



## CALL FOR TENDERS

### **Liquid nitrogen duct between SO-03 and L2 laser hall\_TP23\_027**

This procurement is to be executed in the open procedure according to Article 13 of the Extreme Light Infrastructure ERIC Procurement Rules (“*Rules*”)

(hereinafter the “*Call*”, “*Procurement*” or “*Procurement Procedure*”)

#### **Organisation:**

**The Extreme Light Infrastructure ERIC**

with its registered office at

Za Radnicí 835, 252 41 Dolní Břežany, Czech Republic

identification No.: 109 74 938

(hereinafter the “*Organisation*”)

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# 1. Basic data on the Organisation and the Procurement Procedure

## 1.1. Basic data on the Organisation

Organisation	<b>The Extreme Light Infrastructure ERIC</b>
Registered Office:	Za Radnicí 835, 252 41 Dolní Břežany, Czech Republic
Identification No.:	109 74 938
Person authorised to act on behalf of the Organisation:	Allen Weeks, Director General
Contact person:	David Pokorný tel.: +420 601 555 056 e-mail: <a href="mailto:david.pokorny@eli-beams.eu">david.pokorny@eli-beams.eu</a>

## 1.2. Procurement Procedure

This Procurement Procedure is solely carried out under the Rules available at <https://eli-laser.eu/procurement/rules/>.

In accordance with Article 13(1) of the Rules any interested supplier may submit a tender.

# 2. Subject-matter of the Procurement

## 2.1. Specification of the subject-matter of the Procurement

The subject-matter of this Procurement is the implementation of liquid nitrogen supply to hall L2 in the building of the ELI Beamlines Facility in Dolní Břežany as described in detail in **Annex No. 2 Technical Specification**. Subject-matter of this Procurement is further specified in **Annex No. 1 Contract for Work**.

The information and data listed in this Call and its Annexes define the minimum technical and other mandatory requirements of the Organisation. Tenderers are obliged to respect these requirements in their tenders.

## 2.2. Technical specification

Technical specification for the subject-matter of this Procurement is given in **Annex No. 2 Technical Specification**.

The technical parameters stated in **Annex No. 2 Technical Specification** are defined as maximal/minimal requirements, i.e. tenderers are entitled to offer a more advantageous products/solution.

The Organisation stipulates that the requirements for the technical solution will also be met if the technical solution specified in the tender differs from the one specified in **Annex No. 2 Technical Specification**, but meets the following mandatory requirements:

- **Inner pipe diameter** = 26,9 mm (+ max. 10%)
- **Total heat loss** - total duct loss limit is 360W (+ max. 10%) or 200W (+ max. 10%) for pipes only (without couplings)

If the technical specification is set by a direct or indirect reference to particular economic operators or products, or patents for inventions, utility models, industrial designs, trademarks or designations of origin, tenderers may offer another equivalent solution. The Organisation reserves the right to ask for the explanation and/or evidence that the proposed solution satisfies in an equivalent manner the requirements defined by the Organisation.

### **2.3. Business conditions**

Business conditions for the performance of this Procurement are specified in **Annex No. 1 Contract for Work**.

**Tenderers are obliged to fill in only the blanks highlighted in yellow within the Contract for Work.**

**Tenderers are not entitled to make any other changes in the Contract for Work.**

The draft of the Contract for Work must be signed by an authorised person of the tenderer. If the Contract for Work is signed by a person who has been granted power of attorney or authorisation, these must be included in the tender.

### **2.4. Social, ecological and innovative aspects**

The Organisation will award this Procurement in accordance with the principles of socially and environmentally responsible procurement. Socially and environmentally responsible procurement also takes into account the related impacts, especially in the areas of employment, social and labour rights and the environment.

## **3. Selection criteria**

The Organisation sets the following selection criteria to prove experience, abilities and capacities that are necessary for the Procurement to be performed to an appropriate level of quality.

Minimum scope and specifications:

#### **a) Reference completed contracts**

Tenderers shall demonstrate a minimum of three installations of vacuum insulated gas distribution that were realized in the last 5 years. One with a minimum length of 50 metres and two with a minimum length of 15 metres each. The tenderer shall describe (a) the name of the project, (b) the name of the client, (c) the date of realization, (d) the price and (e) the contact information for the client (so that the Organisation may verify whether or not the information is correct).

The tenderer is entitled to prove such reference through the subcontractor only if the tenderer was legally responsible for the subcontractor's work in the given case. Otherwise proving the reference through the subcontractors is not permitted.

#### **b) Professional experience**

Tenderers shall demonstrate a minimum of 5 years of experience (operation) in the field of installation of technical gas distribution systems. This shall be demonstrated by annual reports of the tenderer (if these are available) or the description of the major projects in the field of installation of technical gas distribution systems in the last 5 years.

