

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, date: *as per the electronic signature*

EXPLANATION AND SUPPLEMENTATION OF TENDER DOCUMENTATION - IV.

The Contracting Authority of the over-threshold public contract „**Innovation of Diffractive Optically Variable Image Device for Electronic ID Cards (eID)**“ being awarded in an open procedure pursuant to Act No. 134/2016 Coll., On Public Procurement¹, as amended (hereinafter referred to as “Act”), hereby explains and supplements the tender documentation in accordance with Sec. 98 and 99 of the Act.

Question 1:

1. Article 9.2.2. a 9.2.3. of the Tender Documentation

Quoted Articles refer to Articles 8.2.1. and 9.2.1. of the Tender Documentation, which does not exist.

Please, we request for explanation and state the correct articles.

Answer 1:

The Contracting Authority hereby confirms that there has been a typo in Art. 9.2.2 (a) of the Tender Documentation (hereinafter referred to as the “TD”) referring to “Art. 8.2.1 (b)” instead of “Art. 9.2.1 (b)” the TD, which is correct. The provisions originally refer to the Sec. 74 of the Act. The Tender Documentation helps the contractors to better and faster understand the tender conditions.

Question 2:

2. Article 9.3.2. of the Tender Documentation

Quoted provision provides: *“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 a **similar certificate or a different proof of such a level of secrecy issued in accordance with foreign law, under which the Contractor was established, i.e. National Facility Security Clearance in secrecy level „RESTRICTED“ or higher, or a written affidavit of the Contractor.**”*

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.

- a. **We request more detailed specification, what kind of classified information shall be used in the procurement procedure or within the performance (e.g. by stating the relevant item or items of the list according to Government Decree No. 522/2005 Coll., as amended).**
- b. **We request to further specify, whether it is classified information that will be provided to the supplier by the contracting authority or information that shall arise from the supplier.**
- c. **We request an indication whether the classified information will be provided already within the tender procedure, or it should be provided or arise from the supplier only during the performance of the Public Contract.**
- d. **Regarding the content, purpose and interests of the Czech Republic protected by the Act No. 412/2005 Coll., On the protection of classified information and security clearance, as amended, we ask for clarification whether the contracting authority will automatically accept a document issued under foreign law to prove the qualification (cf. "similar certificate or a different proof of such a level of secrecy issued in accordance with foreign law, under which the Contractor was established"), or is it a prerequisite to submit a recognition of a security authorization in the sense of Sec. 62 the Act No. 412/2005 Coll., On the protection of classified information and security clearance, as amended?**
- e. **In the case of a written declaration of the supplier ("or a written affidavit of the Contractor"), is it a declaration of an entrepreneur in the case of a foreign legal entity in the sense and in accordance with Sec. 15a the Act No. 412/2005 Coll., On the protection of classified information and security clearance, as amended?**

Answer 2:

The Contracting Authority hereby informs that:

- a. The classified information can be classified under Annex 3, points 15 and 16, and further under Annex 8, point 16 of Government Decree No. 522/2005 Coll.
- b. The classified information shall be created in cooperation with the supplier, but in terms of the relevant legislation the Contracting Authority shall be the entity who is the originator of the classified information and who hands over the classified information to the supplier and it shall be handed over in a paper form.
- c. The classified information shall be created during the performance of the concluded contract after the finalised tender procedure for the public contract as a part of DOVID design creation.
- d. In the case of a supplier who is not domiciled in the Czech Republic, the Contracting Authority shall accept a document issued in accordance with a foreign legal order. The recognition of a security authorization in the sense of Sec. 62 the Act No. 412/2005 Coll., on the protection of classified information and security clearance, as amended, shall not be required.

- e. By the “written affidavit of the Contractor” stated in the 9.3.2. of the TD the Contracting Authority does not mean a declaration of a foreign entrepreneur in the sense and in accordance with Sec. 15a the Act No. 412/2005 Coll., on the protection of classified information and security clearance, as amended.

