



STÁTNÍ TISKÁRNA CENIN, státní podnik

with its registered office at Prague 1, Růžová 6, House No. 943, Postal Code 110 00
registered in the Commercial Register administered by the Municipal Court in Prague,
section ALX, file 296

Represented by
Tomáš Hebelka, MSc,
Chief Executive Officer



TENDER DOCUMENTATION

(hereinafter "TD")

for the purpose of processing tenders for supply contract to be awarded in over-threshold regime in an open procedure pursuant to Section 56 of Act No. 134/2016 Coll., on public procurement, as amended (hereinafter referred to as the "Act"¹)

Laminating Press Delivery (Reissue)

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.



1. IDENTIFICATION DATA OF THE CONTRACTING AUTHORITY

Contracting Authority:	STÁTNÍ TISKÁRNA CENIN, státní podnik
Registered office:	Prague 1, Růžová 6, House No. 943, 110 00, Czech Republic
Business ID:	00001279
Statutory body:	Tomáš Hebelka, MSc, Chief Executive Officer
Contact person:	Mgr. Zuzana Šenoldová
e-mail:	senoldova.zuzana@stc.cz
Data box identifier:	hqe39ah
Contracting Authority 's profile / electronic tool:	https://mfc.ezak.cz/profile_display_53.html

(hereinafter the "Contracting Authority" or the "Buyer")

1. COMMENCEMENT OF THE TENDER PROCEDURE

This tender procedure begins in accordance with Section 56 (1) of the Act upon sending of the Notice of the Tender Procedure Commencement to the Official Public Procurement Journal in accordance with the Sec. 212 of the Act.

2. SUBJECT OF THE PUBLIC PROCUREMENT

2.1. The subject matter of this public contract is the Contractor's obligation to supply **1 piece of a Laminating Press**, including all other related accessories and equipment, manufactured under applicable EU directives and regulations related to the subject of the Draft Purchase Contract and in line with the technical specifications attached to the Draft Purchase Contract as **Annex No. 1** (hereafter referred to as the "**Device**").

2.2. The subject of this public contract also includes the:

- a) transportation of the Device including liability insurance which provides cover for damage to the Device, with a compensation limit as determined in Art. XII (1) of the Draft Purchase Contract, DAP Praha (Incoterms® 2020),
- b) installation and commissioning of the Device, including 30 calendar days of its test run,
- c) training of specified Buyer's employees in the Device operation and maintenance for at least 5 persons (hereinafter referred to as the "operator training"), conducted at the Buyer's facility for a minimum of 3 business days (8 hours per day, 60 minutes per hour),
- d) handover of certificates and documents relating to the use of the Device, as specified in Annex No. 2 of the Draft Purchase Contract (in particular, operating and maintenance instructions, technical documentation in the Czech language).
- e) filling of heating fluid and commissioning of the supplied Heating Unit,



- f) supply and installation of a special connector/s (connecting flanges and cables) enabling cable connection between Device, Heating Unit or switch cabinet in case that the Device offered by the Contractor demands it.
- 2.3. The subject of this public contract also includes the handover of a list of all installed computers, including the basic parameters, and software, which is part of the delivery hereunder, including identification numbers and software license numbers. The above list must contain a specific information whether the OEM (Original Equipment Manufacturer) version is used or not. If this SW identification is missing, it is understood that this is not an OEM version.
- 2.4. The subject of this public contract does not include supply following components and related activities:
- a) supply and installation of the Cooling unit with coolant and commissioning of the Cooling Unit including the spreading and antivibrations pads;
 - b) supply and installation of Pipes and cabling between the Device and the Cooling Unit;
 - c) supply and installation of Pipes and cabling between the Device and the Heating Unit;
 - d) supply and installation of Complementary insulation material for pipes;
 - e) supply of the Heating fluid.

The above stated components shall be obtained by the Buyer in accordance with specific technical parameters specified in **Annex No. 1c** of the Draft Purchase Contract, which shall be compatible with the technical solution offered by the Contractor and provided in his Tender in compliance with the tender conditions.

The Contractor guarantees that, if the Buyer uses these components of the given parameters, the supplied Device shall be fully functional and fulfil required technical specification of the Device (mainly the parameters regarding the quality of outcomes etc.).

- 2.5. At the request of the Buyer the Contractor provides cooperation in the preparation of the place of installation by the Buyer specially during the Buyer's ensuring of the supply and installation of above stated components. For the avoidance of any doubt, the Contracting Parties state that the connection of components and the Device will be secured by the Contractor.
- 2.6. At the same time, the Contractor shall grant the Buyer an unlimited, non-exclusive, and transferable right for any resale of the Device, right to use the computer programmes specified in the subject of this Contract in the scope and for the purpose specified herein (manufacture of travel documents, i.e. laser, ink and electronic personalisation of the pages of travel documents). The Buyer is entitled to use all supplied software products provided that the Contractor's copyrights are respected. However, the Buyer is not entitled to interfere with and modify the functions of the computer programmes in any way.
- 2.7. The subject of this public contract also includes the provision of repair and maintenance services not covered by the warranty or after expiry of the warranty, i.e. scheduled preventive servicing inspections and unscheduled servicing of the Device as specified in the Draft Contract for Work in Annex No. 2 to this TD (hereafter referred to as the "**Service**").