#### **c) Professional authorization**

Tenderers shall submit the Authorization for distribution of technical gases by the Technical Inspectorate of the Czech Republic (requirement of Czech Act No. 191/2022 Coll. - *oprávnění společnosti TIČR na rozvody technických plynů*)

## 4. Requirements for processing the tender price

Tenderers are required to state **the total tender price in EUR or in CZK excluding VAT** in the **Cover Tender Note** which is the **Annex No. 3** to this Call and in the itemized budget which forms Annex 2 of the Contract for Work (Contract for Work is the **Annex No. 1** to this Call).

VAT shall be paid in accordance with the applicable legal regulations.

The total tender price is the maximum price that cannot be exceeded during performance of the Contract for Work and shall include all costs incurred by the tenderer in connection with this performance.

The total tender price must also include costs not explicitly specified but about which the tenderer knew or should and could have known considering his professional knowledge, exercising all professional care.

In the event of a discrepancy between the data on the tender price stated in the various parts of the tender, the Organisation will rely on the total tender price excluding VAT specified in the Cover Tender Note for the purposes of evaluation and conclusion of the Contract for Work.

In the case of the tender price stated in CZK, it will be converted into EUR according to the exchange rate of the European Central Bank (ECB) applicable on the date of the expiry of the time limit for the submission of tenders, for the purposes of evaluation.

## 5. Evaluation

### 5.1. Evaluation criteria

Tenders shall be evaluated on the basis of best-value-for-money.

The Organisation evaluates the **tender price in EUR excluding VAT**. The tender price shall be given in the structure and under the conditions defined in Article 3. hereof.

The Organisation shall evaluate the best-value-for-money solely on the basis of the lowest tender price. The winning tender will be the tender with the lowest tender price.

Tenderers shall not be authorised to make the tender subject to any conditions. Any such conditions or provision of several different values in the tender parts that are subject to the evaluation shall constitute a reason to exclude the tenderer from the Procurement Procedure.

### 5.2. Priority of evaluation

According to Article 27(8) of the Rules, the Organisation shall assess compliance of the tender with this Call upon finalisation of the evaluation of tenders and shall carry out the assessment in relation to the tender of the tenderer recommended for award only.

## 6. Subcontracting

Tenderers must indicate in their tenders any share of the Contract for Work that may be subcontracted to third parties and the identity of such proposed subcontractors.

The Organisation may exclude subcontractors under Article 23 of the Rules, in which case it may require the tenderer to replace those subcontractors so identified.

## 7. Tender processing conditions and requirements

### 7.1. Conditions for the submission of tenders

To secure proper level of transparency, the Organisation accepts tenders in electronic form only, on the following e-mail address: [tenders@eli-laser.eu](mailto:tenders@eli-laser.eu) . Tenders in paper form are not permitted.

**Tenders shall be submitted no later than 15.5. 2024 at 10:00 XM.**

Subject-matter of the e-mail with the tender shall be marked 'DO NOT OPEN' and the title of the Procurement “*Liquid nitrogen duct between SO-03 and L2 laser hall\_TP23\_027*”.

If the subject-matter of the e-mail is properly marked, the Organisation shall not open such e-mail before the end of the period during which the tenders can be submitted. The tenders must be prepared in **English or Czech**.

The documents constituting the tender may be provided in the form of scanned images.

If the tender is submitted jointly by more tenderers (joint tender), the tenderers shall specify a person in the tender who shall be empowered to represent these tenderers when communicating with the Organisation during the Procurement Procedure.

Tenderers shall submit a tender containing the following documents and parts, whereas the following structure is only recommended:

**a) Cover Tender Note**

The Cover Tender Note shall include the following details: Procurement title, basic identification details of the Organisation and the tenderer (including persons empowered to be involved in further proceedings and stating an enterprise categorisation in accordance with the Recommendation 2003/361/ES), contact e-mail address of the tenderer (for electronic communication with the Organisation during the Procurement Procedure), the total tender price, date and signature of the person authorised to act on behalf of the tenderer.

The tenderer may use **Annex No. 3** hereto.

**b) Contract for Work - (Annex No. 1 hereto)** including **itemized budget** (tender price breakdown into individual items) as its Annex 2 (tenderers shall fill in the itemized budget template included in **Annex No. 2** hereto or present their own itemized budget if their technical solution differs from the solution specified in **Annex No. 2** hereto)

**c) Documents** proving the fulfilment of the **selection criteria** according to Article 3. hereof.

**d) List of subcontractors** (according to Article 6. hereof)

**e) Description of the offered solution**

The offered solution shall be described sufficiently in the tender so that the Organisation is able to assess its compliance with the requirements of this Procurement Documentation.

**f) Affidavit regarding international sanctions**

Tenderers shall provide a solemn declaration (affidavit) that awarding the contract to them does not represent any violation of international sanctions according to Czech Act No. 69/2006 Coll., on Implementation of International Sanctions, as amended.

Detailed information is provided in Article 8.3. hereof. Tenderers may use **Annex No. 4** hereto.

## **7.2. Opening of tenders**

The opening of tenders will be carried out electronically. The Organisation shall open tenders after the expiry of the time limit for the submission of tenders. When opening tenders, the Organisation shall check whether they were submitted within the prescribed time limit.