Question 3:

3. Article 9.4.1. of the Tender Documentation and Explanation of the Tender Documentation II from 23. 7. 2020

Quoted provision provides the following requirement for Technical Qualification:

In accordance with the provision under Section 79(2)(b) of the Act, the Contractor shall submit a list of minimum 1 major supply provided by the Contractor during the last 3 years before the commencement of the tender procedure, including the prices and periods of performance of the supplies and the client’s identification data.

- As a major supply the Contracting Authority considers such a supply whose subject matter is similar to the subject matter of this public contract, that means, a supply of diffractive optically variable image devices (DOVID) applied on a sheet of polycarbonate foil with at least 15 positions (or in total with at least 900 000 elements per year as are the relevant time frames defined below), used for a significant national identification document (passport, national identity card, driving licence or resident permit), in the minimum total amount of 60 000 pcs of sheets per each year (i.e. per the following periods of time: 07/2017 - 07/2018; 07/2018 – 07/2019 and per 07/2019 - 07/2020).

- This specification is in accordance with the Section 79(3) of the Act, the second sentence, since it is a regular contract and thus the scope of the contract implemented in the course of the period set out in paragraphs 9.4.1 shall be considered decisive for the purpose of proving technical qualification timewise.“

- a. We request (including regarding the purpose of this qualification criterion defined in the Explanation of the Tender Documentation II) to specify whether the contracting authority requires that the reference contract shall be performed in a minimum annual volume of 900,000 elements for all 3 years, i.e. in each of these 3 years before the start of the procurement procedure, or whether the contracting authority also accepts a reference contract, which was fulfilled in the total volume of 2,700,000 pieces delivered during the last 3 years before the start of the procurement procedure (i.e. regardless of whether in each at least 900,000 pieces were delivered from the mentioned years, if in any year / years such a quantity of pieces was delivered that the total sum in 3 years reaches / exceeds 2,700,000 pieces)?
- b. Does the Contracting Authority require that the entire volume of the reference contract be delivered to a single customer, or will also accepted references by which the supplier proves that in the last three years he has supplied a specified total amount of security elements in total, i.e. several different customers (if the contracting authority emphasizes in Explanation of the Tender Documentation II the need to verify that the supplier is capable of regular deliveries of certain volumes over a longer period)?

- c. Does the contracting authority require the supplier to prove only a reference contract in which he has supplied a certain number of security features used only for a significant national identification document (e.g. passport, identity card, driving license, residence permit, as specified in the Tender Documentation), or will be accepted as equivalent also reference contracts for the supply of technically similar security features for other documents, such as valuables?

Answer 3:

- a. The Contracting Authority refers to the Article 9.4.1 of the TD again, where it was defined the required minimum parameters (including the minimal number of sheets / elements) in the each of the required years within the required major supply. The Contracting Authority wants to verify the ability of a contractor to supply a required number of sheets / elements per year regularly in a longer term. The requirement is crucial due to the importance of electronic ID Cards as well as setting up the production workflow and ensuring the Contracting Authority's contractual obligation with his final customer.
- b. The Contracting Authority refers to the Article 9.4.1 of the TD again, where it was defined the required minimum parameters (including the minimal number of sheets / elements) in the each of the required years within the required major supply. The Contracting Authority wants to verify the ability of a contractor to supply a required number of sheets / elements per year regularly in a longer term **(provided that it must be the supply of polycarbonate foil with DOVID within one order / one project for one customer)**. The requirement is crucial due to the importance of electronic ID Cards as well as setting up the production workflow and ensuring the Contracting Authority's contractual obligation with his final customer. The summation of a number of smaller deliveries cannot verify this fact.
- c. The Contracting Authority refers to the Article 9.4.1. of the TD again. Given the disposition of the importance of Czech electronic ID Cards as the main identification document in all life situations in the Czech Republic and Regulation (EU) 2019/1157 of the European Parliament and of the Council, which strengthens the position of the identity card as a travel document, the Contracting Authority intends to verify the Contractor's ability to supply DOVID to similarly important polycarbonate documents. The reason is the strict demands on the quality, durability and safety technical design of DOVID on the listed significant national identification documents. Other documents are not equivalent in the above stated aspects.