- 2.8. A detailed technical specification outlined by the Contracting Authority and further definition of the subject of performance of this public contract is provided in Annex 1 and 2 hereof and is binding for Contractors in a full extent.
- 2.9. In accordance with the Sec. 33 of the Act the Contracting Authority conducted preliminary market consultations with a view to preparing procurement documents. This tender documentation contains information that has resulted from a preliminary market consultation, such information are marked with the following symbol: „***PMC**“. In accordance with the Sec. 36 (4) of the Act the Contracting Authority identifies the persons who have taken part in the preliminary market consultation (ordered alphabetically):

- a) **Maschinenfabrik Lauffer GmbH & Co. KG, Industriestrasse 101, 72160 Horb am Neckar, Germany, VAT No. DE 258034416;**
- b) **Mühlbauer Technologies d.o.o., Evropska 17, 22300 Stara Pazova, Serbia (which is member of the group of the Mühlbauer GmbH & Co. KG, Josef-Mühlbauer-Platz 1, 93426 Roding, Germany, VAT No. DE 811156881);**
- c) **Robert Bürkle GmbH, Stuttgarter Strasse 123, D-72250 Freudenstadt, Germany, VAT No. DE 812201175;**
- d) **VESKOM spol. s r.o., Dolnoměcholupská 522/12a, 102 00 Prague 10, Czech Republic, VAT No. CZ 44849095;**

and the Contracting Authority further states that all essential information that was the subject of the preliminary market consultation are stated in the Annex 10 of this TD.

3. CLASSIFICATION OF THE SUBJECT OF THE PUBLIC CONTRACT

CPV code	Subject of the public contract
42994200-2	Machinery for working plastics

4. ESTIMATED VALUE OF THE PUBLIC CONTRACT

The estimated value of this public contract is **275 000 EUR excluding VAT. *PMC**

5. REQUIREMENTS FOR VARIANT SOLUTIONS

The Contracting Authority does not permit variants pursuant to Section 102(1) of the Act.

6. REQUIREMENTS FOR THE SINGLE FORM OF PRESENTING THE TENDER PRICE

- 6.1. In its tender, the tender participant (hereinafter referred to as the “participant”) shall determine the tender price in its bid in EUR excl. VAT, specifically **in Art. V (2) and Art. XV (6) of the Draft Purchase Contract (Annex 1 to this TD)** and in **Art. VII of the Draft Contract of Work (Annex 2 to this TD)** (commonly hereinafter referred to as the “tender price”). The participant shall determine a detailed structure of the tender price as required in both of the Draft Contracts.
- 6.2. The tender price shall be specified as the maximum acceptable price, including any and all costs to be incurred by the Contractor in association with performance



of the subject of the public contract (and customs duties as long as the subject of performance is liable to customs duty in the Czech Republic).

- 6.3. The Contracting Authority requests that the participants would stipulate their tender prices with a precision of two decimal places.
- 6.4. The participant is not entitled to make the offered tender price conditional to an additional condition.
- 6.5. The tender price, or any portion thereof, indicated in the tender as provided for under the present TD, shall be a positive number; the Contracting Authority does not permit a zero price.
- 6.6. The participant is responsible for the correctness of the VAT rate and size determination, as well as any other fees and taxes, in accordance with regulations in force.
- 6.7. The participant shall fill the tender price in the relevant parts of the Draft Contracts (Annex 1 and 2 to this TD).

7. PLACE OF PERFORMANCE OF THE PUBLIC CONTRACT

The place of performance is at the following address: **Production plant III - Na Vápence 14, 130 00 Prague 3, Czech Republic.**

8. PERIOD OF PERFORMANCE OF THE PUBLIC CONTRACT

- 8.1. Estimated time frame for Draft Contracts conclusion: **without any undue delay after selection of the Contractor, preliminary in January/February 2020**
- 8.2. Period of Performance:
 - (1) **Delivery of Device: binding delivery terms are determined in Art. IV of the Draft Purchase Contract.**
 - (2) **Service: The Draft Contract for Work shall be entered into for a definite period of time, for a period of 4 years from conclusion of the test run, i.e. signature of the Protocol No. 2 pursuant Art. IX (7) of the Draft Purchase Contract. The partial time limits are specified in the Draft Contract for Work.**

9. QUALIFICATION REQUIREMENTS

9.1. Compliance with the qualification requirements

- a) The Contractor is required to prove its qualifications at the latest by the tender submission deadline.
- b) The qualification requirements are deemed to be met by a Contractor that demonstrates compliance with:
 - the basic capacity within the meaning of Section 74 and Section 75 of the Act,
 - the professional capacity according to Section 77 of the Act,
 - the technical qualification requirement according to Section 79 of the Act.

In accordance with the provision of Section 86(2) of the Act, for purpose of tender submitting, 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 4a to this TD (Affidavit on compliance with the basic capacity).

The Contractor is required to submit documents regarding the professional capacity pursuant to Sec. 77 of the Act and the technical qualification pursuant to Sec. 79 of the Act in compliance with the requirements stated in this TD.

