



EVROPSKÁ UNIE
EVROPSKÝ FOND PRO REGIONÁLNÍ ROZVOJ
INVESTICE DO VAŠÍ BUDOUCNOSTI



THE PUBLIC CONTRACT IS CO-FINANCED BY THE EUROPEAN REGIONAL DEVELOPMENT FUND AND THE NATIONAL BUDGET OF THE CZECH REPUBLIC

Note: This English version of Tender Documentation is only informative and is intended especially for foreigner Contractors (potential) in public contract published in TED 21.3.2009. Contracting authority confirm that only binding version is Czech version.

Contracting Authority Registration Number: 815/2009-42

TENDER DOCUMENTATION

TENDER CONDITIONS FOR ABOVE-THE-THRESHOLD PUBLIC SERVICE CONTRACT - OPEN PROCEDURE

Basic information on the tender documentation pursuant to the Public Procurement Act No. 137/2006 Coll., as amended (hereinafter referred to as the "Act")

Title of the public contract: **Quality management of the evaluation process; chairing the International Panel and providing assistance during the phase of project parameters specification - Priority Axes 1 and 2 of the Operational Programme Research and Development for Innovation (OP RDfI)**

Contracting Authority:

Name: **Czech Republic - Ministry of Education, Youth and Sports**
Registered seat: **Karmelitská 7, 118 12 Praha 1, Czech Republic**
Business ID: **00022985**
Country: **CZ**
Legal status of the Contracting Authority: **325**
Municipality code: **500224**
Person authorised to act for the Contracting Authority: **Ing. Johana Burgetová, Director of the Department of Technical Assistance, based on the authorisation Reg. No.: 3121/2008 from 18 February 2008, issued by the Minister Ondřej Liška**
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Persons authorised to carry out the tender activities:

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Not used on purpose

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1. Příloha č.1 Krycí list (TEMPLATE No. 1 - Offer Cover Page)
2. Příloha č.2 Čestné prohlášení (TEMPLATE No. 2 - Declaration of Honour)

Note : Contractor should use in his offer annexes in Czech Version (attached also below or in Czech version of Tender documentation).

In this English version are annexes named in English (TEMPLATE No. 1 - Offer Cover Page, TEMPLATE No. 2 - Declaration of Honour)

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1. CLASSIFICATION OF THE PUBLIC CONTRACT SUBJECT

Description:	CPV:	Measurement unit	Extent:
Business and management consultancy and related services	79400000-8	Complete	1

2. SPECIFICATION OF THE PUBLIC CONTRACT SUBJECT

2.1 Background context

The operational program Research and Development for Innovation (OP RDfI) is targeted at strengthening the research, development and innovation potential of the Czech Republic that will contribute to its economic growth, competitiveness and creation of highly qualified jobs in order to enable the Czech regions to attract important concentrations of these activities in Europe. The contribution from EU structural funds for OP RDfI represents more than EUR 2.07 bn; together with the national co-financing, the contribution to Czech research, development and innovation shall exceed EUR 2.43 bn. OP RDfI has been approved by the European Commission in September 2008, with the Ministry of Education, Youth and Sports of the Czech Republic as its managing authority.

This call concerns evaluation and subsequent specification of performance parameters for projects submitted only to Priority Axis 1 "European Centres of Excellence" and Priority Axis 2 "Regional R&D Centres" of the OP RDfI. The planned budget for each axis is EUR 806 million.¹ It is expected that three calls will be opened: one for Priority Axis 1 (PA1) and two for Priority Axis 2 (PA2).

- The first call for PA2 has a budget of CZK 6 bn (approx. EUR 240 million) and its closure is planned for the end of April 2009. Evaluation of projects is planned for May and June 2009.
- The second call for PA2 has a budget of approx. CZK 10 bn (approx. EUR 400 million) and the closure for this call is planned for autumn 2009. Evaluation of projects is planned for end of I.Q./beginning of II.Q. 2010.
- the first call for PA1 has a budget of approx. CZK 16 bn (approx. EUR 640 million), the closure for this call is planned for autumn 2009. Evaluation of projects is planned for end of I.Q./beginning of II.Q. 2010.

The schedule of calls may be subject to changes.

Description of the very process of project evaluation and approval:

In order to achieve maximum possible transparency, the managing authority decided to integrate, as a significant element, the international expert evaluation (see point C below) into the evaluation process of project proposals in Priority Axes 1 and 2. Therefore all projects must be submitted in both Czech and English versions. The evaluation shall consist of the following steps:

- A) Evaluating the application potential and financial sustainability of the project. Outputs of this evaluation shall be subsequently approved by the Applications Panel.
- B) Evaluating the technical and construction parameters of the projects. Outputs of this evaluation shall be subsequently approved by the Applications Panel.
- C) Overall evaluation of the quality of the project proposal. Outputs of this evaluation shall be subsequently approved by the International Panel.
- D) Evaluating by the Selection Commission at the level of the managing authority of OP RDfI.

¹ See the text of OP RDfI available here: <http://www.msmt.cz/strukturalni-fondy/operacni-program-vyzkum-a-vyvoj-pro-inovace-1>

E) Specification of performance parameters for the projects.

The evaluation of projects itself, namely activities included under points A), B), C) and E), shall be performed by evaluators that will be in a contractual relationship with the Contracting Authority.

The evaluation shall be based on selection criteria approved by the Monitoring Committee of OP RDfI for the given call. The evaluation shall be based on eligibility (yes/no) and selection (merit-based) criteria, accompanied by an evaluation scale used to measure the selection criteria and explanatory questions to explain more in detail the interpretation of individual criteria for both the evaluators and the applicants. Each eligibility criterion is assessed as yes/no, together with a written commentary and reasoning. Each selection criterion is assessed from the quantitative (point value) and qualitative point of view (written commentary and reasoning, including recommendations and requests for specifications). The evaluators shall proceed in line with the Methodology for evaluation of project proposals that will be made available to the Contractor selected by this tender. Evaluation of project proposals under points A) and B) shall be performed solely by experts of Czech nationality. Activities under point C), Evaluation of the quality of project proposal and evaluation by the International Panel, are planned to be performed solely by foreign experts in evaluation.

Each individual project assessed by the evaluators under **step A)** shall be judged at least by three experts who will each independently prepare a report based on the evaluation criteria. A consensus meeting shall follow with the objective to achieve a consensus on point evaluation and a written qualitative evaluation of each proposal. A consensus report, approved by all participating evaluators, shall represent the output of consensus meetings. Each individual consensus report shall be checked from the formal point of view (language, correctness of data included) as well as for content (phrases used by evaluator should be unambiguous and easy to understand, evaluation comments included in the report should be sufficiently explained and recommendations for possible adjustment of the project should be made).

Each individual project assessed by the evaluators under **step B)** shall be judged at least by two experts who will each independently prepare a report based on the evaluation criteria. The resulting report should, if appropriate, propose point bonuses for projects and provide a qualitative evaluation of their construction and technical readiness and cost adequacy.

