereinafter "OP RDI") within Priority Axis 1 (PA1).

2 TERMS AND REQUIREMENTS RELATED TO PREPARATION OF BIDS

- 2.1 Bids shall be submitted in writing, in a properly closed envelope marked on the seal with the business name / designation and stamp or signature of the statutory body of the bidder or a person authorised to represent the bidder. The envelope must be marked with the sign "**Do not open**" and the name of the public contract, "**Design and build of a laser-driven undulator source**". The envelope must also state the address to which notices may be sent pursuant to Section 71 (6) of the Act.
- 2.2 The bids shall be submitted not later than on **21st May 2012, by 11:00 a.m.**, at the address of **OTIDEA a.s., Palác Broadway, Na Příkopě 31, 110 00 Praha 1** (entrance B in the middle of the Broadway passage, 2nd floor). The bids may be delivered in any suitable manner (by post, by courier service, in person, etc.) to the above-specified address on business days from 8:30 a.m. to 3.30 p.m., and on the last day of the deadline only by 11:00 a.m. No other delivery is deemed to constitute proper submission of a bid.
- 2.3 The bid must indicate the identification details of the bidder, in particular: business name of the company, registered office, identification number, person authorised to act for the bidder or person authorised to represent the bidder, as appropriate, contact address for written communication between the bidder and the Contracting Entity.
- 2.4 The bid must be drawn up in the Czech or English language and must also include an executed version of the contract for work set out in **Annex No. 3** to this Tender Dossier, signed by a person authorised to act on behalf of or for the bidder.
- 2.5 All the sheets within the bid shall be numbered by an increasing continuous series of numbers and must be firmly attached or bound together so as to be sufficiently secured against removal from the bid. The bids shall be duly legible, without any crossing out or overwriting.
- 2.6 The bidder is bound by the entire contents of the bid for a period of 90 days from the deadline for the submission of bids.
- 2.7 The bidder shall submit the original counterpart of the bid; in addition to the original counterpart, the Contracting Entity also requires the submission of one copy of the bidder's bid.
- 2.8 The bidder shall also submit the bid in electronic form on a CD in the MS Office format or in a compatible format, or in the PDF format. The draft contract shall be provided on the CD in a standard rewritable format (e.g. DOC).
- 2.9 Where a bid is submitted jointly by several bidders (joint bid), they shall also specify, in the bid, the person who will be authorised to represent these bidders in communication with the Contracting Entity during the tender procedure.

2.10 The bid must be submitted in the following structure:

- a) The **cover sheet** of the bid based on the specimen given in **Annex No. 1** to this Tender Dossier.
- b) **Contents** containing all the hereafter specified chapters of the bid in the required classification, with assigned numbers of the relevant sheets or pages.
- c) **General information on the bidder** – Name of the bidder, legal form, registered office, Id. No., Tax Id. No., bank details, names of the members of the company's statutory body, contact details (contact person, telephone, e-mail, address) and brief profile of the bidder.
- d) **Documents demonstrating the qualifications** in the structure set out in paragraph 3 of the Tender Dossier.
- e) The **bid price** pursuant to paragraph 5 of the Tender Dossier.
- f) **Relevant data and information for the purposes of evaluation** pursuant to paragraph 7 of the Tender Dossier.
- g) **Draft contract for work** signed by a person authorised to act on behalf or for the bidder; the bidder shall use the binding draft contract given in **Annex No. 3** to this Tender Dossier.

2.11 The bidder is entitled to request in writing additional information on these terms of the tender procedure by means of a written request addressed to the contact person. The Contracting Entity shall provide answers to properly submitted questions in writing pursuant to Section 49 (2) and (3) of the Act.

3 QUALIFICATIONS OF THE CONTRACTORS

3.1 The requirement for qualifications pursuant to Section 50 et seq. of the Act is met by a contractor who demonstrates the fulfilment of:

- the basic qualification criteria pursuant to Section 53 of the Act
- the professional qualification criteria pursuant to Section 54 of the Act
- the economic and financial qualification criteria pursuant to Section 55 of the Act,
- the technical qualification criteria pursuant to Section 56 of the Act

3.2 **Deadline for proving qualifications**

The bidders are obliged to demonstrate their qualifications within the deadline for submitting bids as set out in paragraph 2.2 of this Tender Dossier.