Pursuant to the provisions of Section 87 of the Act the Contractor may also prove compliance with the qualification requirements by submission of the unified European certificate of compliance for public procurement purposes.

Pursuant to the provision of Section 122(3) of the Act, the selected Contractor (i.e. the winner) shall submit the electronic originals or electronic notarised copies of the documents prior to signing the contract, unless they have been submitted in the tender procedure.

The means of proof for basic capacity pursuant to Section 74 of the Act and professional capacity pursuant to Section 77(1) of the Act must show compliance with the required qualification criterion at the latest 3 months BEFORE THE DATE THE TENDER PROCEDURE IS COMMENCED.

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 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.**

9.2.2. Proof of fulfilment of the basic capacity by a Contractor with its seat in the Czech Republic

The Contractor shall demonstrate compliance with the basic capacity in relation to the Czech Republic as the country of their registered office by submitting:

- a) an extract from the Criminal Register regarding the 9.2.1 (a) of this TD,
- b) a certificate issued by the competent tax authority regarding the 9.2.1 (b) of this TD,
- c) a written sworn statement on excise tax regarding the 9.2.1 (b) of this TD,
- d) a written sworn statement regarding the 9.2.1 (c) of this TD,
- e) a certificate issued by the applicable regional Social Security office regarding the 9.2.1 (d) of this TD,
- f) an excerpt from the Commercial Registry or a written sworn statement providing that the participant is not recorded in the registry, regarding the 9.2.1 (e) of this TD.

9.2.3. Proof of fulfilment of the basic capacity by a Contractor with its seat outside of the Czech Republic (foreign Contractor)

The Contractor shall demonstrate compliance with basic capacity in relation to the Czech Republic by submitting:

- a) a certificate issued by the competent Czech tax authority regarding the 9.2.1 (b) of this TD,
- b) a written sworn statement on excise regarding the 9.2.1 (b) of this TD,
- c) a written sworn statement regarding the 9.2.1 (c) of this TD,
- d) certificate issued by the applicable Czech Social Security Administration regarding the 9.2.1 (d) of this TD.

The Contractor shall prove fulfilment of the conditions for capacity in relation to the country of the Contractor's registered seat by submitting, in accordance with:

- a) the 9.2.1 (a) of this TD,



- b) the 9.2.1 (b) of this TD,
- c) the 9.2.1 (c) of this TD;
- d) the 9.2.1 (d) of this TD;
- e) the 9.2.1 (e) of this TD; whereas

the Contractor shall be required to prove basic capacity requirements in relation to the country of the Contractor's registered seat in accordance with the Sec. 81 of the Act by submitting documents issued in accordance with the laws of the country where they were obtained, to the extent required by the Contracting Authority.

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**.

9.3. Professional capacity

Compliance with the professional capacity pursuant to the provision of Section 77(1) of the Act shall be proved by the Contractor submitting **a copy of an excerpt from the Commercial Register** or similar records, if registration in such records is required by a different legal regulation.

9.4. Technical qualification

In accordance with the provision under Section 79(2)(b) of the Act, the Contractor shall submit **a list of minimum 3 major supplies** completed by the Contractor during the **last 3 years before the commencement of the procurement procedure**, including the prices and periods of performance of the services 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 delivery of a laminating press of plastic cards and data pages.**

The list of major supplies submitted by the Contractor shall contain data relevant for proving the required qualification fulfilment, at least the following details:

- a) name of the contractor who provided the performance,
- b) name of the client the contract was performed for,
- c) period of performance,
- d) scope of performance,
- e) financial volume (sum) for the performance,
- f) 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).

The Contractor is entitled to use a pattern attached in Annex 4b hereof for proving fulfilment of the technical qualification.

9.5. Demonstrating qualification requirements obtained abroad

Where the required qualification both of a Contractor with a registered seat in the Czech Republic and of a foreign Contractor has been obtained abroad,



the compliance with Section 81 of the Act shall be demonstrated by submitting the documents issued under the legal system of the country where it was obtained, in the scope required by the Contracting Authority .

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 applies if the required document does not have its equivalent in the jurisdiction where the qualification was obtained (i.e. the required document does not exist in the foreign legislative system) and also if the foreign legislation does not require compliance which the Contracting Authority requires to be proved by the respective document submission. In the latter case the Contractor provides an affidavit stating non-existence of the obligation, compliance with which the Contracting Authority requires to be proved.**

9.6. Submitting proof of compliance with the qualification requirement through another entity

If the Contractor is unable to prove compliance with a certain part of the qualification requirements in the full scope it may provide the missing proof by means of another entity.

In such a case, the Contractor shall submit the following documents to the Contracting Authority:

- a) documentary proof of compliance with the professional capacity pursuant to Section 77(1) of the Act (Commercial Register) through another entity,
- b) documents proving compliance with the missing part of the qualification requirements through another entity,
- c) documentary proof of compliance by (that) other entity with the full capacity pursuant to Section 74(1) of the Act,
- d) written undertaking by the other entity to provide the services and supplies required for the performance of the public contract or to provide any items or rights at the disposal of the Contractor when the latter performs the contract, at least within the scope the other entity has proved compliance with the qualification requirements on behalf of the Contractor.

