

WRITTEN REPORT OF THE CONTRACTING AUTHORITY

regarding the public contract called:

Supply and Application of Security Features for e-RP Document // Dodávky a aplikace bezpečnostních prvků pro doklad e-PKP

(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: Marek Simandl, CEO
Business ID: 00001279

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

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

The subject of this Public Contract is the Supplier's obligation to provide the performance specified in Contract in accordance with the option selected by the Contracting Authority in the relevant request, i.e. order:

Option A:

- Apply the KINEGRAM® holographic element to polycarbonate sheets supplied by the Supplier,
- Print collation crosses and a loading edge in black ink, and
- Deliver these sheets with KINEGRAM® to the Contracting Authority.

Option B:

- Apply the KINEGRAM® holographic element to polycarbonate sheets delivered by the Contracting Authority, and
- Deliver these sheets with KINEGRAM® to the Contracting Authority.

(hereinafter referred to as "**Goods**"), which must

- i. meet the technical specification requirements arising from European Legislation in particular Consolidated version of Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals, which

contains inter alia the amendments made in Council Regulation (EU) 2017/1954 of the European Parliament and of the Council of 25 October 2017) (as referred to above and after as “**European Legislation**”)

and further

- ii. comply with the technical specifications set out in other parts of Annex No. 1 (in particular 1.1, 1.4) of the Contract.

the price of the Goods agreed in the public contract:

Option A:

Fulfilment pursuant to the Article II, par. 1 Option A of the Finalised, Draft Contract, CZ EU RPr 2.0 PCI BSM556-108-12, + PC sheet, Price of Goods for the year 2026 in, CHF per sheet excl. VAT:15.81 CHF pro Sheet (15-up)

Option B:

Fulfilment pursuant to the Article II, par. 1 Option B of the Finalised, Draft Contract, CZ, EU RPr 2.0 PCI BSM556-108-, 12, Price of Goods for the year 2026 in, CHF per sheet excl. VAT: 15.27 CHF pro Sheet (15-up)

- 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 Option A:	15.81 CHF
Tender price Option B:	15.27 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
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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 of KINEGRAM® holographic security features in accordance with the relevant European legislation and Commission **Implementing Decision C(2018)674 of February 12, 2018**, which lays down the technical specifications for the uniform format for the relevant security documents.

The subject of the contract is security features used for documents that must comply with **Council Regulation (EC) No. 1030/2002 of June 13, 2002**, laying the uniform format for residence permits for third-country nationals, including the amendments implemented by **Regulation (EU) 2017/1954**, which updates the security elements of the residence permit model.

Under this legal framework, the contracting authority is not permitted to use security elements other than KINEGRAM® for the production of the relevant documents. As a result, it is not possible to conduct a standard tender procedure with wider participation by suppliers, as there is no competition in this case and no equivalent alternative manufacturer is available.

In this context, the supplier designated in the Commission's decision acts as the supplier of specified security features for all manufacturers of the relevant security documents in the European Union.

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

- 9) In accordance with the provision of Sec. 217(2)(i) of the Act:
Light regime regime was not used.
- 10) In accordance with the provision of Section 217(2)(j) of the Act:
The tender procedure has not been cancelled.
- 11) In accordance with the provision of Sec. 217(2)(k) of the Act:
The Contracting Authority used electronic forms of communication.
- 12) In accordance with the provision of Sec. 217(2)(l) of the Act:
Conflict of interest has not been identified.
- 13) In accordance with the provision of Sec. 217(2)(m) of the Act:
The public contract was not divided into separate lots. The subject matter of the public contract is primarily the supply of the required optical variable security features in accordance with the technical specifications set out in the tender conditions, and there is no justification for dividing it into lots.
- 14) In accordance with the provision of Sec. 217(2)(n) of the Act:
The Contracting Authority did not require fulfilment of economic qualification.

Processed by: Šárka Kadlecová
Published via the electronic tool EZAK.
In Prague, *dated as per the electronic signature.*

Marek Šimandl
CEO
on behalf of the Contracting Authority
Státní tiskárna cenin, s. p.