

## **STÁTNÍ TISKÁRNA CENIN, státní podnik**

with its registered office at Prague 1, Růžová 6, building no. 943, postcode 110 00  
registered in the Commercial Register kept by the Municipal Court in Prague, Section A LX,  
File 296

represented by:

**Tomáš Hebelka, MSc,**  
chief executive officer

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## **TENDER DOCUMENTATION**

(hereinafter "TD")

for preparing a bid for an over-limit public contract awarded in an open procedure  
pursuant to  
Section 56 of Act No. 134/2016 Coll., on public procurement, as amended (hereinafter  
referred to as the "Act")

**Upgrade of the control system for  
the rotary printing press DRENT  
Vision U 1133**

**1. Name of the public contract: "Upgrade of the control system for the rotary printing press DRENT Vision U 1133".**

**2. Contracting authority's identification data**

<b>Contracting Authority:</b>	<b>STÁTNÍ TISKÁRNA CENIN, státní podnik</b>
Registered office:	Růžová 6/ 943, Prague 1, postcode 110 00, Czech Republic
Comp. Reg. No.:	00001279
Statutory body:	Tomáš Hebelka, MSc, chief executive officer
Contact person:	Milan Šrámek
Telephone:	+420 236 031 439
E-mail:	<a href="mailto:sramek.milan@stc.cz">sramek.milan@stc.cz</a>
Data box identifier:	hqe39ah
Contracting authority's profile:	<a href="https://mfc.ezak.cz/profile_display_53.html">https://mfc.ezak.cz/profile_display_53.html</a>

**3. Type of award procedure, subject matter of public contract, start of award procedure**

The public contract shall be awarded by way of an open procedure pursuant to Section 56 of the Act.

The subject matter of the public contract is an upgrade to the existing control system (register regulation, belt monitoring, colour control and insetter control system for the printing press Drent Vision U1133) as a whole, at least maintaining the existing functionalities.

Among other things, the Contracting Authority requires:

- complete installation done by the supplier at a maximum duration of 14 calendar days,
- training for System operation and maintenance at the installation site,
- delivery period of max. 70 calendar days of the signing of this Contract.

Technical specifications and requirements are specified in Annex 1 to this TD.

**3.1 Award procedure commencement**

Notification of preliminary information was published in the Public Contract Gazette (hereinafter referred to as the "Gazette" on 16 June 2016, contract reference number: 640502. The notification of the contract was submitted to the Gazette on 23 February 2017, whereby this open procedure commenced pursuant to Section 56, Para. 1 of the Act.

**3.2 Classification of the subject matter of the public contract**

CPV code	Subject matter of the public contract
42991200-1	Printing presses
42991210-4	Offset printing presses
30120000-6	Equipment for photocopying and offset printing equipment
48151000-1	Computer control systems
42960000-3	Supervision and control systems, printing and graphical equipment,



	office automation equipment and data processing equipment
42962000-7	Printing and graphical equipment

#### 4. Anticipated value of the public contract

The anticipated value of the public contract is **260,000 EUR excl. VAT.**

#### 5. Requirements for alternatives

The Contracting Authority does not grant alternative solutions pursuant to Section 102, Para. 1 of the Act.

#### 6. Requirements for unified manner of tender price development

- 6.1 The tender price shall be determined in accordance with the Purchase Contract (Annex 2 to TD).
- 6.2 The tender price shall be determined as the highest permissible price and has to include all the Tenderer's costs associated with the implementation of the subject matter of the public contract (customs duty in case it is subject to the duty in the Czech Republic).
- 6.3 The Tenderer may not make the proposed tender price conditional on an additional condition. Making the tender price conditional or specifying multiple different amounts of the tender price at different places in the bid is a reason for excluding the tenderer from the award procedure. The contracting authority will proceed analogously if the tender price is specified in a form or currency other than those required by the contracting authority.
- 6.4 The tender price, or any of its components, specified in the bid based on the TD has to have a positive value; the Contracting Authority does not permit zero values.
- 6.5 The Tenderer is responsible for the correctness of the VAT rate and size determination, as well as any other fees and taxes, in accordance with regulations in force.
- 6.6 The tender price shall be shown on the bid cover sheet (Annex 4 to TD).
- 6.7 The tender price shall be quoted in euros, in the form Price in EUR excl. VAT.

