

# **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 a supply contract to be awarded 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")

**Supplies of security printing paper,  
security printing paper with a  
holographic stripe applied and thermal  
paper with a holographic stripe applied**

**1. IDENTIFICATION DATA OF THE CONTRACTING AUTHORITY**

<b>Contracting authority:</b>	<b>STÁTNÍ TISKÁRNA CENIN, státní podnik</b>
Registered office:	Prague 1, Růžová 6, House No. 943, 110 00, Czech Republic
Business ID:	00001279
Statutory body:	Tomáš Hebelka, MSc, Chief Executive Officer
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Telephone:	+420 236 031 443
e-mail:	<a href="mailto:hkusickova.michala@stc.cz">hkusickova.michala@stc.cz</a>
Data box identifier:	hqe39ah
Contracting authority's profile / electronic tool:	<a href="https://mfcr.ezak.cz/profile_display_53.html">https://mfcr.ezak.cz/profile_display_53.html</a>

**2. SUBJECT OF THE PUBLIC PROCUREMENT, COMMENCEMENT OF THE TENDER PROCEDURE, SUBJECT CLASSIFICATION**

**2.1** The subject of performance of this public contract is the purchase and supply of the security printing paper, security printing paper with a holographic stripe applied and thermal paper with a holographic stripe applied (hereinafter referred to as the "Goods") according to Annex 1 to this tender documentation.

**2.2** Pursuant to the provisions of Section 101 of the Act, this public contract is split into the following parts:

- A) Supplies of security printing paper
- B) Supplies of security printing paper with a holographic stripe applied
- C) Supplies of thermal paper with a holographic stripe applied

The contractor is entitled submit a tender for all or only certain parts of the public contract; this means even only for one part of this public contract.

**2.3** A detailed specification of the subject of performance is provided in Annex 1 and 2 to this TD, separate for each part of this public contract.

**2.4** 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.

**2.5** Classification of the subject of the public contract

CPV code	Subject of the public contract
22000000-0	Printed matter and related products
30197630-1	Printing paper
22993000-7	Light-sensitive, thermo-sensitive or thermographic paper and cardboard
22993300-0	Thermographic paper or paperboard



### **3. ESTIMATED VALUE OF THE PUBLIC CONTRACT**

The estimated value of this public contract for the 4 years of performance is **CZK 130,000,000 excluding VAT**, whereas:

- the estimated value for part A) is CZK 75,000,000 excluding VAT,
- the estimated value for part B) is CZK 30,000,000 excluding VAT,
- the estimated value for part C) is CZK 25,000,000 excluding VAT,

### **4. REQUIREMENTS FOR VARIANT SOLUTIONS**

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

### **5. REQUIREMENTS FOR THE SINGLE FORM OF PRESENTING THE TENDER PRICE**

**5.1** In its tender, the tender participant (hereinafter referred to as the “participant”) shall determine the tender price as the unit prices structured according to the Technical Specification and price list that is attached in Annex 1 to this TD and also Annex 1 to the draft framework agreement (Annex 2 to this TD), separately for each part of this public contract.

**5.2** The participant shall fix non-zero prices in EUR exclusive of VAT for all yellow-coloured fields in all sheets of Annex 1 to this TD, rounded to two decimal places.

**5.3** For purposes of performance of this public contract, i.e. including determination of the tender price for part A) and B) of this public contract, the participant is entitled to use the dandy rolls which the contracting authority has available and which are specified in Annex 7 to this TD. In case of incompatibility or other impossibility to use the dandy rolls provided by the contracting authority, the participant shall reflect the costs of production of dandy rolls in the prices relevant for evaluation.

**5.4** 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).

**5.5** The participant is not entitled to make the offered tender price conditional to an additional condition. Further, the participant is not entitled to modify or amend the price list that is attached in Annex 1 to this TD in any manner.

**5.6** 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, except for the price for production of the dandy roll for part A) and B) of this public contract for purposes of evaluation, in case the participant uses the contracting authority’s dandy rolls for purposes of fixing the tender price.

**5.7** 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.

**5.8** The tender price shall be specified in EUR, namely as the price in EUR excl. VAT.

### **6. RESERVED CHANGES TO THE OBLIGATION**

Pursuant to Section 100(1) of the Act, the contracting authority reserves the change to the obligation under the Framework Agreement for part A) and B). The conditions for such change and the content thereof are stipulated in Article XIV of the draft Framework Agreement (Annex 2 to this TD). Such change shall not alter the general character of



this public contract and applies to change in fibre colours in both the visible and invisible area of the spectrum.