Subsequently, the Contracting Authority will set up the **Applications Panel** composed of selected representatives of evaluation experts and other experts proposed by the Contracting Authority in cooperation with other relevant bodies. The main task for the Applications Panel shall be the following: using the point score attributed to individual projects under step A) and reports from step B), decide on the order of projects and select those projects that will not receive recommendation for the following evaluation phases for non-compliance with one of the selection criteria ("the veto right"). The Applications Panel will receive the projects in an ordered list based on the points score obtained from the consensus reports. The Applications Panel can however modify the score and the order of projects in the list based on the discussion of its members, supported by an appropriate reasoning. This possibility may not be used but it exists in order to ensure good comparability of projects across research fields and it serves as a decision-making mechanism for evaluating border-line projects. The Applications Panel shall also approve the consensus reports and the scores attributed. The scores approved by the Panel shall be used as a point percentage bonus applied to the score obtained under step C) (see below).

Each individual project assessed by international evaluators under **step C)** shall be judged at least by three foreign experts who will each independently prepare a report based on the evaluation criteria. A consensus meeting shall follow with the objective to achieve a consensus on point evaluation and a written qualitative assessment of each proposal. A consensus report, approved by all participating evaluators, shall represent the output of consensus meetings. Each individual consensus report shall be checked from the formal point of view (language, correctness of data included) as well as for content (phrases used by evaluator should be unambiguous and easy to understand, evaluation comments included in the report should be sufficiently explained and recommendations for possible adjustment of the project should be made).

Subsequently, the Contracting Authority will set up the **International Panel** composed of selected representatives of international evaluation experts. The main task for the International Panel shall be the following: using the scores attributed to individual projects and the available budget for the call to prepare an

ordered list of projects and recommendations for the managing authority of OP RDfI on the distribution of project proposals into three categories:

- i) recommended for financing (and immediately requested to participate in the next phase);
- ii) conditionally recommended for financing (and included on a reserve list with the possibility to start the next phase in the future);
- iii) not recommended for financing (and excluded from further phases).

The International Panel will receive the projects in an ordered list based on the points score obtained from the consensus reports. The International Panel can however modify the score and the order of projects in the list based on the discussion of its members, supported by an appropriate reasoning. This possibility may not be used but it exists in order to ensure good comparability of projects across research fields and it serves as a decision-making mechanism for evaluating border-line projects. The International Panel shall also approve the consensus reports and the distribution of project proposals into the three categories mentioned above.

Projects with a positive evaluation included by the International Panel in the category "recommended for financing" will be asked to participate in the next phase - the phase of specification of project performance parameters, during which concrete parameters will be set for the projects with regard to optimisation of the future performance of projects. The phase of parameter specification is part of the preparation of the binding conditions for project implementation based on a performance contract that constitute a part of the Decision on granting of assistance and represent a specific commitment of the beneficiary to the Contracting Authority to achieve certain minimal outputs and results of the research and development. The specification of parameters shall be done based on opinions of the evaluators expressed in the consensus report approved by the International Panel. The phase of parameter specification shall start immediately after the evaluation of projects with the objective to see the possible comments of evaluators taken into account by the representatives of the successful submitted projects. This concerns in particular the specification and description of the commitment of the beneficiary concerning quantity and quality of the planned project output taking into account the standard performance of comparable foreign projects and research centres or the specification of costs for individual project items based on the assessment of cost adequacy. The parameters specification phase shall lead to the approval of implementation conditions for the project that constitute a part of the Decision on granting of assistance.

The individual evaluation for all three planned calls shall be done by remote evaluation. The consensus evaluation meeting for steps A) and C) is planned to be in situ, as well as the meeting of the Applications Panel and subsequent meeting of the International Panel, both of them lasting one full working week. Altogether, this shall represent six full working weeks necessary for the consensus evaluation and meetings of both Panels (i.e. three times one full working week from Monday to Friday included for consensus evaluation under step A) that will include three meetings of the International Panel and three times one full working week from Monday to Friday included for consensus evaluation under step C) that will include three meetings of the International Panel). Evaluation in situ shall be in Prague. Renting of premises and technical and organisational support of the evaluation process is not part of this tender.

In this context, the Managing Authority of OP RDfI proceeds to the opening of this Call.

2.2 Subject of the call - provision of the following services:

- a) Chairing the consensus meetings of evaluators.
- b) Ensuring the quality of the evaluation process and evaluation reports.
- c) Preparing reports from the meetings of the Applications Panel.
- d) Presiding and chairing the meetings of the International Panel and preparing the reports from its meetings.
- e) Providing assistance during the specification of project performance parameters.

The subject of the call shall be fulfilled in the Czech Republic.

2.3 Detailed description and objectives of the call:

The subject of the contract in the context of the process of evaluation and approval of projects pursuant to point 2.1 hereof shall be the following:

- a) Chairing the consensus meetings of evaluators**

The Contractor shall be responsible for chairing all consensus meetings of evaluators (hereinafter as consensus meeting) organised under step A) Evaluating the application potential and financial sustainability and under step C) Overall evaluation of the quality of the project proposal (see point 2.1). For each individual consensus meeting, the Contractor shall provide one qualified person to serve as a chairperson capable of organising the meeting with the objective to achieve a consensual point evaluation and a written qualitative evaluation of each proposal. The role of the chairperson shall consist of guiding informally the meeting, ensuring that opinions of all evaluators are taken into account and a consensus is achieved in the final evaluation. A consensus report, approved by all participating evaluators, shall represent the output of consensus meetings.

The objective of this activity is to facilitate the consensus evaluation process, to ensure that opinions of individual evaluators are taken into account in an appropriate way and to minimise the risk of conflict situations. This activity must be performed by a person complying with the qualification criteria for this activity stipulated under point 8.2 hereof.

No more than 100 project proposals are expected to be submitted to each of the three calls (i.e. a maximum of 100 consensus meetings under step A) and 100 consensus meetings under step C) for one call to submission of projects to OP RDfI). The total time duration of all consensus meetings for these three calls shall be 30 working days; for each call, the performance of work is expected to be in the extent of 2 x 5 working days.

b) Ensuring the quality of the evaluation process and evaluation reports

The Contractor shall be responsible for performing the quality control of consensus reports for all projects prepared by individual consensus meetings under step A) Evaluating the application potential and financial sustainability and under step C) Overall evaluation of the quality of the project proposal (see point 2.1). These consensus meetings shall always take place before the meeting of the Applications Panel (for evaluation stipulated in point 2.1 A) or before the meeting of the International Panel (for evaluation stipulated in point 2.1 C).

The Contractor shall also be responsible for ensuring that the representatives of individual consensus meeting adjust their consensus reports in line with the findings of the quality control and submit them signed to the representative of the managing authority of OP RDfI in time. In the context of ensuring quality of consensus reports, the Contractor shall be in particular responsible to verify at least all the following aspects of consensus reports:

- Check of language correctness;
- Correctness of data mentioned referring to the project proposal text;
- Comments included in the consensus report are easy to understand and unambiguous;
- Ensuring compliance between the quantitative (point) and qualitative (written) evaluation included in the consensus report;
- In case of conflicts during evaluation, drafting of a commentary and reasoning for the evaluation of the given criterion that must be, to the maximum possible extent, based on specific examples of strong and weak points of the project proposal and references to specific parts of the project proposal text.

