

Tender documentation for the contract "Energy saving measures in BUILDING SHUTTER
SYSTEMS s.r.o. "

**Tender documentation for a
major supply contract**

**"Energy saving measures in the company
BUILDING SHUTTER SYSTEMS s.r.o. "**

Client

BUILDING SHUTTER SYSTEMS s.r.o.

Velká Bíteš, Košíkov 76, Žďár nad Sázavou district, ZIP code 59501

ID: 63491796

Statutory representative: Jindřich Geisselreiter, by proxy

Representative of the Client

Deregio Tender, s.r.o.

Viniční 2270/160, 615 00 Brno

Delivery address: Starobrněnská ulice 20, 602 00 Brno

ID: 02122855

Represented by: Ing. Jan Ševčík, Manager

1. PREAMBLE

This tender documentation has been drafted as a basis for the submission of bids by the participants in the tender procedure according to the Rules for the Selection of Contractors under the Operational Programme Technology and Applications for Competitiveness, taking into account the provisions of Law No. 134/2016 Coll. on Public Procurement (hereinafter referred to as "the Law"), although the award of this contract is not governed by the Law itself.

The Client declares that this tender procedure is not a public tender or a public promise and is not a public contract under the Law.

By submitting a bid, the Contractor accepts fully and without reservation the Terms and Conditions, including all attachments and any amendments to these Terms and Conditions.

2. INFORMATION ABOUT THE CLIENT

Company: BUILDING SHUTTER SYSTEMS s.r.o.
HQ: Velká Bíteš, Košíkov 76, Ždár nad Sázavou district, ZIP 59501
ID: 63491796
Statutory representative: Jindřich Geisselreiter, by proxy

3. REPRESENTATIVE OF THE CLIENT

Company: Deregio Tender, s.r.o.
HQ: Viniční 2270/160, 615 00 Brno
Delivery address: Starobrněnská 20, 602 00 Brno
Represented by: Ing. Jan Ševčík, Manager
ID: 02122855
Tax ID: CZ02122855
Phone: +420 542 211 083
E-mail: zakazky@deregio.cz

4. SUBJECT OF THE CONTRACT

The subject of the contract are supplies in connection with the implementation of the action "Energy saving measures in the company BUILDING SHUTTER SYSTEMS s.r.o." Specifically, it means the delivery of a painting line, described in detail in the Specification of the subject of delivery, which is part of this tender documentation (hereinafter referred to as "the Work").

If references are made in the tender documents or any of their annexes to trade names, business names or names and surnames, specific designations of goods and services which are characteristic of a particular person or, where appropriate, of an organisational unit thereof, patents for inventions, utility models, industrial designs, trade marks or designations of origin, the Client shall also allow the use of other qualitatively and technically similar solutions for the delivery of the contract, provided that the nature of the requested delivery does not indicate that the use of such a substitute would be contrary to the purpose of the request (for example, that the substitute would reduce the compatibility of the requested delivery with existing means of production).

The Client does not allow partial delivery of the contract

5. DELIVERY DEADLINE AND PLACE OF DELIVERY OF THE CONTRACT

Estimated date of start of delivery period (contract signature): 07-08/2022

The Contractor (also referred to as "Contractor" or "Participant") is obliged to complete the Work, including ensuring full functionality and commissioning at the place of delivery no later than 13 months from the signing of the contract, as detailed in the terms and conditions in the form of a draft contract, which are part of this tender documentation.

