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 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 - VI.

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 provision still refers to Article 9.2.1 of the Tender Documentation, which does not exist (in Article 9.2 of the Tender Documentation does not exist Article titles as 9.2.1).

We request to provide the correct reference.

Answer 1:

There has been a mistake in the Word formatting.

The phrasing of the provision 9.2 (partially) and 9.2.1 of the TD shall be considered as follows:

“9.2. Basic Capacity 9.2.1 A Contractor shall not be considered qualified if:

- a) **In the country of their registered seat**, they have been convicted of the criminal offence specified in Annex 3 to the Act or an equivalent criminal offence under the legal system of the country of their registered seat during the last 5 years before the date on which the tender is commenced; any quashed convictions shall be disregarded; for legal entities, this requirement shall 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 Contractor is a legal entity, then the legal entity and each member of its statutory body, including the person representing the legal entity in the statutory body of the Contractor, must comply with this requirement.

Where the tender or request for participation is being submitted by a branch of a foreign legal entity, then the legal entity and the manager of

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 branch of the foreign legal entity must also comply with this requirement.

If the tender or request for participation is being submitted by a branch of a Czech legal entity, then in addition to the aforementioned statutory bodies, the manager of the Czech branch must also comply with this requirement.

- b) The Contractor owes any due unpaid tax arrears either **in the Czech Republic or in the country of the Contractor's seat**,
- c) The Contractor owes any unpaid arrears for public health insurance premiums or penalties **either in the Czech Republic or in the country of the Contractor's seat**,
- d) The Contractor owes any unpaid arrears for premiums or penalties for social security and contributions to state employment policy **either in the Czech Republic or in the country of the Contractor's seat**,
- e) The Contractor is in liquidation, and decision has been issued declaring the Contractor to be insolvent, forced administration has been imposed on the Contractor pursuant to different legislation or in a similar situation **under the laws of the country of the Contractor's registered seat**.

(..)"

Please, consider this explanation as a correction of the reference in Tender Documentation. The Contracting Authority shall not publish any updated version of the Tender Documentation.

Question 2:

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

Provision 9.4.2 (as amended by Explanation and Supplementation of Tender documentation IV (hereinafter referred to as „Explanation IV“) provides following requirement for Technical Qualification of supplier:

„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 | A security policy has to be implemented | The "Security Policy" document must be adopted and issued by the company's management |
| 02 | The subcontractors for STC order processing have to be security checked | 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 |
| 03 | A confidentiality agreement with the subcontractors must be signed | A non-disclosure agreement (NDA) must be signed between the tenderer and the subcontractors |
| 04 | A regular internal security audit has to be performed | Regular internal security audits of own processes are performed and registered (at least once a year) |
| 05 | A risk assessment and risk management documents have to be implemented and updated | A risk analysis is prepared and regularly updated (at least once a year) |
| 06 | An ability to authorized and to deliver the product/service | There is a functional and actual Business Continuity Plan to ensure continuous supply of products or service |
| 07 | The security requirements between STC and the supplier have to be set up and documented | Security procedures and rules for the production and delivery of services or products for STC must be set up and documented |
| 08 | The supplier's buildings have to be secured via IDS (Intrusion Detection System), FS (Fire System), CCTV, ACS (Access Control System) | The supplier's facilities and production facilities must be equipped by defined security systems with connection to the monitoring center (internal or external) IDS (Intrusion Detection System) FS (Fire System) CCTV (camera system with recording) ACS (Access Control System) |
| 09 | A space for loading and unloading of goods and materials has to designated | A space for loading or unloading products must be marked and operated in security mode (enclosed spaces with restricted entry) |
| 10 | A physical security has to be performed by own employees or by licensed outsourced guards | 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. |
| 11 | A key management has to be implemented | The supplier operates a transparent key mode - registration, allocation and secure storage of the keys |

| No | Requirements | Details |
|----|---|---|
| 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> |
| 17 | <i>There is an own staff for processing of STC order</i> | <i>The supplier uses own employees to ensure the production of STC products</i> |

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.”

Identically, the requirements (see cited items 1-17) are defined in the table of Annex 7 to the Tender Documentation (as amended by Explanation IV).