It is presumed that the requirement set out in paragraph (d) above is met if the written commitment of another person contains joint and several liability of such person and the Contractor for the performance of the public contract. Where, however, the Contractor proves qualification through the other person and submits documents pursuant to Section 79 (2) (a) (b) or (d) (*if required*) relating to such person, the document under paragraph (d) above shall contain a commitment that the other person shall carry out the works or services to which the qualification criterion in question relates.

9.7. Proving compliance with the qualification requirements for joint tenders

Where the subject of the public contract is to be performed by several Contractors acting in concert pursuant to Section 82 of the Act, and the Contractors submit or wish to submit a joint tender to that end, each of them shall prove compliance with the basic capacity in accordance with Section 74(1) of the Act and with the



professional capacity in accordance with Section 77(1) of the Act (i.e. extract from the Commercial Register, if the applicable foreign legislation so requires), separately and in full.

Where the subject of the public contract is to be performed by several Contractors acting in concert pursuant to Section 82 of the Act, they shall submit to the Contracting Authority, along with the means of proof showing their compliance with the qualification requirements, an agreement containing the undertaking of all of the Contractors to be jointly and severally liable to the Contracting Authority and to third parties in respect of any legal relationships in connection with the contract during the entire term of performance thereof, as well as throughout the existence of any other obligations ensuing from the public contract.

9.8. Requirement to specify subcontractors

In accordance with the provision of Section 105(1) of the Act, the Contracting Authority demands that the participants specify in their tenders any parts of the public contract they intend to assign to one or more subcontractors.

In their tender, the participant shall present a list of subcontractors along with information on the parts of this public contract that will be implemented by each of the subcontractors, specifying the type of supplies, services or construction works and the share (%) of such supplies, services and works in the financial amount dedicated to the public contract (Annex 5 to this TD). In case the Contractor replaces a subcontractor originally specified in the tender during the performance of the contract, the replacement shall be subject to approval by the Contracting Authority.

If the participant does not want to subcontract any part of the public procurement project, they are liable to submit an affidavit stating this as part of their tender (Annex 5 to this TD).

9.9. Each participant may submit one tender under the tender procedure only.

A Contractor that submits their tender in the tender procedure shall not, at the same time, be an entity through which another Contractor proves its qualification under the same part of the tender procedure.

The Contracting Authority shall exclude a participant who has submitted several tenders either separately or jointly with other participants or has submitted a tender and at the same is used as an entity through which another participant proves their qualification under the same part of the tender procedure.

10. EVALUATION CRITERIA, METHOD OF EVALUATION

10.1. Evaluation Criteria

The basic evaluation criterion for the award of this public contract is the economic advantageousness of the tender.

- 10.2.** The Contracting Authority sets out the following evaluation criteria based on which the economic advantageousness of tenders will be assessed:



Evaluation sub-criterion		Weight in %
A	Tender price for the Device in EUR excl. VAT in accordance with the in Art. V (2) of the Draft Purchase Contract	85 %
B	Tender price for four-year maintenance service in EUR excl. VAT in accordance with the Annex 7 hereof	15 %

10.3. Sub-criterion A: Tender price for the Device in EUR excl. VAT in accordance with the in Art. V (2) of the Draft Purchase Contract

Under this sub-criterion, the Contractor will submit the tender price prepared in accordance with the in Art. V (2) of the Draft Purchase Contract.

The Contracting Authority will evaluate the tender price in EUR, excl. VAT, on a scale from 0 to 100. Each tender will be assigned a score under this sub-criterion, which reflects the rate of success of the respective tender in terms of the evaluation sub-criterion. For this sub-criterion, under which the most advantageous tender has the minimum value of the sub-criterion, the assessed tender will be assigned a score, calculated as the ratio of the most advantageous tender to the assessed tender multiplied by 100.

10.4. Sub-criterion C: Tender price for four-year maintenance service in EUR excl. VAT

Under this sub-criterion, the Contractor will submit the tender price, prepared according to the model example, attached as Annex 7 to this TD. The Contractor is obliged to submit such a model example as a part of its bid.

The Contracting Authority notifies the Contractor that the quantity specified in Annex 7 hereof is only an estimate and shall only be used for purposes of evaluating the tenders, i.e. the Contracting Authority does not guarantee that they will actually purchase the stated quantity from the selected Contractor.

The prices specified by the Contractor according to the model example will correspond to the prices specified in the Art. VII of the Draft Contract for Work (Annex No. 2 to this TD).

To evaluate the price of the maintenance service in EUR, excl. VAT, the Contracting Authority will use a scale from 0 to 100. Each tender will be assigned a score under this sub-criterion, which reflects the rate of success of the respective tender in terms of the evaluation sub-criterion. For this sub-criterion, under which the most advantageous tender has the minimum value of the sub-criterion, the assessed tender will be assigned a score, calculated as the ratio of the most advantageous tender to the assessed tender multiplied by 100.

10.5. Method of evaluation

The score reduced by the weight of each sub-criterion will be used for evaluating the tenders.




To evaluate the tenders, the Contracting Authority will use a scale from 0 to 100. Each tender will be assigned a score under this sub-criterion, which reflects the rate of success of the respective tender in terms of the evaluation sub-criterion.