Question 4:

4. Article 9.4.2. of the Tender Documentation and Annex 7 to the Tender Documentation

Quoted provision 9.4.2 provides the following requirement for technical qualification:

„In accordance with the provision under Section 79(2)(e) of the Act, the Contractor shall submit a description of technical facilities:

a) Implemented security processes in place to ensure the production security integrity (transport incl.) in the minimal level of the “ISO 14298 Management of security printing processes” or “CWA 15374 Security management system for suppliers to the security printing industry”, respectively at least the following requirements:

01	<i>A security policy has to be implemented</i>
02	<i>The subcontractors for STC order processing have to be security checked</i>
03	<i>A confidentiality agreement with the subcontractors must be signed</i>
04	<i>A regular security audit has to be performed</i>
05	<i>A risk assessment and risk management documents have to be updated</i>
06	<i>An ability to authorized and to deliver the product/service</i>
07	<i>The security requirements between STC and the supplier have to be set up and documented</i>
08	<i>The supplier’s buildings have to be secured via IDS (Intrusion Detection System), FS (Fire System), CCTV, ACS (Access Control System)</i>
09	<i>A space for loading and unloading of goods and materials have to designated</i>
10	<i>A physical security has to be performed by own employees</i>
11	<i>A key management has to be implemented</i>
12	<i>The designated spaces for loading and unloading of goods and material have to be monitored by CCTV</i>
13	<i>The data have to be storage securely, IT systems regularly audited</i>
14	<i>The IT specialists are employed by supplier</i>
15	<i>A policy for circulation and evidence of documents is implemented</i>
16	<i>The policies for access to information systems during and at termination of employment are implemented</i>
17	<i>There is an own staff for processing of STC order</i>

The Contractor shall prove such a requirement by submitting a certificate “ISO 14298 Management of security printing processes” or “CWA 15374 Security management

system for suppliers to the security printing industry” or a written affidavit of the Contractor attached as Annex 7 hereof.“

The requirements (quoted items 1-17) are identically defined in the table in Annex 7 to the Tender Documentation.

If the supplier does not have the stated certificates, and will prove the fulfilment of this qualification precondition by a declaration according to Annex 7 to the Tender Documentation, what are the requirements and expectations of the contracting authority as regards

- levels of detail describing how to meet the individual requirements, and
- the specific way of fulfilling individual requirements - what specifically and to what extent the supplier must meet for each individual requirement for the conclusion of the contracting authority that it meets the qualification requirement (and last but not least also for the supplier to successfully pass the security audit according to clause 15.3. of the Tender Documentation)?

We therefore request the specification of the minimum level for meeting the qualification requirement in question in the sense of Section 73 Art. 6 of the Act.

Answer 4:

The Contracting Authority further specifies the minimum level of compliance with security requirements.

The phrasing of the provision 9.4.2 of the TD shall amend as follows:

“9.4.2. In accordance with the provision under Section 79(2)(e) of the Act, the Contractor shall submit a description of technical facilities:

- a) *Implemented security processes in place to ensure the production security integrity (transport incl.) in the minimal level of the “ISO 14298 Management of security printing processes” or “CWA 15374 Security management system for suppliers to the security printing industry”, respectively at least the following requirements:***

No	Requirements	Details
01	<i>A security policy has to be implemented</i>	<i>The "Security Policy" document must be adopted and issued by the company's management</i>
02	<i>The subcontractors for STC order processing have to be security checked</i>	<i>There must be records of security checks on subcontractors involved in the supply of services to tenderers under this contract, the check must be carried out every 3 years</i>
03	<i>A confidentiality agreement with the subcontractors must be signed</i>	<i>A non-disclosure agreement (NDA) must be signed between the tenderer and the subcontractors</i>
04	<i>A regular internal security audit has to be performed</i>	<i>Regular internal security audits of own processes are performed and registered (at least once a year)</i>