The Client requires the Contractor to submit a Schedule of Work Progress as part of its bid. The Schedule of Work Progress shall become part of the Specification of Work at the time of signing the Contract. The Client requires that the submitted schedule of progress takes into account the required time milestones set out in the draft works contract and also accepts the following requirements of the Contracting Authority:

- Submission of documents from the Contractor to the Client for the building modifications within 3 months of signing the contract
- Delivery of the material to the Client within 8 months from the date of payment of the 1st advance payment for the Work, but at the same time not earlier than 7 months from the date of payment of the 1st advance payment for the Work
- Handover of the construction site to the Contractor after delivery of the material to the Client
- Installation of the Work by the Contractor within 11 months from the date of payment of the 1st advance payment for the Work
- Handover of the work for trial operation after successful installation of the work by the Contractor

- Test operation during 60 days following the acceptance of the Work by the Client
- Final acceptance of the work within 13 months of signing the contract

The place of delivery of the contract is the premises of the Client at: **Košíkov 76, Košíkov, 595 01 Velká Bíteš.**

The procurement period starts at the end of the deadline for submission of bids and ends on the date of signing the contract with the winning bidder or cancellation of the tender. The length of the tendering period shall be 90 calendar days. The tendering period is the period during which the Contractor may not withdraw from the tender.

6. TERMS AND CONDITIONS

The Client submits the terms and conditions as part of the tender documentation. The terms and conditions set out for the contract are defined in the form of a binding model contract for the work, which is annexed to this tender documentation. The bidder shall add to the terms and conditions only the information necessary for the creation of the draft contract (in particular, its own identification data and the bidding price, the delivery date, if any, and other contact and identification data) and shall submit the terms and conditions so added as its draft contract.

The Terms and Conditions define the future framework of the contractual relationship. The participant is obliged to use the terms and conditions and fill in only the marked spaces. The bidder's tender must comply with the terms and conditions laid down and must not contain in any part a provision which is contrary to the terms and conditions and which would put the Client at a disadvantage.

7. OBJECTIVE CONDITIONS UNDER WHICH THE BIDDING PRICE MAY BE EXCEEDED

Exceeding the offer price is possible under the conditions defined in the terms and conditions, especially if there are changes in the value added tax rates during implementation. In this case, the offer price will be adjusted according to the value added tax rates in force at the time of the taxable supply. The change in price will be at most an increase in value added tax.

8. REQUIREMENT FOR THE CALCULATION METHOD OF THE BIDDING PRICE

For the purposes of the tender, the bidding price means the total price for the supply of all technological preparations specified in the tender documentation, including their

transport and commissioning, excluding value added tax (hereinafter referred to as 'VAT'). The bidding price must include all costs necessary for the proper delivery of the goods, including all related costs (fees, transport costs, anticipated risks associated with the location, the customer's operations, exchange rate effects, general price developments, etc.). All related costs shall be included in the price of the equipment supplied.

9. OTHER REQUIREMENTS OF THE CLIENT FOR THE DELIVERY OF THE CONTRACT

The Client reserves the right to cancel the tender in accordance with the OPPIK rules. The Contractors are obliged to accept this condition, without any claim for damages or loss of profit for any of the future contracting parties.

The Client draws attention to the fact that the selected Contractor is a person obliged to cooperate in the delivery of financial control within the meaning of Section 2 e) of Law No. 320/2001 Coll., on financial control in public administration, as amended.

10. QUALIFICATION REQUIREMENTS

The bidder is obliged to prove their qualification no later than the deadline for submission of bids, with appropriate application of the provisions of the Law, unless otherwise specified below. Meeting qualification requirements means:

- Meeting basic qualifications
- Meeting professional qualifications

The bidder shall prove that it meets the qualifications with the documents required by the Client in the notice of the opening of the selection procedure or in this part of the tender documentation. Plain copies of documents will also be sufficient to prove the qualification requirements.

The documents proving the basic eligibility and Professional qualifications according to point 12(a) of the Tender documentation must prove the fulfilment of the required eligibility criteria no later than 3 months before the date of opening of the selection procedure.

The Contractor may demonstrate a part of the technical qualifications required by the Client through other persons. In such a case, the Contractor is obliged to submit to the Client:

- (a) documents proving that another person has achieved professional qualifications referred to in point 12(a) of the tender documentation;
- (b) documents proving that the missing part of the qualifications is met by another person;

- (c) documents proving the achievement of basic qualifications according to point 11. of the tender documentation by another person;
- (d) a written commitment by another person to provide the delivery intended for the contract or to provide the goods or rights which the Contractor will be entitled to dispose of in the delivery of the contract, at least to the extent that the other person has demonstrated qualifications on behalf of the Contractor.