To evaluate the economic advantageousness of the tenders, the individual scores of tenders under the sub-criteria will be multiplied by the weight of the relevant sub-criterion. Based on the sum of the resulting scores under all criteria, the tenders will be ranked depending on their rate of success, where the most successful tender will be the tender which achieved the highest score.

The contractor is not entitled to set further conditions regarding the proposed values (data) that are subject to evaluation. If additional conditions are set or several different alternatives are used for the values that are subject to evaluation, this may be a reason for exclusion the relevant tender and the contractor from the award procedure. A similar procedure will be applied by the Contracting Authority if any value that is subject to evaluation is specified in a different quantity or form than as required by the Contracting Authority.

11. GENERAL BUSINESS CONDITIONS AND TERMS OF PAYMENT

- 11.1.** The payment and business terms and conditions are specified in the binding Draft Purchase Contract (Annex 1 to the TD) and Draft Contract for Work (Annex 2 to the TD).
- 11.2.** The Draft Contracts are binding upon the participant. The participant is only allowed to complete the Draft Contracts with information marked as incomplete  or amend data where it explicitly required.
- 11.3.** The participant shall submit the Draft Contracts as a part of its tender in a simple copy including the Annexes.
- 11.4.** In case of a joint tender, all participants shall be stated in the Draft Contracts.

12. PUBLICATION OF THE TD

Pursuant to Section 96(1) of the Act, the Contracting Authority shall publish the full TD, as well as any potential clarification thereof, amendments and additional information, at its Contracting Authority profile / electronic instrument https://mfc.ezak.cz/profile_display_53.html.

13. REQUEST FOR CLARIFICATION OF THE TENDER DOCUMENTATION, COMMUNICATION IN THE COURSE OF THE TENDER PROCEEDING

- 13.1.** Pursuant to Section 98(3) of the Act, the Contractor is entitled to request from the Contracting Authority clarification hereof via the data box of the Contracting Authority, electronically by e-mail to: senoldova.zuzana@stc.cz or via electronic instrument.
- 13.2.** The Contracting Authority shall publish the written clarification hereof including the accurate wording of the inquiry without the inquiring Contractor's identification but with potential related documents within 3 business days from receipt of the Contractor's inquiry, at the Contracting Authority's profile / electronic instrument.



- 13.3. The Contracting Authority may also provide written clarification of this TD to the participants without a prior request.
- 13.4. To comply with the principle of equal treatment of all participants, the potential clarifications, amendments or additional information to the tender documentation may not be provided by phone. **The Contractor is therefore recommended to periodically monitor the Contracting Authority 's profile / electronic instrument https://mfcr.ezak.cz/profile_display_53.html.**
- 13.5. The Contracting Authority hereby emphasises that in compliance with Section 4(1) of the Decree No. 260/2016 Coll., on specification of more detailed conditions concerning electronic instruments, electronic acts in public procurement processes and conformity certification, in communication by means of an **electronic instrument** a document shall be deemed delivered **already at the moment of receipt of the data message at the electronic address of the data message addressee in the electronic instrument.**
- 13.6. The Contracting Authority further emphasises that in compliance with Section 211(6) of the Act, in communication by means of a **data box** a document shall be deemed **delivered at the moment of its delivery to the data box of the addressee.**

14. OTHER TENDER CONDITIONS OF THE CONTRACTING AUTHORITY

- 14.1. This TD is binding for Contractors.
- 14.2. **Description of technical solution, technical documentation**

In accordance with the Sec. 37(1)(b) of the Act the Contracting Authority requires the participant's tender to include the following specification and documentation regarding the offered technical solution and other components, which **shall be in accordance with all requirements of the Contracting Authority in this public contract**, as a part of determined technical conditions of participation:

(A) DESCRIPTION OF THE OFFERED TECHNICAL SOLUTION

1.	Detailed technical drawings of the offered Device (at least weight, required floor load capacity, max. spot load, dimensions required for installation and overall connection with the components stated in the section B below) *PMC	<p>The Contracting Authority requires the Contractor to draw the offered Device in the Installation Site Drawing attached as <u>Annex 8a and 8b</u> to this TD, <u>which is binding for Contractors</u>. Drawing into the Annex 8c is facultative and this annex mainly serves as part of the technical specification of the Contracting Authority.</p> <p>The requested drawing will be part of the Contractor's tender, <u>both in PDF digital form and editable DWG form</u>. The drawing should fulfil the safety and operating conditions required under</p>
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		<p>the applicable standards in terms of the needed handling area around the Device. The connecting points, the direction of door openings and the space required for operating and maintenance the Device should also be marked out in the drawing.</p> <p>Including description (measurements etc.) and drawing of weight distribution frames or similar solutions to maximally decrease the load capacity, if necessary.</p>
2.	<p>Technical drawings (including side view of the Device and the components stated in the section B below) and other documentation required for static assessment</p>	<p>A layout plan with detailed dimensions and spot heights for all device components and equipment in the given room on the given floor, including their weight (a load diagram). For any equipment standing on point supports, the point support number and positions shall be marked in the relevant rectangle, which will in the layout plan represent the relevant production technology component. This layout solution should be an optimum solution in terms of operation and servicing requirements, compliant with all applicable regulations in force, and is not to be changed.</p>
	<ul style="list-style-type: none"> - Cooling Unit – 460 kg/m² (on Floor 2). - Laminating Press and Heating Unit - 1,000 kg/m² (on Floor 2 and 3). Locally might be exceptionally overloaded up to 3,500 kg/m². - <u>Weight distribution frames or similar solutions are allowed and highly recommended to be used to maximally decrease the load capacity and enable to fulfil the stipulated average floor load capacity (i.e. 1,000 kg/m²).</u> Using of such solution is up to the Contractor, who is obligated to offer the solution which is in compliance with the allowed load capacity (and other tender conditions), so <u>weight distribution frames or similar solutions may be necessary only for some types of laminating presses.</u> <p>Fulfilling of the stipulated floor load capacity by the offered Device including the Cooling and Heating Units shall be verified by independent static assessment which shall be arranged and run by the Contracting Authority as a part of tender assessment procedure, thus at latest before the contract conclusion with the selected contractor (in accordance with Sec. 39(4) of the Act).</p> <p>If a subsequent independent static expertise of the offered Device including the Cooling and Heating Units run by the Contracting Authority ends negatively, i.e. does not allow such a combination of parameters based on the offered technical solution and foreseen place of installation regarding the stipulated floor load capacity, it</p>	



	shall constitute a reason to exclude such a participant from the tender procedure in accordance with Section 48(2)(a) of the Act.	
3.	Hotplate drawing (drawing of hotplate with designation of oil distribution)	A layout of the heating meander with the oil inlet and outlet indicated and the point indicated where the hotplate temperature is measured. It should also indicate a limit beyond which the lamination cassettes or material should not be placed.
4.	Cassette type of inserting batches	Drawing of each required type.
5.	Connecting parameters and consumption	Power consumption Compressed air Cooling Suction
6.	Heat dissipation in the ambience	Specify the technical parameters of heat dissipation in the ambience and the recommended measures to eliminate the heat (suction, cooling etc.)
7.	Recommended PC, PVC, PET-G and TPU lamination curves	Submit the recommended lamination curves for the materials to be processed, primarily polycarbonate for identification cards (civil ID card, driving license). PVC. PET-G. TPU and data pages for a passports' production.

Documents submitted in accordance with this section (A) hereof shall create a part of Annex no. 1b of the Draft Purchase Contract.

(B) TECHNICAL DOCUMENTATION OF NECESSARY COMPONENTS WHICH SHALL BE OBTAINED BY THE CONTRACTING AUTHORITY *PMC

This part of technical documentation shall be stated by the Contractor **by fulfilling the requested information in the Annex 1c of the Draft Purchase Contract in accordance with instruction stated in the given annex.**

14.3. List of consumables and consumable spare parts

The Contractor shall attach a list of consumables and consumable spare parts along its ordering numbers to their tender which the Contracting Authority will have to ensure for proper operation of the Device, using the information available in the tender documentation and an estimate based on their experience gained from operating similar device.



14.4. Register of VAT Payers

In the tender, **the participant who is a domestic VAT payer (in the Czech Republic)**, is required to provide the number of their bank account maintained by a payment service provider and submit proof that they have not been identified as an unreliable VAT payer pursuant to Section 106a of the Act No. 235/2004 Coll. on value added tax, as amended. The participant shall document the aforementioned information by **an extract/printscreens from the database published by the tax administrator in a manner that allows remote access, the so-called "Register of VAT Payers"**.

The participant who is not a domestic VAT payer (in the Czech Republic) shall include in the tender a **plain copy of a written affidavit on a bank account and a written affidavit in a plain copy stating that the participant is a reliable VAT payer analogically to Section 106a of the Act No. 235/2004 Coll., on value added tax, as amended**. The participant shall use the sample solemn declaration provided in Annex 4 to this TD.

14.5. Legal form

In accordance with Section 48(9) of the Act, the Contracting Authority is required to exclude the participant from the tender procedure if the Contracting Authority finds out that the exclusion conditions as defined under Section 48(7) of the Act apply to the participant, **i.e. the selected participant is a joint stock company or has a legal form similar to that of a joint stock company and has not issued book-entered shares only**. If the selected Contractor has its registered office abroad and is a joint-stock company or has a legal form similar to a joint-stock company, the Contracting Authority shall require it to submit an affirmation in writing showing which persons are holders of shares whose aggregate nominal value exceeds 10 % of the registered capital of the participant, and indicating the source on which the information on the amount of the share of shareholders is based.

15. VISIT TO THE SITE OF PERFORMANCE

- 15.1.** Visit to the site of performance including the transport way shall take place **on 24.11. 2020 at 9:30 AM**, at the Production plant III - Na Vápence 14, 130 00 Prague 3, Czech Republic. Gathering point of applicants is at the reception.
- 15.2.** Given the current epidemiologic situation regarding the spreading of the coronavirus / referred to as SARS CoV-2 / and unpredictable situation of anti-pandemic emergency measures of each countries, the Contracting Authority **hereby reserves a right not to organise the visit to the site of performance in person (i.e. physically), but by using remote access technologies (i.e. connection via teleconference including showing pictures from the site of the performance) from safety reasons**. All legal requirements and principles used for physical visit of the site of the performance according to the Act shall be used to the same extent (hereinafter as well as the **"remote visit"**). The remote visit shall take place on the same date and time as stated above.