As follows from the above, in Explanation IV, the Contracting Authority supplemented the table of requirements for the implementation of security procedures with a column "Details", in which it added additional (again, of course, very general) requirements to each (very generally defined) requirement.

The requirements set out in the supplemented "Details" column are defined in such general terms that it cannot be deduced from them:

- i) specific (required by the Contracting Authority) way of fulfilling individual requirements – i.e. 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 for the supplier to successfully pass the safety audit in accordance with the provisions of 15.3 of the Tender Documentation), nor
- ii) the required level of detail to describe how to meet the individual requirements.

For example in item No. 01 of the table it is stated in the column "Details": *"The Security Policy document must be adopted and issued by the company management"*, however, from the description of the requirement there are no minimum requirements for the content of "Security Policy". Item No. 02 of the table then states in the column "Details": *"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", however from it does not follow what exactly (what processes and procedures) should be (at least) controlled at the subcontractor and in what way. Or, for example, in item 03, in the "Details" column, it is stated: "A non-disclosure agreement (NDA) must be signed between the tenderer and the subcontractors", without specifying what such an NDA should relate to or what it should contain at least. Furthermore, for example, in item 4, in the column "Details" it is stated: "Regular internal security audits of own processes are performed and registered (at least once a year)", however, it does not follow what exactly (what processes and procedures) would should be (minimally) audited / controlled in what way and to what extent. In item No. 05, in the column "Details" it is stated: "A risk analysis is prepared and regularly updated (at least once a year)", however, it does not follow from the above what the required minimum content of such a security analysis, resp. how it should be processed to meet the requirements of the contracting authority. Furthermore, item 06 states: "There is a functional and actual Business Continuity Plan to ensure continuous supply of products or services", while again the minimum requirements for the content of such a "Business Continuity Plan" are not clear. The same applies to the other items in the table contained in Article 9.4.2. of the Tender Documentation.

The supplier requests an explanation of the following:

- a) If the supplier does not have the certificates referred to in Article 9.4.2. of the Tender Documentation and will prove the fulfilment of this qualification precondition by a declaration according to Annex 7 of the Tender Documentation, what are the specific requirements and expectations of the Contracting Authority as regards**
- **the level of detail of the description of how to meet the individual requirements, and**
 - **the specific method 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 for the supplier to successfully pass the security audit according to Article 15.3. of the Tender documentation)?**

We hereby request once again to define the minimum level for meeting the qualification requirement in question in the sense of § 73 (6) of the Act.

- b) What is the meaning of the text below, which has been added to Annex 7 of the Tender Documentation (Affidavit on security requirements) based on Explanation IV?**

*„The **prospective security audit** shall be carried out in accordance with the Tender Documentation based on this evaluation of minimum level of compliance with security requirements:*

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."*

It is not clear to us how the supplier could make a solemn declaration in relation to the method of assessing the fulfilment of safety requirements by the contracting authority, resp. what is the significance of the solemn declaration in this section. The supplier cannot responsibly make a solemn declaration regarding the contracting authority's procedure. We request to explain.

- c) **If the Contracting Authority states: "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", Does the Contracting Authority require proof of some a document or statement concerning the security risk assessment and their management plan? If yes, please specify.**

If not, please explain the significance of this recommendation for the assessment of qualifications.

Answer 2:

- a. Specific manner of fulfilment of the given security requirements arise from the security policy and risk analysis processed and implemented by the Contractor, which are required as stated below.

Given to the fact that the Contracting Authority does not know in detail the specific factual procedures and organisational set up of all the Contractors and does not know the content and extent of the above mentioned security policy and risk analysis, the Contracting Authority is not capable to specify the individual requirements in a higher detail.

The Contracting Authority is holder of the certification on ISO 14298 and it proceeded in order to specify the given security requirements from this certification, which undertakes it to control and check security procedures of its contractors.

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 security requirements as defined and stated in the Annex 7 hereof.

Minimal level for fulfilment of this technical qualification:

As stated in the Annex 7 hereof, the minimal level for proving this technical qualification is to gain **26 points according to the given point system in the Annex 7 hereof (hereinafter referred to as the “point system”) and in the same time and all mandatory (mandatory) requirements must be met (i.e. to receive at least one point for each of the mandatory requirement)** – whereas mandatory requirements are numbers 01, 03, 05, 06, 07, 09, 10, 11, 13, 14, 16, 17.