## **7. PLACE OF PERFORMANCE OF THE PUBLIC CONTRACT**

**7.1** The places of performance are at the following addresses:

- Production plant I - Růžová 6, House No. 943, 110 00 Prague 1, Czech Republic,
- Production plant III – Na Vápence 14/915, 130 00 Prague 3, Czech Republic.

**7.2** The individual places of performance are stipulated in the draft framework agreements specified in Annex 2 to this TD.

## **8. PERIOD OF PERFORMANCE OF THE PUBLIC CONTRACT**

**8.1** Performance start: as of the effective date of the Framework Agreement.

**8.2** Performance end: a limited period of 4 years as of the effective date of the framework agreement.

**8.3** The individual delivery terms are stipulated in the draft framework agreements, provided in Annex 2 to this TD.

## **9. QUALIFICATION DOCUMENTATION**

### **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 (applies to any and all parts of this public contract):
  - the basic qualification requirement within the meaning of Section 74 and Section 75 of the Act,
  - the professional qualification requirement 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, the contractor may substitute the submission of the documents with a statutory declaration (Annex 4 to 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.**

**In the course of the tender proceeding the Contracting Authority may request original documents or notarised copies of the documents for proof of compliance with qualification requirements.**

**Pursuant to the provision of Section 122(3) of the Act, the selected contractor shall submit the originals or 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 qualification pursuant to Section 74 of the**



**Act and professional qualification 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 Qualification

- 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.
- **Proof of fulfilment of the basic qualification requirements by a contractor with its seat in the Czech Republic**

The Contractor shall demonstrate compliance with the basic qualification requirements in relation to the Czech Republic as the country of their

registered office by submitting:

- a) an extract from the Criminal Register in line with Section 74 (1) (a) of the Act,
- b) a certificate issued by the competent tax authority in line with Section 74 (1) (b) of the Act,
- c) a written sworn statement on excise tax in line with Section 74 (1) (b) of the Act,
- d) a written sworn statement in line with Section 74 (1) (c) of the Act,
- e) a certificate issued by the applicable regional Social Security office in line with 74 (1) (d) of the Act,
- f) an excerpt from the Commercial Registry or a written sworn statement providing that the participant is not recorded in the registry, in line with 74 (1) (e) of the Act.

- **Proof of fulfilment of the basic qualification requirements by a contractor with its seat outside of the Czech Republic (foreign contractor)**

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

- a) a certificate issued by the competent Czech tax authority in line with Section 74 (1) (b) of the Act,
- b) a written sworn statement on excise tax in line with Section 74 (1) (b) of the Act,
- c) a written sworn statement in line with Section 74 (1) (c) of the Act,
- d) certificate issued by the applicable Czech Social Security Administration in line with 74 (1) (d) of the Act,
- e) an excerpt from the Czech Commercial Registry or a written sworn statement providing that the Contractor is not recorded in the registry, in line with 74 (1) (e) of the Act.

The Contractor shall prove fulfilment of the conditions for basic qualifications **in relation to the country of the Contractor's registered seat** by submitting, in accordance with Section 81 of the Act, the documents issued in accordance with the laws of the country where they were obtained, to the extent required by the Contracting Authority.

As part of the process of proving the basic qualification, a foreign contractor shall be required to prove **in relation to the country of the contractor's registered seat** fulfilment of the details according to Section 74(1)(a) of the Act; according to Section 74(1) b) of the Act; according to Section 74(1)(c) of the Act and according to Section 74(1)(d) of the Act.

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**.

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



### 9.3 Professional Qualification

- a) Compliance with the professional qualification requirement as per the provision of Section 77(1) of the Act shall be proved by the contractor submitting a **plain copy of an excerpt from the Commercial Register** or similar records, if registration in such records is required by a different legal regulation.
- b) The professional qualification compliance as per the provisions of Section 77(2)(c) of the Act shall be proven by the contractor submitting **the entrepreneur's certificate of the "RESTRICTED"** confidentiality level or higher to the extent as per Section 20(1)(a) of the Act No. 412/2005 Coll. on protection of classified information and security eligibility, as amended, or similar certificate issued as per foreign law, under which the contractor was established.

### 9.4 Technical qualification

In accordance with the provision under Section 79(2)(b) of the Act, 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. It shall be evident from the list that the contractor performed the following in the past 3 years:

#### **For part A)**

At least 1 major contract, the content of which included supply of security printing paper similar to the one that the contracting authority specifies in Annex 1 to this TD, in the minimum scope of CZK 6,000,000 excluding VAT for this contract.

