

STÁTNÍ TISKÁRNA CENIN, státní podnik
Prague 1, Růžová 6, House 943, Postal Code 110 00, Czech Republic
Represented by: Tomáš Hebelka, MSc, CEO
(hereinafter referred to as „Contracting Authority“)

In Prague, on 23. 06. 2020

EXPLANATION AND SUPPLEMENT OF TENDER DOCUMENTATION - V.

Contracting Authority of the over-threshold public contract "**Supply of Polycarbonate ID1 Prelams with Contactless Chip Modules for Electronic Residence Permit Cards (eRP) and Electronic ID Cards (eID)**" being awarded in an open procedure pursuant to Act No. 134/2016 Coll., On Public Procurement¹, as amended, hereby explains and supplements the tender documentation in accordance with Sec. 98 and 99 of the Act.

Question 1:

Question refers to Annex 1 Technical specifications:

On page 3 of the annex 1, paragraph 1.3 Chip OS technical specification, it is listed: "On-board key generation for CA and AA". This is a very unusual request and this functionality is not a standard of the Chip operating systems implementing eMRTD application available on the market.

The keys for CA and AA are usually generated during the pre-personalization or personalization out of the card and in a secure system in general using HSM (Hardware security module). The usage of an HSM allow to reach higher pre-personalization throughputs than using an onboard key generation.

Is there any specific application or reason to generate the key pair on-board or is it possible to follow the industry standard which is to generate the key in the secure system during the pre-personalization or personalization?

Answer to question 1:

The requirement for on-board key generation for CA and AA is motivated by the Contracting Authority effort to obtain the most modern technology available on the market.

However, the requirement for on-board key generation for AA and CA is not mandatory. Therefore, the Contracting Authority is accepting solutions based on an external key generation in a secure environment and importing of the keys into the chip during the pre-personalization phase.

The Contracting Authority hereby publishes a new version of the Technical specification as Annex no. 1 hereto, **the contractors shall be obliged to submit this updated version within the tender in accordance with the Art. 11 of the Tender Documentation.**

¹ Please find the English version of the Act under this link: http://www.portal-vz.cz/getmedia/ac061a0a-d8c1-4ff1-b8d2-691aa89269b1/Zakon-c-134_2016-Sb-o-zadavani-verejnych-zakazek.pdf Please note that unfortunately it is not the final version of the Act, which has been amended afterwards.

The Contracting Authority does consider this answer as alteration or supplementation of the tender documentation whose nature demands reasonable extension of the time limit for the tender submission in accordance with Sec. 99 (2) of the Act as stated further.

Question 2:

Question refers to Annex 1 Technical specifications:
 On page 2 of the Annex 1 document, paragraph 1, there is a schematic representation of the antenna design and coil (second schematic). This drawing is very precise and points to a unique combination of manufacturing equipment and micro controller units which is from our understanding not the objective of the Contracting Authority.
 Can we consider that this drawing is a non-contractual illustration of what the final antenna can be?

Answer to question 2:

The Contracting Authority provided the precise schematic representation of the location of the antenna and chip due to its currently used production technology in the Tender Documentation (specifically the second schematic in the Annex 1 Technical Specification to the Draft Framework Contract, paragraph 1.1.). The smooth embedding procedure of contact chip into the final card after lamination process must be guaranteed for the Contracting Authority. The reason for placing this requirement is to prevent subsequent production complications on the side of the Contracting Authority. For better understanding of the requirements, the Contracting Authority attaches two other schemes/figures, which more generally explain the fundamental and insurmountable limits. The figures are attached as Annex no. 2 and 3 hereto.

Possible tolerances for the placement of chip module in connection with a tolerance of + -1.0 mm of the total size (Figure no.1 - lighter gray) and tolerances of the size of the antenna + - 1.0 mm in the X axis and + -1,0mm in the Y axis (Figure no.1 - darker gray).
 Figure no. 2 shows the tolerances of the location of the chip module (Figure no.2 - white area) with respect to the possible location of the contact chip in other parts of the card.

The Contracting Authority does consider this answer as alteration or supplementation of the tender documentation whose nature demands reasonable extension of the time limit for the tender submission in accordance with Sec. 99 (2) of the Act as stated further.

Question 3:

The Client states the estimated indicative volume of Prelams that can be ordered over the Framework Agreement duration:

YEAR	2021	2022	2023	2024	2025	2026	TOTAL	
Volume of eID (thousands)	550	1100	1100	1100	1100	1100	6050	
Volume of eRP (thousands)	100	100	100	100	100	100	600	

We understand this volume is indicative.

To better assess internally the costing, it will help to have visibility of the previous year's quantities ordered and of the period of time between one order and the other, to define the needs in terms of material and in terms of shipments to be arranged.

Is it possible to have visibility of the orders you requested in 2020, 2019 and previous years?

Answer to question 3:

The Contracting Authority is not able to provide this information since the Czech e-IDs were previously manufactured without contactless chip.

Nevertheless the Contract Authority may confirm that indicative volumes in the given table are set based on the previous orders of Czech e-IDs without contactless chip.