3.3 **Basic qualification criteria**

3.3.1 The basic qualification criteria shall be deemed to be met by a contractor:

- a) who has not been validly convicted of a criminal offence committed to the benefit of an organised criminal group, criminal offence of participation in an organised criminal group, legalisation of the proceeds of crime, receiving stolen goods, accepting a bribe, bribery, indirect bribery, fraud, credit fraud, including cases involving the preparation or attempt or participation in such a crime, or conviction for committing such a crime has been erased; if a legal entity is involved, this criterion must be met both by the legal entity and by its statutory body or each member of the statutory body and, if the statutory body of the bidder or member of the statutory body of the bidder is a legal entity, this criterion must be met both by the legal entity and by the statutory body or each member of the statutory body of the legal entity; if the bid or application for participation is submitted by a foreign legal entity through its branch, the criterion pursuant to this subparagraph

must be met, in addition to the above-mentioned persons, also by the branch manager and this basic qualification criterion must be met by the contractor in relation both to the territory of the Czech Republic and to the country of its registered office, place of business or place of residence;

- b) who has not been validly convicted of a criminal offence whose merits are related to the objects of business of the bidder pursuant to the special legal regulations, or conviction for committing such a crime has been erased; if a legal entity is involved, this criterion must be met both by the legal entity and by the statutory body or each member of the statutory body and, if the statutory body of the bidder or member of the statutory body of the bidder is a legal entity, this criterion must be met both by the legal entity and by the statutory body or each member of the statutory body of the legal entity; if the bid or application for participation is submitted by a foreign legal entity through its branch, the criterion pursuant to this subparagraph must be met, in addition to the above-mentioned persons, also by the branch manager; this basic qualification criterion must be met by the contractor in relation both to the territory of the Czech Republic and to the country of its registered office, place of business or place of residence;
- c) who, during the last three years, has not committed any act of unfair competition through bribery pursuant to the special legal regulation (Section 49 of the Commercial Code);
- d) whose assets are not, and have not been during the last three years, subject to any insolvency proceedings within which a decision on insolvency has been issued, or an insolvency petition has not been dismissed because the assets would not suffice for payment of the costs of the insolvency proceedings, or bankruptcy has not been cancelled because the assets are absolutely insufficient or receivership introduced pursuant to special regulations;
- e) who is not in liquidation,
- f) who has no tax arrears in its tax records, both in the Czech Republic and in the country of the registered office, place of business or place of residence of the bidder;
- g) who has no arrears in premiums and penalties for public health insurance, both in the Czech Republic and in the country of the registered office, place of business or place of residence of the bidder;
- h) who has no arrears in premiums and penalties for social security and contribution to the State employment policy, both in the Czech Republic and in the country of the registered office, place of business or place of residence of the bidder;
- i) who has not been subject to disciplinary punishment during the last 3 years and who has not been subject to any disciplinary measure imposed on him through a final decision pursuant to the special legal regulations during the last 3 years if demonstrating of professional qualifications pursuant to the special legal regulations is required pursuant to Section 54 (d); if the bidder performs this activity through an authorised representative or some other person responsible for the bidder's activity, this criterion applies to these persons – THE CONTRACTING ENTITY DOES NOT REQUIRE THAT THIS CRITERION BE DEMONSTRATED;
- j) who is not listed in the register of persons prohibited from performing public contracts;
- k) who has not been subject to a fine for allowing illegal work pursuant to Section 5 (e) (3) of Act No. 435/2004 Coll., on employment, imposed through a final decision during the last 3 years;

- l) who furnishes a list of the statutory bodies or members of the statutory bodies who have worked for the Contracting Entity during the last three years; and
- m) who, if the contractor has the form of a joint-stock company, submits an up-to-date list of shareholders with more than 10 % of shares.

3.3.2 The bidders shall prove the fulfilment of the basic qualification criteria by furnishing:

- a) An extract from the Criminal Records, in respect of par. 3.3.1 (a) and (b) of the Tender Dossier. If the bidder is a legal entity, it shall furnish an extract from the Criminal Records for both the legal entity and for its statutory body or all members of the statutory body. If a bid is submitted by a foreign legal entity through a branch, the bidder shall submit extracts from the Criminal Records for the branch manager, as well as for the legal entity and for its statutory body or all members of the statutory body of the foreign entity. The extract from the Criminal Records may not be more than 90 days old as of the deadline for the submission of bids
- b) A confirmation from the competent tax authority and, in relation to excise duties, an affirmation, in respect of par. 3.3.1 (f) of the Tender Dossier, which may not be more than 90 days old as of the deadline for the submission of bids
- c) A confirmation from the competent body of the Czech Social Security Administration, in respect of par. 3.3.1 (h) of the Tender Dossier, which may not be more than 90 days old as of the deadline for the submission of bids
- d) An affirmation, in respect of par. 3.3.1 (c), (d), (e), (g), (i), (j) and (k) of the Tender Dossier; the bidder may use the specimen affirmation given in **Annex No. 2** to this Tender Dossier
- e) A list of statutory bodies or members of the statutory bodies of the bidder who have worked for the Contracting Entity during the last three years, in respect of par. 3.3.1 (l), in the form of an affirmation
- f) An up-to-date list of shareholders with more than 10 % of shares, if the bidder has the form of a joint-stock company, in respect of par. 3.3.1 (m).