11. BASIC SKILLS

No-one is eligible to become the Contractor in case they:

- a) have been convicted of a criminal offence listed in Annex 3 to the Law or a similar offence under the law of the country of the Contractor's residence within the last 5 years prior to the start of the tendering procedure; spent convictions shall not be taken into account;
- b) have tax arrears payable in the Czech Republic or in the country of its residence recorded in the tax records;
- c) have arrears of insurance premiums or penalties for public health insurance due in the Czech Republic or in the country of their residence;
- d) have arrears of social security contributions and state employment policy contributions due in the Czech Republic or in the country of their residence;
- e) are in liquidation, have been the subject of a bankruptcy order, have been placed under administration under another legal provision or is in a similar situation under the law of the country of the Contractor's seat.

The Contractor shall demonstrate compliance with the basic qualifications by submitting an affidavit. A specimen of the affidavit is included in the tender documentation. Bidders may use this template.

12. PROFESSIONAL QUALIFICATIONS

Professional qualifications are met by the Contractor who submits:

- a) an extract from the commercial register or other similar register, if another legal regulation requires entry in such register

The Contractor shall provide documents proving that the professional qualification requirements are met in a plain copy.

13. REQUIREMENTS FOR THE PROCESSING OF THE OFFER

The Contractor's tender may be submitted either in a single bundle or in separate and distinct volumes, but always in writing and in a single sealed envelope marked with the name of the contract, bearing the identification data of the bidder. The Contractor's tender shall be submitted in one paper copy and a digital copy on CD in the Czech

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language only. If the Contractor uses a courier service for the delivery of its tender, it will ensure that the envelope used by the courier service to cover the tender envelope bears the exact same address as the tender envelope itself (i.e. be marked with the name of the contract and the bidder's identification data).

Otherwise, there is a risk that a bid sent in this way will not be registered as a bid in time and that the unmarked package will not be opened until after the deadline for submission of bids. In this case, the bidder's tender will be treated as if it had not been submitted.

(Each) envelope should be marked:

"DO NOT OPEN – bidding for "Energy saving measures in the company BUILDING SHUTTER SYSTEMS s.r.o. "

The bids must include

- a) Completed **Bid Cover Sheet**;
- b) A **draft contract** respecting all the terms and conditions of the tender, drawn up in accordance with the instructions contained in these tender documents, in accordance with the binding model contract submitted by the Client and signed by a person authorised to act on behalf of or for the Contractor;
- c) **Documents proving compliance with the qualifications**;
 - Affidavit of basic qualifications
 - Extract from the commercial register
- d) A completed **Subject Matter Specification Table**, which is part of this tender documentation, as per the instructions in the Subject Matter Specification Table;
- e) **Technical documentation of the subject matter** with the indication of the value of all technical parameters required by the Client in the table Specification of the subject of delivery;
- f) **Proof of deposit payment**
- g) **Schedule of work progress** according to point 5 of this tender documentation

14. TECHNICAL CONDITIONS

The Client specifies special technical conditions for the subject of the contract, which are defined in the document "Subject Matter Specification Table" (separately for each

individual part of the contract). The Client defines the characteristics of the requested subject-matter of delivery which the Contractors' offered subject-matter of delivery must meet. The Contractor shall indicate in the technical specifications whether the delivery offered by it meets the requirements set out in the columns by selecting the appropriate option in the 'Meets' column, 'Yes' if the delivery offered meets this requirement and 'No' if the delivery offered does not meet this requirement. In case the Contractor indicates "No" at least once in the technical specifications, they will be excluded for non-compliance. If the Contractor indicates 'Yes' and the evaluation of bids reveals that the goods offered do not meet this requirement, the Contractor may be excluded for non-compliance and breach of the tender conditions. If the Contractor does not fill in either the 'Yes' or the 'No' option, they may be excluded for non-compliance with the terms of reference. The Contractor shall then indicate in the column 'Contractor offers' the specific value of the parameter (in the same units as the requirement) or a more detailed specification of the delivery offered in relation to the requirement. If the Contractor does not fill in the column 'Contractor offers' and ticks the option 'Yes' in the column 'Meets', it shall be deemed that the delivery offered by the Contractor corresponds exactly to the requirement of the Client, as set out in the columns 'Required parameter' or 'Required value'. The Contractor shall complete the technical specifications in accordance with the instructions therein, including the type and type of machine offered.