In case of recommendations and requests for subsequent modification of the project proposal that might impact the performance parameters of the project in the next phase, the Contractor shall be responsible for controlling that these requests are well specified and supported by an appropriate reasoning. The Contractor shall also ensure that the consensus reports and proposed possible modifications of the project proposal in the phase of performance parameters specification do not change the nature on the project, but concentrate solely on specification and explanation of specific aspects of the project proposal.

The objective of this activity is to ensure the maximum possible internal consistency of evaluators and consensus reports and a uniform interpretation of evaluation criteria by individual evaluators, to guarantee the resulting high quality of evaluation consensus reports and to ensure that these reports are unambiguous, expressing well the basic nature of the evaluation and providing good guidance for the phase of project performance parameters specification. This quality control activity must be performed by a person complying with the qualification criteria for this activity stipulated under point 8.2 hereof.

No more than 100 project proposals are expected to be submitted to each of the three calls. The total time duration of all consensus meetings for these three calls shall be 30 working days; for each call, the performance of work is expected to be in the extent of 2 x 5 working days.

c) Preparing the report from meetings of the Applications Panel

The Contractor shall participate in the meeting of the Applications Panel (hereinafter as Panel). Not being a member, the Contractor shall be responsible, together with the president of the panel, for the facilitation of meetings and preparation of a detailed report on the course of the meeting, explaining especially any changes made to the order of projects based on the decision of the Panel as compared to the order of projects based on point evaluation by evaluators.

The objective of this activity is to find an experienced, unbiased and respected chairperson for the meetings of the Applications Panel.

Three meetings of the Applications Panel are planned, each for the duration of one day. All meetings are planned to take place in Prague.

d) Presiding and chairing the International Panel and preparing the report from its meetings

The Contractor shall be responsible for presiding and chairing the discussions of the International Panel (hereinafter as Panel). The Contractor shall also be responsible for the preparation of a detailed report on the course of the meeting of the International Panel, explaining especially any changes made to the order of projects based on the decision of the International Panel as compared to the order of projects based on point evaluation by evaluators.

The objective of this activity is to find an experienced, unbiased and respected president and chairperson for the meetings of the International Panel. This presiding and chairing activity must always be performed by a person complying with the qualification criteria for this activity stipulated under point 8.2 hereof.

Three meetings of the Applications Panel are planned, each for the duration of one day. All meetings are planned to take place in Prague.

e) Providing assistance during the specification of project performance parameters

The Contractor must participate in meetings with all projects selected for the phase of performance parameters specification. Its main task will be ensuring good-quality communication and transmission of the evaluation results to applicants, including provision of additional explanation and reasoning if necessary, so that the specification process can lead to a timely adjustment of and agreement on specific project performance parameters that can become part of the contractual conditions and the commitment to future performance of projects. In particular, in the context of this activity, the Contractor shall be responsible for performing at least the following activities and operations:

- Participation of a person complying with the qualification requirements stipulated in point 2.1 hereof in meetings with all projects selected for the phase of performance parameters specification, at least one physical meeting with each project;
- To manage the course of meetings with applicants organised in order to specify performance parameters of projects as the president of the negotiation panel²;
- At the meeting of the negotiation panel, provide the applicants selected for this phase with comments and feedback concerning their specific project based on the consensus report approved by the International Panel.
- To ensure that all pertinent comments and notes from the consensus report are discussed with the applicant and that a clear conclusion has been reached for each of them during the meeting which will be reflected in the new, updated project proposal;
- To prepare a report from each meeting of the negotiation panel listing the conclusions and precisising the modifications of the project proposal agreed on with the applicant; during the meeting, the applicant shall engage to perform these modifications;
- To verify and approve, after receiving the modified project proposal, that the requested modifications based on requirements of evaluators and included in the minutes of the meeting of the negotiation panel have been taken into account by the applicant in an appropriate way;
- In cases where the requested modifications based on requirements of evaluators and included in the minutes of the negotiation panel meeting have not been taken into account by the applicant in an

² The negotiation panel is a group of independent experts that will take part in the process of project performance parameters specification. Usually, this will mean 2 experts accompanied by a representative of the Contractor (the service provider).

appropriate way, to prepare a list of comments detailing those comments that have not been taken into account by the applicant.

The objective of this activity is to ensure a smooth process of communicating the results to applicants by a competent expert and to evaluate the extent to which the recommendations and requirements proposed by the evaluators and approved by the International Panel have been reflected by the applicant in the modified version of the project proposal. This activity must always be performed by a person complying with the qualification criteria for this activity stipulated under point 8.2 hereof.

Taking into account the minimum given budget of the project³, it is expected that approximately 15 projects will be selected for the phase of project performance parameters specification from the first call for PA2, another 20 from the second call for PA2 and approx. 10 projects from the first call for PA1. The expected total number of projects selected for the phase of project performance parameters specification should not exceed 50. Meetings with applicants organised with the aim of project performance parameters specification shall take in Prague or elsewhere in the Czech Republic. The managing authority of OP RDfI shall try to optimise the planning of meetings and their grouping in order to do the meetings in the lowest possible number of days. The performance of work is expected to be in the extent of approx. 25 working days.

2.4 Outputs of the contract and time schedule for their delivery:

- Two short reports summarising the main conclusions and findings from the evaluation process in step A) and C) (see point 2.1) and the quality control of consensual reports.

Time schedule: The first report shall be prepared within one month after the end of the first meeting of evaluators (first call in PA2, approx. by July/August 2009) and shall also include recommendations for possible improvements of the evaluation process in subsequent calls. The second report shall be prepared within one month after the end of the last third meeting of evaluators (approx. in January 2010).

- Three reports/minutes, one for each individual meeting of the Applications Panel, including explanations and reasons for possible changes in the order of projects based on the Panel's decision.

Time schedule: Each report/minutes shall be prepared before the end of the day of the meeting of the Applications Panel in order to enable its signing by all members of the Panel.

- Three reports/minutes, one for each individual meeting of the International Panel, including explanations and reasons for possible changes in the order of projects based on the Panel's decision.

Time schedule: Each report/minutes shall be prepared before the end of the day of the meeting of the International Panel in order to enable its signing by all members of the International Panel.

- Final report on the entire process of evaluation and project performance parameters specification.

Time schedule: The report shall be prepared within 2 month from the conclusion of negotiations (project performance parameters specification) with the last project (expected to be before end 2010).

2.5 Form of Outputs

- All outputs of the contract shall be submitted in **Czech or English language**, based on specific agreement with the Contracting Authority;
- In electronic form (format *.pdf) and two printed copies.

More detailed description of the outputs in sections 2.4 and 2.9.

2.6 Defining the role of the Contracting Authority

³ The minimum limit is expected to be CZK 200 million (approx. EUR 8 million) for projects in Priority Axis 1, CZK 100 million (approx. EUR 4 million) for projects in Priority Axis 2.

The Contracting Authority agrees to provide the following:

- Continuous availability of the contact person for consultations with the authorised personnel of the Contractor.
- Participation of authorised employees of the Contracting Authority in meetings organised with the Contractor.
- After the closure of individual calls in PA1 and PA2 to provide to the Contractor, under strict confidentiality, with the project proposals of individual projects. These project proposals shall be in English.