Manner of proving of fulfilment of this technical qualification:

The Contractor shall prove this technical qualification 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 given security requirements, which shall be stated in such a detail so the Contracting Authority may assess fulfilment on the given point scale, and mark which option (i.e. how many points) is relevant and correct in it the case of the Contractor.”

The Contracting Authority hereby publishes a new revised version of the Annex 7 of the TD as Annex 1 hereto.

- b. Please see the answer 2 (a) above. The point system has been updated and from the Annex 7 of the TD shall be evident the point scale and the minimal number of points which shall be fulfilled within the technical qualification as well as the security audit.
- c. Please see the answer 2 (a) above. The Contractor shall be obliged to have processed and implemented the security policy and risk analysis, since they are mandatory requirements according to the Annex 7 of the TD.

Question 3:

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

Provision 15.3 of the Tender Documentation 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.

On the basis of the supplier's request for an explanation of the Tender Documentation, the Contracting Authority in Explanation IV added in response to "question 7" partial information on how to evaluate the success of the security audit and referred to the answer to question 4 . (see supplementary question 2 above). At the same time, the Contracting Authority amended Annex 8 to the Tender Documentation by adding another column marked "Details" to the table contained in this Annex, in which it added other (again, of course, very general) requirements to each (very generally defined) requirement, in the same way as the Contracting Authority completed the table in Article 9.4.2 and in Annex 7 of the Tender Documentation (see question No. 2 above).

In Explanation IV, the Contracting Authority further stated in response to question 7 that the minimum level of compliance with safety 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.

As already mentioned above in the context of question no. 2, the requirements stated in the supplemented column "Details" are again formulated in such a general way that it is not possible to deduce from them specific requirements of the Contracting Authority in the field of security, resp. the specific manner and degree of fulfilment of individual requirements so that the contracting authority considers each individual requirement to be fulfilled and the security audit to be successfully performed.

At the same time, it is not clear from the newly supplemented points system where, for individual requirements, there is a boundary between when the contracting authority will consider the requirement to be "fulfilled" or only "partially fulfilled", or already "not fulfilled".

- a) We request again to define which specific (clearly given) requirements in the field of security must be met by the supplier, so that the Contracting Authority**

evaluates the security audit performed according to Article 15.3 of the Tender Documentation as successfully performed (see similarly question no. 2 above).

- b) We request a clarification under which conditions each individual security audit requirement, listed in Annex No. 8 to the tender documentation, will be considered by the contracting authority as "fulfilled" (2 points), "partially fulfilled" (1 point), "not fulfilled" (0 points).
- c) Do suppliers have to meet all mandatory requirements ("mandatory requirements"), as listed in Annex No. 8 to the Tender Documentation, in full (i.e. for 2 points) or will it be sufficient to meet them partially (for 1 point) according to the points system set by the contracting authority?

Answer 3:

- a. Please see the answer 2 (a) above. The point system has been updated and from the Annex 7 of the TD shall be evident the point scale and the minimal number of points which shall be fulfilled within the technical qualification as well as the security audit.

The Contracting Authority hereby publishes a new revised version of the Annex 7 and 8 of the TD as Annex 1 and 2 hereto.

- b. Please see the answer 2 (a) above. The point system has been updated and from the Annex 7 of the TD shall be evident the point scale and the minimal number of points which shall be fulfilled within the technical qualification as well as the security audit.
- c. Please see the answer 2 (a) above. The point system has been updated and from the Annex 7 of the TD shall be evident the point scale and the minimal number of points which shall be fulfilled within the technical qualification as well as the security audit. To be the mandatory requirements considered as fulfilled the Contractor shall receive at least one point for each of the mandatory requirements.

