

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 services 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")

Banknote Press General Overhaul

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://mfcr.ezak.cz/profile_display_53.html

(hereinafter the “Contracting Authority” or the “Client”)

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

2.1 The subject matter of this public contract is the contractor's obligation to perform the **general overhaul** (hereinafter the “**Work**”) of an **Intagliocolor8, v.č. 633.035.01** (hereinafter the “**Machine**”) at Client's registered office in compliance with technical specifications that form an integral part of the draft contract (Annex 2 hereof).

The contractor's obligation pursuant to the previous paragraph includes:

- a) transportation and insurance during the transportation of all necessary replacement components, parts and consumables to the Client's registered office under DAP Incoterms® 2010,
- b) installation/replacement of all necessary replacement components, parts and consumables in the Machine and commissioning of the machine by the contractor's technicians,
- c) repair of all Machine faults and defects identified during commissioning after the general overhaul,
- d) training of Machine operators and maintenance workers in the scope of Annex 4 that form an integral part of the draft contract,
- e) Machine printing test before and after the general overhaul in the scope of Annex 4 of the draft contract,
- f) updates to existing technical documentation and drawings for the Machine, in two copies in English as well as in electronic format on a USB Flash disk.

2.2 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.

2.3 At the same time, the contractor grants to the Client a perpetual and non-exclusive right, transferable in the event the Machine is subject to resale, to use the computer programmes used as part of the subject hereof for the purpose agreed hereunder.

The Client may use all of the software products provided in a manner that respects the contractor's or Third Party copyright. However, the Client may neither interfere with, nor modify the functions of the computer programmes in any way.

- 2.4** The contractor is obliged to ensure that the activities referred to in Article II. par. 2 of the draft contract are carried out by a person duly qualified for them, in particular the manufacturer or an authorized service organization.
- 2.5** 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.
- 2.6** 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:

- KBA-NotaSys SA, seated: Avenue du Grey 55, CH-1018, Lausanne, Switzerland, UID: CHE-105.759.995;

and the Contracting Authority further states that only scope of technical specification, that means determination of scope of work necessary for requested general overhaul of the Machine, whose producer and supplier is the above mentioned company, and further determination of business conditions in respect of specifics of market of usually foreign contractors, who provide services of complexed banknote press machines, was subject of the preliminary market consultation, thus all essential information that was the subject of the preliminary market consultation are projected in the TD.

2.7 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.

2.8 Classification of the subject of the public contract

CPV code	Subject of the public contract
50000000-5	Repair and maintenance services
42991200-1	Printing machinery

3. ESTIMATED VALUE OF THE PUBLIC CONTRACT

The estimated value of this public contract is **1 310 000 EUR excluding VAT**.

The Contracting Authority may exclude a participant from participation in the procurement procedure, provided that its tender price exceeds the above-mentioned estimated value of the public contract. The Contracting Authority shall exclude a selected economic operator (ie. the winner) from participation in the procurement procedure provided that its tender price exceeds the above-mentioned estimated value of the public contract.

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 in its bid, in Art. VI (1) of the draft contract (Annex 2 to this TD) as the total bid price in EUR excl. VAT for a whole subject matter of this public contract, in accordance with defined technical requirements of the Contracting Authority (Annex 1 to this TD) and in accordance with the draft contract (Annex 2 to this TD) (hereinafter referred to as the “tender price”). The participant shall determine a detailed structure of the tender price as required in the draft contract.
- 5.2** 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).
- 5.3** The participant is not entitled to make the offered tender price conditional to an additional condition.
- 5.4** 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.
- 5.5** 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.
- 5.6** The participant shall fill the tender price in the relevant parts of the draft contract (Annex 2 to this TD).

6. PLACE OF PERFORMANCE OF THE PUBLIC CONTRACT

The place of performance is at the following address: Production plant I - Růžová 6, House No. 943, 110 00 Prague 1, Czech Republic.