#### 7. Reserved changes to commitment

- 7.1 Pursuant to Section 100, Para. 1 of the Act, the Contracting Authority reserves the right to increase/reduce the tender price in the course of the contract in the event of a change to the mandatory value added tax rate pursuant to Act no. 235/2004 Coll. on Value added tax. In such a case, the price will be increased/reduced by the respective VAT rate increase/reduction as of the effective date of the new legal definition of VAT.
- 7.2 The price can only be increased in the form of a written schedule to the Purchase Contract made by and between the Contracting Authority and the Tenderer and in a manner that is in accordance with the law, particularly provisions of Sections 222 et seq. of the Act.

**8. Place of performance of the public contract:**

The place of performance is at the address:

Production Plant III – Na Vápence 915/14, 130 00 Prague 3, Czech Republic.

**9. Contract conclusion date**

The anticipated contract conclusion date is April 2017.

**10. Qualification documentation**

**10.1 Compliance with qualifications**

The Tenderer is required to prove its qualifications no later than on the bid submission day.

Tenderers will comply with qualifications if they demonstrate compliance with:

- basic eligibility pursuant to Section 74 according to Section 75 of the Act,
- professional eligibility according to Section 77 of the Act.

**If any qualification was obtained abroad, it shall be demonstrated in line with Section 81 of the Act by presenting documents issued under the legal system of the country where it was obtained, to the extent required by the Contracting Authority.**

**Documents demonstrating basic eligibility pursuant to Section 74 of the Act and professional eligibility pursuant to Section 77 of the Act have to demonstrate compliance with the required qualification criterion no earlier than 3 months BEFORE THE BID SUBMISSION DATE.**

**10.2 Basic eligibility**

**10.2.1 Compliance with basic qualification criteria**

The Tenderer has demonstrated basic eligibility if:

- (a) it has not, in the country of its registered office, in the last 5 years before the bid submission date, conclusively sentenced for a criminal offence specified in Annex 3 to the Act or a similar criminal offence pursuant to the legal system of the country of the Tenderer's registered office; effaced sentences are disregarded; if a legal entity, this requirement has to be met by both the legal entity and each and every member of the statutory body. If a member of the statutory body of the Tenderer is a legal entity, then that legal entity and each member of the statutory body of that legal entity, including the person representing that legal entity in the statutory body of the Tenderer, must comply with this requirement.

If the bid or application for the tender is submitted by a branch of a foreign legal entity, then both the legal entity and the manager of the branch must comply with this requirement; if the bid or application for the tender is submitted by a branch of a Czech legal entity, the branch manager has to comply with the requirement in addition to the aforementioned entities;



- (b) if its tax records in the Czech Republic or the country of the Tenderer's registered office does not show any tax arrears due;
- (c) if it does not have any arrears due on insurance premiums or penalties for not paying public health insurance in the Czech Republic or the country of the Tenderer's registered office;
- (d) if it does not have any arrears due on insurance premiums or penalties for not paying social security and state employment policy levies in the Czech Republic or the country of the Tenderer's registered office;
- (e) if it is not involved in liquidation proceedings or no decision on bankruptcy was issued on it or receivership ordered on it in accordance with another legal regulation or in a similar situation under the legal system of the country of the Tenderer's registered office.

#### 10.2.2 Demonstration of compliance with basic eligibility

The Tenderer shall demonstrate compliance with basic qualification requirements in relation to the Czech Republic by presenting plain copies of:

- (a) applicable excerpts from Penalties Register of legal entities and natural persons in accordance with Section 74, Para. 1, item (a) of the Act,
- (b) certificate issued by the competent tax authority in line with Section 74, Para. 1, item (b) of the Act,
- (c) written sworn statement on excise tax in line with Section 74, Para. 1, item (b) of the Act,
- (d) written sworn statement in line with Section 74, Para. 1, item (c) of the Act,
- (e) certificate issued by the competent District Social Security Administration in line with Section 74, Para. 1, item (d) of the Act,
- (f) extract from the Commercial Register or a written sworn statement providing that the Tenderer is not recorded in the Commercial Register, in line with Section 74, Para. 1, item (e) of the Act.

