

INVITATION FOR TENDER SUBMISSION

(hereinafter „Invitation“)

„One-off Production and Supply of Chip Prelaminates“

This public contract is the **small – scale** public contract for **supplies** pursuant to Section 27 of Act No. 134/2016 Coll., on public contract, as amended (hereinafter referred to as the “Act”¹) and it is governed in accordance with Section 31 of the Act only by the principles of procurement in Section 6 of the Act. Other procedures in this public contract are not stipulated by the Act.

1. IDENTIFICATION DATA OF THE CONTRACTING AUTHORITY

| | |
|-------------------------------|--|
| Contracting Authority: | STÁTNÍ TISKÁRNA CENIN, státní podnik |
| Registered office: | Prague 1, Růžová 6, House 943, Postal Code 110 00, Czech Republic |
| Business ID: | 00001279 |
| Statutory body: | Tomáš Hebelka, MSc, Chief Executive Officer |
| Contact person: | Monika Řeháčková |
| E-mail: | rehackova.monika@stc.cz |
| Data box identifier: | hqe39ah |

(hereinafter the “**Contracting Authority**” or “**STC**”)

2. SUBJECT OF PUBLIC CONTRACT

- 2.1** The subject of this public contract is the Contractor’s obligation to production and supply the Contracting Authority **PVC Prelaminates** according to the technical specification, which is Annex No. 1 of the Draft Contract („**Technical specification**“), which is Annex No. 1 hereof, including transfer to the Contracting Authority ownership.
- 2.2** Further definition of the subject of performance of this public contract is provided especially in Annex 1 hereof – “**Draft Contract**”.

¹ Please find the English version of the Act under this link: <https://portal-vz.cz/wp-content/uploads/2019/06/Zakon-c-34-2016-Sb-o-zadavani-verejnych-zakazek-EN.pdf>. Please note that unfortunately it is not the final version of the Act, which has been amended afterwards.

3. CLASSIFICATION OF THE SUBJECT OF THE PUBLIC CONTRACT

| CPV Code | Subject of the public contract |
|------------|--------------------------------------|
| 30237131-6 | Electronic cards |
| 31712113-5 | Cards containing integrated circuits |

4. COMMENCEMENT OF THE PUBLIC CONTRACT

This public contract has been commenced upon publishing Invitation on the electronic instrument E-ZAK https://mfcr.ezak.cz/profile_display_53.html.

5. ESTIMATED VALUE OF THE PUBLIC CONTRACT

The estimated value of the public contract is **2 000 000 CZK excluding VAT**. This set value cannot be exceeded by the total tender price submitted in the tender. If the estimated value was exceeded by a Contractor it constitutes a grounds for exclusion of such Contractor. For the conversion into the EUR currency the exchange rate of Czech National Bank **on the date of time limit for the submission of tenders** will be decisive.

6. PLACE AND TIME OF PERFORMANCE OF THE PUBLIC CONTRACT

6.1 Place of performance

The place of performance is at the following address:

- a) **Production Plant III – Na Vápence 14/915, 130 00 Prague 3, Czech Republic, or**
- b) **Václav Havel Airport in Prague customs warehouse.**

6.2 Time of performance

Estimated time frame for Draft Contract conclusion: **without any undue delay after selection of the Contractor, preliminary in February/March 2021.**

6.3 Delivery dates

The delivery dates are further specified in Annex No. 1 hereof - **“Draft Contract”, especially in its Annex 2.**

7. FORM OF PRESENTING THE TENDER PRICE

- 7.1 In its tender, the tender participant (hereinafter referred to as the “participant”) shall determine the tender price in its tender in **EUR excl. VAT**, specifically in **Annex No. 3**

of the Draft Contract – “**Prices**”. The participant shall determine a detailed structure of the tender price as required in Draft Contract.

(hereinafter referred to as the “tender price”)

- 7.2 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.
- 7.3 The Contracting Authority requests that the participants would state their tender prices with accuracy of two decimal places.
- 7.4 The participant is not entitled to make the offered tender price conditional to an additional condition.
- 7.5 The tender price, or any portion thereof, indicated in the tender as provided for under the present TD, shall be a positive number. If the Contractor fills in the unit price the amount of "0 CZK", the item will be considered as "free".

8. QUALIFICATION REQUIREMENTS

8.1 Basic Capacity

The Contractor shall submit in its tender the “**Affidavit on compliance with qualification**”. The sample of affidavit stated in Annex No. 2 hereof. This affidavit must not be older than **3 months on the day of submission of the tender**.

