

STÁTNÍ TISKÁRNA CENIN, státní podnik

with its registered office at Prague 1, Růžová 6, building no. 943, postcode 110 00
registered in the Commercial Register kept by the Municipal Court in Prague, Section A LX, File 296
represented by
RNDr. Václav Plesník, MBA,
designated to hold the office of the General Director



TENDER DOCUMENTATION

(hereinafter also "TD")

for preparing a tender for an over-limit public supply contract awarded in an open procedure

"Banknote Press General Overhaul"

Tender specification pursuant to Section 44 of Act No. 137/2006 Sb., on public procurement, as amended (the "Act")

1. Identification of the contracting authority

Contracting authority:	STÁTNÍ TISKÁRNA CENIN, státní podnik
Registered office:	Růžová 6, building No. 943, Prague 1, postcode 110 00, Czech Republic
Company ID no.:	00001279
Statutory governing body:	RNDr. Václav Plesník, MBA, designated to hold the office of the General Director
Contracting authority's contact:	Milan Šrámek
Tel.:	+420 236 031 439
E-mail:	sramek.milan@stc.cz
Contracting authority's profile:	https://mfcr.ezak.cz/profile_display_53.html

2. Information about the subject matter of the contract and technical specifications**2.1 Subject matter of the public contract**

The subject matter of this public contract is the **general overhaul of a banknote press ("GO")**. The press in question is a **SIMULTAN II, S/N 642.003.02** (the "machine") owned by the contracting authority, located at the contracting authority's registered office.

The public contract includes:

- a) transportation of all necessary replacement parts and consumables to the client's registered office, Incoterms® 2010, DAP Praha,
- b) installation/replacement of all necessary replacement parts, components and consumables in the machine and commissioning of the machine by the contractor's engineers,
- c) repair of all machine faults and defects identified during commissioning after the GO,
- d) training of machine operators and maintenance workers,
- e) machine acceptance test after the GO is finally completed,
- f) updates to existing technical documentation and drawings for the machine, in two copies in English as well as in electronic format on a CD,
- g) test operation of the machine for two months after acceptance.

Required technical criteria:

Basic requirements for the subject matter of the contract:

- General overhaul of the machine at the contracting authority's registered office:
 - (a) replacement of specified replacement parts,
 - (b) replacement of the computer,
 - (c) replacement of the control panel.
- Replacement of the machine's main drive.
- Installation of an additional ultrasound detection system to detect double sheet feeding.
- Installation of an additional component for checking oscillation at the inking system roller drive.

More detailed technical specifications are listed in Annex 1 Technical Specifications.

Requirements for documentation

Updating existing technical documentation of the machine according to modifications made during the general overhaul and the final design in paper and electronic form.

Additional requirements of the contracting authority:

1. Only high-quality and reliable components of a high technical standard must be used in the performance of the public contract.
2. The subject matter of the contract must be performed so that the subsequent operation of the machine complies with technical and safety standards applicable in the EU and the machine complies with the requirements of Czech standards applicable to the construction of and safety of work with the machine pursuant to regulations in force at the time of delivery.
3. The tenderer shall provide the contracting authority with an indefinite, non-exclusive and, in case of resale, transferable right to use the computer software used for the subject matter of the public contract within the scope of use of the machine for the agreed purpose. The contracting authority shall have a right to use all delivered software products in accordance with the copyright of the seller.

2.2 Classification of the subject matter of the public contract

CPV code	Subject matter of the public contract
50530000-9	Repair and maintenance services of machinery

2.3 Term of performance

The contracting authority requests that the performance be commenced on 1 June 2017 and the performance be ended and the machine be commissioned no later than within 4 (four) months of commencement.

3. Contractor qualifications

The tenderer must prove its qualifications pursuant to the Act and the contracting authority's requirements as listed below within the time limit for the receipt of tenders.