#### 10.3 Professional eligibility

The Tenderer's compliance with the professional eligibility requirements under Section 77 will be demonstrated by furnishing a plain copy of an extract from the Commercial Register, if incorporated therein, or from a similar body of records, if registered in one.

In a bid pursuant to Section 86, Para. 2 of the Act, the Tenderer may replace the submission of documents with a sworn statement (Annex 3 to TD) or a Unified European Certificate for Public Contracts (<https://ec.europa.eu/growth/tools-databases/ecertis/>) pursuant to Section 87 of the Act.

**In line with Section 86, Para. 3 of the Act, the selected Tenderer must submit originals or officially authenticated copies of documents specified in Para. 10.2.2 and Para. 10.3 before signing a contract, unless they have been furnished earlier in the award procedure.**

#### **10.4 Demonstration of qualifications by means of another entity**

The Tenderer may demonstrate compliance with certain parts of the economic qualifications, technical qualifications or professional eligibility (except the criterion under Section 77, Para. 1 of the Act - Commercial Register) required by the public contracting authority by way of other entities.

In such case, the contractor must submit the following to the contracting authority:

- a) documents demonstrating compliance with professional eligibility pursuant to Section 77, Para. 1 of the Act (Commercial Register) by that other entity,
- b) documents demonstrating compliance with respective missing part of economic or technical qualification by (that) other entity,
- c) documents demonstrating compliance with complete basic eligibility pursuant to Section 77, Para. 1 of the Act by (that) other entity,
- d) a written commitment of another entity for granting of performance intended to perform the public contract or granting items or rights authorised for the Tenderer as part of the performance of the public contract, at least the extent that the other entity has demonstrated its qualification on behalf of the Tenderer.

The requirement of the above paragraph of item (d) shall be met if the contents of the other entity's written commitment is joint and several responsibility of that person for the public contract performance together with the Tenderer.

#### **10.5 Demonstration of qualification in joint bids**

- a) If the subject matter of the public contract is to be performed by several contractors together pursuant to Section 82 of the Act, and they submit or wish to submit a joint bid for this purpose, each of the contractors shall demonstrate its compliance with basic eligibility pursuant to Section 74, Para. 1 of the Act and the professional qualification requirement pursuant to Section 77, Para. 1 of the Act (i.e., extract from the Commercial Register, if incorporated therein, or from another similar body of records, if registered therein) separately and in full.
- b) If the public contract subject matter is to be performed jointly by several contractors pursuant to Section 82 of the Act, they shall jointly submit to the Public Contracting Authority, along with documents demonstrating their compliance with the qualification requirements, the agreement containing the obligation that all of the contractors shall be bound jointly and severally to the Public Contracting Authority and to third parties in respect of any legal relationships in connection with the public contract for the entire term of the public contract performance, as well as throughout the existence of any other obligations ensuing from the public contract.



#### **10.6 Changes in qualifications**

If, after furnishing of documents or statements of qualification, a change occurs during the award procedure in the Tenderer's qualification that would otherwise mean failure to meet the qualification, the Tenderer shall notify the Contracting Authority thereof in writing within 5 business days and furnish new documents or statements of qualification within 10 business days of such change notification to the Contracting Authority.

Pursuant to Section 88, Para. 2, failure to meet this requirement constitutes a reason for immediate expulsion of the Tenderer.

#### **10.7 Special methods of qualification demonstration**

##### Using an extract from the List of Qualified Contractors

If the Tenderer provides the Contracting Authority with an extract from the List of Qualified Contractors by the deadline for qualification demonstration, said extract shall replace the demonstration of compliance with the basic eligibility pursuant to Section 74 of the Act and professional eligibility pursuant to Section 77 of the Act to the extent that the document demonstrating the professional qualification cover the Public Contracting Authority requirements for demonstration of professional qualification for performing the public contract.

The extract from the List of Qualified Contractors must not be older than 3 months on the last day as of which qualifications are to be demonstrated.

##### Qualification demonstration using a certificate

If the Tenderer submits to the Contracting Authority a certificate issued within a certified contractor system, having the particulars specified in Section 239 of the Act, such a certificate replaces a proof of qualifications to the extent of the information contained therein. The Tenderer shall be qualified to the extent shown in the certificate.

