

WRITTEN REPORT OF THE CONTRACTING AUTHORITY

regarding the public contract called:

Deliveries of Diffractive Optically Variable Image Devices for EU Visas // *Dodávky difrakčních opticky variabilních zobrazovacích zařízení pro víza EU*

(hereinafter "**Public Contract**")

In accordance with the Sec. 217 of Act No. 134/2016 Coll., on public procurement, as amended (hereinafter referred to as the "Act") the Contracting Authority has made this written report on the Public Contract.

1) Data in accordance with the provision of Sec. 217(2)(a) of the Act:

- *the identification of the contracting authority:*

Contracting Authority: Státní tiskárna cenin, s.p.
Registered office: Růžová 943/6, Nové Město, 110 00 Praha 1, Czech Republic
Represented by: Tomáš Hebelka, MSc, Chief Executive Officer
Business ID: 00001279

(above and hereinafter the "**Contracting Authority**")

- *the subject-matter of the public contract:*

The subject of Public Contract is the supplier's obligation to produce and supply the Contracting Authority the diffractive optically variable security elements, specifically KINEGRAM® PATCH, in pieces and required version to the Contracting Authority, which must:

- meet the technical specification requirements arising from EU requirements, namely Commission Implementing Decision C (2018) 674 dated 12 February 2018 and Regulation 2017/1370 of the European Parliament and of the European Council dated 4 July 2017 (hereinafter collectively referred to as "**European Legislation**"), and further
- correspond with the Contracting Authority's Technical specifications beyond the framework of European Legislation specified in Annex No. 1 to the Draft Contract attached as Annex 1 of the Tender Documentation.

Further definition of the subject of performance of the Public Contract is provided especially in Annex 1 of the Tender Documentation.

- *the price agreed in the public contract, where it has been concluded*

The unit price of the Goods: the unit price for the year 2024: 0.1216 CHF

- 2) Data in accordance with the provision of Sec. 217(2)(b) of the Act:

Negotiated procedure without prior publication pursuant to Section 63(3)(b) in conjunction with Section 63(4) of Act.

- 3) In accordance with the provision of Sec. 217(2)(c) of the Act:

Name:	OVD Kinegram AG
Registered office:	Zählerweg 11 CH-6300 Zug, Switzerland
Business ID:	CHE-104.191.520 Kanton Zug
Tender price:	0.1216 CHF

- 4) In accordance with the provision of Sec. 217(2)(d) of the Act:

No participant was excluded from the tender procedure.

- 5) In accordance with the provision of Sec. 217(2)(e) of the Act:

- *the identification of the contractor with which a contract or a framework agreement was concluded or the identification of the contractors who were admitted to the dynamic purchasing system:*

Name:	OVD Kinegram AG
Registered office:	Zählerweg 11 CH-6300 Zug, Switzerland
Business ID:	CHE-104.191.520 Kanton Zug

- *reasons for selection:*

Evaluation of tenders has not been performed since only one tender has been submitted.

The selected contractor has fulfilled all the conditions for participation in the procedure, that means the conditions regarding the requirements determined by the Contracting Authority and the Act, and is for the Contracting Authority economically advantageous.

The Commission recommended the Contracting Authority to conclude the contract with the company OVD Kinegram AG. The Contracting Authority has agreed with

the recommendation of the Commission and decided to select for contract conclusion the company OVD Kinegram AG.

- 6) In accordance with the provision of Sec. 217(2)(f) of the Act:

The selected contractor has stated that no subcontractor will be used.

- 7) In accordance with the provision of Sec. 217(2)(g) of the Act:

Negotiated procedure with prior publication or competitive dialogue procedure was not used.

- 8) In accordance with the provision of Sec. 217(2)(h) of the Act:

Negotiated procedure without prior publication was used.

The selected supplier is the exclusive supplier specified by the EU visa sticker specification based on the Commission's implementing decision C(2018)674 of March 12, 2018. Based on the given legislation, the Contracting Authority is not authorized to use security elements other than KINEGRAM® elements for the production of EU visa stickers. It is thus not possible to implement proper tender procedure with wider supplier participation, as there is no economic competition in the given case and there is no other alternative performance.

In this way, the selected supplier designated in the Commission Decision is established as a supplier of the given security elements equally for all EU visa sticker manufacturers, i.a. the selected supplier's pricing for the given elements is coordinated at the EU level in response to the total quantity of elements ordered by all EU states.

The Contracting Authority itself did not cause this state of exclusivity..

- In accordance with the provision of Sec. 217(2)(i) of the Act:

Light regime regime was not used.

- 9) In accordance with the provision of Section 217(2)(j) of the Act:

The tender procedure has not been cancelled.

- 10) In accordance with the provision of Sec. 217(2)(k) of the Act:

The Contracting Authority used electronic forms of communication.

- 11) In accordance with the provision of Sec. 217(2)(l) of the Act:

Conflict of interest has not been identified.

- 12) In accordance with the provision of Sec. 217(2)(m) of the Act:

The Public Contract has not been divided into individual parts. The subject of the Public Contract is in particular a provision of the requested the diffractive optically variable security elements in compliance with the technical specifications stated in the tender conditions and there is no substantiation for division into parts.

13) In accordance with the provision of Sec. 217(2)(n) of the Act:

The Contracting Authority did not require fulfilment of economic qualification.

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Tomáš Hebelka, MSc
Chief Executive Officer
on behalf of the Contracting Authority
Státní tiskárna cenin, s. p.