8.2 Professional Qualification

The Contractor shall submit in its tender **a plain copy of an excerpt from the Commercial Register**, if registration in such records is required by a different legal regulation. The excerpt from the Commercial Register must not be older than **3 months on the day of submission of the tender**.

8.3 Technical Qualification

The Contractor shall submit **a list of 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 supplies and the client's identification data, whereas the minimal level to fulfil this criterion are the following requirements:

1. During the last 3 years the Contractor provided a supply of min. **70 000 Prelaminates** made of PVC material with one of the chips required by the Contracting Authority according to the technical specification, which is Annex No. 1 of the Draft Contract („**Technical specification**“), which is Annex No. 1 hereof;
and at the same time
2. during last 3 years the Contractor provided a supply of min. **500 hybrid chip Prelaminates** combining low-frequency and high-frequency chip modules.

For the avoidance of doubt, the Contracting Authority hereby states that in order to meet the minimum level of technical qualification, it is not decisive whether the

supplies according to the above points were always provided to the same customer or a different one, i.e. the verification of capacity and subject of supplies is decisive.

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

- name of the supplier who provided the performance (could be the Contractor or a Subcontractor),
- name of the client the contract was performed for,
- period of performance,
- scope of performance (subject),
- financial volume (sum) for the provided performance,
- 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 shall use the Annex No. 2 hereof – **"Affidavit on compliance with qualification"** to submit the list of major supplies for proving fulfilment of the technical qualification.

9. EXPLANATION AND ALTERATION OF TENDER CONDITIONS

- 9.1** The Contractor is entitled to request an explanation of the tender conditions from the Contracting Authority. The written request must be delivered to the Contracting Authority no later than 4 working days before the time limit for submission of tenders, via the data box of the Contracting Authority or via electronic instrument E-ZAK - https://mfcz.ezak.cz/profile_display_53.html:
- 9.2** The Contracting Authority shall publish the written explanation of the tender conditions including the accurate wording of the inquiry without the inquiring Contractor's identification within 2 working days from receipt of the Contractor's inquiry, at the Contracting Authority's profile / electronic instrument E-ZAK. If the Contractor does not send a request for an explanation of the tender conditions in time, the Contracting Authority is not obliged to provide an explanation of the tender conditions.
- 9.3** The Contracting Authority may also provide written clarification of this TD to the participants without a prior request.
- 9.4** The Contracting Authority may change the tender conditions before time limit for submissions of tender and at the same time shall extend adequately the time limit for the submissions of tender.
- 9.5** 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://mfcz.ezak.cz/profile_display_53.html.**
- 9.6** The Contracting Authority hereby emphasizes 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 contract 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.**

- 9.7** The Contracting Authority further emphasizes 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.**

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.

The Contracting Authority sets out the following evaluation criteria based on which the economic advantageousness of tenders shall be assessed:

| Nr. | Name of the Evaluation criteria | Weight in % |
|------------|--|--------------------|
| 1 | Total tender price | 100 % |

10.2 Method of determining the tender price

The total tender price will be set on the basis of prices for individual items, which the participant fills in Annex No. 3 of the Draft Contract – **“Prices”**. The unit price for each item will be then multiplied by the quantity required by the Contracting Authority in this public contract.

10.3 Method of evaluation


The tenders will be ranked according to the total tender price in EUR excl. VAT. The tender with the lowest total tender price will be evaluated as the most economically advantageous.

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 tender 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. OTHER TENDER CONDITIONS OF THE CONTRACTING AUTHORITY

11.1 Business conditions and terms of payment

The payment and business terms and conditions are specified in the binding Draft Contract, which is Annex No. 1 hereof. The Draft Contract is binding upon the participant. The participant is only allowed to complete the Draft Contract with information marked as incomplete .

The participant shall submit the Draft Contract as a part of its tender in a simple copy including the Annexes.

11.2 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 / print-screen 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 No. 4** hereof.

11.3 List of 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 No. 3 hereof). 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 contract project, they are liable to submit an affidavit stating this as part of their tender (Annex No. 3 hereof).

12. COOPERATION BEFORE CONTRACT CONCLUSION (applies to the winner of the tender procedure)

12.1 Test of samples

Before signing the Contract, the Contracting Authority shall reserve the right to run a test. Due to principle of economy the test shall not be required if the selected Contractor was a Contractor whose performance has been tested by the Contracting Authority within the last year as of the commencement of the tender procedure.

Further details regarding the scope of requirements and the minimum degree of fulfilment of such a test and course of the test fulfilment assessment are stated in Annex 5 hereof – “Sample testing”.