#### **10.8 Requirement to specify subcontractors**

In accordance with Section 105, Para. 1 of the Act, the Contracting Authority demands that the Tenderer should specify parts of the public contract in its bid that it intends to contract out to one or more subcontractors.

In its bid, the Tenderer shall present a list of subcontractors along with a specification of what parts of this public contract will be implemented by each subcontractor, specifying the type of supplies, services or construction works and the percentage (%) financial contribution to the public contract (Annex 5 to TD). In case the Tenderer replaces a subcontractor originally specified in the bid during the performance, such change shall be subject to the Contracting Authority's approval.

At the same time, the Tenderer shall present in its bid documents demonstrating the basic eligibility pursuant to Section 74 of the Act and professional eligibility pursuant to Section 77 of the Act for its subcontractors.

#### **10.9 Each Tenderer may submit only one bid in the award procedure.**

A Tenderer submitting its tender within the award procedure must not, at the same time, be a subcontractor used by another tenderer within the same award proceedings to demonstrate its compliance with the required qualifications.

The Contracting Authority shall exclude a tenderer that has submits several bids either separately or jointly with other tenderers, or has submitted a bid and is simultaneously an entity through which another tenderer proves its qualification in the same award procedure.

## **11. Evaluation of bids**

### **11.1 Evaluation criteria**

The basic evaluation criterion for awarding this public contract is the economic expediency of the bid in accordance with Section 114, Para. 1 of the Act. The economic expediency of the bid will evaluated based on the lowest bid price.

The price excl. VAT shall be evaluated as the bid price in accordance with Section 115, Para. 3 of the Act.

Facts subject to evaluation:


#### Total price of work performance

In the bid the Tenderer shall quote its price of the work in accordance with the tender conditions (Art. 6). The bid with the lowest bid price in EUR excl. VAT shall be evaluated as the most expedient bid.

The Contracting Authority requests that the Bidders would round their prices to max. two decimal places.

## **12. Terms of business and terms of payment**

The payment and business terms and conditions are specified in the binding purchase contract draft (Annex 2 to TD).

This purchase contract draft is binding to the Tenderer. The Tenderer is only allowed to complete the contract draft with information marked as incomplete .

The Tenderer shall submit the draft purchase contract signed by a person authorised to act on behalf of or for the Tender as part of its bid. In case the draft purchase contract is signed by a representative (attorney), the original of their letter of attorney has to be included in the bid.

In the case of a joint bid, the draft purchase contract shall specify all the participants and shall be signed by persons authorised to act for each participant, or signed by an attorney authorised to sign the joint bid, and the bid shall include the original of the letter of attorney.

## **13. Provision of TD**

Pursuant to Section 96, Para. 1 of the Act, the Contracting Authority shall publish the TD in full, as well as any additional information provided to Tenderers on its contracting authority profile [https://mfc.ezak.cz/profile\\_display\\_53.html](https://mfc.ezak.cz/profile_display_53.html).

## **14. Request for explanation of TD, viewing of place of performance**

Pursuant to Section 98, Para. 3 of the Act, the Tenderer is entitled to request the Contracting Authority to provide explanation of the TD by sending a written request to: STÁTNÍ



TISKÁRNA CENIN, státní podnik, Růžová 6, building No. 943, Prague 1, postal code 110 00, or electronically to: [sramek.milan@stc.cz](mailto:sramek.milan@stc.cz).

Pursuant to Section 98, Para. 1 of the Act, the written or electronic request has to be delivered to the Contracting Authority within 8 business days before the expiry of the bid submission deadline, i.e., no later than 22 March 2017.

The Contracting Authority may also provide explanation concerning the TD without a prior request.

**In order to adhere to the principle of equal treatment of all tenderers, additional information cannot be provided by telephone.**

A viewing of the place of the public contract performance will take place on 14 March 2017 at 10.00 pm, in the Contracting Authority production plant at: Production Plant III – Na Vápence 915/14, 130 00 Prague 3, Czech Republic

The viewing may be attended by no more than 2 representatives of each tenderer, who shall prove their identity before entry:

- For statutory representatives, with an extract from the Commercial Register; for other persons, with a letter of attorney issued by the statutory body of the Tenderer.
- Proof of authorisation to carry out business pursuant to special legal regulations to the extent corresponding to the subject matter of the public contract, in particular a document proving the respective trade licence or licence, being an original or officially authenticated copy.
- A valid proof of identity with a photograph (Citizen Card, Passport/Driving Licence).