15.3. Contractor who is attending the visit to the site of performance shall send the following data to the following address: senoldova.zuzana@stc.cz, no later than 2 business days before the term of the visit to the site of performance (i.e. until **24.11. 2020 at 9:30 AM**):

- Name of the company, including its ID number
- Name and surname of the natural persons, who are attending, including its phone and email contact

15.4. The Contracting Authority shall inform the applicants, who signed up in accordance with the subpar. 2 hereof, **no later than 1 business day before the term of the visit to the site of performance, which type of the visit shall be organised, i.e. either in person or as remote visit.**

15.5. Maximum number is 2 persons per the Contractor may attend the visit to the site of performance, the foreign companies may include one extra person as an interpreter. The persons shall submit in person or send plain copies electronically (in case of a remote visit) of the following documents:

- Written authorisation to attend the visit on behalf of the Contractor (if a governing body of the Contractor is attending the excerpt of the commercial register proving the relation between the Contractor and the person)
- Valid identification document including a photograph

15.6. Representatives of the Contractor shall sign a non-disclosure agreement before entering regime zones of the Contracting Authority, if relevant

15.7. The Contracting Authority notifies the representative in advance that no acquiring of photographs or video recordings is allowed. This applies analogically in case of a remote visit.

16. CONDITIONS FOR CONTRACT CONCLUSION (applies for the winner of the procedure)

16.1. Actual Owners

If details regarding the actual owner of a selected Contractor (i.e. the winner) who is a legal entity cannot be determined in the manner according to Section 122(4) of the Act, the Contracting Authority in the demand according to the provisions of Section 122(5) of the Act shall call upon the selected Contractor to submit an excerpt from records or similar records with details about the actual owners, or:

- a) For revelation of identification details of all persons who are the actual owners, and
- b) For submission of documents showing the relationship of all the persons under (a) to the Contractor; these documents include, but are not limited to:
 - 1. extract from the Commercial Register or an equivalent register,
 - 2. list of shareholders,
 - 3. decisions of the statutory body regarding the payment of a share of the profit,



4. memorandum of association, deed of foundation or articles of association.

Any and all documents shall be submitted by the Contractor in the language required by the Contracting Authority in this TD.

16.2. Originals or certified copies of the documents submitted as proof of compliance with the qualification requirements

In accordance with the provision of Section 122(3)(a) of the Act, the selected Contractor shall, prior to entering into the 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.

In compliance with regulation stated in the Sec. 211 of the Act, the selected supplier shall submit qualification documents which have been either issued as electronic originals, or they have to be converted from paper originals to electronic originals by a state authority, i.e. no scanned copies are unfortunately allowed.

Regarding obtaining individual documents to prove fulfilment of basic capacity, find further information in Annex 9 hereof.

16.3. Insurance Contract

In accordance with Section 104(a) of the Act, before signing the Draft Contracts, the selected Contractor (i.e. the winner) 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 **500 000 EUR**. An equivalent document for proof of this requirement is also a simple copy of the insurance certificates or a simple copy of the confirmation of insurance contracts issued by the insurer.

16.4. Bank account

In accordance with Section 104(e) of the Act, before signing the contract, the selected Contractor, who is not a domestic VAT payer (in the Czech Republic), is required to submit a plain copy of a confirmation of the bank that the bank account stated by the selected Contractor belongs to the selected Contractor.

17. TENDER SUBMISSION CONDITIONS

17.1. The Contracting Authority does not require the participant to ensure that all the documents or declarations have been signed by the statutory body of the participant or person authorised to act on behalf of or for the participant. The participant by submission of the tender through an electronic instrument confirms that the tender has been submitted by the person authorised to undertake such acts and by submission of the tender the participant at the same time also agrees with the tender conditions stipulated by the Contracting Authority and the law.



17.2. The tender shall be submitted in the **Czech or English language, or its combination**. Should any part of the tender be in a language other than the Czech or English, it must be translated (plain translation) into the Czech or English language. Documents in Slovak and proof of completed education in Latin shall be submitted by the Contractor without a translation into the Czech or English language.

17.3. Each tender submitted must contain all the documents required by the Act and the Contracting Authority, including required proofs and information.

18. FORMAL REQUIREMENTS FOR PROCESSING OF THE TENDER, SUBMISSION OF THE TENDER

18.1. **The deadline for the tender submission shall end on 11. 12. 2020 at 10:00 AM.**

18.2. The Contractor shall prepare the tender in **electronic form**.

18.3. **Submitting tenders in electronic form:**

- The tender shall be submitted through the E-ZAK electronic instrument available at: https://mfcr.ezak.cz/profile_display_53.html.
- All parts of the tender must be legible. No part of the tender may contain crossed-out words or transcriptions which could be misleading for the Contracting Authority.
- **In order to submit the tender, the applicant must register in the electronic instrument (respectively its connected supplier databases "CDD" or "FEN").**
- **Further details for registration in FEN and verifying identity is available at:** <https://sites.google.com/fen.cz/napovedafen/> **English version:** <https://sites.google.com/fen.cz/napovedafen-en>

Before you start the registration process, please make sure you have:

- a document proving the subjectivity of the organization (e.g. an extract from the business register, certificate of incorporation or another similar document),
- a power of attorney to act on behalf of the organization (if you are a statutory representative, you do not need a power of attorney); you can find a template of the document here, but it is also possible to use your own,
- an electronic signature based on a qualified certificate (for the electronic method of contractor verification).