#### **For part B)**

At least 1 major contract, the content of which included supply of security printing paper with a holographic stripe applied similar to the one that the contracting authority specifies in Annex 1 to this TD, in the minimum scope of CZK 3,000,000 excluding VAT for this contract.

#### **For part C)**

At least 1 major contract, the content of which included supply of the thermal paper with a holographic stripe applied similar to the one that the contracting authority specifies in Annex 1 to this TD, in the minimum scope of CZK 3,000,000 excluding VAT for this contract.

The list of major supplies (generated separately for each part of this public contract) submitted by the contractor shall mainly contain the following details:

- name of the client the contract was performed for,
- period of performance,
- scope of delivery,
- financial volume (sum) for the performed delivery,
- 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).

For the avoidance of any doubt, the contracting authority states that for meeting the minimum technical qualification, it is not important whether the supplies as mentioned above were provided to a single client under a single contract or were provided under several contracts with a single client, i.e. it is important to verify qualification and subject of supplies.

#### **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 qualification requirement 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 basic qualification requirement 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.

The requirement under point d) of the above paragraph shall be deemed complied with if, through the content of the letter of undertaking, the other entity assumes the joint and several responsibility for the performance of the contract along with the contractor.



## **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 qualification requirement in accordance with Section 74(1) of the Act and with the professional qualification requirement 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 Changes in qualifications**

If, following the submission of the documents or proof of compliance with the qualification requirements, such a change occurs in the tenderer's qualification during the procurement procedure that would otherwise disqualify the participant from the procedure, the participant shall notify the contracting authority thereof in writing within 5 business days, and submit new documents or proof of compliance with the qualification requirements within 10 business days of the change notification served to the contracting authority.

Pursuant to Section 88(2), failure to meet this requirement constitutes a reason for immediate elimination of the tenderer from the procedure.

## **9.9 Special methods of submitting proof of qualifications**

### Using an extract from a list of qualified contractors

If the contractor provides the contracting authority with an extract from a list of qualified contractors within the time limit set for submitting the proof of compliance with the basic qualification requirement, the extract shall replace the proof of compliance with the basic qualification criteria pursuant to Section 74 of the Act, and professional qualification criteria pursuant to Section 77 of the Act to the extent that the document proving the professional qualification covers the contracting authority's requirements for proving the professional qualification to perform the contract.

The extract from a list of qualified contractors must not be older than 3 months on the last day, as of which compliance with the qualification requirements is to be proved.

### Proof of compliance with the qualification requirements using a certificate

If the contractor submits to the contracting authority a certificate issued under a system of certified contractors, which contains the particulars specified under Section 239 of the Act, the certificate shall replace the proof of compliance with the

qualification requirements with regard to the information contained therein. The contractor shall be qualified to the extent shown in the certificate.

#### **9.10 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).

#### **9.11 Each participant may submit one tender under the tender procedure only.**

A contractor that submits their tender under the subject part of 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** In accordance with Section 114 (1) of the Act, the basic evaluation criterion for the award of this public contract is the economic advantageousness of the tender.

**10.2** The total economic advantageousness of the tender will be evaluated by awarding points according to the criteria as stated below, determined in the descending order, with a weight determined as percentage.

**10.3** The price in EUR excl. VAT is critical for evaluating the tender prices for the individual paper types. The Contracting Authority requests that the Participants would round their prices to max. two decimal places.

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

#### **For part A)**

Name of the Evaluation partial criterion		Weight in %
A	Tender price for Paper I in EUR, excl. VAT	20%
B	Tender price for Paper II in EUR, excl. VAT	20%



C	Tender price for Paper III in EUR, excl. VAT	12%
D	Tender price for Paper IV in EUR, excl. VAT	12%
E	Tender price for Paper V in EUR, excl. VAT	12%
F	Tender price for Paper VI in EUR, excl. VAT	10%
G	Tender price for Paper VII in EUR, excl. VAT	5%
H	Tender price for Paper VIII in EUR, excl. VAT	5%
I	Tender price for Paper IX in EUR, excl. VAT	4%

**For part B)**

Name of the Evaluation partial criterion		Weight in %
A	Tender price for Paper I in EUR, excl. VAT	40%
B	Tender price for Paper II in EUR, excl. VAT	35%
C	Tender price for Paper III in EUR, excl. VAT	15%
D	Tender price for Paper IV in EUR, excl. VAT	10%

**For part C)**

Name of the Evaluation partial criterion		Weight in %
A	Tender price for Paper I in EUR, excl. VAT	35%
B	Tender price for Paper II in EUR, excl. VAT	27%
C	Tender price for Paper III in EUR, excl. VAT	15%
D	Tender price for Paper IV in EUR, excl. VAT	12%
E	Tender price for Paper V in EUR, excl. VAT	11%

**10.5 Method of evaluating the partial criteria**

In each part of this public contract, the tenders shall be evaluated by a scoring method with reduction by weight of the individual criteria.