At the same time, the Tenderer's representative shall sign a declaration of confidentiality before entering the Contracting Authority's classified zones.

As part of the viewing, the Tenderer's representative shall be fully familiarised with the place of public contract performance and the local conditions.

## **15. Other tender conditions of the Contracting Authority**

15.1 The TD is binding for the Tenderer.

15.2 Should the Contracting Authority request the Tenderer to submit a declaration as a proof of qualification or somewhere else in the bid, the declaration must contain the information requested by the Contracting Authority and must be signed by a person authorized to act on behalf of or for the Tenderer. If an agent authorised through a power of attorney acts on behalf of the Tenderer, the bid must include the original or certified copy of such a power of attorney.

15.3 The Tenderer shall include in its bid an extract from the Register of VAT Payers; the Tenderer (this only applies to domestic VAT payers) is obliged to document its bank account number operated by a payment service provider, and the fact that it is not an unreliable VAT payer pursuant to Section 109 of Act No. 235/2004 Coll. on Value Added Tax, as amended. The Tenderer shall prove the aforementioned information by a printed extract from the database published by the tax authority in a manner allowing remote access, the "Register of VAT Payers".

A foreign Tenderer shall include in the bid a sworn statement on its bank account, and a statement proving that the Tenderer is a reliable VAT payer if it is registered for VAT in the Czech Republic. The Tenderer may use the sworn statement included in Annex 7 to this TS.

15.4 The Tenderer shall include in its tender a signed draft non-disclosure agreement (Annex 6). The agreement shall be signed by a person authorized to act on behalf of the Tenderer.

15.5 In line with Section 48 (9) of the Act the Contracting Authority is obligated to expel a Tenderer from the tender proceedings if the Contracting Authority determines that conditions necessary for the expulsion as described under Section 48, item 7 of the Act have been met. This means that the selected Tenderer is a joint stock company or takes the form of a joint stock company and does not possess exclusively registered shares.

15.6 In line with Section 104, Para. 2 of the Act, the selected Tenderer must submit the following before signing the contract:

- (a) identification information of all persons who are the actual owners of the Tenderer in line with the Act describing certain measures against legalization of proceeds from criminal activities and terrorist financing,
- (b) documents demonstrating the relationship of all persons specified under (a) towards the Tenderer; these documents include notably:
  - 1. excerpt from the Commercial Registry or other similar registry,
  - 2. list of shareholders,
  - 3. decision of the statutory body to pay out profit shares,
  - 4. collective agreement, articles of association or other corporate documents.

Failure to present the above specified documents demonstrating the existence of the actual owner will constitute a reason to expel the selected Tenderer from further proceedings!

## **16. Conditions for bid submission**

If an agent authorised through a power of attorney or another written authorisation document acts on behalf of the Tenderer, the bid must include the original or certified copy of such a power of attorney or other authorisation document.

Each bid submitted has to contain all the documents required by the Act and the Contracting Authority, including required proofs and information.

## **17. Formal requirements on bid processing**

The Tenderer shall submit the bid in written/printed form in one original and in one electronic copy saved on a non-rewritable data carrier using MS Office format or other compatible format, possibly .pdf format.



The bid shall be submitted in the Czech or English language with a plain Czech translation. Should any part of the bid be in other than the Czech or English language, it must be translated (plain translation) into Czech. For foreign tenderers, the bid must contain contracts in the Czech and English language signed by a person authorised to act on behalf of or for the Tenderer.

The submitted bid including all annexes must be sufficiently protected against authorized sheet handling and tampering. The applied securing elements must be unique in order to eliminate the possibility of being easily replaced. As a securing element the Contracting Authority recommends using a rope glued over with a patch stamped over and signed by a member of the statutory body of the Tenderer.

All documents or statements where signature of the Tenderer is required must be sign by the statutory body of the Tenderer or by a person authorized to act on behalf of the Tenderer.