No	Requirements	Details
05	<i>A risk assessment and risk management documents have to be implemented and updated</i>	<i>A risk analysis is prepared and regularly updated (at least once a year)</i>
06	<i>An ability to authorized and to deliver the product/service</i>	<i>There is a functional and actual Business Continuity Plan to ensure continuous supply of products or service</i>
07	<i>The security requirements between STC and the supplier have to be set up and documented</i>	<i>Security procedures and rules for the production and delivery of services or products for STC must be set up and documented</i>
08	<i>The supplier's buildings have to be secured via IDS (Intrusion Detection System), FS (Fire System), CCTV, ACS (Access Control System)</i>	<i>The supplier's facilities and production facilities must be equipped by defined security systems with connection to the monitoring center (internal or external)</i> <i>IDS (Intrusion Detection System)</i> <i>FS (Fire System)</i> <i>CCTV (camera system with recording)</i> <i>ACS (Access Control System)</i>
09	<i>A space for loading and unloading of goods and materials has to designated</i>	<i>A space for loading or unloading products must be marked and operated in security mode (enclosed spaces with restricted entry)</i>
10	<i>A physical security has to be performed by own employees or by licensed outsourced guards</i>	<i>A physical security (guarding) must be organized continuously in the supplier's premises (own employees or external qualified entities). The supplier's buildings must have adequate perimeter security (fencing) and mechanical security of all entrances (grilles on windows, secured entrance-doors, etc.</i>
11	<i>A key management has to be implemented</i>	<i>The supplier operates a transparent key mode - registration, allocation and secure storage of the keys</i>
12	<i>The designated spaces for loading and unloading of goods and material have to be monitored by CCTV</i>	<i>Spaces for loading or unloading products must be monitored by a camera system with recording</i>
13	<i>The data have to be storage securely, IT systems regularly audited</i>	<i>Servers and data storages must be secured against unauthorized access, a system auditing must be set up over IT systems</i>
14	<i>The IT specialists are employed by supplier</i>	<i>The supplier has own IT staff - minimum security administrator</i>
15	<i>A policy for circulation and evidence of products is implemented</i>	<i>The supplier operates a functional system for a registration, circulation and storage of products</i>
16	<i>The policies for access to information systems during and at termination of employment are implemented</i>	<i>The supplier provides controlled access to information including a termination of access to IS after termination of employment</i>

No	Requirements	Details
17	There is an own staff for processing of STC order	The supplier uses own employees to ensure the production of STC products

The Supplier is recommended to have processed and prepared a security risks assessment and a plan of management of these risks (e.g. according to the ISO 27001), from which the above-mentioned measurements result.

The Contractor shall prove such a requirement by submitting a certificate “ISO 14298 Management of security printing processes” or “CWA 15374 Security management system for suppliers to the security printing industry” or a written affidavit of the Contractor attached as Annex 7 hereof, whereas the Contractor shall fill in among others the further description on manner of fulfilling the requirements which shall be in accordance with the tender requirements.”

The Contracting Authority hereby publishes a new revised version of the Annex 7 of the TD as Annex 4 hereto.

Question 5:

5. Article 9.6. of the Tender Documentation

Quoted provision, reference is made to Article ("subsection") (1), without this provision Article (1) containing or specifying in more detail the provision of the Tender Documentation, which paragraph (1) is.

We request the clarification and stating the correct articles.

Answer 5:

The Contracting Authority hereby confirms that there has been a typo. The correct sentence is:

“It is presumed that the requirement set out in point d) above is met if the written commitment of another person (...).”

Question 6:

6. Article 15.2. in connection with 3.4. of the Tender Documentation

In provision 3.4. of Tender Documentation the Contracting Authority stated that the Framework Agreement will be concluded with one supplier. The contracting authority used a plural form in provision 15.2. of Tender Documentation dealing with the submission of the original documents to prove qualification before the conclusion of the contract (“In accordance with the provision of Section 122 (3) (a) of the Act contract, submit the originals or certified copies of the documents they submitted as proof of compliance with the qualification requirements unless the same have already been submitted as part of their tender. “).