3.4 Professional qualification criteria

The professional qualification criteria shall be deemed to be met by a contractor who furnishes:

- a) An extract from the Commercial Register, if the contractor is registered in the Commercial Register, or an extract from other similar records, if the contractor is registered in such records, not more than 90 days old as of the date of demonstrating the qualifications, i.e. as of the deadline for the submission of bids
- b) A document on authorisation to operate a business pursuant to the special legal regulations within a scope corresponding to the subject of the public contract, in particular a document demonstrating the relevant trade license or extract from the Trade Register

3.5 Economic and financial qualification criteria

The economic and financial qualification criteria shall be deemed to be met by a contractor who furnishes an insurance policy, insurance certificate or confirmation issued by an insurance company concerned with third-party liability insurance in an amount of at least CZK 5,000,000.

In the event that several contractors submit a joint bid pursuant to Section 51 (6) of the Act, the Contracting Entity stipulates that the relevant document on insurance must demonstrably cover potential damage caused by any of the contractors within such an consortium. This fact must follow from the presented document and the Contracting Entity shall have the right to the full amount of the insurance indemnity in case of damage caused by any contractor within the consortium. The Contracting Entity does not permit the possibility of adding up the sums insured for the individual members of the consortium.

If the bidder demonstrates this qualification criterion through a subcontractor, in that case, the contractor is obliged to furnish to the Contracting Entity an agreement concluded with the subcontractor in which the subcontractor must agree to the contractor to assume full and indivisible liability for damage caused by faulty, late or otherwise defective performance of the contractor and also for damage caused by financial instability of the contractor, in the event that the contractor itself refuses or is unable to provide such compensation to the Contracting Entity. The decision on the existence of damage and determination of its scope and liability to compensation shall always be made exclusively by the Contracting Entity.

3.6 Technical qualification criteria

The technical qualification criteria shall be deemed to be met by a contractor who furnishes:

- a) A list of at least 3 major services or projects implemented by the contractor during the last 3 years pursuant to Section 56 (2) (a) of the Act.

The list shall include the name of the contract, name of the contracting entity, place and time of performance and financial volume of the performance; attached to the list must be:

- a certificate issued by a contracting authority if the services were provided to a contracting authority, or
- a certificate issued by a different person if the services were supplied to a person other than a contracting authority, or
- an affirmation by the contractor if the services were supplied to a person other than a contracting authority and if it is simultaneously not possible to obtain a certificate pursuant to the preceding paragraph from this person for reasons on the part thereof.

A service in the area of a successful demonstration of the experiment, consisting of a demonstration of the soft X-ray undulator radiation of an electron beam accelerated by the laser-induced plasma field is deemed to be a major service.

- b) A list of technicians or technical departments that will participate in the performance of the public contract pursuant to Section 56 (2) (b) of the Act, within the scope of at least 6 persons, by means of an affirmation.
- c) A certificate of education and professional qualifications of the contractor and persons responsible for the provision of the relevant services pursuant to Section 56 (2) (e) of the Act; specifically, the Contracting Entity requires that the contractor have available an implementation team of at least 5 persons who will participate in the performance of the public contract regardless of whether they are employees of the contractor or persons in some other relationship to the contractor. The bidder shall demonstrate compliance with the Contracting Entity's requirements by presenting signed structured CVs of the individual team

members, demonstrating compliance with the minimum required qualifications and experience, as specified below.

The presented CVs of the team members must contain, in particular, the following data:

- i) name and surname;
- ii) information on completed education;
- iii) information on the overall experience obtained in a field corresponding to the subject of the public contract, including specification of the duration;
- iv) information on professional experience pertaining to the subject of performance of the public contract, including a brief description of activities and key projects on which the given team member worked;
- v) date and signature.

