

CONTRACTING DOCUMENTATION

Title of the public contract:	Deliveries of spare parts for PVO equipment
Number of the public contract in the contracting authority's records	029/3/2017

Type of contract: over-limit public contract in the field of defence and security pursuant to Section 187 of Act No. 134/2016 Sb., on awarding public contracts, as amended (hereinafter the "Act"), for deliveries of spare parts for track technology, awarded in a restricted proceeding pursuant to Section 58 of the Act.

Contracting authority:	
Name:	VOP CZ, s.p.
Registered office:	Dukelská 102, 742 42 Šenov u Nového Jičína
Reg No.:	00000493
Data box ID	rkga8r5
Banking information:	UniCredit Bank Czech Republic and Slovakia, a.s., Ostrava branch
Account number:	5540150520/2700
A state enterprise registered in the Commercial Register administered by the Regional Court in Ostrava, Section AXIV, File No. 150	
Contracting authority's profile:	https://verejnezakazky.vop.cz/
Person authorised to act on behalf of the contracting authority:	Ing. Marek Špok, PhD., company director
Contact person:	Ing. Klára Rašková, Department of Public Contracts
Telephone, fax, mobile:	+420 556 783 226
E-mail:	verejne.zakazky@vop.cz

VOP CZ, s.p. as a public contracting authority, within the meaning of the provisions of Section 4(1) letter e) of Act No. 134/2016 Sb. on awarding public contracts, as amended (hereinafter



the “Act”) hereby announces this over-limit public contract for deliveries of spare parts for PVO equipment..

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I. Classification of the subject of the public contract, estimated value

Classification of the subject of the public contract according to the Common Procurement Vocabulary codebook:.

Title of contract	CPV	Estimated value of the public contract in CZK excluding VAT
Spare parts for PVO equipment	35400000-8 Military vehicles and related parts	25,000,000

II. Definition of the subject of the public contract

The purpose of this award proceeding is conclusion of a framework agreement with multiple participants for the purpose of assuring spare parts for PVO equipment, valid from the date of the bilateral signature of the framework agreement (hereinafter the "Agreement") until 31 December 2019.

The subject of the public contract is delivery of spare parts corresponding to the manufacturer's technical documentation in compliance with the contracting authority's requirements for PVO equipment.

The financial volume in the contract documentation is only of an informative and general character.

For the reasons specified in the preceding sentence, the contracting authority does not undertake to purchase spare parts.

Applicants whose bid meets the requirements stipulated by the law and the contracting authority in this contract documentation, who demonstrate that they meet the qualification conditions, can become a party to the framework agreement. Individual public contracts on the basis of the concluded framework agreement will be awarded in compliance with Section 134 of the Act (see article V. of this contract documentation for more details). This concerns contracts without renewal of the tender – all information about the procedure for selection of a supplier are described in detail in this contract documentation and particularly in the framework agreement, which is Appendix No. 2 to the contract documentation.

III. Site and place of performance of the public contract

Time of performance of the public contract – this contract is concluded for a limited period valid from its signature by the contracting parties until 31 December 2019.



The site of performance of the subject of the public contract is: VOP CZ s.p., Dukelská 102, 742 42 Šenov u Nového Jičína.

IV. Request for explanation of the contract documentation

The bidder is entitled to request an explanation of the contract documents in relation to the award terms, only in writing, at least 5 business days before the deadline for submitting bids, sent to the following address: VOP CZ, s.p., Dukelská 102, 74242 Šenov u Nového Jičína, or electronically by e-mail to the address: verejne.zakazky@vop.cz. The contracting authority will not respond to requests that are delivered less than 5 business days before the deadline for submitting bids.

In relation to adherence to the principle of fair treatment of all bidders, an explanation of the contracting documentation cannot be provided by telephone.

The contracting authority will deliver the explanation concerning the contract documentation, or possibly the related documents, within 3 business days from the date of delivery of the bidder's request. The contracting authority will deliver the explanation of the contract documentation, including the precise wording of the request, simultaneously to all bidders who requested provision of the contract documentation or to whom the contract documentation was provided. The contracting authority simultaneously publishes the explanation of the contract documentation, including the precise wording of the request, on the site the documentation to the public contract is published.