We request for the clarification and confirmation of whether the Framework Agreement will be concluded with one supplier.

Answer 6:

The Contractor Authority confirms that the Framework Agreement shall be concluded with one supplier.

Question 7:

7. Article 15.3. and Annex 8 to the Tender Documentation

Quoted provision provides:

*„If the selected Contractor does not hold the certificate “ISO 14298 Management of security printing processes” or “CWA 15374 Security management system for suppliers to the security printing industry” and thus the Contractor submitted within his tender the written affidavit of the Contractor attached as Annex 7 hereof in accordance with the Art. 9.4.2 (a) hereof, the selected Contractor is obliged to enable and ensure the Contracting Authority the possibility to run a security audit before signing the contract in accordance with Section 104(e) of the Act (hereinafter the “**Security Audit**”) in order to check the **Contractor’s facility and its security processes** in place to ensure the production security integrity as well as the facility and security processes of all **the subcontractors directly involved in the preparation or production of the MasterHologram or any product that is the carrier of the DOVID design** (as defined in the Draft Framework Agreement).*

The Security Audit, its extent, course, duration, demands regarding staff allocation is further stipulated in Annex 8 hereof. The annex shall be used analogically for purposes of the Security Audit of the given subcontractors.

If the selected Contractor fails to prove the implemented security processes in place to ensure the production security integrity as stated in the written affidavit of the Contractor attached as Annex 7 hereof in accordance with the Art. 9.4.2 (a) hereof as well as the obligation to enable and ensure the Contracting Authority the possibility to run the Security Audit at the premises of subcontractors thus the selected Contractor does not meet the requirements of the Contracting Authority, then the selected Contractor shall be excluded from the tender procedure in compliance with Sec. 48 (2)(a) of the Act.

- a. **We request a definition of which specific requirements in the security area must be met by the supplier in order the contracting authority to evaluate the security audit carried out in accordance with point 15.3 of the Tender Documentation as successfully performed (see also question no. 4 above).**
- b. **We understand that suppliers who submit an ISO 14298 or CWA 15374 certificate in a tender procedure do not have to demonstrate compliance with the standards in the area of "Management of security printing processes" by their subcontractors directly involved in the implementation of MasterHologram or any product that is DOVID design, while suppliers who do not have these certificates and will be subject to a security audit will have to ensure that the**

subcontractor will be subject to the same audit (i.e. to demonstrate compliance with the set standards)?

Answer 7:

- a. The Contracting Authority refers to the answer provided to the question 4, whereas the given supplement and clarification of TD shall reflect the Sec. 15.3. of the TD and the Annex 8 of the TD as well.

The minimum level of compliance with security requirements is set by the following point system:

- **For each requirement are awarded 2 points,**
- **1 point is awarded for a partially fulfilled requirement,**
- **No point is awarded for a failed request.**

A total of 34 points can be obtained (17 requests x 2 points). The minimum level of fulfilment of security requirements is set at 26 points, **nevertheless** all mandatory (mandatory) requirements must be met – **i.e. requirements number 01, 03, 05, 06, 07, 09, 10, 11, 13, 14, 16, 17.** By fulfilling the mandatory requirements, the candidate will receive 24 points.

The Contracting Authority hereby publishes a new revised version of the Annex 8 of the TD as Annex 5 hereto.

- b. The Contracting Authority hereby confirms that a security audit will not be performed on a supplier who submits an ISO 14298 or CWA 15374 certificate. In the above case, a security audit will not be performed on the subcontractors of this supplier.

Holding an ISO 14298 or CWA 15374 certificate implies and undertakes the holder to do regular security checks on his subcontractors.

Question 8:

8. Article 15.5. of the Tender Documentation

Provisions 15.5. the tender documentation provides: "In accordance with Section 104 (a) of the Act, before signing the Draft Framework Agreement, the selected Contractor is required to submit the standard conditions of use and storage conditions of Sheets regarding its offered technical solution."