## **8. Other conditions**

### **8.1. Rights of the Organisation**

The Organisation may request an explanation or supplement to any of the tenders.

Supplementing the tender may not change the tender price or other data relevant to the evaluation.

If the tender contains data or information inconsistent with the Call (as it was submitted, or even after explanation/supplementation), the Organisation shall exclude it.

The Organisation may verify the credibility of the data, documents, samples or models provided by the tenderer and may also acquire them itself.

## **8.2. Explanation of the Procurement documents**

The Organisation shall provide explanation of the Procurement documents based on a tenderer's written request or on its own will. Requests for explanation must be submitted at least 7 working days prior to the deadline for tender submission to the following e-mail address: [david.pokorny@eli-beams.eu](mailto:david.pokorny@eli-beams.eu) or in the system Tender arena. The Organisation shall provide explanations without undue delay. The Organisation is not obliged to provide explanations for request that were not submitted within the deadline stipulated in the second sentence of this paragraph.

## **8.3. International sanctions**

The Organisation shall not award the contract if such award would represent any violation of international sanctions according to Czech Act No 69/2006 Coll., on Implementation of International Sanctions, as amended. The Act implements mainly international sanctions adopted based on the membership of the Czech Republic in the United Nations organization and in the European Union (especially the EU Regulation No. 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, as amended).

Tenderers shall provide a solemn declaration (affidavit) that awarding the Contract for Work to them does not represent any violation of international sanctions according to Czech Act No 69/2006 Coll., on Implementation of International Sanctions, as amended.

Should the provided declaration prove untrue or should the declaration not be provided by the tenderer, the Organisation will exclude the tenderer recommended for award based on the evaluation from the Procurement Procedure at any time until the conclusion of the Contract for Work and may exclude any other tenderers from the Procurement Procedure for that reason.

Should the international sanctions apply on a subcontractor of a tenderer, the Organisation may require the tenderer to replace the subcontractor so identified. Should the tenderer recommended for award based on the evaluation not replace the subcontractor, the Organisation shall exclude the tenderer from the Procurement Procedure at any time until the conclusion of the Contract for Work.

## **9. Final provisions**

The Organisation does not allow variants of tenders.

The Organisation shall not reimburse the tenderers for the costs incurred in connection with their participation in the Procurement Procedure, even if the Procurement Procedure has been cancelled by the Organisation.

### **The list of the annexes:**

- 1. Contract for Work**
- 2. Technical Specification**
- 3. Cover Tender Note**
- 4. Affidavit regarding international sanctions**

On behalf of the Organisation:

  
.....  
Allen Weeks, Director General

**Contract for Work**



**Technical Specification**

## Cover Tender Note

Procurement title:

**“Liquid nitrogen duct between SO-03 and L2 laser  
hall\_TP23\_027”**

<b>Organisation</b>	<b>The Extreme Light Infrastructure ERIC</b>
Registered Office:	Za Radnicí 835, 252 41 Dolní Břežany, Czech Republic
Identification No.:	109 74 938
Tax Identification No.:	CZ10974938
Person authorised to act on behalf of the Organisation:	Allen Weeks, Director General

**Tenderer’s Business Name incl. Legal Form:** [to be filled in by tenderer]  
**Registered Office:** [to be filled in by tenderer]  
**Identification No.:** [to be filled in by tenderer]  
**Tax Id. No.:** [to be filled in by tenderer]  
**Small / Medium-sized enterprises  
(in accordance with the  
Recommendation 2003/361/ES):** [YES/NO - to be filled in by tenderer]  
**Person authorized to represent the tenderer:** [to be filled in by tenderer]  
**Contact person:** [to be filled in by tenderer]  
**Contact address:** [to be filled in by tenderer]  
**Tel:** [to be filled in by tenderer]  
**E-mail of the Contact person:** [to be filled in by tenderer]  
  
**Total tender price:** EUR / CZK [to be filled in by tenderer]

**The tenderer hereby fully and without reservations accepts the business and technical conditions stated in the draft of Contract for Work and in the Technical Specification which were the integral part of the Call for Tenders.**

In [to be filled in by tenderer] On [to be filled in by tenderer]

.....  
[Signature - to be filled in by tenderer]  
[Business Name - Authorized Representative to be filled  
in by tenderer]

## Affidavit regarding international sanctions

Procurement title:

**“Liquid nitrogen duct between SO-03 and L2 laser  
hall\_TP23\_027”**

**Tenderer’s Business Name incl. Legal Form:** [to be filled in by tenderer]  
**Registered Office:** [to be filled in by tenderer]  
**Identification No.:** [to be filled in by tenderer]  
**Authorized Representative:** [to be filled in by tenderer]

The tenderer hereby solemnly declares that the award Contract for Work to him does not represent any violation of international sanctions according to Czech Act No. 69/2006 Coll., on Implementation of International Sanctions, as amended.

In [to be filled in by tenderer] On [to be filled in by tenderer]

.....  
[Signature - to be filled in by tenderer]  
[Business Name - Authorized Representative to be filled  
in by tenderer]