

## **VOLUNTARY EX ANTE TRANSPARENCY NOTICE**

### **Supplies**

Directive 2014/24/EU

#### **SECTION I: CONTRACTING AUTHORITY/ENTITY**

##### **I.1) NAME AND ADDRESSES**

Official name:

Universiteit Leiden

National ID:

27368929

Postal address:

Kolffpad 1

Town:

Leiden

NUTS code:

NL33

Postal code:

2333BN

Country:

NL

Contact person:

Govert Schipperheijn

Telephone:

+31 715273304

E-mail:

[inkoop@ufb.leidenuniv.nl](mailto:inkoop@ufb.leidenuniv.nl)

Fax:

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##### **Internet address(es)**

Main address:

<http://www.universiteitleiden.nl>

Address of the buyer profile:

<https://s2c.mercell.com/buyer/19549>

##### **I.4) TYPE OF THE CONTRACTING AUTHORITY**

Body governed by public law

##### **I.5) MAIN ACTIVITY**

Other activity: Scientific research and higher education

## SECTION II: OBJECT

### **II.1) SCOPE OF THE PROCUREMENT**

#### **II.1.1) Title**

Substates containing high-accuracy liquid-crystal patterns

Reference number: -

#### **II.1.2) CPV code(s)**

Main code:

38630000 - Astronomische en optische instrumenten

Supplementary code:

FG11 - Voor wetenschappelijke doeleinden

#### **II.1.3) Type of contract**

Supplies

#### **II.1.4) Short description**

This is a publication of our intent to award the contract for Substates containing high-accuracy liquid-crystal patterns to Color Link Japan Ltd. If no representations are received within 20 days after the publication on Tendered/TED, we intent to award the contract. For information you can use the message system or the Q&A module.

ColorLink Japan has become our single-source supplier for substates containing high-accuracy liquid-crystal patterns based on MTR broadband coatings, which constitute essential sub-components for our proposed project.

#### **II.1.6) Information about lots**

This contract is divided into lots: no

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value: 300 000,00

Currency: USD

## **II.2) DESCRIPTION**

### **II.2.1) Title**

-

Lot No: -

### **II.2.2) Additional CPV code(s)**

Main code:

38600000 - Optische instrumenten

Supplementary code:

FG11 - Voor wetenschappelijke doeleinden

### **II.2.3) Place of performance**

NUTS code:

NL33 Zuid-Holland

Main site or place of performance:

-

### **II.2.4) Description of the procurement:**

(nature and quantity of works, supplies or services or indication of needs and requirements)

Substates containing high-accuracy liquid-crystal patterns based on MTR broadband coatings, which constitute essential sub-components for our proposed project.

### **II.2.5) Award criteria**

Price

Weighting: -

### **II.2.11) Information about options**

Options: no

### **II.2.13) Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds: no

**II.2.14) Additional information:**

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## SECTION IV: PROCEDURE

### **IV.1) DESCRIPTION**

#### **IV.1.1) Type of procedure**

Negotiated procedure without prior publication

#### **IV.1.3) Information about framework agreement**

-

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

### **IV.2) ADMINISTRATIVE INFORMATION**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number in the OJ S: -

## SECTION V: AWARD OF CONTRACT / CONCESSION

**Contract No:** 1

**Lot No:** 1

**Title:** substrates containing high-accuracy liquid-crystal patterns based on MTR broadband coatings

### V.2) AWARD OF CONTRACT / CONCESSION

#### V.2.1) Date of conclusion of the contract/concession award decision:

17/10/2023

#### V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: no

#### V.2.3) Name and address of the contractor/concessionaire

Official name:

Color Link Japan Ltd

National ID:

-

Postal address:

55 Nakadahara, Joetsu-City

Town:

Niigata, Japan

NUTS code:

NL

Postal code:

943-0882

Country:

NL

Telephone:

-

E-mail:

-

Fax:

-

Internet address:

-

The contractor/concessionaire is an SME: no

#### V.2.4) Information on value of the contract/lot/concession (excluding VAT)

Initial estimated total value of the contract/lot/concession:

19/10/2023

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Total value of the contract/lot/concession: 300 000,00

Currency: USD

#### **V.2.5) Information about subcontracting**

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## SECTION VI: COMPLEMENTARY INFORMATION

### **VI.3) ADDITIONAL INFORMATION**

This is a publication of our intent to award the contract for Substates containing high-accuracy liquid-crystal patterns to Color Link Japan Ltd. If no representations are received within 20 days after the publication on Tendered/TED, we intent to award the contract.

### **VI.4) PROCEDURES FOR REVIEW**

#### **VI.4.1) Review body**

Official name:

Rechtbank Den Haag

Postal address:

-

Town:

Den Haag

Postal code:

-

Country:

NL

E-mail:

-

Telephone:

-

Internet address:

-

Fax:

-

#### **VI.4.2) Body responsible for mediation procedures**

-

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures:

Within 20 days of this publication.

#### **VI.4.4) Service from which information about the review procedure may be obtained**

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19/10/2023

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## **VI.5) DATE OF DISPATCH OF THIS NOTICE**

17/10/2023

## ANNEX D1 – GENERAL PROCUREMENT: JUSTIFICATION FOR THE AWARD OF THE CONTRACT WITHOUT PRIOR PUBLICATION OF A CALL FOR COMPETITION IN THE OFFICIAL JOURNAL OF THE EUROPEAN UNION

### Directive 2014/24/EU

#### **D1.1) Justification for the choice of the negotiated procedure without prior publication of a call for competition in accordance with Article 32 of Directive 2014/24/EU**

The works, supplies or services can be provided only by a particular economic operator for the following reason:

- absence of competition for technical reasons

#### **D1.3) Explanation**

Please explain in a clear and comprehensive manner why the award of the contract without prior publication in the Official Journal of the European Union is lawful, by stating the relevant facts and, as appropriate, the conclusions of law in accordance with the directive: The key liquid-crystal technology that enables this proposed R&D program was developed within the Geometric-phase Photonics Lab at North Carolina State University (PI Dr. Michael Escuti), and its spin-off company ImagineOptix. In particular, they have obtained patents on the direct-write technology (EP2906974B1 / US9690026B2) that is crucial to manufacture virtually any phase pattern with high accuracy, and on the self-aligning multi-twist retarder approach (EP2764402A4 / US9298041B2) that is crucial to minimize polarization leakage over large spectral bandwidths while maintaining pattern accuracy. Over the last 10 years, the Leiden/NOVA group, in collaboration with NCSU/ImagineOptix, have introduced these technologies to astronomy, designing, manufacturing, testing and commissioning coronagraphic (and other) optical components based on broadband patterned liquid-crystals at several ground-based telescopes.

In 2019, the NCSU GPL group was disbanded, and all activities and

patents transferred to ImagineOptix. In 2021, ImagineOptix was bought and fully absorbed by Meta (previously known as Facebook), and all of its public services were terminated. Recently, an exclusive license deal was signed between Meta and ColorLink Japan that provides the latter company with exclusive access to the aforementioned patents for commercial use in application areas that include astronomy and remote sensing. Hence, ColorLink Japan has become our single-source supplier for substates containing high-accuracy liquid-crystal patterns based on MTR broadband coatings, which constitute essential sub-components for our proposed project.

To the best of our knowledge, two other companies sell custom optics based on patterned retarders: BeamCo and Thorlabs. However, neither of these companies have access to the key technologies (direct-write and MTR) that are required to attain the pattern accuracy and polarization leakage spectral properties that are necessary to attain the extreme coronagraphic performance objectives that we foresee.