

## Procurement decision

11.12.2025

TAU/4674/2025

**Multi-person functional near-infrared spectroscopy (fNIRS) system**

Contracting authority Tampere University Foundation sr (Tampere University, TAU)  
Faculty of Social Sciences  
FI-33014 Tampere University, Finland

Contact person(s) Heini Saarimäki  
Email: [heini.saarimaki@tuni.fi](mailto:heini.saarimaki@tuni.fi)  
or [hankinnat@tuni.fi](mailto:hankinnat@tuni.fi)

## Object of the procurement

Multi-person functional near-infrared spectroscopy (fNIRS) system.

Awarded tenderer NIRx Medizintechnik GmbH (DE256068644), hereinafter 'NIRx'

Comparison price 443 684 € (excl. VAT)

Procurement procedure Open tendering procedure.  
Exceeding EU threshold of 221 000 € (excl. VAT).

The contract notice was first time published on the HILMA portal 9.7.2025 (9th of July) and on the TED portal also 9.7.2025.  
Call/notice was cancelled 1.8.2025 (1st of August).

The contract notice was second time published on the HILMA portal 2.11.2025 (2nd of November) and on the TED portal 4.11.2025 (4th of Nov).

Tender was received from (*DL 1st of December*):

- NIRx (DE256068644), 27.11.2025 (27th of November)

Justification In accordance with the invitation to tender, the contract will be awarded based on the most economically advantageous tender in terms of best price-quality ratio.

Attachments Instructions for correction and appeal

Mailing address  
P.O. Box 607  
FI-33014 Tampereen yliopisto  
Finland

Visiting address  
Kalevantie 4  
33100 Tampere, Finland

Tel. +358 294 5211

[www.tuni.fi](http://www.tuni.fi)  
Business ID 2844561-8

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Tampere University Foundation sr

Liisa Häikiö

Dean  
Faculty of Social Sciences**The procurement must conform to the following legal provisions:**

- Act on Public Contracts (Laki julkisista hankinnoista ja käyttöoikeussopimuksista 1397/2016)
- Act on the Openness of Government Activities (Laki viranomaisten toiminnan julkisuudesta 621/1999)

For instructions on appeal procedures and appeal deadlines regarding the procurement decision, please consult the following instructions on requests for correction and appeal.

A contract between the parties shall be concluded only after the procurement contract is signed. The contract shall not be signed until the procurement decision is legally valid.

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**INSTRUCTIONS ON REQUESTS FOR CORRECTION AND APPEAL**

Review of the decision on public contract or other decision made during the award procedure may be sought by requesting correction from the contracting entity in accordance with the Act on Public Contracts (1397/2016, hereafter referred to as the Act) or the appeal may also be made to the Market Court.

The request may be made by a tenderer or a candidate, i.e. by a person whom the decision concerns or whose right, obligation or interest is directly affected by the decision (a concerned party).

**I Instructions on requests for correction****Subject of review**

A person who is dissatisfied with the decision of the contracting entity or other decision made during the contract award procedure may submit a request for correction to the contracting entity, pursuant to sections 132 to 135 of the Act. The request may be made in writing by a concerned party.

**Time limit for seeking review**

A concerned party must request correction within 14 days from the date on which that party has been informed of the decision of the contracting entity including instructions on requests for correction and appeal or other decision made during the contract award procedure. Correction must be requested by the date on which time limit for seeking review expires, within the office hours.

The date on which the concerned party has been informed is not included in the time limit. In case the last day of the time limit is a bank holiday, the Independence Day (6 December), the First of May, Christmas Eve, Midsummer Eve or a Saturday, can the request for correction be made the next weekday following that day within office hours.

**Electronic means of communication**

Electronic means of communication are used, when informing the recipient on the procurement decision. The recipient is deemed to have been informed of the decision and its attachments on the date on which the electronic message containing them is available to the recipient on the device for electronic receipt so that the message can be processed. Such a date is considered to be the date on which the message has been sent unless reliable evidence is presented on an error in electronic communication connections or other comparable factor because of which the electronic message has been delivered to the recipient later.

**Content of the request for correction**

The request for correction must indicate the claims and their reasons. The request must also indicate the name of the party requesting correction and the necessary contact details. In addition, the request must indicate the name of the contact person as stated in the procurement decision.