If the supplier does not dispose of corresponding quality of electronic signature as required during the process of verification the identity, there is **another off-line option** which includes downloading of the document which must signed in paper version and sent along required documents stated above via post. Please follow the given manuals, where everything is described.

- **The process of registration including identity verification may take up to several days.**



- The PC system requirements necessary for proper tender submission are available at: <http://www.ezak.cz/faq/pozadavky-na-system>.
- You may test your browser and system using the following link: https://mfcr.ezak.cz/test_index.html.
- Detailed instructions on how to use the electronic instrument are available in the “user’s manual” available at: <https://mfcr.ezak.cz/manual.html>.

18.4. The Contracting Authority recommends using the following order:

- Content of the tender
- Tender cover sheet (Annex 3 to this TD)
- Draft Purchase Contract including Annexes (Annex 1 to this TD)
- Draft Contract for Work including Annexes (Annex 2 to this TD)
- Document proving the fulfilment of the qualification requirements, arranged in the following order (Annex No. 4 to this TD):
 - basic capacity,
 - professional capacity,
 - technical qualification.
- List of subcontractors (Annex No. 5 to this TD)
- Extract from the Register of VAT Payers or an affidavit (Annex No. 6 to this TD) pursuant to Art. 14.4 of this TD
- Model example of the maintenance service (Annex No. 7 to this TD)
- List of consumables and consumable spare parts to Art 14.3 this TD
- Installation Site Drawing (Annex No. 8 to this TD)

18.5. Where the Contracting Authority demands, under this TD, the submission of documents that must also be submitted as part of the draft contract, it is enough for the participant to submit a single copy of such documents as part of their tender.

18.6. The participant is exclusively responsible for the completeness of the submitted tender – the list of documents contained in this article of the TD is for reference only and is intended to help the participant to compile the tender – if the list fails to indicate a document, whose inclusion in the tender would otherwise result from the tender documentation or from the law, the participant will not be relieved from the responsibility for the incompleteness of the submitted tender by simply pointing out the incomplete list of documents.

19. OPENING OF TENDERS IN ELECTRONIC FORMAT

The electronic tender opening process is a non-public event. The Contracting Authority shall provide an anonymized list of delivered tenders upon the written request of **the participant of this tender procedure (i.e. from an entity who submitted a tender in this procedure)**.

20. OTHER PROVISIONS

20.1. The Contracting Authority shall not reimburse the participants for any costs incurred in connection with their participation in the tender.



- 20.2.** After conclusion of the contracts with the selected Contractor, the Contracting Authority shall, pursuant to the relevant provisions of Sec. 219 of the Act, publish the wording of the contracts with the selected Contractor, including any amendments and schedules thereto, on the Contracting Authority's profile and in the Register of Contracts.
- 20.3.** By submission of the tender, the participant acknowledges that the Contracting Authority, as the obligated entity under Act No. 340/2015 Coll., on the special conditions for the effectiveness of certain contracts, publishing of such contracts and on the register of contracts (Act on Register of Contracts), is obligated after conclusion of the contract with a selected Contractor to publish this contract in the Register of Contracts. Publication of the contract in the Register of Contracts is an obligatory condition for the contract effectiveness. The Contracting Authority warns that some rights and obligations under the contract, respectively, related periods, may be tied to such publication.
- 20.4.** The Contracting Authority reserves the right to verify or obtain clarification for any information provided by the participants in their tenders before making the final decision on the selection of the best tender.
- 20.5.** The tenders or individual parts of the tenders submitted by the participants or excluded participants shall not be returned.

21. ANNEXES

- Annex 1 – Draft Purchase Contract
- Annex 2 – Draft Contract for Work
- Annex 3 – Tender Cover Sheet
- Annex 4a – Affidavit on compliance with the Basic Capacity
- Annex 4b – List of Major Supplies
- Annex 5 – List of Subcontractors
- Annex 6 – Affidavit on the Bank Account
- Annex 7 – Model example of maintenance service
- Annex 8a - Installation Site Drawing - Laminator & Cooling unit - 2nd Floor (pdf, dwg)
- Annex 8b – Installation Site Drawing - Heating unit - 3rd Floor (pdf, dwg)
- Annex 8c - Installation Site Drawing - Sectional view (Building) (pdf, dwg)
- Annex 9 – Manual for obtaining documents regarding Basic Capacity
- Annex 10 – Preliminary Market Consultations

Prague, dated 05-11-2020

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Tomáš Hebelka, MSc
Chief executive officer
on behalf of the Contracting Authority
STÁTNÍ TISKÁRNA CENIN, státní podnik



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