2.7 Defining the role of the Contractor

- The Contractor shall closely cooperate during the contract implementation with the Contracting Authority in line with the agreed model of mutual communication. Regular control days shall be the basic occasion for communication. The Contractor shall be obliged to participate in at least 4 control days in the seat of the Contracting Authority. The Contractor engages to keep potential confidential information that they might come to contact with during the contract as secret.

2.8 Documents related to the performance of activity shall be:

- Operational Programme Research and Development for Innovation (OP RDfI)⁴
- National Strategic Reference Framework of the Czech Republic for drawing of financial means from Structural Funds and the Cohesion Fund of the EU in the period 2007-13 (NSRF) - Government Resolution No. 1477/2006⁵
- Implementing Document⁶
- Guide for Applicants⁷ (in Czech), evaluation criteria for individual calls shall be available also in English
- Text of individual calls (currently the draft first call for PA2 is available, the calls shall be available also in English)⁸
- Methodology of project evaluation

2.9. Time schedule of public contract performance:

Schedule of activities:

Expected beginning of activities: June/July 2009

- 1) Chairing consensus meetings, ensuring quality of the evaluation process, chairing of the Applications Panel and International Panel - first call in Priority Axis 2: June/July 2009
- 2) First short report (up to 20 pages) summarising the main conclusions with regard to ensuring quality and quality control of evaluation meetings in steps A) and C), including recommendation for possible improvement of the evaluation process in other calls: July/August 2009 (Output No. 1)
- 3) Report / minutes from the first meeting of the Applications Panel and the International Panel: July 2009 (Output No. 2)
- 4) Assistance during project performance parameters specification - first call in Priority Axis 2: July 2009 - January 2010

⁴ <http://www.msmt.cz/strukturalni-fondy/operacni-program-vyzkum-a-vyvoj-pro-inovace-1>

⁵ <http://www.msmt.cz/strukturalni-fondy/provadecci-dokument-k-operacnimu-programu-vyzkum-a-vyvoj-pro>

⁶ http://www.msmt.cz/uploads/OP_VaVpl/Zakladni_dokumenty/OP_VaVpl_Provadecci_dokument.pdf

⁷ <http://www.msmt.cz/strukturalni-fondy/prirucka-pro-zadatele-op-vavpi>

⁸ <http://www.msmt.cz/strukturalni-fondy/vyzvy-op-vavpi>

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- 5) Report on the course of process of evaluation and project performance parameters specification for the first call in Priority Axis 2 (Output No. 3)
 - 6) Chairing consensus meetings, ensuring quality of the evaluation process, chairing of the Applications Panel and International Panel - first call in Priority Axis 1 and second call in Priority Axis 2: IV.Q.2009⁹
 - 7) Second short report (up to 20 pages) summarising the main conclusions with regard to ensuring quality and quality control of evaluation meetings in steps A) and C): end 2009/beginning 2010 (Output No. 4)
 - 8) Report / minutes from the second meeting of the Applications Panel and the International Panel: end 2009/beginning 2010 (Output No. 5)
 - 9) Report / minutes from the third meeting of the Applications Panel and the International Panel: end 2009/beginning 2010 (Output No. 6)
 - 10) Assistance during project performance parameters specification - first call in Priority Axis 1 and second call in Priority Axis 2: IV.Q.2009 - III.Q.2010
 - 11) Report on the process of evaluation and project performance parameters specification: IV.Q.2010 (Output No. 7)
 - 12) Final report on the process of evaluation in all calls (Output No. 8).

Term of contract subject performance: The expected date of beginning of the public contract performance is May/June 2009. The expected date of completion is December 2010. The given time schedule is indicative and can be changed.

3. BUSINESS CONDITIONS, PAYMENT TERMS

Business conditions:

The offer submitted by the Contractor shall contain a draft agreement on service provision signed by the authorised person, including a detailed specification of all activities of both parties, guarantees, penalties, payment terms etc. for individual types of tenders.
Payments shall be done exclusively in CZK.

The legal relations of contractual parties shall be governed by Czech law.

Required structure and content of the agreement:

The Contractor shall submit a draft agreement in his offer.

The draft agreement shall not contain any penalties or contractual fines applied by the Contractor towards the Contracting Authority.

The draft agreement must contain, among other, the following stipulations:

Confidentiality and penalties for breach

- During and after the term of the agreement, the Contractor undertakes to keep confidential any facts that he/she encounters in relation to the performance of the agreement.
- The Contractor undertakes to pay to the Contracting Authority a contractual penalty of CZK **100,000** for each individual breach of confidentiality as specified in the agreement.

Financial Controls; storing of documents

⁹ The exact closure date has not been fixed yet, but will be defined before the signature of the contract.

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- The other contractual party is, in line with stipulations of S. 2(e) of the Act No. 320/2001 Coll., on financial control in public administration and amendment to some Acts (Act on Financial Control), as amended, an entity obliged to co-participate in the exercise of financial controls performed for goods or services paid from public resources.
 - The Contractor undertakes to store accounting documentation and other relevant documents related to the provision of service in line with legal regulations in force.
 - The Contractor shall also be obliged to enable the persons authorised to perform controls of the project, from which the public contract is paid, to carry out the control of documents related with the public contract, for a period of 10 years after the completion of contract performance.

Payment Terms

- The price includes all final costs related to the elaboration and delivery of the completed work.
- No advance payments will be made by the Contracting Authority.
- The invoice payment term shall be 21 days. If the invoice does not contain all information required by the law and the agreement, the Contracting Authority has the right to send it back to the Contractor before its due date. The Contractor shall subsequently send a new invoice with a new due date. In such a case, the Contracting Authority did not default on payment.
- The Contracting Authority shall pay the invoice by a cashless transfer to the account of the Contractor. The payment date shall be the date when the amount was sent from the account of the Contracting Authority.

Payment Terms:

The invoice payment term shall be at least **21** days from the day of delivery to the Contracting Authority.

The tender price shall not be modified due to inflation of the Czech currency, its value compared to foreign currencies or due to other factors influencing the exchange rate and monetary stability. This shall apply for the entire term of agreement.

Payment for approved work shall be done in the form of two payments based on invoices and approved outputs (see point 2.9) in the following way:

- First payment of 35% after the approval of outputs No. 1, 2, 3 and 4
- Second payment of 65% after the approval of outputs No. 5, 6, 7 and 8

The invoice can be issued immediately after obtaining written approval of the given outputs. If the Contracting Authority does not deliver comments to the Contractor within 20 working days, the outputs are considered as approved. If the Contracting Authority does not approve, the Contractor is obliged to re-work the deliverables based on comments received and present a new version for an approval within 15 days. The payment will be made within 21 working days from the reception of the invoice and the approval of outputs.

Licence Terms

In contract proposal, the Contractor shall stipulate that should the outputs of his activity fulfil the criteria of an authorial work in the meaning of the Copyright Act No. 121/2000 Coll., as amended, the Contractor shall:

- Provide to the Contracting Authority an authorization to use the work in all manners of use known at the time this licensing agreement is concluded, in an unlimited extent with regard to time, the amount of use of the work and the territorial scope;
- Declare that the Contracting Authority will have the right to use the work in any manner and in full extent without restrictions;
- Declare that the price for provision of the licence to exercise the rights of use to the work is included in the price of work or services in compliance herewith;

-
- Give the Contracting Authority an authorisation for free-of-charge publication of the work, its modified versions, modifications and further processing of the work, its merger with another work, its inclusion without a change or after modification to any collected work, or in connection with another work; all of this in the manner and extent specified in this licence agreement;

This licensing agreement is concluded for the term of validity of Contractor's author rights to the work.

