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Represented by: Tomáš Hebelka, MSc, CEO

(hereinafter referred to as „Contracting Authority“)

EXPLANATION AND CHANGE OF TENDER DOCUMENTATION – III.

The Contracting Authority of the over-threshold public contract called „**Supply of Contact Chip Modules // Dodávky kontaktních čipových modulů**” 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 changes the tender documentation in accordance with Sec. 98 and 99 of the Act.

<u>Question No. 1:</u>	<u>Answer to the question No. 1:</u>
<p>According to tender documentation the contractor should deliver SET-1 samples prepared for personalization. According to “ACCEPTANCE PROCEDURE OF SAMPLE SET 1 TESTING” defined in Annex 6 (page 87 of tender documentation) few personalization flow should be executed over the samples. Namely:</p> <p>Personalization scenario 1 Successful authentication into the chip using generic transport key</p> <p>Personalization scenario 2 Personalization of Applet 1 (Authentication)</p> <p>Personalization scenario 3 Personalization of Applet 2 (Signature)</p> <p>Personalization scenario 4 Personalization of user applet (3rd party applet)</p> <p>As well as several test scenarios to be executed after personalization:</p> <p>User scenario 1 On-board generation of the RSA/ECC key pairs for qualified electronic signature</p> <p>User scenario 2 Import of the RSA/ECC key pairs to the chip for electronic signature</p> <p>User scenario 3 Import of the certificate for the electronic signature</p> <p>User scenario 4 Creating of an electronic signature</p> <p>Should the contractor as well deliver the personalization scripts for all listed personalization scenarios as well as all User scenarios? In case its required may you share more details about obligatory elements to be personalized for each scenario in order to stay compliant with functionality of Czech eID profile? It is mentioned in Annex 5, Task#2 that SET 1 samples should “achieve the full electronical functionality of Czech eID”.</p>	<p>Sample personalization scripts are not a mandatory requirement, however providing them along with test samples is welcome and will speed up the sample acceptance testing procedure.</p> <p>Due to the confidentiality of the information, it is not possible to provide more detailed information on the configuration of individual applets.</p> <p>"Full electronic functionality of Czech eID" will be achieved if the technical parameters and functionalities of the operating system of the chip are met as required in the technical specification.</p>

¹ Please find the English version of the Act under this link: https://portal-vz.cz/wp-content/uploads/2019/06/Zakon-c-134_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.

<u>Question No. 2:</u>	<u>Answer to the question No. 2:</u>
<p>According to “Annex 1d to Draft Contract”, page 54 kindly consider to share more details about key diversification algorithm which need to be supported by chip. It is mentioned following: “AES 256 key diversification data coding example. This chapter shows proposed algorithm implementation for 256 AES ISK key output. Detailed description is part of classified information. Will be provided as a separate document.” Actually, we cannot find implementation details about exact diversification method in Tender documentation. But key diversification should be supported by Contractor and it is included in the Annex 5, page 72 as required functionality.</p>	<p>A detailed description of the diversification algorithm is described in a classified document, which is classified as "VYHRAZENÉ / RESTRICTED" and is not part of the tender documentation. The description of the diversification algorithm will only be given to the winning bidder, after signing the contract.</p> <p>The requirement stated in the Annex 5, page 72 means that the chip must support the transport key diversification functionality, i.e. each chip will be locked by the manufacturer with a key unique to each chip.</p> <p>The diversification algorithm will be applied for samples SAMPLE SET 2 and SAMPLE SET3.</p> <p>For SAMPLE SET1 a generic supplier key is used (the same for all samples).</p>
<p><u>Question No. 3:</u></p> <p>Please advise whether the tender requests delivery of palladium or gold contact modules, both sample sets and actual deliveries.</p>	<p><u>Answer to the question No. 3:</u></p> <p>It does not matter to the Contracting Authority whether the offered contact chip module is palladium or gold, but it must meet all the conditions stated in the tender documentation, i.e. in the technical specification.</p>
<p><u>Question No. 4:</u></p> <p>According to tender documentation, XIII. DURATION OF THE FRAMEWORK AGREEMENT, the contract is concluded for a definite period of time, namely for 11 years from taking effect of the Framework Agreement. At the same time, the tender documentation under 5. REQUIREMENTS FOR THE SINGLE FORM OF PRESENTING THE TENDER PRICE request maximum price of 0.720 EUR without possibility to increase the time during the 11 years contractual period. Is there a mechanism to adjust the contractual price on yearly bases according to inflation rate or any other mechanism that would cope with the fact that prices will not stay the same for next 11+ years.</p>	<p><u>Answer to the question No. 4:</u></p> <p>The Contracting Authority states that provisions for the inflation clause have been added to the Draft Contract (Annex 1 to the Tender Documentation). The updated Draft Contract is in the Annex 1 hereof (“Draft Contract_rev26052023”). The Suppliers are requested to use this amended version of the Draft Contract in their tenders.</p>