The request for correction must be accompanied by the documents invoked by the party requesting correction unless they are already in the possession of the contracting entity.

**Address for the submission of request for correction**

The request for correction is submitted to the contracting entity.

Contact details of the contracting entity:

Tampere University Foundation sr (Tampere University)  
Procurement Services

Mailing address: Tampereen yliopisto, 33014 Tampereen yliopisto, Finland  
Visiting address (City centre campus): Kalevantie 4, 33100 Tampere, Finland  
Tel.: +358 294 5211  
Email: [tau@tuni.fi](mailto:tau@tuni.fi)

Mailing address  
P.O. Box 607  
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The office is open from 8:00 to 15:45 from Monday to Friday (excluding mid-week holidays).

A pending request for correction and its processing do not affect the time limit for appeal to the Market Court under the Act.

### II Instructions on appeal to the Market Court

#### Subject of appeal and restrictions

A tenderer, a candidate or another interested part, whom the matter concerns, may refer the case to the Market Court by means of appeal.

An appeal concerning the decision of a contracting entity, or some other resolution of a contracting entity in a procurement procedure that affects the status of a candidate or tenderer may be submitted to the Market Court.

Appeal may not be made to the Market Court considering decision or conduct of the contracting entity

- 1) relating only to preparation of the procurement procedure
- 2) relating to the fact that the contract is not subdivided into lots based on section 75
- 3) relating to the fact that under section 93 the most economically advantageous tender is assessed only on the basis of the lowest price or cost.

#### Procurement based on framework agreement

Under section 146 of the Act, in cases where the public contract is based on a framework agreement, appeal may not be made unless the Market Court grants leave to appeal. Leave to appeal shall be granted if the consideration of the case is important for the application of law in other similar cases or there is an important reason relating to the conduct of the contracting entity.

#### Resolution concerning approval for a dynamic purchasing system

Under section 146 of the Procurement Act, a resolution of a contracting entity concerning approval for a dynamic purchasing system is not open to review by appeal unless the Market Court grants leave to hear the case. A leave must be granted if a hearing of the case is important for application of the law in other similar cases or if there is a pressing reason for doing so, related to the procedure of the contracting entity.

#### Electronic means of communication

Electronic means of communication are used, when informing the recipient on the procurement decision. The recipient is deemed to have been informed of the decision and its attachments on the date on which the electronic message containing them is available to the recipient on the device for electronic receipt so that the message can be processed. Such a date is considered to be the date on which the message has been sent unless reliable evidence is presented on an error in electronic communication connections or other comparable factor because of which the electronic message has been delivered to the recipient later.

#### Time limit for seeking review

Appeal must be made in writing within 14 days from the date on which the concerned party has been informed of the decision on the award of public contract, accompanied by the appeal instructions. The date on which the concerned party has been informed is not included in the time limit. The Market Court must receive the appeal by the date on which the period of time for the submission of appeal expires, within the opening hours of the Market Court.

#### Time limit for seeking review in direct procurement

In case the contracting entity has submitted for publication in the Official Journal of the European Union a notice of a direct procurement referred to in section 131 of the Act, may the appeal be made within 14 days from the publication.

In case the contracting entity has published a contract award notice of a direct procurement, but not the notice of a direct procurement, may the appeal concerning the direct procurement to be made within 30 days from the publication of the contract award notice of a direct procurement in the Official Journal of the European Union.

In case the contracting entity has not published a notice of direct procurement or a contract award notice, may the appeal concerning the direct procurement be made within six months of the date of concluding the procurement agreement.

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**Notice of changes in procurement agreement**

In case the contracting entity has submitted for publication in the Official Journal of the European Union a notice of changes in procurement agreement referred to in section 58 subsection 1 point 9 of the Act, may the appeal be made within 14 days from the publication.

**Exceptions to regular time limits for seeking review**

In case the contracting entity has awarded the public contract under section 130 point 1 or 3 of the Act without a standstill period, the appeal must be made within 30 days from the date on which the party has been informed of the decision. The standstill period doesn't have to be complied if the agreement concerns a procurement to be made on the basis of the framework agreement or the agreement concerns a procurement made within a dynamic purchasing system.

Where a candidate or a tenderer has been informed of the decision accompanied by the appeal instructions and the decision or the instructions were essentially deficient, the appeal may be made within six months from the date of the decision.