Question 4:

On page 17, chapter 15.5
Insurance Contract

In accordance with Section 104(e) of the Act, before signing the contract, the selected Contractor is required to submit a plain copy of insurance contracts with the subject of third-party damage liability insurance of the Contractor with the minimum indemnity limit of at least **3 million EUR**.

Our mother company does have a global insurance contract, that is including all subsidiaries and that is renewed yearly. Is it acceptable to provide a copy of such insurance contract?

Answer to question 4

The Contracting Authority hereby informs that global insurance contract, that covers all subsidiaries including the given suppliers (and it is obvious from the document itself or further evidences) and fulfils all the tender requirements, is acceptable.

As stated in the Draft Framework Contract, *“No later than as of this Framework Agreement conclusion date, the Contractor shall submit, and maintain valid for the entire duration of this Framework Agreement, an a liability insurance contract for damages caused to third parties by operating activity of the Contractor for the minimum amount of 3 000 000 EUR.”*, thus it is acceptable to fulfil this requirement by a contract which is renewed yearly.

Question 5:

The Contractor may substitute the submission of the documents regarding the basic capacity in pursuant to Sec. 74 of the Act with a statutory declaration. The Contractor may use the sample affidavit stated in Annex 3a to this TD (Affidavit on compliance with the Basic Capacity).

Can you confirm our understanding, that by submitting the annex 3a we comply with the requirement specified in chapter 9.2 (that refer to the sec 74 of the act), and we eventually defer to present the certificates described in chapter 9.2, once awarded and during the contract preparation?

Answer to question 5:

The Contracting Authority hereby confirms the given understanding. In order to prove the basic capacity **for purposes of tender submission** it is sufficient to submit the declaration in Annex 3a of the Tender Documentation as a substitution of the actual documents. In accordance with Sec. 122 (3) of the Act the Contracting Authority afterwards requests **the selected supplier (the winner)** to provide the originals of the actual documents (ie. not declaration) **before signing a contract**. Since it takes a certain time to obtain the documents, the Contracting Authority recommends applying for them as soon as possible.

Question 6:

Can you confirm that the key derivation is implemented outside the chip and os, and the derived key is compliant to ICAO DOC9303? If the previous answer is negative, does the chip and OS include a specific feature, not described in chapter 1.2 and 1.3, to support the key ceremony? If this is the case, Is this specific feature compliant to a technical specification? If this is the case, can we receive this specification to evaluate it?

Answer to question 6:

Key derivation algorithm could be implemented outside the chip, nevertheless, some information or parameters needed for the computation of the derivation algorithm must be read from the chip.

Detailed description is part of classified information, which will be provided by the Contracting Authority after signing of the Draft Framework Agreement.

Question 7

In chapter 9.4.1 it is described Technical Qualification, and it is requested to present a list of 3 major supplies.

Can you confirm that the request is limited to compile the annex 3b with the requested information about the contract and the customer's reference person?

Can you confirm we can avoid to provide sensitive information, like the exact volume or the exact financial volume, and only confirm that the quantities are exceeding 1.200.000 prelamines per each of the 3 requested years and the financial volume is confidential?

Answer to question 7:

The Contracting Authority hereby confirm that it is possible to provide only information that volume reached the limit at least 1 200 000 of such prelams per each of the 3 requested years, if it is correct statement. As required the Contractor shall state the Client's contact person with whom the information may be verified (name, business telephone number and email, in compliance with the applicable personal data protection laws in the country of the Contractor) in case of any doubts of the Contracting Authority.

Question 8

National Security Agency inspection - RESERVED level. [REDACTED] (name of the company) does not have legal personality in the Czech Republic, so it cannot issue a Statement at the

Reserved level as an entity registered in the Czech Republic. Furthermore, the legal act of the Czech Republic does not allow the recognition of the same declaration by analogy at the level of Reserved issued in accordance with the legal order of the ■■■ (name of the state). Please comment on this condition, which favors entities registered in the Czech Republic.

Answer to question 8

In the case that the Supplier does not have legal personality in the Czech Republic, it shall proceed according to national legislation and the transfer of classified information is then carried out under an interstate agreement in this particular case under the "Agreement between the Government of the Czech Republic and the Government of ■■■ (name of the state) on Mutual Protection of Classified Information".

As stated in the Art. 9.3.2 of the Tender Documentation: *"The professional qualification compliance in accordance with the provisions of Section 77(2)(c) of the Act shall be proven by the Contractor submitting the entrepreneur's certificate of the "RESTRICTED" confidentiality level or higher to the extent as per Section 15a or Section 54(3) of the Act No. 412/2005 Coll. on protection of classified information and security eligibility, as amended, or similar certificate issued in accordance with foreign law, under which the Contractor was established, ie. National Facility Security Clearance in secrecy level „RESTRICTED“ or higher."*

Question 9

Prelams - the Tender documentation and its annexes use the word 'Prelam' in the definition of the requested item. Prelam is the trade name for a Linxens product that owns this registered name and manufactures polycarbonate prelamines with the trade name Prelam. Can you please comment on this condition, which only one company can meet the condition?