4. PLACE AND DATES OF PERFORMANCE

Place of performance:

Czech Republic

For activities under point 2.3 e) the place may be different based on the instructions of the Contracting Authority.

Dates of performance:

Expectations of the Contracting Authority:

Beginning of performance (expectations of the Contracting Authority) **31.05.2009** (depending on the completion of the tender)

Completion of contract: expected in September 2010

5. TECHNICAL CONDITIONS

When preparing document, the selected Contractor shall use only generally known and available means including common software (e.g. Excel, Word) in its most used versions - e.g. for Windows 2000, XP, etc. If an upgraded version of software is used, the format shall be converted to a lower commonly used version.

6. REQUIREMENTS FOR TENDER OFFER VARIANTS

No variants of tender offers shall be accepted by the Contracting Authority.

7. ADDITIONAL INFORMATION ON TENDER CONDITIONS, VISIT TO THE PLACE OF PERFORMANCE

Additional information to tender conditions:

The Contractor may request additional information concerning the tender documentation. A written request in Czech must be delivered to the Contracting Authority at latest **12** days before the deadline for offer submission, via the person in charge of performing the tender activities ORGAMET CZ s.r.o., Národní obrany 826/31, 160 00 Prague 6, Czech Republic e-mail: info@orgamet.cz.

The Contracting Authority shall deliver the requested additional information to tender documentation at latest in **6** days from the reception of the Contractor's request.

Visit to the place of performance:

A visit to the place of performance shall not be organised by the Contracting Authority as it is a tender for services.

8. REQUIREMENTS FOR PROVING QUALIFICATION

The Contracting Authority requires proving of qualification in line with S. 50 of the Act by submitting the required documents and declarations before the deadline for the submission of offers as a part of the offer. The Contracting Authority requires proving of fulfilment of qualification in line with S. 51 of the Act. In case of an offer submitted by a foreign Contractor, unless stipulated otherwise by a legal regulation, the fulfilment of qualification shall be proved by the foreign Contractor in line with legal regulations in force in the country of its registered seat, place of business or permanent residence, in the extent required by the Act and the public Contracting Authority. If, in line with legal regulations in force in the country of its seat, place of business or permanent residence, a certain document is not being issued, the Contractor shall prove the fulfilment of this qualification criterion by a declaration of honour. If the qualification requires the fulfilment of an obligation that is not required in the country of registered seat, place of business or permanent residence of the foreign Contractor, this fact shall be described in a declaration of honour. Documents proving the fulfilment of qualification shall be submitted by the foreign Contractor in original language with a certified translation into Czech attached to it, unless stipulated otherwise by the tender conditions or international agreements the Czech Republic adhered to. This shall also concern situations when documents for proving qualification in other than Czech language are submitted by a Contractor with a registered seat, place of business or permanent residence in the Czech Republic.

For the purpose of this public tender, the Contracting Authority specifies that foreign Contractors shall submit the documents proving the fulfilment of qualification in the original language, with a certified translation into Czech attached.

8.1 Basic qualification requirements (S. 53 of the Act):

The Contractor shall prove the fulfilment of basic qualification requirements by submitting the following:

1. **Excerpt from the Criminal Register**
2. **Declaration from the relevant Tax Office (S. 53(1)(f))**
3. **Declaration of Honour** with regard to **excise tax** (e.g. not an excise tax payer declaration, etc.)
4. **Declaration** of the relevant body or institution with regards to **social security insurance**.
5. **Declaration of Honour** (see Annex No. 2)

Basic qualification requirements in line with S. 53 (1) (a) and (b) are fulfilled by a Contractor that:

- i. has not been finally convicted of a criminal offence committed for the benefit of a criminal conspiracy, of a criminal offence of participation in a criminal conspiracy, legalisation of proceeds of criminal activity, complicity, accepting bribes, bribery, indirect bribery, fraud, loan fraud, including the cases of preparation for and attempts of or accessoryship in such a criminal offence, or if the conviction on committing such a criminal offence has been expunged; this requirement shall be met by the statutory body or by each member of the statutory body in the case of a legal person, and where a legal person acts as a statutory body or a member of the statutory body of an economic operator, this requirement shall be met by the statutory body or by each member of the statutory body of such a legal person; if a tender offer or request to participate is submitted by a foreign legal person by means of its organisational branch, the requirement pursuant to this subparagraph shall be met, besides the stated persons, also by the head of the organisational branch; such a basic qualifications requirement **shall be met by the Contractor both in relation to the territory of the Czech Republic and to the country of registered seat, place of business or residence thereof;**
- ii. has not been finally convicted of a criminal offence, where the facts of the case are related to the object of business activities of the Contractor under separate legal regulations or where the conviction on committing such a criminal offence has been expunged; this condition shall be met by the statutory body or by each member of the statutory body in the case of legal person, and where a legal person acts as a statutory body or a member of the statutory body of an economic operator, this requirement shall be met by the statutory body or by each member of the statutory body of such a legal person; if a tender or request to participate is submitted by a foreign legal person by means of its organisational branch, the requirement pursuant to this subparagraph shall be met, besides the stated persons, also by the head of the organisational branch; such a basic qualifications requirement shall be met by the Contractor both in relation to the territory of the Czech Republic and to the country of registered office, place of business or residence thereof.

8.2 Professional qualification requirements (S. 54 of the Act):

The Contractor shall prove the fulfilment of professional qualification requirements by submitting the following:

1. **Excerpt from the business register**, if the business entity is registered in such a register, or an excerpt from a similar registration database.
2. **Certificate authorising to business activity** (e.g. a business licence) according to which the Contractor is authorised to perform the requested works.

8.3 Economic and financial qualification requirements (S. 55 of the Act):

The Contractor shall prove the fulfilment of economic and financial qualification requirements by submitting the following:

1. **Insurance policy** (or insurance certificate) concerning liability for damage caused by the Contractor to a third party in the minimal volume of CZK 10 million.
2. **Copies of financial statements for the last 2 years (balance sheet a profit & loss account)**, showing a positive result of P&L balance - to be submitted by the Contractor as a non-certified copy with a Declaration on Honour of an authorised person (e.g. Managing Director) about its correctness.
3. **Statement of turnover** of the Contractor for the last 2 years amounting to minimum CZK 10 million/year in each period, achieved in 2007 and 2008, in the form of a declaration of honour signed by an authorised person (e.g. Managing Director)

8.4 Technical qualification requirements (S. 56 (2) of the Act):

The Contractor shall prove the fulfilment of technical qualification requirements by submitting the following:

- a) **A list of important contracts** (services) provided by the Contractor over **the previous 3 years** (from the date of opening hereof), detailing their extent and term of performance **including a declaration** by the clients about due delivery of work in line with S. 56 (2) (a) (1-3). This declaration (or certificate) must contain the price, term and place of performance and a comment about due and expert delivery of the works. This qualification requirement shall be fulfilled by submitting at least 3 declarations for contracts with the value of min. CZK 1 million¹⁰ excl. VAT, where the Contractor shall provide references for projects covering at least 3 out of the 4 categories mentioned below, i.e.:
- Evaluation of the performance of individual research centres
 - Elaboration of a methodology for evaluation of R&D projects
 - Evaluation of European, national and/or regional R&D programmes
 - Elaboration of systems, methodology and implementation of performance contracts in the field of R&D

The list of important contracts provided will include:

- name/title of the contract;
- name of the Contracting Authority;
- financial amount;
- contact to the Contracting Authority;
- date of service provision.