Question 4:

4. Article VII paragraph 9 and 10 of the Draft Framework Agreement – Security audit

In article VII paragraph 10 of the Draft Framework Agreement (as amended by Explanation IV) the Contracting Authority stated:

„10. If the Contractor has not certificate “ISO 14298 Management of security printing processes” or “CWA 15374 Security management system for suppliers to the security printing industry”, 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 No. 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 or the fact that the Contractor or any of his Subcontractors fails to pass Security audit / check constitutes a substantial breach of Framework Agreement pursuant to Article XIV paragraph 4 letter c) hereof. If the Contractor obtains during the duration of this Framework Agreement certification "ISO 14298 Management of security printing processes" or "CWA 15374 Security management system for suppliers to the security printing industry", from such a moment the Parties shall proceed in accordance with paragraph 9 of this Article."

In response to question No. 12 in Explanation IV, the Contracting Authority referred to the answer to question No. 7 (a) Explanation IV and stated that the completed supplementation and explanation of the Tender Documentation also applies to Annex No. 7 to the Framework Agreement. At the same time, the Contracting Authority amended Annex 7 to the Framework Agreement by adding another column to the table contained in this Annex entitled "Details", in which it added additional (again, however, very general) requirements to each (very generally defined) requirement. , in the same way as the Contracting Authority completed the table in Article 9.4.2 and Annexes 7 and 8 of the Tender Documentation (see questions No. 2 and 3 above). At the same time, the Contracting Authority added a description of the point evaluation of the fulfilment of security requirements to Annex 7 of the Framework Agreement, as well as in Annex 8 to the Tender Documentation.

As already has been mentioned above in questions no. 2 and 3, the requirements stated in the added column "Details" are formulated in such a general way that it is not possible to deduce from them the specific requirements of the contracting authority in the field of security, resp. the specific manner and degree of fulfilment of individual requirements so that the Contracting Authority considers each individual requirement to be fulfilled and the security audit to be successfully performed. At the same time, as already has been mentioned above in question no. 3, it is not clear from the newly supplemented points system where for individual requirements there is a boundary between when the contracting authority will consider the requirement fulfilled or only partially fulfilled or no longer fulfilled.

Furthermore, in response to question No. 12 e) in Explanation IV. the Contracting Authority has stated that it amends the Framework Agreement so that the supplier can switch from Option 1 to Option 2 and vice versa. In this context, the Contracting Authority added to Article VII. paragraph 9 of the Draft Framework Agreement, the following sentence: *„In the event of end of validity of this certificate the Contractor is obliged to ensure immediate compliance with the obligation under paragraph 10 of this article. “*At the same time to Article VII. paragraph. 10 of Draft Framework Agreement added following: *„If the Contractor obtains during the duration of this Framework Agreement certification "ISO 14298 Management of security printing processes" or "CWA 15374 Security management system for suppliers to the security printing industry", from such a moment the Parties shall proceed in accordance with paragraph 9 of this Article.“* Despite this addition, it is not clear how the parties will proceed in the event of such a change and with effect from when the change will take place (ie paragraph 9 will apply to suppliers instead of paragraph 10 of Article VII or vice versa). This may be crucial, for example, if the supplier obtains the relevant certificate at the time the security audit is carried out and the contracting authority evaluates it as unsuccessful (and possibly withdraws from the contract for this reason).

- a) We request repeatedly to define what specific requirements in field of security must be met by supplier in order for the Contracting Authority evaluate the security audit carried out in accordance with Article VII paragraph 10 of the Draft Framework Agreement and Annex 7 as successfully performed.
- b) We request a clarification under which conditions each individual security audit requirement, listed in Annex 7 to the Draft Framework Agreement, will be considered by the Contracting Authority as “fulfilled” (2 points), “partially fulfilled” (1 point), “not fulfilled” (0 points)?
- c) Do suppliers must – (and where appropriate under the conditions set out in Article VII. paragraph 10 of the Draft Framework Agreement) their subcontractors - meet all mandatory requirements ("mandatory requirements"), as listed in Annex 7 to the Draft Framework Agreement, in full (i.e. for 2 points) or it is sufficient to meet them partially (for 1 point) according to the point system specified by the contracting authority?
- d) We request to specify in more detail how the parties will proceed (i.e. "switch" between the provision under Article VII paragraph 9 and the provision under Article VII paragraph 10 of the Framework Agreement) if the supplier obtains ISO 14298 or CWA 15374 certification during performance of the Framework Agreement or, conversely, loses it.