We request a clarification whether the Contracting Authority has any objective restrictions or lays down any requirements or limits in relation to the conditions of use and storage of "Sheets".

Answer 8:

The Contracting Authority is not aware of any of its restrictions in relation to the conditions of use and storage conditions of Sheets supplied in compliance with its technical requirements specified in the Framework Agreement and in particular in its Annex 1.

Question 9:**9. Section. III of the Draft Framework Agreement – Partial contracts**

Whereas this is a public contract for the conclusion of a Framework Agreement pursuant to Section 131 et seq. of the Act, is a prerequisite for fulfilling the conclusion of subsequent partial contracts. However, the provisions of Article III of the Framework Agreement do not contain the regulation of concluding a partial contract for the design and production of DOVID and MasterHologram.

We request that the draft Framework Agreement be amended to regulate the conclusion of a partial agreement for the design and production of DOVID and MasterHologram.

Answer 9:

On this point, it can be stated that only a part of the subject of performance of the Framework Agreement concerning the production and supply of Sheets has a framework character. In the case of creation of the DOVID design and production of the MasterHologram the subject of performance is described comprehensively in the draft Framework Agreement, including the scope of performance, deadline and method of approval. According to the Contracting Authority, this part of subject of performance does not have a framework character and does not require a contractual arrangement of the conclusion of a partial contract. For the avoidance of any doubt, the Contracting Authority shall amend the Article IV (2) of the draft Framework Agreement to the effect that the commencement of this part of the performance shall take effect immediately after effective date of the Framework Agreement and no further formal action by the Client shall be necessary or performed.

For specific arrangements, see the new full text of the draft Framework Agreement.

The Contracting Authority hereby publishes a new revised version of the Annex 1 of the TD as Annex 1 hereto and its Annex 2 (Time Schedule) as Annex 2 hereto.

Question 10:**10. Sec. III Art. 2 of the Draft Framework Agreement – volume of delivery according to partial contracts**

Section III Article (2) of the Framework Agreement provides minimum number of Sheets to be the subject of each subcontract. However, it does not specify a maximum number of pieces.

We request the define maximum number of Sheets in the draft Framework Agreement, which may be the subject of an individual sub-order, resp. ordered in a certain period.

Answer 10:

The Contracting Authority sets the minimum quantity of Sheets per individual purchase order and indicative volume of Sheets yearly (refers to the Article III. and Article V. of the Framework Agreement). The Contracting Authority does not set the maximum quantity of Sheets per individual purchase order.

Question 11:

11. Article 7. of the Tender Documentation in connection with Sec. IV Art. 9 of the Draft Framework Agreement – place of performance

According Section 7 of the Tender Documentation the place of performance of the public contract is Prague, Czech Republic.

In Section IV Art. 9 of the Draft Framework Agreement the Contracting Authority stated:

„The place of performance for delivery of the Sheets shall be placed in territory of Prague, Czech Republic, specifically [•]. (the specific destination within the given binding territory shall be agreed with the selected contractor, ie. the winner, before the contract conclusion, the Contracting Authority prefers as a place of performance the Production Plant III – Na Vápence 14/915, 130 00 Prague 3, Czech Republic, nevertheless the Contracting Authority hereby states that Václav Havel Airport in Prague is without any doubts a possible place of performance as well)

We request to clarify which other places in Prague - in addition to Production Plant III, Na Vápence 14/915, 130 00 Prague 3 and Václav Havel Airport in Prague - are allowed as a place of delivery of Sheets.

Can any place / address in Prague be determined? What specific parameters should the place of delivery of Sheets meet in order to be acceptable to the contracting authority? Alternatively, on the basis of which indicators / parameters / values will the contracting authority evaluate the admissibility of the place of delivery of Sheets in the locality of Prague?

Answer 11:

The Contracting Authority lays down as a place of performance the Production Plant III – Na Vápence 14/915, 130 00 Prague 3, Czech Republic, or Václav Havel Airport in Prague customs warehouse.