The completed education of a team member must be documented by **a copy of his/her university diploma.**

The Contracting Entity has the following requirements on members of the contractor's team:

The Contracting Entity requires that CVs of at least 3 contractor's team members indicate that they have completed university education of technical nature with emphasis on physics of laser plasma accelerators, photonics or laser / accelerator physics.

Furthermore, the Contracting Entity requires that the contractor's team leader have at least 5 years of experience in the area of the light sources based on the laser-plasma accelerators and in the area of project team management; this fact must explicitly follow from his/her CV, and 2 other members of the contractor's team have at least 3 years of experience in the above mentioned area.

Furthermore, the Contracting Entity requires that at least 3 members of the contractor's team have detailed knowledge of EU standards relating to work safety with lasers and laser equipment; this fact must explicitly follow from their CVs.

Furthermore, the Contracting Entity requires that the contractor's team published in the sum of at least 5 publications in internationally recognized scientific journal in the field of laser physics and in plasma accelerators driven laser light sources with the impact factor of 3 or higher to meet this requirement the applicant must submit a solemn declaration containing the sponsor and the publications and information publication and this fact must explicitly follow from their CVs (see v).

- d) An overview of tools and instruments, operating and technical equipment that the contractor will have available in the performance of the public contract:

- a multi Tera-watt laser system for conducting experiments in their workplace with the following parameters: laser power of at least 150 TW, wave length within the range of 600 to 1200 nm and the pulse length smaller than 100 fs.

- an electron gun as stated in article 1, paragraph 1.1, letter c) of this Tender Dossier.

- 3.7 The contractor shall furnish copies of the documents proving the qualifications. Any documents proving the qualifications that are in a language other than Czech or Slovak must be furnished with an official translation to the Czech language. Documents demonstrating compliance with the basic qualifications and the extract

from the Commercial Register must not be more than 90 calendar days old on the last day by which compliance with qualifications is to be demonstrated.

3.8 In conformity with Section 127 (1) of Act No. 137/2006 Coll., on public procurement, by furnishing an extract from the List of Qualified Contractors, a bidder may be discharged from the duty to prove the fulfilment of the basic qualification criteria within the scope pursuant to Section 127 (1) (a) of the Act and professional qualification criteria pursuant to Section 54 (a) to (d) of the Act insofar as the documents proving the fulfilment of these professional qualification criteria correspond to the requirements of the Contracting Entity for demonstrating these criteria. Pursuant to Section 127 (4) of the Act, the extract from the List of Qualified Contractors may not be more than 3 months old as of the last day as of which compliance with the qualifications is to be demonstrated.

3.9 Where qualifications are being demonstrated by means of a subcontractor, the contractor is obliged to furnish the following documents to the Contracting Entity:

- a document by which the subcontractor demonstrates the fulfilment of the basic qualification criteria pursuant to Section 53 (1) (j), i.e. an affirmation that the subcontractor is not listed in the register of persons prohibited from performing public contracts;
- a document by which the subcontractor demonstrates the fulfilment of the professional qualification criteria pursuant to Section 54 (a), i.e. an extract from the Commercial Register, if the subcontractor is registered in the Commercial Register, or an extract from other similar records, if the subcontractor is registered in such records, not more than 90 days old as of the deadline for the submission of bids;
- an agreement concluded with the subcontractor from which follows the obligation of the subcontractor to provide a performance intended for the performance of the public contract by the contractor or the provision of things or rights that the contractor will be authorised to utilise in the framework of performance of the public contract, at least to the extent to which the subcontractor demonstrated the qualifications.

However, the contractor is not authorised to demonstrate the qualifications pursuant to Sections 53 and 54 (a) through a subcontractor.

3.10 If the subject of the public contract is to be performed jointly by several contractors and they submit a joint bid to this end, each of the contractors is obliged to demonstrate the fulfilment of the basic qualification criteria pursuant to Section 53 of the Act and of the professional qualification criterion pursuant to Section 54 (a) to the full extent. At the same time, the contractors are obliged to furnish an agreement containing the undertaking that all these contractors will be liable to the Contracting Entity and third parties under any legal relationships arising in connection with the public contract jointly and severally throughout the term of performance of the public contract.

3.11 **Demonstrating qualifications in respect of foreign persons**

Unless a special legal regulation indicates otherwise, a foreign contractor shall demonstrate the qualifications in the manner pursuant to the laws applicable in the country of its registered office, place of business or place of residence, to the extent required by this Act and the contracting authority. If a particular document is not generally issued pursuant to the laws applicable in the country of the registered office, business address or place of residence of the foreign contractor, the foreign contractor is obliged to demonstrate this part of the qualifications through an affirmation. If the obligation whose fulfilment is to be demonstrated in the framework of the qualifications is not stipulated in the country of the registered

office, place of business or place of residence of the foreign contractor, the latter shall make an affirmation on this fact.