3.1 Proving qualifications by means of a subcontractor

Pursuant to Section 51(4) of the Act, if a contractor is unable to prove a certain portion of qualifications required by the contracting authority in compliance with Section 50(1)(b) and (d) of the Act to the full extent, the contractor may prove the qualifications to the extent of the deficiency by means of a subcontractor. In accordance with the provision of Section 17(i) of the Act, a subcontractor means a person by means of whom the contractor is to perform a certain portion of the public contract or who is to provide the contractor with certain items or rights to perform the public contract. In accordance with the provision of Section 1935 of Act No. 89/2012 Sb., Civil Code, as amended, if a contractor performs its obligation by means of another person, i.e. a subcontractor, the contractor holds the same responsibility as if the obligation was performed by the contractor itself.

In such case, the contractor must submit the following to the contracting authority:

- a) documents proving the subcontractor's fulfilment of the basic qualification criterion pursuant to Section 53(1)(j) of the Act and the professional qualification criterion pursuant to Section 54(a) of the Act,
- b) a contract made with the subcontractor indicating the subcontractor's obligation to provide performance intended for the contractor's performance of the public contract or to provide items or rights that the contractor will have disposal of when performing the public contract at least to the extent to which the subcontractor has proved the qualifications pursuant to Section 50(1)(b) and (d) of the Act.

The contractor may not use a subcontractor to prove qualifications pursuant to Section 54(a) of the Act, i.e. an extract from the Commercial Register or an extract from a similar register, as applicable.

3.2 Proving qualifications when submitting a joint tender

If the subject matter of the public contract is to be performed jointly by several contractors and they submit or are going to submit a joint tender for this purpose, then, pursuant to Section 51(5) of the Act, each such contractor must prove the fulfilment of the basic qualification criteria pursuant to Section 50(1)(a) of the Act and the professional qualification criterion pursuant to Section 54(a) of the Act to full extent. Qualifications pursuant to Section 50(1)(b) and (d) of the Act must be proved jointly by all contractors. If deficient qualifications are to be proved by means of a subcontractor, Section 51(4) of the Act shall apply accordingly.

If the subject matter of the public contract is to be performed jointly by several contractors pursuant to Section 51(5) of the Act, Section 51(6) of the Act stipulates that when submitting documents proving the fulfilment of the qualification criteria to the contracting authority, the contractors must also submit a contract including the commitment of all such contractors to be bound jointly and severally in relation to the contracting authority and third parties in any legal matters arising in connection with the public contract throughout the period of performance of the public contract as well as for the duration of other obligations arising out of the public contract. The requirement for the commitment according to the first sentence of this provision of the Act, namely that all contractors must be bound jointly and severally, applies unless a special legal regulation or the contracting authority provides for otherwise.

3.3 Proving qualifications by a foreign contractor

Pursuant to Section 51(7) of the Act, a foreign contractor proves its qualifications in a manner according to the law applicable in the country of its registered office, place of business or residence to the extent required by the Act and the contracting authority unless otherwise provided by a special legal regulation. If a certain document is not issued under the law applicable in the country of the foreign contractor's registered office, place of business or residence, the foreign contractor must prove the relevant portion of its qualifications using a solemn declaration. If an obligation whose fulfilment must be proved as part of the qualifications is not defined in the country of the foreign contractor's registered office, place of business or residence, the foreign contractor must make a solemn declaration of such a fact.

The foreign contractor submits documents proving its qualifications in the original language. The foreign contractor is not required to attach a certified translation into Czech.

A database of information on documents in the individual EU member states for proving qualifications is available at: <http://ec.europa.eu/markt/ecertis/searchDocument.do>

3.4 List of qualified contractors

If the contractor submits to the contracting authority an extract from the list of qualified contractors pursuant to Section 125 et seq. of the Act within the time limit for proving qualifications, such an extract from the list of the qualified contractors substitutes a proof of the fulfilment of:

- a) basic qualification criteria pursuant to Section 53(1) or (2) of the Act, and
- b) professional qualification criteria pursuant to Section 54(a) to (d) of the Act to the extent to which documents proving the fulfilment of such professional qualification criteria cover the contracting authority's requirements for proving the professional qualification criteria for the performance of the public contract.

If the contracting authority stipulates in the contract notice that qualifications pursuant to Section 53(1)(f) to (h) of the Act must be proved by submitting one or more documents pursuant to Section 53(3) of the Act, then such qualifications cannot be proved by submitting an extract from the list of qualified contractors pursuant to Section 127(3) of the Act.