The selected Contractor shall submit to the Contracting Authority the required samples in **2 weeks at the latest from handover of Supporting Documents defined in the Annex 5 hereof – “Sample testing”**.

The sample shall be delivered by the selected Contractor to the following address: **Production Plant III – Na Vápence 14/915, 130 00 Prague 3, Czech Republic**, to the contact person named Marek Jelínek, e-mail: Jelinek.Marek@stc.cz

The Contracting Authority shall test the submitted sample by the procedure pursuant to Annex 5 hereof – **“Sample testing”**. The purpose of the test will be verification of compliance of the sample with the technical specification and other tender conditions. The sample shall not be returned to the Contractor.

The Contracting Authority notifies, that this test of samples shall take place **maximally 4 weeks from the date of delivery of the samples**.

If the submitted sample does not meet the requirements of the Contracting Authority, then the selected Contractor shall be excluded from the tender procedure.

12.2 Insurance Contract

Before signing the contract, the selected Contractor is required to submit a plain copy of insurance contracts with the subject of third-party damage liability insurance of the Contractor with the minimum indemnity limit of at least **40 000 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. The Contractor is entitled to submit the document already within its tender.

13. TENDER SUBMISSION CONDITIONS

- 13.1** 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.
- 13.2** Each tender submitted must contain all the documents required by the Act and the Contracting Authority, including required proofs and information.
- 13.3** 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 authorized 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 authorized 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.

14. FORMAL REQUIREMENTS FOR PROCESSING OF THE TENDER

- 14.1** The deadline for the tender submission shall end on **17. 02. 2021, 09:00 AM.**
- 14.2** The Contractor shall prepare the tender **in electronic form in a manner described below.**
- 14.3 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://mfc.ezak.cz/test_index.html.
- Detailed instructions on how to use the electronic instrument are available in the “user’s manual” available at: <https://mfc.ezak.cz/manual.html>.
- the contracting authority states that it **is not required to sign the tender electronically**.

14.4 The Contracting Authority recommends using the following order:

- a) Draft Contract including Annexes (Annex No. 1 hereof);
- b) Document proving the fulfilment of the qualification requirements pursuant to Art. 8 to this Invitation, arranged in the following order:
 - basic capacity,
 - professional capacity,
 - technical qualification.
- c) Extract from the Register of VAT Payers, or an affidavit (Annex No. 4 hereof) pursuant to Art. 11.2 to this Invitation;
- d) List of sub-contractors pursuant to Art. 11.3 to this Invitation;
- e) Relevant data for evaluation.

14.5 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.

15. OPENING OF TENDERS IN ELECTRONIC FORMAT

The electronic tender opening process is a non-public event. The opening of tenders will take place immediately after the time limit for submission of tenders.

16. RIGHTS OF THE CONTRACTING AUTHORITY

- 16.1** The Contracting Authority reserves the right to evaluate the submitted tender first. The assessment of the conditions of participation will take place only for the supplier selected on the basis of the evaluation criteria according to this Invitation.
- 16.2** In accordance with the principle of transparency and others, the tender may not be changed after the time limit for submission of tenders, in particular in terms of the data relevant to the evaluation. 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.
- 16.3** The Contracting Authority reserves the right to exclude supplier, if the tender does not contain all the required conditions and documents, or the tender does not comply with the required subject of the public contract in terms of content.
- 16.4** The Contracting Authority reserves the right, in case of exclusion of the selected supplier, to invite another supplier to conclude the Contract, in the order resulting from the result of the original evaluation of the tenders.
- 16.5** The Contracting Authority is entitled to cancel this public contract, even without giving a reason, but no later than the conclusion of the Contract. The Contracting Authority shall inform all suppliers who have submitted a tender within the time limit for submission of tenders about the cancellation of the public contract within 3 working days.
- 16.6** In case of cancellation of the public contract during the period for submission of tenders, the Contracting Authority send a notice of the cancellation of the public contract in the same way as this public contract was initiated.
- 16.7** The Contracting Authority shall not reimburse the participants for any costs incurred in connection with their participation in the tender.
- 16.8** The Contracting Authority shall notify its decision on the selection of the supplier to all suppliers who have submitted a tender, while reserves the right to publish at the same time data from the suppliers' tenders relevant to the evaluation to ensure the transparency of the duration of the public contract (specially for tender prices).

17. ANNEXES

- Annex No. 1 – Draft Contract
- Annex No. 2 - Affidavit on compliance with qualification
- Annex No. 3 – List of subcontractors
- Annex No. 4 – Affidavit about Bank Account
- Annex No. 5 – Sample testing

Prague, dated _____

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