Within these individual partial evaluation criteria, the amounts of tender prices for the individual papers shall be evaluated in EUR exclusive of VAT.

The contractor shall enter the tender prices in the Evaluation Criteria table (Annex 7 to this TD) separately for each part of this public contract. The contractor will find the procedure of determining the tender prices in Annex 1 to this TD, i.e. the procedure of determining the tender price for purposes of tender evaluation is identical to the procedure of determining the prices under performance of the subject of the framework agreement. The prices specified by the contractor shall correspond to the prices specified in the draft framework agreement.

The contracting authority notifies the contractor that the quantity specified in Annex 7 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 of the subject types of paper from the selected contractor.

For purposes of evaluating the tenders under this public contract, the contracting authority shall use a scale from 0 to 100. Each specific tender will be assigned a score under the criterion, which reflects the rate of success of the respective tender with regard to the evaluation criterion.

For criteria that may be expressed numerically, in respect of which the most suitable tender takes the maximum value of the criterion, the tender under evaluation shall be assigned a score resulting from the ratio of the score of the tender to the score for the most suitable tender, multiplied by 100.

For criteria that may be expressed numerically, in respect of which the most suitable tender takes the minimum value of the criterion ( partial criterion A to I for part A of this public contract, partial criterion A to D for part B of this public tender, partial criterion A to E for part C of this public contract), the tender under evaluation shall be assigned a score resulting from the ratio of the score of the tender to the score for the most suitable tender, multiplied by 100.

The economic merit of the tenders shall be evaluated by multiplying the specific scores of the tenders assigned under the criteria by the relevant weighting of the criteria. Using the sum of the resulting scores for all criteria as the basis, the tenders will be ranked depending on their rate of success, with the most successful tender being the one with the highest score.

The contractor may not specify any further conditions with regard to the proposed values (data) that are subject to the evaluation. The specification of additional conditions or indication of several different values that are subject to the evaluation shall constitute grounds for elimination of the tender and the subsequent exclusion of the contractor from the tender procedure. A similar procedure shall 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.

The contracting authority shall not conduct the tender evaluation if only one tender is submitted under the procedure.

The contracting authority shall prepare a tender evaluation report in accordance with Section 119 of the Act.

## **11. GENERAL BUSINESS CONDITIONS AND TERMS OF PAYMENT**

- 11.1** The payment and business terms and conditions are specified for each part of this public contract in the binding draft framework agreement (Annex 2 to this TD).
- 11.2** The draft framework agreements are binding upon the participant. The participant is only allowed to complete the framework agreement draft with information marked as incomplete [•].
- 11.3** The participant shall submit the draft framework agreement for that part of the public contract which it is going to submit its tender for, 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 framework agreement.

## 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](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: [hkusickova.michala@stc.cz](mailto:hkusickova.michala@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://mfc.ezak.cz/profile\\_display\\_53.html](https://mfc.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 The present TD is binding upon the contractor.

### 14.2 Catalogue sheets - Part C)

For Part C) of this public contract, the contracting authority requires the participant's tender to include the detailed technical specification of the individual offered types of thermal paper with a holographic stripe applied which the contracting authority requires in Annex 1 to this TD. Such detailed specification of the individual types of the thermal paper with a holographic stripe applied shall be submitted by the participant in the form of individual catalogue sheets, whereas

such catalogue sheets shall contain at least the technical requirements of the contracting authority specified in Annex 1 to this TD.

- 14.3** In their tender, the participant shall include an extract from the Register of VAT Payers - the participant (this applies to domestic VAT payers only) 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 109 of the Act No. 235/2004 Coll. on value added tax, as amended. The participant shall document the aforementioned information by a printed extract from the database published by the tax administrator in a manner that allows remote access, the so-called "Register of VAT Payers".
- 14.4** The foreign participant shall include in the tender a plain copy of a sworn statement on a banking account or possibly VAT documents demonstrating VAT registration in the Czech Republic and a statement in a plain copy proving that the participant is a reliable VAT payer. The participant may use the sample solemn declaration provided in Annex 6 to this TD.
- 14.5** 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.