15. SAFE DEPOSIT

The Client requires that the participants provide a safe deposit **by analogy** with Section 41 of the Law to ensure the fulfilment of their obligations arising from participation in the tender procedure within the deadline for submission of bids.

The deposit shall be provided by the bidder in the form of a payment in the account of the Client or in the form of a bank guarantee in favour of the Client or guarantee insurance in favour of the Client.

The amount of the security is set at **CZK 300,000**.

If the participant chooses to provide a security by depositing a sum of money in the account of the Client's representative, the sum of money must be deposited in account no. 6835293005/2700; variable symbol = Contractor ID number. Details of the payment made to the Client shall be provided in the tender. The presence of the security in the designated account at the time of the deadline for submission of bids will be decisive for the assessment of the proper submission of the tender.

If the bidder chooses to provide a security in the form of a bank guarantee, the bidder shall provide the original guarantee document containing the undertaking to the Client under the conditions set out in Section 41(8) of the Law.

If the bidder chooses to provide a security in the form of a guarantee insurance, the bidder shall provide a written statement from the insurer containing an undertaking to pay the security to the Client under the conditions set out in Section 41(8) of the Law.

The Bidder shall ensure that the bank guarantee or guarantee insurance is valid for the entire duration of the tender period.

Pursuant to Section 41(8) of the Law, the Client is entitled to the delivery of the security, including interest charged by the financial institution, if the bidder's participation in the tender procedure ceased within the tender period after exclusion pursuant to Section 122(7) or Section 124(2) of the Law.

16. OTHER CONDITIONS OF THE SELECTION PROCEDURE

The Client does not accept variations of bids.

17. METHOD OF EVALUATION OF BIDS ACCORDING TO THE EVALUATION CRITERIA

Bids will be evaluated on the basis of their economic merit. Bids will be evaluated on the basis of the best value for money ratio using the following sub-criteria:

Bidding price, excluding VAT	70% weight
Warranty service response time	30 % weight

In the partial evaluation criterion – Bidding price, excluding VAT, the offer containing the lowest bidding price excluding VAT will be rated as the most advantageous.

In the sub-evaluation criterion – **Response time for warranty service**, the most advantageous offer will be the offer containing the shortest possible time for the start of warranty service in the form of the start of the removal of the reported error by a technician at the place of delivery in hours from the reporting of the error in working days. **The Client requires that the commencement of the warranty service in the form of commencement of the rectification of the reported error by an on-site technician be provided within 48 hours of the error being reported in working days (rounded to the nearest hour).**

In the event that a bidder indicates a warranty service response time in hours in excess of the maximum required time in its bid, this will result in the exclusion of the bidder from further participation in the tender at the bid evaluation stage.

The method of evaluation of bids for the contract is as follows:

The sub-evaluation criterion for which the minimum value is the most favourable shall be evaluated by assigning 100 points to the lowest value. The other evaluated bids shall be awarded a score value which is the product of 100 multiplied by the ratio of the value of the most advantageous tender to the value of the evaluated tender.

The sub-evaluation criterion with the most favourable maximum value shall be evaluated by assigning 100 points to the highest value. The other evaluated bids shall be awarded a point value which is the product of 100 multiplied by the ratio of the value of the evaluated tender to the value of the most advantageous tender.

The point value of the tender calculated according to the method described above will be multiplied by the weight of the criterion and a reduced point value of the criterion will be calculated for each tender in each sub-criterion.