<u>Question No. 5:</u>	<u>Answer to the question No. 5:</u>
<p>TD - IV. Delivery term:</p> <p>As per the tender, the delivery of the Chips according to this Framework Agreement shall be governed by the agreed delivery conditions INCOTERMS® 2020, DDP.</p> <p>Would the Authority kindly agree to change this requirement to DAP+ (DDP VAT excluded) whereby supplier is in charge of the explort declaration, shipment, good insurance, customs clearance.</p>	<p>The Contracting Authority states that agrees to change the delivery terms from DDP to DAP.</p> <p>The updated Draft Contract is in the Annex 1 hereof ("Draft Contract_rev26052023"). The Suppliers are requested to use this amended version of the Draft Contract in their tenders.</p>
<u>Question No. 6:</u>	<u>Answer to the question No. 6:</u>
<p>TD – V. Price</p> <p>We don't see in the agreement any reference to a price revision linked to the inflation over the contract duration: Would the Authority accept such clause, and by which index as a basis?</p>	<p>DTTO Answer to the question No. 4: The Contracting Authority states that provisions for the inflation clause have been added to the Draft Contract (Annex 1 to the Tender Documentation). The updated Draft Contract is in the Annex 1 hereof ("Draft Contract_rev26052023"). The Suppliers are requested to use this amended version of the Draft Contract in their tenders.</p>
<u>Question No. 7:</u>	<u>Answer to the question No. 7:</u>
<p>TD – IX. Special provisions</p> <p>We see in this article a specific request for a liability insurance for 1 million EUR: Is this linked to a performance obligation, and in this case, would the Authority kindly agree to accept a bank guarantee?</p>	<p>The Contracting Authority states that it does not accept the bank guarantee and insists on the requirement stated in Art. IX of the Draft Contract (e.g. this provision has not been amended in the new version of the Draft Contract).</p>

<u>Question No. 8:</u>	<u>Answer to the question No. 8:</u>
<p>Could the CA specify more in details how the evaluation of vendors will be calculated and what will be taken as a baseline for their comparison?</p> <p>We understand the supplier with the chip type offered IAS Classic v5.2 on MultiApp V5.0 offering the cheapest price shall be evaluated with 100 % points, while the cheapest supplier not able to deliver this specific chip type shall receive 89,5 % points. How the points for suppliers not reaching the cheapest price will be calculated and compared?</p> <p>Can you please provide an example of computation of points for the following two example cases:</p> <ul style="list-style-type: none">- Price of cheapest supplier is 80, price of second cheapest supplier is 90. Second cheapest supplier does not offer IAS Classic v5.2 on MultiApp V5.0- Price of cheapest supplier is 80, price of second cheapest supplier is 90. Second cheapest supplier does offer IAS Classic v5.2 on MultiApp V5.0	<p>The Contracting Authority states that the evaluation of participant's tenders consist of two criteria.</p> <p>In the first criterion there is evaluated a unit price. The lowest unit price of all the participants will receive 89,5 points (the highest possible number of points achieved). In this criterion, the number of points of other participants is related to the tender of the participant with the lowest unit tender price.</p> <p>Secondly, individual participants will receive / or not receive a score of 10,5 points depending on whether they offer the "IAS MultiApp V5.0" solution or not.</p> <p>Finally, the points received for the first and second criteria are added together for each participant. The Participant with the highest number of points shall be ranked first in order of preference.</p> <p>For demonstration and better understanding the Contracting Authority is sending a model example of the evaluation of tenders (Annex No. 2 hereof). The Contracting Authority states for the avoidance of doubt that this Annex No. 2 is only a model example for better understanding, and the text-based content of the TD is decisive.</p>

With this Explanation and change of Tender Documentation made based on the received questions, the Contracting Authority has further decided to amend (add) the **condition regarding the testing of samples to Annex No. 6 of TD.**

The updated Annex No. 6 of TD is in the Annex 3 hereof (“Annex 6 TD_Sample SET 1 testing_rev26052023”).

The Contracting Authority does consider above mentioned answers as alteration or supplementation of the tender documentation by which the scope of possible participants may be extended, **mainly due to alteration of the contractual terms as well as technical parameters**, the Contracting Authority extends the time limit to be at least as long from the moment of sending the alteration or supplementation as the original time limit:

Time limit for the submission of tenders:

- **original time limit for the submission of tenders:** until 13.06.2023, 9:00 AM
- **new time limit for the submission of tenders:** until 10.07.2023, 9:00 AM
- **opening of tenders:** after the expiry of the limit for the submission of tenders

Annexes:

- 1) Draft Contract_rev25052023
- 2) Evaluation table (model example)
- 3) Annex 6 TD_Sample SET 1 testing_rev26052023

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