Pursuant to Section 127(4) of the Act, the contracting authority must accept an extract from the list of qualified contractors if the extract from the list of qualified contractors is not older than 3 months on the last date by which qualifications are to be proved.

3.5 System of certified contractors

If the contractor submits to the contracting authority a certificate issued within a certified contractor system pursuant to Section 133 et seq. of the Act, having the particulars specified in Section 139 of the Act, within the time limit for proving qualifications and the information in the certificate is valid at least on the last day of the period for proving qualifications (Section 52 of the Act), such a certificate replaces a proof of qualifications to the extent of the information contained therein.

3.6 Foreign list of contractors

The contracting authority shall accept an extract from a foreign list of contractors or the foreign contractor's certificate under the conditions set out in Section 143 of the Act if the foreign contractor has its registered office, place of business or place of residence, as appropriate, in the country where the extract from the foreign list of contractors or the foreign certificate was issued. The extract from the foreign list of contractors or the foreign certificate must not be older than 3 months and must be valid as of the last day of the period for proving qualifications. The extract from the foreign list of contractors or the foreign certificate prove the contractor's qualifications or a relevant portion thereof to the extent specified in Section 143(3) of the Act.

3.7 Authenticity and age of documents

Unless otherwise provided by law, the contractor shall submit copies of documents proving its qualifications pursuant to Section 57(1) of the Act. Before concluding the contract, the contracting authority may request submitting the originals or certified copies of documents proving the qualifications.

Pursuant to Section 57(2) of the Act, documents proving the fulfilment of basic qualification criteria and an extract from the Commercial Register must not be older than 90 calendar days as of the tender submission date.

Where the Act or the contracting authority require that a solemn declaration of qualifications be submitted to prove qualifications, such a declaration must include information about the fulfilment of qualification criteria as required by the Act and the contracting authority and must be signed by a person authorized to act on behalf or for the contractor. If the contractor is represented by a person other than a person authorized to act on behalf of or for the contractor, an original or an officially authenticated copy of a power of attorney must be submitted as part of the tender.

3.8 Changes in the contractor's qualifications

If the contractor loses its qualifications before the decision on the selection of the best tender is made, the contractor must notify the contracting authority of such a fact in writing no later than within 7 business days. The contractor must submit necessary documents proving its qualifications to full extent within 10 business days of notifying the contracting authority of such a fact. The contracting authority may extend the time limit at the contractor's request or may excuse a failure to comply with the time limit.

Pursuant to Section 58(2) of the Act, the obligation in the previous paragraph applies analogously to a tenderer with whom a contract can be concluded in accordance with the contracting authority's decision pursuant to Section 81 until the contract is concluded. In such a case the tenderer with whom the contracting authority concludes a contract must submit the necessary documents proving its qualifications to full extent no later than when the contract is concluded.

3.9 Time limit for proving qualifications

In an open procedure, the contractor must prove its qualifications within the time limit for the receipt of tenders.

3.10 Qualification criteria

Pursuant to Section 50(1) of the Act, a contractor is qualified to perform a public contract if it:

- a) fulfils basic qualification criteria pursuant to Section 53 of the Act,
- b) fulfils professional qualification criteria pursuant to Section 54 of the Act,
- c) submits a solemn declaration of its economic and financial capacity to perform the public contract pursuant to Section 50(1)(c) of the Act, and
- d) fulfils technical qualification criteria pursuant to Section 56 of the Act.

3.10.1 Basic qualification criteria pursuant to Section 53(1) of the Act

In accordance with Section 53(3) of the Act, the contractor shall submit documents proving its fulfilment of basic qualification criteria pursuant to Section 53(1) of the Act:

- a statement of criminal records – items (a) and (b) of the Act
- a certificate issued by the competent tax authority and, concerning the excise duty, a solemn declaration – item (f) of the Act
- a certificate issued by a competent authority or institution – item (h) of the Act
- a solemn declaration – items (c), (d), (e), (g), (i), (j) to (l) of the Act

3.10.2 Professional qualification criteria

The tenderer shall prove fulfilment of professional qualification criteria by submitting:

- an extract from the Commercial Register or an extract from a similar register, as applicable, pursuant to Section 54(a) of the Act,
- a proof of authorisation to carry out business pursuant to special legal regulations to the extent corresponding to the subject matter of the performance of the public contract, in particular a document proving the respective trade licence or licence pursuant to Section 54(b) of the Act.