All documents must be printed using high quality paper and resolution to ensure their legibility. No document may contain crossed words or transcriptions which could mislead the Contracting Authority.

The Contracting Authority recommends using the following order in the written (printed) version of the bid.

- Bid contents
- Bid cover sheet
- Binding draft contract signed by a person authorised to act on behalf of the Tenderer
- Binding draft non-disclosure agreement signed by a person authorised to act on behalf of the Tenderer
- Sworn statement or documents demonstrating compliance with basic qualification as per Art. 10.2.2
- Sworn statement or documents demonstrating compliance with professional qualification as per Art. 10.3
- Extract from the Register of VAT Payers or sworn statement as per Article 15.3

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- Draft contract
- Draft Non-Disclosure Agreement

#### **18. Bid submission method, place and time, award period**

**The Tenderer shall send the written bid via registered mail to: STÁTNÍ TISKÁRNA CENIN, státní podnik, Růžová 6/943, postal code 110 00, Praha 1, or in person to the Contracting Authority registry desk during regular business days between 8.00 am and 2.30 pm.**

The bid shall be submitted in a properly sealed envelope secured against unauthorized opening.

The envelope shall contain the address of the Tenderer and must bear the text:

<p style="text-align: center;"><b>DO NOT OPEN!</b> <b>PUBLIC CONTRACT – Upgrade of the control system for the rotary printing press DRENT Vision U 1133</b></p>
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Bids submitted after the expiration of the deadline for their submission will not be opened. The Contracting Authority shall immediately inform the relevant bidder of this. The date and time of bid acceptance by the Contracting Authority registry desk is decisive.

**The deadline for bid submission shall end on 3 April 2017 at 11.00 am.**

The Contracting Authority sets out the bid validity period pursuant to Section 40 of the Act, i.e., the period for which the tenderers are bound by their bids, to 120 days. The tender validity period starts at the moment the time limit for the receipt of tenders runs out.

**19. Opening of envelopes with bids**

The date for opening of envelopes is set on 3 April 2017 at 11.05 am, in a meeting room at the Contracting Authority's registered office – Růžová 6/943, 110 00, Praha 1.

No more than 1 representative of each contractor that has submitted its bid by the bid submission deadline may be present at the opening of the envelopes. Persons that do not represent a tenderer by law shall prove their authorization to be present at the opening of the envelopes with bids by a power of attorney granted by a person representing a tenderer. A foreign contractor may also have one interpreter present.

**20. Other arrangements**

The Contracting Authority shall not reimburse tenderers for any costs due to participation in the tender.

Until the negotiation of the bids and the Contracting Authority's final decision, confidentiality about the contents of the envelopes shall be maintained.

After making a purchase contract with the selected Tenderer, the Contracting Authority shall, pursuant to Section 219 of the Act, publish the wording of the purchase contract with the selected Tenderer, including any amendments and schedules thereto, on its contracting authority profile or in the Register of Contracts.

After the completion of the performance under the contract made with the victorious Tenderer, the Contracting Authority shall, pursuant to Section 219 of the Act, publish the price actually paid for the performance on its contracting authority profile.

The Contracting Authority reserves the right to verify or clarify any information declared by tenderers in their bids before making the decision on the selection of the most expedient bid.

The Contracting Authority reserves the right to revoke the tender pursuant to Section 127, Para. 1 of the Act.

Neither bids nor individual components of bids of tenderers or expelled tenderers shall be returned.



## 21. Annexes

- Annex 1 – Technical specification
- Annex 2 – Purchase Contract draft
- Annex 3 – Sworn statement template
- Annex 4 – Bid cover sheet
- Annex 5 – List of subcontractors if any
- Annex 6 – Confidentiality agreement
- Annex 7 – Sworn statement template for bank account

Prague, on 22.2. 2017



**STÁTNÍ TISKÁRNA CENIN**  
státní podnik (23)  
110 00 PRAHA 1, RŮŽOVÁ 6  
IČ: 00001279  
DIČ: CZ00001279

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Tomáš Hebelka, MSc,  
CEO

on behalf of the Contracting  
Authority

**STÁTNÍ TISKÁRNA CENIN, state enterprise**