Answer 4:

- a. Please see the answer 2 (a) above. The point system has been updated and from the Annex 7 of the TD shall be evident the point scale and the minimal number of points which shall be fulfilled within the technical qualification as well as the security audit.

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

- b. Please see the answer 2 (a) above. The point system has been updated and from the Annex 7 of the TD shall be evident the point scale and the minimal number of points which shall be fulfilled within the technical qualification as well as the security audit.
- c. Please see the answer 2 (a) above. The point system has been updated and from the Annex 7 of the TD shall be evident the point scale and the minimal number of points which shall be fulfilled within the technical qualification as well as the security audit. To be the mandatory requirements considered as fulfilled the Contractor shall receive at least one point for each of the mandatory requirements.
- d. The Contracting Authority hereby states that the wording of the draft Framework Agreement is quite clear. In the event the certificate expires or is not extended its validity (failure to ensure or non-compliance with conditions of recertification) the Contractor is obliged to ensure immediate compliance with the obligation Art. VII paragraph 10 of Framework Agreement. That means obligation to ensure immediate commencement of the Security audit / check in cooperation with the Client and in accordance with conditions set in paragraph 10.

In the event of obtaining of a certification "ISO 14298 Management of security printing processes" or "CWA 15374 Security management system for suppliers to the security printing industry", the main obligation of the Contractor is to maintain the achieved certification.

The Contractor is in his own interest obliged to inform the Client of any changes immediately and cooperate with the Client on fulfilment of his obligation.

Question 5:

5. Annex 4 to the Draft Framework Agreement and Answer No. 14 in Explanation IV

Pursuant to Annex 4 of 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* ").

In response to the question 14 in Explanation IV, the Contracting Authority states certain (new) requirements for proving the quality of the delivered performance [*...submission of a confirmed (stamp and signature of the laboratory, where the test was performed) test report with the results of individual test. (...)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*], however, these requirements are not reflected in the Tender Documentation (nor in the draft Framework Agreement and its annexes).

We request a clarification on the binding nature of the contracting authority's request formulated in the answer to question 14 of Explanation IV as regards: *...submission of a confirmed (stamp and signature of the laboratory, where the test was performed) test report with the results of individual test. (...)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*“.

Given that Annex 4 of the Draft Framework Agreement, which is decisive for the "Test procedures" under the Framework Agreement, still states in general that the supplier submits a "proof of performance of the quality test" and does not specify in any way the obligations the Contracting Authority states in response to question No. 14 in Explanation IV (see above). We request to clarify whether the requirements of the Contracting Authority contained in the answer No. 14 in Explanation IV are binding (for the period of performance of the Draft Framework Agreement) or only recommended, i.e when proving the performance of qualitative tests, proceed in a different way than described in the answer No. 14 in Explanation IV, if the generally formulated obligations according to Annex 4 of the draft Framework Agreement are complied with.

If the contracting authority's requirement to submit "*confirmed (stamp and signature of the laboratory, where the test was performed) test report with the results of the individual test*" is mandatory, we request to clarify what exactly should be the content of the required "test

report", with regard to the results of the performed tests (ie what specific results / values of which specific tests the contracting authority expects or requires in the test report).

Answer 5:

In annex 4 of the draft framework agreement there is given the request for the submission of 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.

Based on your request of explanation of this point, we specified this in detail, and we repeated our minimal requirements in the answer No. 14 in Explanation of the Tender Documentation IV.

The type of test and the evaluation of test is described in the table in Annex 4 chapter 2 of the Draft Framework Agreement.

To avoid any doubts the Contracting Authority hereby publishes a new revised version of the Annex 4 of the Draft Framework Contract as Annex 3 hereto, which is in compliance with the Explanation of the Tender Documentation IV, which has been provided by the Contracting Authority earlier.

The Contracting Authority does not consider this explanation as alteration or supplementation of the tender documentation whose nature would demand extension of the time limit for the tender submission in accordance with Sec. 99 (2) of the Act.

Annexes:

1. Annex 7 TD - Affidavit on Security Requirements_rev2
2. Annex 8 TD - Security Audit_rev2
3. Annex 7 FA - Security audit / check_rev2
4. Annex 4 FA_Annex No. 4 Specification of quality inspection_rev

Best regards,

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