The contracting authority may provide bidders with an explanation of the contract documentation even without receiving a prior request.

V. Requirements for the method of giving the bid price, terms for awarding public contracts on the basis of a framework agreement and the criteria for evaluating bids

The contracting authority determines the following requirements for the method of giving the bid price, within the scope of the award terms.

Bidders are required to give all prices in CZK excluding VAT, rounded up/down to two decimal points. In Appendix No. 1 to the framework agreement titled "Technical specifications and price list of spare parts" the bidder determines:

- the bid price in CZK excluding VAT per unit of measure, per item,
- the bid price in CZK excluding VAT for the total estimated annual quantity of individual items (will be calculated automatically).

The bid unit price will include all the bidder's costs related to performance of the public contract, including transport to the contracting authority's registered office – Šenov u Nového Jičína.

The bidder is not entitled to any compensation of costs incurred during performance of this public contract, apart from this price. The bid unit price in CZK excluding VAT is final and cannot be exceeded throughout the validity of the contract. **The bidder is not required to fill in the price of all the required spare parts, the bidder only fills in the price for those parts that it is capable of supplying under the requirements, quality and deadline set out in the technical specification.**

Any interference in the structure of the bid file (Technical specifications and price list, Appendix No. 1 to the Agreement) is considered failure to adhere to the contractual terms and is a reason to eliminate the bid and the bidder from the award proceeding. This interference is especially, but not exclusively, considered to mean removal of formulae, rows, columns, interference in the text, changes to the text, modification of the required quantity, etc.

Bids will be evaluated according to their economic advantageousness in compliance with Section 114 of the Act. **According to Section 114(2) of the Act, economic advantageousness will be evaluated according to a single criterion, the lowest bid price. Each item in the "Technical specification" will be evaluated separately.**

A framework agreement shall be concluded with all the bidders, whereas Appendix No. 1 to the agreement (Technical specifications and price list) is an integral part of the framework agreement, and will be the same as in the bid.

Actual performance shall take place by the contracting authority requesting delivery from the supplier with the lowest bid unit price in the event that there is a requirement for a specific part within the specified deadline in the technical specification. In the event that the contacted supplier is unable to supply the specific part within the required deadline, the contracting authority submits a request to the supplier with the next lowest bid unit price. The contracting authority continues in a similar manner until a supplier capable of making the delivery is contacted.

However, the contracting authority informs potential suppliers of the penalties (set out in Appendix No. 2 to the Agreement) if they are unable to deliver the offered part.

VI. Binding business terms and conditions

All business and payment terms and conditions are set out in the binding draft of the agreement, which is Appendix No. 2 to the contract documentation.

The bidder is required to accept the contracting authority's business terms and conditions defined in the binding draft of the Agreement without reservations. The bidder is not entitled to interfere in the wording of the binding draft of the Agreement in any manner (this does not apply to filling in data, which it is assumed it will provide). In the event that the bidder does not respect this condition, the bidder's bid will be eliminated and the bidder will be eliminated by the contracting authority for failure to adhere to the award terms defined in the contract documentation.

The bidder only fills in the missing data in the Agreement, which is highlighted in yellow. The bidder must not change the wording of any other provisions. At the same time the bidder appends Appendix No. 1 – Technical specifications and price list, where it gives the bid prices for items it is capable of supplying.

In compliance with the above-mentioned requirements, the bidder prints the completed Agreement and inserts it into the bid, including the appendices, with signature by the person authorised to act on behalf of the bidder.

The data given in the binding draft of the Agreement must correspond to the data given in the bidder's bid, from the aspect of content.

Before signing the Agreement, the suppliers submits:

- The identification data of all persons that are its actual owners according to the Act on some measures against legalisation of the proceeds of criminal activities and financing



of terrorism, together with the documents indicating the relationships between these persons and the supplier; these documents are particularly:

- an excerpt from the Commercial Register or similar records,
- list of shareholders,
- decision by the statutory body to pay out a share in the profits,
- memorandum of association, deed of foundation or articles of association.