In line with S. 56 (2) (a) of the Act, the list shall contain:

- i. a declaration issued or signed by a public Contracting Authority in case the services were provided to a public Contracting Authority; or
- ii. a declaration issued by another person in case the services were not provided to a public Contracting Authority; or
- iii. a declaration of honour of the Contractor in case the services were provided to a different person than a public Contracting Authority in line with the Act and it is not possible to obtain a declaration in line with point ii) above from this person for reasons on their side.

¹⁰ In order to avoid doubt the calculation shall be made based on the exchange rate valid in the moment of performance of these reference projects.

b) Fulfilling the requirements concerning the expert team Requirements for the expert team of the Contractor

The Contracting Authority requests the expert team of the Contractor to be composed of at least 8 members. The Contractor shall provide the following data concerning each team member (or leader):

- Name, surname, title
- Completed university education
- Specification of the managing/expert role in the team
- Participation of the team members in the project implementation
- Present position (employer etc.)
- Qualification for fulfilling the role in the team
- Language skills
- Experience in the field directly related to the role in the team
- Other information important for the fulfilment of the given role (in case of publication activity only the most important items related to the activity in the team should be briefly mentioned; maximum of 10 items; smaller font size may be used for publications).

The description of the participation of specific team members in the implementation of activities (according to point 2.3) that represent the subject hereof constitutes an obligatory part of the offer, assuming the fulfilment of the requirements given below for individual types of performance:

Members of the expert team must comply with the following qualification requirements:

i) Compulsory requirements for the leader of the expert team

The leader of the team must have a proven experience with leading a team that performed in the past at least 3 out of the 4 relevant contracts such as:

- Evaluations of major projects in the field of research, development and innovation (at least one project with expenses of at least CZK 25 million (or a corresponding amount in a different currency based on the exchange rate as at the date of performance);
- A methodology for evaluation of R&D projects;
- Evaluation of the effectiveness of R&D programmes;
- Methodology and providing consultancy in implementation of performance contracts for R&D organisations and/or increasing the effectiveness of the operation of R&D institutions.

Furthermore, the leader of the team shall possess at least 15 years of relevant professional experience (research and consulting in the field of R&D and innovation policy, and/or management of R&D policies and research programmes) and a Neither university studies nor post-gradual education shall be counted as a part of the relevant professional experience.

Contact with the Contracting Authority:

The leader of the team will be personally in contact with the appointed member of staff of the Contracting Authority and will be reporting to him/her about the progress of work.

ii) Compulsory requirements for the expert team members for the role of the chairperson for activities stipulated under point 2.3 a)

The requirements for the expert qualification of the team member in the role of chairperson (see point 2.3 a) shall be the following:

- All members of the expert team in the role of chairperson must have a proved experience with evaluation of projects in the R&D field or in other sectors;
- The minimum length of a relevant experience for the other team members is 3 years while neither university studies, nor post-gradual education count as a part of the relevant professional experience.

iii) Compulsory requirements for the expert in charge of quality control (activities stipulated under points 2.3 b) and 2.3 d)), for the activity of presiding and chairing the International Panel (see point 2.3 d) and providing assistance during performance parameters specification (see point 2.3 e)

The team shall include at least one expert for ensuring quality control, one expert for presiding the International Panel and one expert for providing assistance during the phase of performance parameters specification. This can be performed by the team leader who will do all three activities (quality control and presiding the International Panel). The qualification requirements for such an expert are that he performed in the past at least 3 out of the 4 relevant contracts such as:

- Evaluation of major projects in the field of research, development and innovation (at least one project with expenses of at least CZK 25 million (or a corresponding amount in a different currency based on the exchange rate as at the date of performance);
- Elaboration of a methodology for evaluation of R&D projects;
- Evaluation of the effectiveness of R&D programmes;
- Methodology and providing consultancy in implementation of performance contracts for R&D organisations and/or increasing the effectiveness of the operation of R&D institutions.

Furthermore, the leader of the team shall possess at least 15 years of relevant professional experience (research and consulting in the field of R&D and innovation policy, and/or management of R&D policies and research programmes) and a demonstrated working experience based on relevant contracts performed. Neither university studies nor post-gradual education shall be counted as a part of the relevant professional experience.

iv) Compulsory requirements for the other members of the expert team

The requirements for the expert qualification of other team members shall be the following:

- All other team members must have a proved experience with evaluation of projects or programmes in the R&D field or in other sectors;
- The minimum length of a relevant experience for the other team members is 5 years while neither university studies, nor post-gradual education count as a part of the relevant professional experience.

The fulfilment of the above stated requirements for team members shall be demonstrated through a professional CV with an attached declaration of honour for each member for the team.

The documents proving basic qualification requirements and the excerpt from the Criminal Register (see S. 57 of the Act) shall not be older than 90 days as to the last day for the submission of offers.

Failure to meet the qualification conditions in the required extent by the Contractor shall mean disqualification from the tender procedure.

9. REQUIREMENTS CONCERNING THE TENDER PRICE

The Contracting Authority set out the maximum tender offer price to CZK 10 million excl. VAT.

The tender price should be submitted in the following way:

- **total tender price excl. VAT**
- **VAT alone**
- **total tender price incl. VAT**

The price section shall at the same time contain a filled-in table describing the calculation method.

Here, the Contractor shall be obliged to detail the tender price in such a way as to make clear the calculation method. Price must be given for individual activities stipulated under point 2.3 a), b) and c), taking also into account the methodology of contract implementation proposed by the Contractor (see point 15.5 A)

The tender price contained in the offer shall be exclusively in CZK.

10. CONDITIONS ALLOWING FOR EXCEEDING THE TENDER PRICE

The Contracting Authority shall not accept any change of the tender price during the entire term of the agreement.

11. EVALUATION METHOD USED FOR TENDER OFFERS:

In line with S 78 (1) (a) of the Act, the Contracting Authority shall select the economically most advantageous offer:

<u>Particular criteria:</u>	<u>Weight:</u>
1. Total tender price excl. VAT	50 %
2. Expert quality of the proposed contract elaboration methodology.....	30%
3. Planning of resources (people, time)	20%

The evaluation commission shall use a point scale of 0-100 for the evaluation of tender offers. Based on the particular criteria, each offer shall be attributed a point value reflecting the success rate of the given offer in the particular criterion evaluated.

1. Particular criterion “Total tender price excl. VAT”:

For a numerical expression of this criterion, the evaluated offer shall receive a point value equal to multiplying the ratio of the lowest total offer price to the evaluated offer price by 100.

$$\text{Particular criterion point value} = 100 \times \frac{\text{Value of the most advantageous offer}}{\text{Value of the evaluated offer}}$$

The most advantageous offer based on this particular criterion (offer with the lowest total tender price excl. VAT) shall thus receive 100 points.