For specific arrangements, see the new full text of the draft Framework Agreement.

The Contracting Authority hereby publishes a new revised version of the Annex 1 of the TD as Annex 1 hereto.

Question 12:

12. Sec. VII. Art. 9 (Variant 2) of the Draft framework Agreement – Security audit

In Sec. VII Art. 9 (Variant 2) of the Draft Framework Agreement the Contracting Authority stated:

„[Variant 2 – The Contractor to choose this variant when he is submitting as part of his tender affidavit of the Contractor in accordance with the Art. of Tender Documentation; the Contractor to delete variant 1]

9. The Contractor further acknowledges and agrees that the Client will conduct the Security audit / check related to the subject of performance of this Framework Agreement at the Contractor's facility, which usually requires the Contractor's assistance, by enabling access to the Contractor's facility, or verification of specific processes of the Sheets production and

processing. A more detailed description of the requirements of the Security audit / check is set out in Annex 7 which is integral part of this Framework Agreement. If the subcontractor of the Contractor is directly involved in the preparation or production of the MasterHologram or any product that is the carrier of the DOVID design, the Client will also conduct the Security audit / check at the Subcontractor's facility under the same conditions set out in the Annex 7 hereof. The Contractor is obliged to secure cooperation on the Subcontractor side. Breach of this Contractor's obligation to enable realization of the Security audit / check constitutes a substantial breach of Framework Agreement pursuant to Article XIV paragraph 4 letter c) hereof."

- a. **Please provide a link that is missing in the yellow-coloured instructions for editing the draft Framework Agreement.**
- b. **We request a definition of which specific requirements in the area of security must be met by the supplier in order for the contracting authority to assess the security audit carried out in accordance with Sec. VII, Art. 9 (Variant 2) of the Framework Agreement and Annex 7 to the Framework Agreement.**
- c. **We request to clarify what consequences the situation will have when the supplier, or its subcontractor does not "pass" the security audit by the contracting authority [note: Sec. VII, Art. 9 (Variant 2) only refers about the consequences of not being audited].**
- d. **Do we understand correctly that suppliers who submit an ISO 14298 or CWA 15374 certificate in a tender procedure do not have to regularly demonstrate compliance with the standards in the area of "Management of security printing processes" by their subcontractors directly involved in the implementation of MasterHologram or any product that is DOVID design (cf. Variant 1, Sec. VII, Art 9 of the Draft Framework Agreement), while suppliers who do not have these certificates and will be regularly subject to a security audit will have to ensure that the subcontractor will be subject to the same audit (ie to demonstrate compliance with the set standards), (cf. Variant 2 of the Sec. VII Art. 9 of the Draft Framework Agreement)?**
- e. **We request to clarify, if the supplier obtains ISO 14298 or CWA 15374 certification during the performance of the Framework Agreement, the wording of Article VII, paragraph 9 of the Framework Agreement can be changed from Variant 2 to Variant 1. If so, in what way / procedure.**

Answer 12:

- a. Following the amendments to the draft Framework Agreement in connection with the other points of this question, the draft Framework Agreement will no longer include this instruction and therefore is no longer necessary to add a reference to the TD.
- b. The Contracting Authority refers to the answer provided to the question 7(a), whereas the given supplement and clarification of TD shall reflect the Annex 7 to the Draft Framework Agreement as well.

The Contracting Authority hereby publishes a new revised version of the Annex 7 to the Draft Framework Agreement as Annex 3 hereto.

- c. The Contracting Authority changes the draft Framework Agreement in the way that after signing and for entire duration of the Framework Agreement the fact that the Contractor and/or any of his Subcontractors fails to pass Security audit / check constitutes a substantial breach of Framework Agreement pursuant to Article XIV (4) letter c) of the Framework Agreement and possibility of termination of the Framework Agreement.
- d. The Contracting Authority hereby confirms that a security audit will not be performed on a supplier who submits an ISO 14298 or CWA 15374 certificate. In the above case, a security audit will not be performed on the subcontractors of this supplier. If the supplier does not submit a valid ISO 14298 or CWA 15374 certificate, he and his subcontractors will be regularly audited. Holding an ISO 14298 or CWA 15374 certificate implies and undertakes the holder to do regular security checks on his subcontractors.
- e. The Contracting Authority changes the draft Framework Agreement in the way that is possible for the Contractor to switch from Variant 1 to Variant 2 and vice versa.

