



EUROPEAN UNION  
European Structural and Investment Funds  
Operational Programme Research,  
Development and Education



## EXPLANATION, AMENDMENT TO AND COMPLETION OF TENDER DOCUMENTS II

### Identification of the Public Procurement

Name: Interactive Computer Simulation Virtual Patient

Type of the public procurement: Supplies

Type of procurement procedure: Open procedure

Address of the public procurement: <https://zakazky.muni.cz/vz00004723>

### Identification of Contracting Authority

Name: Faculty of Medicine, Masaryk University, faculty of public university pursuant to Act No. 111/1998 Sb., on Universities, as amended, not registered in the Commercial Register

Registered office: Kamenice 753/5, 625 00 Brno

Company Reg. No.: 00216224

Represented by: Prof. MUDr. Martin Bareš, Ph.D., Dean of Faculty of Medicine, Masaryk University

### 1. REASONS FOR THE EXPLANATION OF AND AMENDMENT TO THE TENDER DOCUMENTS

On 19<sup>th</sup> March 2018, the Contracting Authority received the following request through the E-ZAK electronic tool for the clarification of the tender documents:

#### Query:

*Dear Sirs,*

*On 15<sup>th</sup> March 2018, we asked for information where it is possible to obtain the requirements for the subject-matter of the public procurement, but we have not received any such information yet.*

*Furthermore, we ask you for clarification whether the Contracting Authority requests, based on the tender documents and requirements for the qualifications of the delivery of patient simulators, the implementation of the "Virtual Patient" and the training of operators, or any other delivery solution of the "Virtual Patient". The conditions of the tender documents imply that the Contracting Authority requests the participation of university-educated teachers, tutors and IT specialists to the extent not even required by the simulator producer. The participant assumes that the said requirements for the members of the implementation team describe the requirements for contracting authority's rather than contractor's personnel qualification. The contractor, from the very essence of the thing, cooperates with the producer in considering necessary qualifications of their employees for successful implementation and the training of customer's staff. We assume that the conditions of the technical qualification competency bear the elements of discriminatory conduct of favouritizing a specific contractor and of unacceptable interference of the contracting authority in determining the qualifications of participant's employees, which lies absolutely beyond contracting authority's responsibility. Regarding IT*



*competence, for example, it is not decisive for determining the capabilities of a given employee whether or not s/he has university education. It is only relevant in this particular case whether contractor's employee is able to implement the simulators, train contracting authority's operator thoroughly, or provide quality service.*

*It is surprising that the Contracting Authority focuses in their conditions – contained in the tender documents – not on the parameters and price of supplied simulators, but on the qualifications of contractor's employees, which has nothing in common with the quality and technical level of supplied simulators.*

*Regarding the above, we hereby ask for clarification of the tender documents, the communication of simulators' technical parameters, and the reasons for requested qualification parameters of the implementation team.*

*Considering the deadline for the submission of offers, we hereby request the deadline be postponed so that the explanation of the tender documents provided by the contracting authority could be responded to.*

## 2. EXPLANATION AND CHANGE TO THE TENDER DOCUMENTS

On 20<sup>th</sup> March 2018, Contracting Authority published through E-ZAK electronic tool an explanation of the tender documents that responded to the above contractor's request of 15<sup>th</sup> March 2018.

In their query, Contractor asks *"for clarification whether the Contracting Authority requests, based on the tender documents and requirements for the qualifications of the delivery of patient simulators, the implementation of the "Virtual Patient" and the training of operators, or any other delivery solution of the "Virtual Patient"."*

The Contracting Authority hereby gives the following explanation for the subject-matter of the public contract. To avoid any and all doubts, the Contracting Authority refers to the facts mentioned explicitly at several places of the tender documents, i.e. that the subject-matter of the public procurement is to provide Interactive Computer Simulation Virtual Patient (the "ICS VP"), a set of Virtual Patients (the "VP"), meaning a **database of interactive case reports** rather than patient body simulators in the form of some dummies as mistakenly stated in Contractor's query. These abovementioned facts are clearly evident from both the individual documents and the context of the tender specifications set by the Contracting Authority. Therefore, there was rather Contractor's linguistic misunderstanding of the terms and tender specifications set by the Contracting Authority.

The Contracting Authority further refers to the tender documents, mainly Art 1 of the Draft Contract which provides definitions to all the terms relating to the subject-matter of the public procurement performance. None of the definitions suggests that the subject-matter of contractual performance shall be body patient simulators in the sense of any hardware or technical equipment, i.e. in the form of some dummies.

Regarding the qualification prerequisites, we assure that they have been determined so as to reflect the needs of the Contracting Authority to ensure quality performance. These qualifications are mainly based on the need to obtain not only quality ICS VP but, as part of the delivery, even the implementation, training, operational and technical support, and the delivery of supporting study materials (see Art 3.4 of the Draft Contract), wherefore the specified technical qualification prerequisites also reflect quality provision of the said requirements.

The supply is acquired as part of the provision of infrastructure and material-technical needs of strategic activities realized within the ESF project of MUNI 4.0. The objective of the ICS VP is to provide the means to achieve the goal set in the SIMU+ project, i.e. to re-accredit the General Medicine study programme, especially in the change to TBL, PBL, CBL, and SBL teaching methods and also to student assessment methods, which should be done through introducing ICS VP to education to be subsequently used and developed independently (see Art 2 of the Draft Contract).



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The Contracting Authority states that the original deadline for the submission of offers, i.e. 23<sup>rd</sup> March 2018 until 13:00, has already been extended following the Explanation, Amendment to and Completion of Tender Documents I., namely to **11<sup>th</sup> April 2018** until 13:00, while opening of envelopes with offers shall take place on **11<sup>th</sup> April 2018** at 13:00 at the Contracting Authority's contact address, i.e. Faculty of Medicine, Masaryk University, building A17, Kamenice 5, 625 00 Brno, room 313.

The tender specifications of this public procurement shall remain unchanged.

Owing to the fact that this explanation makes no changes whatsoever to the tender documents, the deadline for the submission of offers shall not be extended.

In Brno on this 21<sup>st</sup> March, 2018

prof. MUDr. Martin Bareš, Ph.D.  
Dean of FM MU

pp. for the purpose of the el. signature  
Mgr. Olga Korvasová  
Manager of public procurement