7. PERIOD OF PERFORMANCE OF THE PUBLIC CONTRACT

- 7.1** Estimated time frame for contract conclusion: **May/June 2020**
- 7.2** Period of Performance: **binding time limits are determined in Art. III of the draft contract, find below its summary**
- **delivery of all replacement components, parts and consumables necessary for performance of the Work within 10 months of the effective date of the draft contract;**
 - **commencement of performance of the Work within the meaning of Article II, para. b) of the draft contract within the deadline specified in the Client's request, the Client's request pursuant at least 20 working days before the Client's requested date of commencement of performance of the Work provided that implementation of the Work shall commence no later than 5 months after the expiry of the period referred to in the previous paragraph,**

- the time for execution and handover of the Work, with the exception of the trial operation of the Machine, must not exceed 4 months;
- the operability of the Machine shall be tested by trial operation lasting for 1 month.

8. QUALIFICATION REQUIREMENTS

8.1 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, the contractor may substitute the submission of the documents regarding the basic capacity in pursuant to Sec. 74 of the Act and professional capacity pursuant to Sec. 77 of the Act with a statutory declaration. The contractor is required to submit documents regarding the technical qualification in compliance with the requirements stated in this TD. The contractor may use the sample affidavit stated in Annex 4 to this TD (Affidavit on compliance with the required qualification).

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 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 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.

8.2 Basic Capacity

8.2.1 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**.

8.2.2 **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 8.2.1 (a) of this TD,
- b) a certificate issued by the competent tax authority regarding the 8.2.1 (b) of this TD,
- c) a written sworn statement on excise tax regarding the 8.2.1 (b) of this TD,
- d) a written sworn statement regarding the 8.2.1 (c) of this TD,
- e) a certificate issued by the applicable regional Social Security office regarding the 8.2.1 (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 8.2.1 (e) of this TD.

8.2.3 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 8.2.1 (b) of this TD,
- b) a written sworn statement on excise regarding the 8.2.1 (b) of this TD,
- c) a written sworn statement regarding the 8.2.1 (c) of this TD,
- d) certificate issued by the applicable Czech Social Security Administration regarding the 8.2.1 (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 8.2.1 (a) of this TD,
- b) the 8.2.1 (b) of this TD,
- c) the 8.2.1 (c) 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**.

8.3 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 plain copy of an excerpt from the Commercial Register** or similar records, if registration in such records is required by a different legal regulation.

8.4 Technical qualification

In accordance with the provision under Section 79(2)(b) of the Act, the contractor shall **submit a list of minimum 2 major services** 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 contract, the Contracting Authority considers such a service whose subject matter is similar to the subject matter of this public contract, that means **a banknote press general overhaul or refurbish, in the minimum total value of EUR 1,000,000 excluding VAT**.

The list of major services submitted by the contractor shall contain data relevant for proving the required qualification fulfilment, at least 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).

8.5 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.

8.6 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.

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.

8.7 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.

8.8 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.

8.9 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 capacity, the extract shall replace the proof of compliance with the basic capacity pursuant to Section 74 of the Act, and professional capacity pursuant to Section 77 of the Act to the extent that the document proving the professional capacity covers the contracting authority's requirements for proving the professional capacity 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.

8.10 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).

8.11 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.

9. EVALUATION CRITERIA, METHOD OF EVALUATION

9.1 Evaluation Criteria


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

The total economic advantageousness of the tender will be evaluated on the basis of the lowest tender price in EUR excl. VAT stated in Article VI (1) of the draft contract (Annex 2 hereof.).

9.2 Method of Evaluation

The tenders shall be ordered depending on their tender price in EUR excl. VAT. The most successful tender shall be the one with the lowest total tender price.