For specific arrangements, see the new full text of the draft Framework Agreement.

The Contracting Authority hereby publishes a new revised version of the Annex 1 of the TD as Annex 1 hereto.

Question 13:

13. To define the technical requirements of the contracting authority for the subject of performance of the Public Contract - Annex 1 to the Draft Framework Agreement

The Tender Documentation does not contain a sufficient definition of the technical requirements of the contracting authority for the subject of performance of the Public Contract; these are listed only in Annex 1 to the Draft Framework Agreement, in a manner so incomplete and insufficiently detailed that it does not allow for the proper preparation of the offer.

We request that the technical specification be supplemented so that the subject of performance of the Public Contract is defined in the details necessary for the preparation of (mutually comparable) tenders.

Answer 13:

The Contracting Authority considers the definition of the technical specification to be sufficient, complete and at the same time non-discriminatory. The Contracting Authority is aware of the number of patents and trademarks on the DOVID market and for this reason has specified the minimum general requirements in order to **increase the security level compared to the currently used DOVID.**

Question 14:**14. Annex 4 to the Draft Framework Agreement**

Pursuant to Annex 4 to the draft Framework Agreement, point 2 (Test procedures), the Contracting Authority requires the supplier to provide, before the first delivery of Sheets, "Evidence of quality test - minimum: resistance to climatic conditions ISO 24789-2 and resistance to light aging ISO / IEC 7810: 2019, ISO 105-B02 "("... proof of performance of the quality test - at least: the resistance to climatic conditions ISO 24789-2 and the resistance to light aging ISO / IEC 7810: 2019, ISO 105-B02 ").

We request to clarify, what specific proof of the quality test of the contracting authority requires (will require).

At the same time we request to state the specific tests to be performed, as well as any requirements of the Contracting Authority for the method (conditions) of their implementation (i.e. input parameters of tests), and the required values to be achieved (i.e. desirable or minimum, for acceptable test results).

Answer 14:

Evidence of performing quality tests in the specified minimum range, i.e. test of resistance to climatic conditions (temperature and humidity aging) and test of resistance to light, will be the submission of a confirmed (stamp and signature of the laboratory, where the test was performed) test report with the results of individual test. References to test parameters are listed in the table below, parameters specified in more detail in the mentioned standards. The Contracting authority requires tests to be performed on at least the same type of product, manufactured with the same technology and the same procedures as the subject of delivery, i.e. DOVID on polycarbonate foil. The tests are performed on laminated cards.

No.	Test	Standards	Parameters	Method of evaluation
1.	Resistance to climatic conditions (Temperature and humidity aging)	ISO 24789-2	Refers to the article 5.7 of ISO 24789-2	Comparing to the non-aged cards with the naked eye, after the test the card shall not show any defects
2.	Resistance to light aging	ISO/IEC 7810:2019 ISO 105 - B02:2014	Refers to the article 5.2 of ISO 105-B02	Comparing to the non-aged cards with the naked eye, after the test the card shall not show any defects

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 Draft framework agreement and rules of security requirements and security audit**, 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 18.08.2020 10:00 AM**
- **new time limit for the submission of tenders: until 21.8.2020 10:00 AM**
- **opening of tenders: the expiry of the limit for the submission of tenders**

Annexes:

1. Annex 1 TD - Draft Framework Agreement_rev
2. Annex 2 FA - Time schedule_rev
3. Annex 7 FA - Security audit / check_rev
4. Annex 7 TD - Affidavit on Security Requirements_rev
5. Annex 8 TD - Security Audit_rev

Best regards,

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for the contracting authority
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