**Content of appeal**

An appeal must state:

- 1) the decision which is appealed against (the decision subject to appeal);
- 2) which aspect of the decision the appeal concerns and what changes the appellant is calling for (claims);
- 3) the grounds for the claims;
- 4) what the right of appeal is based on, if the decision appealed against is not addressed to the appellant.

With respect to a procurement based on a framework agreement or a resolution concerning approval for a dynamic purchasing system, the appeal document must indicate the grounds for which leave to hear the case should be granted.

The appeal must also state the appellant's name and contact details. Where the appellant is represented by a legal representative or a counsel, the document must also give the legal representative's or the counsel's contact details. While the appeal is pending, any changes to contact details must be immediately notified to the Market Court.

The appeal must also state a postal address and a possible other address for delivery of legal documents related to the proceedings (address for service). In situations where an appellant has given more than one address for service, the Market Court may choose the address to which it delivers legal documents related to the proceedings.

The person who submitted the request for rectification may present new grounds when filing an appeal against the decision. A new claim may only be put forward, if it is based on a change in circumstances or a fact that has become known to the appellant after the expiration of the time limit for submitting a request for rectification.

The following documents must be appended to the appeal:

- 1) the decision subject to appeal together with instructions for appeal;
- 2) evidence on the date that the appellant has been informed of the decision or some other evidence on the date from which the time limit for appeal is calculated;
- 3) the documents invoked by the appellant in support of the claim, unless they have already earlier been delivered to the authority.

An attorney must append his/her power of attorney to the appeal document as provided for in section 32 of the act on legal action in administrative matters (808/2019).

**Court fee**

A person who has filed an appeal is charged a court fee as provided in the act on court fees (1455/2015).

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**Submission of appeal**

The appeal must be submitted to the Market Court. The appeal document may be delivered to the registry of the Market Court in person, by a counsel, by a messenger or by mail, by fax, or by e-mail as provided for in the Act on Electronic Services and Communication in the Public Sector (13/2003). If the last day for the submission of appeal is a bank holiday, the Independence Day (6 December), the First of May, Christmas Eve, Midsummer Eve or a Saturday, the documents may be delivered to the Market Court on the first weekday following that day.

**Prohibition of appeal**

According to section 163 of the Act, review cannot be sought under the Local Government Act (410/2015) or the Administrative Judicial Procedure Act in cases falling within the competence of the Market Court.

**Notifying the contracting entity of referral**

Under section 148 of the Procurement Act, the person seeking review of a procurement case must notify the contracting entity in writing of the referral of the case to the Market Court. The notification must be submitted to the contracting entity no later than the time of submitting the appeal to the Market Court. The notification must be submitted to the address of the contracting entity given in Part I above. The notification must indicate the name of the TAU unit and the contact person as stated in the procurement decision.

**Submission of appeal, the Market Court's address and other contact details**

The appeal must be submitted to the Market Court. The appeal may be delivered to the registry of the Market Court in person, by an attorney, by a messenger or by post or sent by fax, or by e-mail as provided for in the Act on Electronic Services and Communication in the Public Sector (13/2003). An appeal may also be filed using the e-service provided by the administrative courts and special courts at <https://asiointi2.oikeus.fi/hallintotuomioistuimet>. The languages of the service are Finnish and Swedish.

If the last day for filing an appeal is a bank holiday, Independence Day (6 December), the First of May, Christmas Eve, Midsummer Eve or a Saturday, the documents may be delivered to the Market Court on the first weekday following that day.

Address of the Market Court:

Market Court  
Radanrakentajantie 5  
00520 Helsinki  
Tel.: +358 (0)29 56 43300  
Fax: +358 (0)29 56 43314  
markkinaoikeus(at)oikeus.fi

Tämä dokumentti on allekirjoitettu sähköisesti TUNI Sign-järjestelmällä  
This document has been electronically signed using TUNI Sign

Päiväys / Date: 11.12.2025 13:44:42 (UTC +0200)

## **Liisa Häikiö**

dekaani yhteiskuntatieteiden tiedekunta

Organisaation varmentama (TUNI-käyttäjätunnus) (eIDAS-tunnistamisen varmuustaso: korotettu)  
Certified by organization (TUNI user account) (eIDAS level of assurance: substantial)

*SAML2 SSO token (AD)*