Answer to question 9

The Contracting Authority hereby informs that the term "Prelam" has been used in the Tender Documentation simply as a translation of the Czech word "Předlaminát" and relates to an inlay with contactless chip module. Abbreviations have been stipulated in the Tender Documentation without any intention to favor or refer to any concrete business denomination.

By using this term, the Contracting Authority definitely does not prefer any business solution, relevant are only technical and other requirements stated in the Tender Documentation and this situation have been caused by a coincidence.

Question 10

Confirmation of non-existence of non-existence of debt - please confirm the possibility to provide only an affidavit in case of a foreign legal entity.

Answer to question 10

As stated in the answer to the question 5 hereof, in order to prove the basic capacity **for purposes of tender submission** it is sufficient to submit the declaration/affidavit in Annex 3a

as a substitution of the actual documents. In accordance with Sec. 122 (3) of the Act the Contracting Authority afterwards requests the **selected supplier (ie. the winner)** to provide the originals of the actual documents (ie. not declaration) **before signing a contract.**

The Contracting Authority assumes that the question relates to the Art. 9.2.3 of the Tender Documentation stating that *“If the required document is not issued under the applicable law of said country, then in accordance with the provisions of Section 45 (3) of the Act it may be substituted by a **written affidavit.**”*

This provision is not applicable to the standard documents, which is the contractor obliged to submit in relation to the Czech Republic, the question probably referred to.

These documents are issued pursuant to the Czech legal order and all contractors seated outside the Czech Republic are able to get the confirmations from the authorities.

Please, if you decide to submit your tender, contact the authorities bellow to get required documents.

Finanční úřad pro Prahu 1 (Tax Authority for Prague 1)

Address: Štěpánská 28, 112 33 Praha 1

<http://urad-praha.cz/financni-urad-praha-1-uzemni-pracoviste>,

Phone: +420 224 041 157 , Mrs. Pokorna,

Email: dagmar.pokorna@fs.mfcr.cz

Pražská správa sociálního zabezpečení, územní pracoviště pro Prahu 8

(Prague Social Security Office, local office Prague 8), Address:

Trojská 1997/13a, 182 00 Praha 8,

<http://www.cssz.cz/cz/kontakty/krajaska-a-okresni-pracoviste/praha/prazska-sprava-socialniho-zabezpeceni.htm>,

Phone: +420 283 104 543, Mrs Klozová

Email: jitka.klozova@cssz.cz

Similar question has been answered in the previous “Explanation of Tender documentation III”, specifically in the answer to the question 2.

Question 11

Sample of pre-laminate - the deadline for delivery of the sample pre-laminate is the same as the deadline for submitting the offer, ie 30.6.2020 or is the deadline for delivery of the sample pre-laminate a signature of the Framework Agreement? How many pieces of sample sheets are involved?

Answer to question 11

The Contracting Authority hereby confirms that the deadline for delivery of the sample pre-laminate is the same as the deadline for submitting the tender, not a signature of the Framework Agreement. It forms a part of a submitted tender.

As stated in the Art. 9.4.4 of the Tender Documentation and following provisions the contractor shall submit:

- Sample SET1 provided to Client- 20pcs of white ID1 testing cards, generic initialization with testing generic transport key
- Personalization manual provided together with the sample SET 1 – fully describing all the aspects of the personalization of the chip
- Example of personalization script to be provided together with the sample SET 1 – running the script will fully personalize the ICAO travel application on the chip

The Contracting Authority further on clarifies that as it has been stipulated in the Notice of the Tender Procedure Commencement to the Official Public Procurement Journal in accordance with the Sec. 212 of the Act, which is part of the Tender Documentation in accordance with Sec. 28 (1) (b) of the Act, **the opening of parts of tenders in written/material form shall take place without undue delay after the expiry of the limit for the submission of tenders.** The Contracting Authority hereby states that is shall be a public event analogically in accordance with Sec. 110 of the Act, which shall take place at the seat of the Contracting Authority at the address: **Prague 1, Růžová 6, House 943, Postal Code 110 00, Czech Republic.** Participants who submitted a tender are entitled (not obliged) to take part.

The Contracting Authority does consider above mentioned answers as alteration or supplementation of the tender documentation whose nature demands extension of the time limit for the tender submission in accordance with Sec. 99 (2) of the Act, mainly due to supplementation and clarification of technical parameters thus the Contracting Authority reasonably extends the time limit for the submission of tenders, to the following extent:

Time limit for the submission of tenders:

- **original time limit for the submission of tenders: until 30.6.2020 10:00 AM**
- **new time limit for the submission of tenders: until 14.7.2020 10:00 AM**
- **opening of tenders: without undue delay after the expiry of the limit for the submission of tenders, ie. it shall launch on 14.7.2020 at 10:00 AM**

Annexes:

1. Annex_1_Technical_specification_rev2
2. Figure no. 1
3. Figure no. 2

Best regards,

Mgr. Zuzana Šenoldová
 Head of Public Procurement Department
 for the contracting authority
 STÁTNÍ TISKÁRNA CENIN, státní podnik