VII. Conditions and requirements for executing the bid

The bid submitted by the bidder must contain:

- A completed bid cover sheet** (Appendix No. 1) – the bidder fills in the identification data, date and signature of the persons authorised to act on behalf of the bidder,
- Completed binding draft of the Agreement** (Appendix No. 2) including all its appendices, duly signed by the person authorised to act on behalf of the bidder, particularly including completed appendix No. 1 – Technical specifications and price list (this data will be subject to an evaluation, but the supplier only gives prices for the items it is capable of supplying).
- CD/DVD with the completed binding draft of the framework agreement** in electronic form (*.doc format) **including Appendix No. 1, i.e. the completed Technical specifications and price list** (*.xls format). The CD/DVD will bear the name of the bidder and its Registration Number.
- If an agent acts on behalf of the bidder on the basis of a power of attorney or actions are taken on the basis of authorisation, the original or certified copy of the valid power of attorney or authorisation must be submitted in the bid.

VIII. Requirement for provision of a guarantee

The contracting authority does not require provision of a guarantee pursuant to Section 41(1) of the Act.

IX. Method, time and deadline for submitting bids

The bid will be submitted in writing in a properly closed enveloped bearing the text **“DO NOT OPEN – AWARD PROCEEDING – Spare parts for PVO equipment”** and the bidder's address.

Written bids will be accepted at the contracting authority's registered address at VOP CZ, s.p., Dukelská 102, 742 42 Šenov u Nového Jičína. Personal delivery is only possible on business days from 7 a.m. to 2 p.m., by 1 p.m. on the last day of the deadline. In the event of personal delivery bidders receive confirmation of acceptance of the bid.

The deadline for submitting bids will be determined in the call to submit bids. The call to submit bids will be sent to bidders who submit a request for participation and proof of their qualifications, as determined in the request for participation and qualification documentation.

X. Opening of envelopes with bids

Envelopes with bids will be opened without undue delay after elapse of the deadline for submitting bids at the address: VOP CZ s.p., Dukelská 102, 742 42 Šenov u Nového Jičína.

As determined in the preceding article, the time will be determined in the call to submit bids itself.

Bidders whose bids were delivered to the contracting authority within the deadline for submitting bids, are entitled to attend the opening of the envelopes. In such cases the contracting authority may require that they confirm their attendance of the opening of the envelopes by signing the attendance sheet demonstrating attendance of bidders.

The contracting authority limits the number of persons who can attend the opening of the envelopes to 2 persons per bidder. The contracting authority determines that the bid validity period will be 100 days.

XI. The contracting authority's other conditions and rights

- The costs related to participation in the award proceeding are born by each participant.
- The contracting authority reserves the right to additionally modify or supplement the contracting documentation.
- The bidder's bid must be submitted in compliance with the provisions of this contracting documentation and in compliance with the provisions of the binding draft of the framework agreement.
- The contracting authority does not permit the option of electronic submission of the bid.
- The contracting authority reserves the right to verify the information given in the bid in regard to third parties and the bidder is required to provide all the necessary assistance in this regard.
- The contracting authority reserves the right to cancel the award proceeding in compliance with the valid legislation.

XII. Appendices to the contract documentation

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| Appendix No. 1 | Bid cover sheet - sample |
| Appendix No. 2 | Binding draft of the framework agreement + appendices |

In Šenov u Nového Jičína on 03 -07- 2017


Ing. Marek Špok, PhD.
company director
VOP CZ, s.p.
Dukelská 102
742 42 Šenov u Nového Jičína
CZ00000493
IČ: 050 00 493

VOP CZ, s. p., Šenov u Nového Jičína,
Dukelská 102, PSČ 742 42,
Czech Republic

tel.: +420 556 783 111
fax: +420 556 783 111
e-mail: vop@vop.cz

Reg No.: 000 00 493
Tax Reg No.: CZ 000 00
493
www.vop.cz