3.10.3 Solemn declaration of the economic and financial capacity to perform the public contract

The tenderer will meet this portion of qualification criteria if it submits a solemn declaration of its economic and financial capacity to perform the public contract. The tenderer may use the solemn declaration template included in Annex 5 to this TD.

4. Requirements for the manner of preparation of the tender price

4.1 The tender price shall include all of the contractor's costs necessary for the proper and timely performance of the public contract, including associated costs (e.g. transport expenses, charges, auxiliary costs, assumed risks associated with the performance of the public contract, travelling expenses, etc.).

4.2 The tenderer shall specify the tender price for the entire subject matter of performance, broken down as specified in Annex 2 to this tender specification:

- general overhaul of the machine at the contracting authority's registered office,
- replacement of the machine's main drive,
- installation of an additional ultrasound detection system to detect double sheet feeding,
- installation of an additional component for checking oscillation at the inking system roller drive,
- transportation and insurance of all necessary replacement parts, components and consumables to the place of delivery, including packaging,
- installation and completion of the entire machine,
- training of machine operators and maintenance workers,
- documentation for the machine,
- customs duty if subject to such duty in the Czech Republic.

4.3 The tenderer must specify the tender price as the maximum permissible price; the contracting authority does not allow an increase in the tender price except for a legal change in the VAT rate and/or customs duty.

4.4 The contractor may not make the proposed tender price conditional on an additional condition. Making the tender price conditional or specifying multiple different amounts of the tender price at different places in the tender is a reason for rejecting the tender and excluding the tenderer from the award procedure. The contracting authority will proceed analogously if the tender price is specified in a form or currency other than those required by the contracting authority.

5. Evaluation of tenders

The basic evaluation criterion chosen by the contracting authority is the lowest tender price.

Tenders will be ranked by the amount of the tender price in EUR exclusive of VAT. The best tender chosen by the evaluation committee will be the tender with the lowest tender price.

For the purposes of evaluation, the tenderer shall complete the price table in Annex 2 to this TD (price model).

6. Terms of business and terms of payment

6.1 The contracting authority has specified the terms of business and terms of payment in a binding draft contract, which constitutes Annex 3 to this TD.

6.2 In its tender, the contractor shall submit the draft contract signed by a person(s) authorized to act on behalf of the contractor. The draft contract must respect all the content and form of the binding draft contract presented by the contracting authority in Annex 3.

6.3 If the contractor is represented by an agent on the basis of a power of attorney, the original or an officially authenticated copy of the power of attorney must be included in its tender.

6.4 Preparing a draft contract contradicting the contracting authority's binding draft contract will result in rejecting the tender and excluding the contractor from the award procedure.

7. Additional requirements and conditions stipulated by the contracting authority

7.1 In compliance with Section 68(3) of the Act, the tenderer shall include the following in its tender:

- a) A list of statutory governing bodies or members of statutory governing bodies that had a labour law, functional or similar relationship with the contracting authority in the past 3 years preceding the last day of the period for the receipt of tenders. The tenderer may use Annex 5 to this TD.
- b) If the tenderer has the form of a joint-stock company, a list of shareholders whose shares have a total face value exceeding 10% of the registered capital, prepared within the time limit for the receipt of tenders. The tenderer may use Annex 5 to this TD.
- c) The tenderer's declaration that it has not concluded and will not conclude a forbidden agreement pursuant to a special legal regulation (Act No. 143/2001 Sb., on the protection of economic competition and amendments to some acts, as amended) in connection with the awarded public contract. The tenderer may use Annex 5 to this TD.

7.2 The contractor shall include in its tender an extract from the Register of Entities – Contractors Subject to VAT (this only applies to contractors that are subject to VAT in the Czech Republic); the contractor must provide a proof of the number of its bank account kept with a payment service provider and of the fact that it is not an unreliable entity subject to VAT within the meaning of Section

109 of Act No. 235/2004 Sb., on value-added tax, as amended. The contractor shall prove the aforementioned information by a printed extract from the database published by the tax authority in a manner allowing remote access, the "Register of Entities Subject to VAT".