The sum of the reduced scores from all sub-criteria will determine the final score of the tender.

The overall ranking of the bids is determined by the absolute value of the tender's point value, so that the tender with the highest overall score is the most advantageous overall.

In the event of equality of scores between two or more bids, the ranking of the bids in the bidding price criterion shall determine the overall ranking of the bids.

18. TENDER DOCUMENTATION

The tender documentation consists of a summary of the data and documents necessary for the preparation of the tender. The tender documentation also includes:

- 1) Bid Cover Sheet Form
- 2) Terms and conditions in the form of a draft works contract
- 3) Model affidavit of basic qualifications
- 4) Subject Matter Specification Table
- 5) Drawing of the space intended for installation of the object of delivery
- 6) Drawing documentation of typical products

The Contractor is entitled to request the Client to provide written clarification of the tender documentation, exclusively through the Client's representative. The contact address for electronic submission of a request for additional information zakazky@deregio.cz. The request for additional information must be received by the Client no later than 4 working days before the deadline for submission of bids. The Client shall provide the additional information within 2 working days after receipt of a timely and duly submitted request for additional information.

If the request for clarification of the terms of reference is received in time and the Client fails to publish the clarification within the time limit referred to in the preceding paragraph, it shall extend the time limit for the submission of bids by at least as many working days as the time between the receipt of the request for clarification of the terms of reference and the publication of the clarification exceeds the time limit referred to in the preceding paragraph.

The Client has the right to provide Contractors with additional information on the tender documentation even without a prior request from the Contractor. Such additional information shall be delivered by the Client to all Contractors who have requested the tender documentation and published on the Client's profile.

The complete tender documentation is published in electronic form at the address of the Client's profile:

https://zakazky.rpa.cz/profile_display_1574.html

19. INSPECTION OF THE SITE OF DELIVERY

A visit to the site of delivery of the subject of delivery is possible at any time on working days from 9:00 to 14:00 after prior telephone agreement.

Contact person for arranging a site visit:
Jindřich Geisselreiter, tel.: +420 602 585 922

The viewing of the site of the future delivery is intended solely to acquaint the Contractor(s) with the existing site of the future delivery and its technical and operational parameters.

20. PLACE AND DEADLINE FOR THE SUBMISSION OF BIDS

The place for the submission of bids is the delivery address of the Client's representative:

Deregio Tender, s.r.o.
Starobrněnská 20, 602 00 Brno

The deadline for the submission of bids is on 11. 7. 2022 at 9:00 a.m.

Bids may be submitted in person or by registered mail. In the case of personal delivery, the tender must be handed in at the office of the representative of the Client at the address given above on working days between 8:00 and 15:00, and by 10:00 on the last day of the deadline for submission of bids.

21. OPENING OF BIDDING ENVELOPES

The opening of the envelopes with bids will take place on 11. 7. 2022 at 09:05 a.m. at the delivery address of the representative of the Client: Deregio Tender, s.r.o. , Starobrněnská 20, 602 00 Brno.

Representatives of bidders who have submitted a bid within the time limit for the submission of bids may attend the opening of the envelopes.

22. COMMUNICATION BETWEEN THE CONTRACTOR AND THE CLIENT

All acts of the Client towards the Contractors or acts of the Contractors towards the Client in the tendering procedure must be in writing. However, it shall be sufficient if the act is done electronically.

The Client is represented in the exercise of its rights and obligations under the Law by Deregio Tender, s.r.o., Starobrněnská 20, 602 00 Brno. This person is authorised to receive and send documents and to perform all acts connected with the tender procedure except:

- contract award
- exclusion of the Contractor from participation in the tender procedure
- cancellation of the selection procedure
- the decision to select the most suitable tender

Letters to be delivered to the Client shall be sent by the Contractor to the contracting authority's representative. Delivery to the contracting authority's representative shall be deemed equal as delivery to the Client.

In Velká Bíteš, on 3. 6. 2022


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BUILDING SHUTTER SYSTEMS s.r.o.
Jindřich Geisselreiter, by proxy