A foreign contractor shall submit documents demonstrating the qualifications in the original language with attachment of their official translation to the Czech language unless the Contracting Entity, in the terms of the public contract, or an international agreement binding on the Czech Republic stipulates otherwise; this shall also apply if a contractor with the registered office, place of business or place of permanent residence in the territory of the Czech Republic demonstrates the qualifications in a language other than the Czech or Slovak language.

3.12 **Consequence of lack of qualifications**

A contractor who lacks qualifications within the required scope or fails to perform the duty stipulated in Section 58 of the Act shall be excluded by the Contracting Entity from participation in the tender procedure.

4 **TECHNICAL CONDITIONS**

The subject of the performance must meet all the requirements set out in this Tender Dossier and its annexes, particularly in **Annex No. 4** (Technical Specifications of the Performance).

5 **MANNER OF SPECIFYING THE BID PRICE**

5.1 In its bid, a bidder is obliged to state the total bid price, in the selected currency without VAT – please see Section 5.4 of the tender dossier.

With the bid and the executed version of the contract for work, the bidder is also obliged to attach a budget of individual performances D1 to D10.

Partial fulfillment	Price of the Partial fulfillment excl. VAT
D1	
D2	
D3	
D4	
D5	
D6	
D7	
D8	
D9	
D10	

5.2 The bid price shall be stated as a fixed and binding maximum permissible price including all fees and any and all other costs related to the performance of the public contract. The bid price must also include all the costs that are not explicitly stated, but the contractor was aware or should have and could have been aware of

them in view of its professional knowledge and while exerting best professional care.

- 5.3 The price may be exceeded only in relation to a change in the tax regulations concerning VAT and on the grounds set out in the contract for work.
- 5.4 The Contracting Entity allows that the bidder worked in addition to bid price of the Czech crown also in euros (EUR). Such bid price will be processed contained in the bid signed by the bidder and in its signed draft contract for work which forms Annex No. 3 of the tender documents. The bidder selected currency according to the first sentence of this paragraph will contract specifications for work performed by the Contracting Entity. To verify compliance with the requirements of Article 1.5 of this tender dossier is determined the selected currency rate against the Czech crown of the Czech National Bank on the day of the seven days preceding the date of submission of tenders pursuant to Article 2.2 of this tender dossier.

6 PAYMENT TERMS

- 6.1 The price for the performance of the public contract shall be paid by the Contracting Entity in the Czech currency based on tax documents – invoices.
- 6.2 The manner of invoicing for the performance of the public contract, including the payment terms, is stipulated in the binding version of the contract for work, which is an integral part of this Tender Dossier as its **Annex No. 3**, and the contractor is not authorised to deviate from this manner of invoicing.

The invoicing address is the address of the Contracting Entity – Fyzikální ústav AV ČR, v.v.i., Na Slovance 2, 182 21 Praha 8.

7 EVALUATION CRITERIA

7.1. The economic advantageousness of the bid shall be the basic criterion for awarding the public contract.

7.2. Individual evaluation criterion	Weight of the individual evaluation criterion [%]
a) Total bid price in CZK excl. VAT	60%
b) Quality of the performance offered	40%

Details of the individual evaluation criteria and manner of evaluation:

In respect of individual criterion a) – The total bid price (i.e. price of Individual Performances D1 to D10). Evaluated will be the total bid price, converted into CZK without VAT. Bid prices listed in euros (EUR) will be to evaluate the offer price translated into Czech crown rounded to whole crowns the selected currency using the exchange rate against the Czech crown of the Czech National Bank on the day of the seven days preceding the date of submission of tenders pursuant to Article 2.2 of this tender dossier.