10. GENERAL BUSINESS CONDITIONS AND TERMS OF PAYMENT

- 10.1** The payment and business terms and conditions are specified in the binding draft contract (Annex 2 to this TD).
- 10.2** The draft contract is binding upon the participant. The participant is only allowed to complete the draft contract draft with information marked as incomplete  or amend data where it explicitly required.
- 10.3** The participant shall submit the draft contract as a part of its tender in a simple copy including the Annexes, which shall be done in a language mutation in accordance with the Art. 15.3 hereof.

10.4 In case of a joint tender, all participants shall be stated in the draft contract.

11. 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.

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

12.1 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.

12.2 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.

12.3 The contracting authority may also provide written clarification of this TD to the participants without a prior request.

12.4 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.**

12.5 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.**

12.6 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.**

13. FURTHER TENDER CONDITIONS

13.1 This TD is binding for contractors.

13.2 In the tender, the participant **seating in the Czech Republic** 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 an extract from the database published by the tax administrator in a manner that allows remote access, the so-called "Register of VAT Payers".

- 13.3 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.
- 13.4** 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.
- 13.5** 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 at least **double of the tender price**. 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.

14. CONDITIONS FOR CONTRACT CONCLUSION

- 14.1** 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.

- 14.2** 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.

15. TENDER SUBMISSION CONDITIONS

- 15.1** 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.

15.2 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.

15.3 The participant is entitled to attach the draft contract (Annex 2 hereof) in its tender only in one (chosen) language, Czech or English.

15.4 Each tender submitted has to contain all the documents required by the Act and the Contracting Authority, including required proofs and information.

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

16.1 The deadline for the tender submission shall end on 22nd May at 10:00 a.m.

16.2 The contractor shall prepare the tender in electronic form.

16.3 Submitting tenders in electronic form:

- The tender shall be submitted through the E-ZAK electronic instrument available at:
https://mfc.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://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>.
- In order to eliminate any doubt, the contracting Authority would like to point out that **it is not necessary to sign the tender electronically.**

16.4 The contracting authority recommends using the following order:

- Content of the tender
- Tender cover sheet (Annex No. 3 to this TD)
- Binding draft contract 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 capacity,

- professional capacity,
- technical qualification.
- List of sub-contractors (Annex No. 5 to this TD)
- Extract from the Register of VAT Payers pursuant to Art. 13.2, or an affidavit pursuant to Art. 13.3 of this TD (Annex No. 6 to this TD)

16.5 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 sufficient for the participant to submit a single copy of such documents as part of their tender.

16.6 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.

17. OPENING OF TENDERS IN ELECTRONIC FORMAT

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

18. OTHER PROVISIONS

18.1 The contracting authority further notifies that in accordance with the Statute of the contracting authority signature of the final contract may be subject **to granting of supervisory board approval**. If the supervisory board did not grant the approval, resp. the contracting authority based on this reason did not approach to contract signature, conditions of the Sec. 127 (2)(d) of the Act would be fulfilled, ie. the grounds which merit particular consideration, including economic ones, have occurred during the procurement procedure and on the basis of that grounds the contracting authority cannot be reasonably required to continue the procurement procedure, notwithstanding whether the contracting authority has caused such grounds or not, and the procurement procedure shall be cancelled.

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

18.3 After conclusion of the contract with the selected contractor, the contracting authority shall, pursuant to the relevant provisions of Section 219 of the Act, publish the wording of the contract with the selected contractor, including any amendments and schedules thereto, on the contracting authority's profile and in the Register of Contracts.

18.4 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.

18.5 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.

18.6 The tenders or individual parts of the tenders submitted by the participants or excluded participants shall not be returned.

19. ANNEXES

- Annex 1 – Technical Specifications (*identical to the Annex 1 to the draft contract, not attached repeatedly*)
- Annex 2 – Draft Contract for Work
- Annex 3 – Tender Cover Sheet
- Annex 4 – Affidavit on compliance with the required qualification
- Annex 5 – List of Subcontractors
- Annex 6 – Affidavit on the Bank Account

Prague, dated _____

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