2. Particular criterion “Expert quality of the proposed contract elaboration methodology”

The quality of the proposed contract elaboration methodology (see point 15.5 A) shall be evaluated under this criterion, as well as the adequacy in planning of human resources with regard to the complexity of individual activities stipulated under points 2.3 a), 2.3 b), 2.3 c) and with regard to the requested time capacities necessary for performing tasks under the contract.

The evaluation commission shall attribute a point value from the scale 0-100 to each offer, reflecting the success rate of the given offer in this criterion.

3. Particular criterion “Planning of resources (people, time)”

The proposed role of individual expert team members in the project implementation and the extent of their participation in the project (time allocation) shall be evaluated, namely to see whether it corresponds with the implementation of proposed activities (see point 15.5 B).

The evaluation commission shall attribute a point value from the scale 0-100 to each offer, reflecting the success rate of the given offer in this criterion.

The overall evaluation shall be performed by the evaluation commission in the following way: individual point values of offers based on particular criteria will be multiplied by the weight for each given criterion. The resulting values for each individual offer shall be summed up and the evaluation commission can announce the order of success of individual tender offers, where the most advantageous offer shall be the one that received the highest weighted point value.

12. TERMS AND CONDITIONS FOR TENDER OFFER PREPARATION

Tender offers shall be prepared in Czech, executed twice, one bearing the notion “ORIGINAL” on the front page and containing all requested documents and declaration in the form of originals or copies with a certification of trueness (certified copies). The second copy of the tender offer shall bear the notion “COPY no. ...” on the front page and shall represent an exact and full copy of the original. The offer shall also contain a CD with the offer content in electronic form. The offer recorded on the CD must be an exact copy of the original tender offer. When recording the offer on the CD, the Contractor shall use only generally known and available means including commonly used software (e.g. Excel, Word) in its most used versions - e.g. for Windows 2000, XP, etc. If an upgraded version of software is used, the format shall be converted to a lower commonly used version.

The tender offer shall be submitted by the Contractor in written in the structure required below by the Contracting Authority. Texts submitted in foreign languages shall have a certified translation to Czech attached to them (with the exception of possible promotion materials).

The tender offer including all requested documents shall be affirmed by the statutory body of the Contractor or a person authorised to act in the name of the statutory body by affixing a signature onto the cover page of the tender offer.

The cover page shall include the declaration in line with S. 68 (2) of the Act showing that the Contractor shall be bound by the full contents of the tender offer during the entire tender period.

Shall the offer be signed by a person authorised to do so, the Contractor shall submit in the offer the relevant officially certified full powers or another valid officially certified document of authorisation.

Each print of the tender offer (separately for the original and copy) shall be bound together or otherwise secured against manipulation with individual pages into one file, including all attachments, and put under seal by passing a string throughout the entire file and making it into a knot on the cover page; a piece of paper tape shall be pasted over the knot and affixed with a stamp and a signature.

The offer shall not contain overtyping or corrections that might be misleading for the Contracting Authority.

All pages shall bear a **page number in the ascending order in the bottom right corner, starting with No. 1 on the front page**. The tender offer shall contain (on the cover page) information about the total number of pages.

All pages shall have a page number, including all documents attached (affixing a page number to the originals or certified copies of documents shall not be considered by the Contracting Authority as a damage or modification to the official document, but as a copy of the document in line with tender conditions) and separation pages.

The required tender offer structure is stipulated at the end of this document, including a description of the method for proving qualification.

Place and deadline for the submission of tender offers:

The period for offer submission shall start by the day following the day of sending the form "Notification about contract" into the information system (ISVZ US and TED) and end on day **05.05.2009 v 11:00 a.m** by the delivery of tender offers.

Tender offers shall be submitted in written form, no submission by fax or electronic form shall be accepted. Each tender offer (original and the copies) shall be submitted in one properly closed envelope **bearing the title of the tender** and an address to which notifications in line with S. 71(6) can be sent. The envelope shall also bear the text "TENDER, DO NOT OPEN"

Both executions shall be submitted in one envelope!

During the period of tender offer submission (excluding the last day), the offers shall be received by post at the address of the authorised person, i.e. ORGAMET CZ s.r.o., Národní obrany 826/31, 160 00 Prague 6, Czech Republic or delivered in person to the same address based on a prior agreement by telephone at +420 776 676 226 (Mrs. Budská) on working days from 9:00 to 15:00. The Contractor shall be responsible for delivering the tender offer on time, even for submissions by post.

On the last day of the period for tender offer submission, i.e. on 5.5.2009, it is possible to submit the tender offers only at the address of the authorised person, from 9:00 to 11:00 - the Contractor shall be responsible for delivering the tender offer on time!

Opening of tender offer envelopes shall take place on 5.5.2009 from 14:30 **a.m./p.m.** on the premises of the Contracting Authority, in the detached offices of the Department of Technical Assistance, i.e. Czech Republic - Ministry of Education, Youth and Sports, Křižíkova 34/148, Prague 8, Czech Republic. The Contractors shall meet at the reception of the building and together they will be accompanied to the selected room by a staff member of the Ministry.

Besides the Contracting Authority, the consultancy company and the commission for opening of envelopes, also those Contractors that submitted a tender offer can be present at the opening (max. 1 representative per Contractor).

13. TENDER OFFER VALIDITY

The Contracting Authority sets the tender validity period, i.e. the time limit throughout which the Contractors are bound by their tender offers, to be **120 days**. The tender validity period shall run from the date of expiry of the time limit for the submission of tender offers and cease to run by the date of delivery of the advice note of the Contracting Authority on the selection of the most suitable tender offer.

14. OTHER REQUIREMENTS OF THE CONTRACTING AUTHORITY ON PUBLIC CONTRACT PERFORMANCE

The Contracting Authority reserves the right to change the date of beginning of contract performance in relation to the date of termination of the tender procedure.

Contractors shall not be entitled to payment of costs related to the participation in the tender.

15. CONTENT AND REQUIRED STRUCTURE OF THE TENDER OFFER

Individual parts of the offer (chapter) mentioned below shall be clearly separated from each other, for example by coloured papers with bookmarks:

1. FRONT PAGE

Title of the public contract, Contractor - basic identification data

2. CONTENT

The offer shall include a list of contents with page numbers of individual chapters.

3. COVER PAGE

See annex TEMPLATE No. 1

It is compulsory to use annex No. 1 - Tender Offer Cover Page - Template No. 1 for drafting of the cover page. It shall contain the following: the title of the public contract, basic identification data of the Contracting Authority and the Contractor incl. contact persons and persons authorised to carry out further negotiations, deadlines for implementation, the tender price respecting the maximum acceptable limit detailed as excl. VAT, VAT alone and incl. VAT and other in line with the template, **declaration in line with S. 68 (2) of the Act, date and signature of a person authorised to act for the Contractor.**

If the cover page is signed by an authorised person, the full powers of attorney for this person with signatures certified by a notary shall be included behind the cover page.

If the tender offer is submitted by more Contractors together, a proof of the contractual relation - see S. 51 (6) of the Act (e.g. an association agreement) shall be included behind the cover page. This document shall contain the name of one Contractor that is authorised to represent the other Contractors during the tender procedure.