Manner of evaluation:

The evaluated bid obtains a point value which results from multiplication of 100 by the ratio of the value of the best bid to the evaluated bid – cf. the formula.

$$\text{Number of points for the criterion} = 100 * \frac{\text{Price of the cheapest bid}}{\text{Price of the bid being evaluated}}$$

In respect of individual criterion b), the Contracting Entity shall evaluate the quality of the performance offered by the bidder as described by the latter in the bid. The Contracting Entity shall evaluate:

- Material and process execution time lots D1 to D10 and the risks associated with the realization that the subject of the contract. For the purposes of this evaluation sub-criteria b) the applicant is required to submit performance contracting procurement methodology. In this methodology, the tenderer shall in addition to substance and timing of implementation and give lots of individual team members' roles in the implementation of individual lots and further define the risks associated with the realization by the subject of the tender documents. Better bid will be evaluated, the progress of the implementation methodology will be more complex and elaborate in greater detail the requirements and authority will be more consistent. It will offer a better picture of the contracting authority, in which the methodology will be better defined risk, the probability of their occurrence and significance of these risks and proposals for their elimination. An applicant may receive under this sub-criteria maximum of 50 points.
- The professional quality of the offered benefits. For the purposes of this sub-criteria assessment the bidder must submit preliminary technical schematic proposals of partial executions D1 and D2, which will enable the Contracting Entity to infer their technical level. In the case of schematic design D1 the following bid will gain a higher score: the bid providing technically more advanced solutions, enabling the measurement of the properties of laser-excited plasma fields with greater accuracy and wider coverage range of values of the field parameters using advanced electron gun, whose basic parameters must be specified. In the case of schematic design D2 the following bid will gain a higher score: the bid providing technically more advanced solutions to build the LUX beamline in compliance with the Technical Specification and containing preliminary estimates of the laser-plasma gas target and undulator device parameters. An applicant may receive under this sub-criteria maximum of 50 points (maximum 25 points for the preliminary technical design schematic lot shall D1 and up to 25 points for the preliminary schematic design technical performance of Sub-D2)

Manner of evaluation:

For criteria that cannot be expressed numerically, the evaluation committee shall draw up a list of bids from the most advantageous to the least advantageous and shall assign each of the bids such point evaluation that expresses the degree of fulfilment of the individual criterion of "quality of the performance offered", but not more than 100 points. The number of points assigned shall then be multiplied by the relevant weight of the given criterion. On the basis of the resulting point values assigned to the individual numbers, the evaluation committee shall then determine the order of success of the individual bids in that the bid that received the highest value shall be determined as the most successful one.

- 7.3 The bidder is not authorised to subject the presented bid to any conditions. Imposing conditions or stating several different values in the bid in those parts that are subject to evaluation shall be a reason for excluding the bid and excluding the bidder from the tender procedure. The Contracting Entity shall proceed analogously if a value that is the subject of evaluation is given in a different quantity or form than the Contracting Entity requires.

8 FURTHER REQUIREMENTS

- 8.1 In its bid, the bidder is obliged to specify the parts of the public contract that it intends to obtain from one or more subcontractors, and is obliged to specify the identification details of all these subcontractors.
- 8.2 The Contracting Entity reserves the right to verify the information provided by the bidder with third parties and the bidder is obliged to provide the Contracting Entity with all the necessary collaboration in this respect.
- 8.3 The Contracting Entity does not permit variant bids.
- 8.4 The Contracting Entity reserves the right to change or modify the terms and requirements stipulated by this Tender Dossier. The changes must be made in accordance with the law.

9 BUSINESS TERMS AND CONDITIONS

- 9.1 The bidder is obliged to accept the binding version of the contract, which is attached to this Tender Dossier as its integral **Annex No. 3**, without any reservations.
- 9.2 The drafts of the aforementioned contract must be executed for the bidder by an authorised person or by a person empowered or authorised to this effect. In that case, the original counterpart or an officially authenticated copy of the power of attorney or authorisation must form part of the draft contract (agreement) of the bidder.

10 OPENING OF ENVELOPES WITH BIDS

- 10.1 The envelopes shall be opened on **21st May 2012, at 1:00 p.m.**, at the registered office of OTIDEA a.s., **at Palác Broadway, Na Příkopě 31, 110 00 Praha 1** (entrance B in the middle of the Broadway passage, 2nd floor).
- 10.2 Representatives of all the bidders who submitted their bid within the deadline for the submission of bids (not more than two persons for each bidder) are authorised to participate in opening of the envelopes (but not in the subsequent assessment and evaluation of the bids). These representatives of the bidders shall furnish a power of attorney issued by a person authorised to act for the bidder at the time of opening the envelopes.

LIST OF ANNEXES that form an integral part of this Tender Dossier:

1. Cover sheet of the bid (to be filled-in and executed by the bidder)
2. Affirmation (to be filled-in and executed by the bidder)
3. Binding version of the contract for work (to be filled-in and executed by the bidder)
4. Technical specifications of the performance
5. Declaration on technical qualifications

For the Contracting Entity:

Date:

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Doc. Jan Řídký, DrSc., Director