## **15. CONDITIONS FOR FRAMEWORK AGREEMENT CONCLUSION**

- 15.1** In accordance with Section 104(a) of the Act, before signing the contracts, 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 CZK 15,000,000 and insurance of damage caused by a product defect with the minimum indemnity limit of CZK 15,000,000. 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.
- 15.2** If details regarding the actual owner of a selected contractor 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.

- 15.3** In accordance with the provision of Section 122(3)(a) of the Act, the selected contractor shall, prior to entering into the framework agreement, 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.

## **16. TENDER SUBMISSION CONDITIONS**

- 16.1** 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.
- 16.2** The tender shall be submitted in the Czech or English language. 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.
- 16.3** The participant is entitled to attach the draft framework agreement in its tender only in one language, Czech or English.
- 16.4** Each tender submitted has to contain all the documents required by the Act and the Contracting Authority, including required proofs and information.

## **17. FORMAL REQUIREMENTS FOR PROCESSING OF THE TENDER, SUBMISSION OF THE TENDER**

- 17.1** The deadline for the tender submission shall end on 27.1.2020 at 09:00 a.m.
- 17.2** The contractor shall prepare the tender **in electronic form, separately for each part** of this public contract (provided it submits tenders for more parts of this public contract).
- 17.3** **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](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. An electronic signature may be required during the registration process.**
  - 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://mfcz.ezak.cz/test\\_index.html](https://mfcz.ezak.cz/test_index.html).
- Detailed instructions on how to use the electronic instrument are available in the “user’s manual” available at:  
<https://mfcz.ezak.cz/manual.html>.
- In order to eliminate any doubt, the contracting Authority would like to point out that **it is not necessary to sign the tender electronically**.

**17.4** The contracting authority recommends using the following order for each part of the tender.

- Content of the tender
- Tender cover sheet (Annex No. 3 to this TD)
- Binding draft framework agreement including Annexes (Annex No. 2 to this TD)
- Document proving the fulfilment of the qualification requirements, arranged in the following order (Annex No. 4 to this TD):
  - basic qualification,
  - professional qualification,
  - technical qualification.
- Evaluation criteria (Annex No. 7 to this TD)
- List of sub-contractors (Annex No. 5 to this TD)
- Extract from the Register of VAT Payers pursuant to Art. 14.2, or an affidavit pursuant to Art. 14.3 of this TD (Annex No. 6 to this TD)
- Other documents required by the contracting authority

**17.5** Where the contracting authority demands, under this TD, the submission of documents that must also be submitted as part of the draft framework agreement, it is sufficient for the participant to submit a single copy of such documents as part of their tender.

**17.6** 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.

## **18. OPENING OF TENDERS IN ELECTRONIC FORMAT**

The electronic tender opening process is a non-public event.

## **19. OTHER PROVISIONS**

**19.1** The contracting authority shall not reimburse the participants for any costs incurred in connection with their participation in the tender.

**19.2** 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 framework



agreement in the register of contracts. Publication of the framework agreement in the register of contracts is an obligatory condition for the framework agreement effectiveness. The contracting authority warns that some rights and obligations under the framework agreement, respectively, related periods, may be tied to such publication.

- 19.3** After conclusion of the framework agreement with the selected contractor, the contracting authority shall, pursuant to the relevant provisions of Section 219 of the Act, publish the wording of the framework agreement with the selected contractor, including any amendments and schedules thereto, on the contracting authority's profile and in the Register of Contracts.
- 19.4** 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.
- 19.5** The tenders or individual parts of the tenders submitted by the participants or excluded participants shall not be returned.

## 20. ANNEXES

- Annex 1 – Technical Specifications and Price List for Part A) - C)
- Annex 2 – Draft Framework Agreement for Part A) - C)
- Annex 3 – Tender Cover Sheet
- Annex 4 – Sample affidavit on compliance with the required qualification
- Annex 5 – List of Subcontractors, if any
- Annex 6 – Sample Affidavit on the Bank Account
- Annex 7 – Evaluation Criteria for Part A) - C)

16 -12- 2019

Prague, dated \_\_\_\_\_



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Tomáš Hebelka, MSc.  
Chief executive officer  
on behalf of the contracting authority  
STÁTNÍ TISKÁRNA CENIN, státní podnik