A foreign tenderer shall include in its tender a solemn declaration of its bank account and of its reliability as an entity subject to VAT. The tenderer may use the solemn declaration included in Annex 5 to this TD.

7.3 The contracting authority requires that the contractor be the manufacturer of the tendered machine or its authorized reseller. The contractor shall evidence this:

- If the contractor is the manufacturer – using a solemn declaration signed by a person authorized to act on behalf of or for the tenderer.
- If the contractor is an authorized reseller – with the manufacturer's certificate.

7.4 The tenderer shall include in its tender a signed non-disclosure agreement that constitutes Annex 6 to this TD. The agreement shall be signed by a person authorized to act on behalf of or for the tenderer.

7.5 The contracting authority stipulates a tender validity period, i.e. the time frame during which the tenderer must maintain its tender, of 90 days. The tender validity period starts at the moment the time limit for the receipt of tenders runs out.

7.6 The contractor may request additional information concerning the public contract from the contracting authority in writing. Such a request must be received by the contracting authority no later than 6 business days before the time limit for the receipt of tenders. Written requests for additional information may be sent to the contracting authority's contact persons. The contracting authority may also provide additional information concerning procurement documents without a prior request.

7.6 The contracting authority does not admit variants.

8. Submitting the tenders

8.1 The time limit for the receipt of tenders expires **on 22nd September at 11.00 a.m.** The receipt of a tender means the delivery of the tender to the contracting authority. Responsibility for a timely receipt is held by the contractor. Tenders can be delivered by post or in person to the post room on business days from 8.00 a.m. to 2.30 p.m. at the contracting authority's address: STÁTNÍ TISKÁRNA CENIN, státní podnik, Růžová 6/943, 110 00 Prague 1. The contracting authority will not open or return tenders submitted after the time limit for the receipt of tenders; the contracting authority will notify the relevant tenderer of such a situation.

8.2 The envelopes shall be opened at the contracting authority's registered office **on 22nd September from 11.05 a.m.** No more than 1 representative of each contractor may be present at the opening of the envelopes. Persons that do not represent a contractor by law shall prove their authorization to be present at the opening of the envelopes with tenders by a power of attorney granted by a person representing the contractor. A foreign contractor may also have one interpreter present.

9. Contracting authority's requirements for the form of a tender

9.1 The contractor shall submit its tender in 1 original in paper (printed) form and in 1 copy in electronic form on a non-rewritable data medium.

9.2 The tender shall be submitted in a sealed envelope and identified with the title of the public contract, "Banknote Press General Overhaul – DO NOT OPEN – TENDER". The envelope must bear the contractor's address.

9.3 The tender shall be submitted in the Czech or English language. If any part of the tender is in a language other than Czech or English, it must be translated.

10. Tender structure

The contracting authority recommends the following order in the written (printed) version of the tender.

- Tender contents
- Tender cover sheet
- Draft contract signed by a person authorized to act for the tenderer (printed form)
- Non-disclosure agreement signed by a person authorized to act on behalf of the tenderer
- Completed priced model (printed form)
- Contract regulating the rights and obligations of contractors submitting a joint tender, if a joint tender is submitted
- Documents proving the fulfilment of the basic qualification criteria
- Documents proving the fulfilment of the professional qualification criteria
- Solemn declaration of the contractor's economic and financial capacity to perform the public contract
- List of statutory governing bodies or members of statutory governing bodies according to Article 7.1.a)
- List of shareholders according to Article 7.1.b)
- Declaration according to Article 7.1.c)
- Extract from the Register of Entities Subject to VAT or a solemn declaration according to Article 7.2
- Solemn declaration or certificate according to Article 7.3

The tenderer shall enclose a non-rewritable data medium, e.g. a CD-R, containing the aforementioned files with the original of the tender.

The following annexes constitute an integral part of this TD:

1. Technical specifications
2. Price model
3. Binding draft contract
4. Tender cover sheet
5. Solemn declaration – template
6. Non-disclosure agreement

Prague, *Aug-2* 2016

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RNDr. Václav Plesník, MBA,
designated to hold the office
of the General Director