4. PROVING THE QUALIFICATION REQUIREMENTS

The Contracting Authority requires proving of qualification requirements in line with S. 50 et seq. of the Act by submission of the requested documents and declarations before the end of the deadline for tender offer submission by including them in the tender offer. The Contractor shall use the template of the declaration of honour that constitutes the annex No. 2 of the tender conditions.

5. EXTENT AND TOTALITY OF SERVICES

The Contractor shall describe in detail and unambiguously the activities and work that is included in the offer price and for which phase. The Contracting Authority shall give preference to the largest offered extent of activities and work included in the tender price.

The Contractor shall describe in the tender offer how the tender conditions will be fulfilled. The Contractor can describe more broadly the fulfilment of requirements for some parts of the contract explaining why a broader description is necessary.

The offer shall also contain:

- A) Contract elaboration methodology including:
 - a detailed description of the course of contract performance;

- evaluation of experience from implementation of performance contract methodology in the field of research and development in other countries;
- proposals and recommendation for the introduction of this methodology into the research sector of the Czech Republic;
- a proposal on the methods of work of the expert team in relation to expert staff members of the Managing Authority of OP RDfl.

B) Description of the expert team composition, especially the participation of individual team members in the project implementation and specification of human resources allocation for individual activities. This shall be presented in a summary table describing the participation of individual team members in activities during project implementation - volume of work attributed (expert level, managing role, etc) and time allocation (man days). The allocation of human resources and roles of individual expert team members shall comply with the minimum qualification requirement set by the Contracting Authority (see point 8.2). The roles of individual expert team members must correspond to the expert and language levels of specific members of the expert team. The performance of all activities requires the knowledge of Czech and English languages at professional level, except for activities of chairing or presiding the International Panel where only English language is required.

The Contractor shall fulfil the contract subject under its own name, independently and based on the instructions of the Contracting Authority. If the Contractor expects the need to carry out some activities via sub-Contractors, their names and volume of sub-contracted work (expressed in percent for individual sub-Contractors and total volume of work sub-contracted) shall be included in the tender offer.

The activity of expert team leader cannot be carried out via a sub-contractor.

6. SIGNED DRAFT OF THE CONTRACTUAL AGREEMENT

The prepared draft agreement shall be signed for the Contractor by a person authorised to act in the name or for the Contractor or signed by a person with full powers to do so; the original or certified copy of the full powers must in such a case be included in the tender offer submitted by the Contractor. A draft agreement without signature does not constitute the submission of this draft agreement. The tender offer of the Contractor shall therefore become incomplete and the Contracting Authority shall exclude such a Contractor from further participation in the tender procedure.

7. PRICE OFFER

8. IMAGE REFERENCES, ETC. - BASED ON THE NEEDS OF THE CONTRACTOR (NON-COMPULSORY)

Not compulsory.

9. GUARANTEE

The Contracting Authority does not require a guarantee deposit.

In Prague on March 17 2009



Burgetová

Ing. Johana Burgetová
Director of the Department of Technical Assistance

ANNEXES

KRYCÍ LIST NABÍDKY

Předmět nabídky:

Otevřené nadlimitní řízení na služby na:

ŘÍZENÍ KVALITY PROCESU HODNOCENÍ, MODEROVÁNÍ MEZINÁRODNÍHO PANELU A ASISTENCE V PRŮBĚHU FÁZE ZPŘESŇOVÁNÍ PARAMETRŮ PROJEKTU – PRIORITY OSY 1 A 2 OPERAČÍHO PROGRAMU VÝZKUM A VÝVOJ PRO INOVACE (OP VaVpl)

Základní identifikační údaje:

Zadavatel:

název zadavatele:	Česká republika – Ministerstvo školství, mládeže a tělovýchovy
sídlo, místo podnikání:	Karmelitská 7, 118 12 Praha 1
IČ:	00022985
stát:	CZ
právní forma zadavatele:	325
kód obce dle ZÚJ:	500224
osoba oprávněná za zadavatele jednat:	Ing. Johana Burgetová, ředitelka odboru technické pomoci na základě oprávnění č. j.: 3121/2008 ze dne 18.2.2008, vydaného ministrem Mgr. Ondřejem Liškou
kontaktní osoba zadavatele:	Ing. Štefan Suchar, odbor technické pomoci
tel.:	+420 234814128
mobil:	+420 724589774
e-mail:	stefan.suchar@msmt.cz

Název uchazeče:

sídlo, místo podnikání:

IČ:	
DIČ: CZ	
CZ	
stát:	
právní forma:	
kód obce dle ZÚJ:	

osoba oprávněná

za uchazeče jednat:

kontaktní osoba uchazeče:

Nabídková cena:

Cena celkem bez DPH Kč
samostatně DPH Kč
Cena celkem včetně DPH Kč

Termín realizace:

Začátek plnění: **31.5.2009** (avšak dle dokončení zadávacího řízení)
Ukončení zakázky: **předpoklad 31.12.2010**

Platnost nabídky: 120 dnů

Prohlášení uchazeče:

Uchazeč se sídlem, zastoupený, prohlašuje, že je vázán celým obsahem nabídky po celou dobu běhu zadávací lhůty.¹¹

.....
podpis a razítko oprávněné osoby
titul, jméno, příjmení
funkce

¹¹ Toto prohlášení bude odpovídat ustanovení § 68, odst. 2 zákona 137/2006 Sb.

ČESTNÉ PROHLÁŠENÍ¹²

podle § 53, odst. 1, písm. c) až e) a g) a i) zákona o veřejných zakázkách č. 137/2006 Sb. (dále jen zákon)

prohlašuji tímto čestně že:

- c) jsem nenaplnil skutkovou podstatu jednání nekalé soutěže formou podplácení podle zvláštního právního předpisu,
- d) vůči majetku společnosti (mému majetku) neprobíhá insolvenční řízení, v němž bylo vydáno rozhodnutí o úpadku nebo insolvenční návrh nebyl zamítnut proto, že majetek nepostačuje k úhradě nákladů insolvenčního řízení, nebo nebyl konkurs zrušen proto, že majetek byl zcela nepostačující⁴¹⁾ nebo zavedena nucená správa podle zvláštních právních předpisů,
- e) společnost (nejsem) není v likvidaci,
- g) společnost nemá (nemám) nedoplatek na pojistném a na penále na veřejné zdravotní pojištění, a to jak v České republice, tak v zemi sídla, místa podnikání či bydliště dodavatele,
- i) jsem nebyl v posledních 3 letech pravomocně disciplinárně potrestán ani mi nebylo pravomocně uloženo kárné opatření podle zvláštních právních předpisů¹³

.....
titul, jméno, příjmení
funkce

¹² Čestné prohlášení může upravit každý uchazeč podle svých potřeb. Toto prohlášení podepisuje osoba, oprávněná podepisovat za nebo jménem uchazeče.

¹³ je-li podle § 54 písm. d) požadováno prokázání odborné způsobilosti podle zvláštních právních předpisů, a pokud dodavatel vykonává tuto činnost prostřednictvím odpovědného zástupce nebo jiné osoby odpovídající za činnost dodavatele, vztahuje se tento předpoklad rovněž na tyto osoby

