



Customer:

Air Navigation Services of the Czech Republic, state enterprise (ANS CR)
with its registered address at Navigační 787, Jeneč 252 61, Czech Republic
Id. no.: 49710371

Additional Information No. 1 to Order Documentation – Public Contract

“Delivery of Aeronautical Fixed Telecommunication Network/ATS Message Handling System”

Ref. No. of the Public Contract - 377185

Pursuant to Section 49 (1) of Act no. 137/2006 Coll., on Public Contracts, as amended (hereinafter referred to as “the Act”), Air Navigation Services (ANS) of the Czech Republic, as a Customer of above mentioned public contract, received on 29th of May 2014 and on 3th of June 2014 a requests regarding additional information relating to Order Documentation.

Customer provides pursuant to Section 49 (2) of Act following answer to questions which was received 29th of May 2014:

Exact wording of the Question no 1:

General

Offer Submission

Please confirm that only 1 hardcopy (original) and 1 softcopy (certain parts of offer as specified) shall be delivered

Answers of the Customer to Question no 1:

The Tenderer shall submit its Offer in one printed version (hardcopy original) according to the article 11.4 of Order documentation and one copy of the offer in electronic form on a CD (softcopy) according to article 11.6 of Order documentation.

Exact wording of the Question no 2:

General

Qualification Documents

Due to the complexity of formal prerequisites please re-confirm the following facts:

- 1. Original Documents from German Authorities in German language must be accompanied by a certified translation in English or Czech.**
- 2. Original documents from German Authorities in English language are accepted as such.**
- 3. Documents from Czech Authorities in Czech language are accepted as such.**

Answers of the Customer to Question no 2:

- 1. Yes, original Documents from German Authorities issued in German language must be accompanied by a certified translation into English language or into Czech language.**
- 2. Yes, original documents from German Authorities issued in English language are accepted as such and need not be accompanied by a certified translation into Czech language.**
- 3. Yes, original documents from Czech Authorities issued in Czech language are accepted as such and need not be accompanied by a certified translation into English language.**

Exact wording of the Question no 3:

Article 4.1.3 - Economic & Financial Qualifications

Please further specify which information shall be included in our corresponding solemn declaration. We assume that financial data (turnover last 3 years) is required. Does ANS require further evidence on that?

Does ANS require evidence on insurance coverage?



Answers of the Customer to Question no 3:

The Tenderer shall prove according to Section 50 paragraph 1 (c) of the Act that. The economic and financial qualification requirements by submitting a solemn declaration on its economic and financial capacity to perform a public tender. Solemn declaration has to be signed by a person authorized to act on behalf of the Tenderer.

Wording of solemn declaration shall be exactly according to the Act. It means, that Tenderer will honestly declare that "company XY" has economic and financial capacity to perform a public contract called "Delivery of Aeronautical Fixed Telecommunication Network/ATS Message Handling System" published in TED under No. 2014/S 099-172725. Customer does not require further evidence on Economic & Financial Qualifications so turnover and evidence on insurance coverage are not requested by the customer.

Exact wording of the Question no 4:

Article 11.1 - Packing & Sealing of Offer

We do not understand the requirement "sealed envelope with the stamp of signature of the Tenderer's authorised person on the seals....."

We assume this is a translation error. Please confirm that the company stamp on the outer labels (seals) of the dispatch box is acceptable.

Answers of the Customer to Question no 4:

It is a wording error. In the light of the above mentioned information the Customer provides the new correct wording of the article 11.1 of the Order documentation as follows: "sealed envelope the stamp **or** signature of Tenderer's authorised person on the seals....." Nevertheless customer confirm that the company stamp on the outer labels (seals) of the dispatch box is acceptable (one of possibilities).

Exact wording of the Question no 5:

Article 11.6 - a) Initial parts of the offer and attachments in PDF

What is meant by that?

Please refer to the respective paragraph in the Order Documentation, where such documents are listed.

Shall e.g. the contracts be delivered in PDF format?

Answers of the Customer to Question no 5:

By Initial parts it is mentioned every part of offer (according to article 11. 8 of Order documentation) excluding documents proving the Tender's qualifications (according to article 11.8 b) of Order documentation) and documents pursuant to 11. 6. b) which should be submitted in MS Office Word and MS Office Excel format.

Exact wording of the Question no 6:

Please confirm that the electronic files may be delivered in MS Office Word 2010 (.docx) and Excel 2010 (.xlsx) format.

Answers of the Customer to Question no 6:

Electronic files may be delivered in MS Office Word and Excel format of any version, so above mentioned version 2010 (.docx), (.xlsx) are also accepted.

Customer provides pursuant to Section 49 (2) of Act following answer to questions which was received 3th of June 2014:

Exact wording of the Question no 7:

In Section 4.1.1 of the Order Documentation, ANS requested the following documents:

Proof of the basic qualification requirements:

The Tenderer shall prove the fulfilment of basic qualifications prerequisites pursuant to § 53(1) by furnishing:

- a copy of an extract from the Penal Register for legal person and as well as for each member of the statutory body of legal person. [§ 53(1)(a) and § 53(1)(b)], issued in the Czech republic and in the country of registered office, place of business or residence of the Customer.



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- a statement of relevant Tax Authority, and a solemn declaration as regards the excise tax [§ 53(1)(f)], issued in the Czech republic and in the country of registered office, place of business or residence of the Customer.
- a statement of relevant authority or institution for social security insurance and contribution to the state employment policy [§ 53(1)(h)], issued in the Czech republic and in the country of registered office, place of business or residence of the Customer.
- a solemn declaration [§ 53(1)(c) through § 53(1)(e) and § 53(1)(g), §53(1)(i), § 53(1)(j) and § 53(1)(k)].

Since our company is not registered in the Czech Republic, it is not possible to receive statements from the tax authority and local institutions about excise taxes and social security insurance in the Czech Republic. These documents can only be obtained in the country where our company is registered. Please confirm that this is acceptable.

Answers of the Customer to Question no 7:

Particular documents which you mentioned are generally required by Czech Act on Public Procurement and must be submitted by the tenderer in his offer. Extracts from the Penal Register, extracts from the tax authority and local institutions about excise taxes and social security insurance in the Czech Republic are issued for any companies that requests, so it is also issued to companies which are not registered in the Czech Republic.

The tenderer shall be obligated to submit these evidences to proof of the basic qualification requirements:

- 1) **an extract from the Penal Register** which demonstrates a criminal integrity of the tenderer (corresponding to § 53/1 a) and b) of the Act)
 - this conditions involves the legal person itself, as well as the statutory body or each member of statutory body and where a legal person acts as a statutory body or a member of the statutory body of a tenderer, this prerequisite shall be met by this legal person, by the statutory body or by each member of the statutory body of such a legal person
 - this basic qualifications prerequisite shall be met by the tenderer **both in relation to the territory of the Czech Republic and to the country of registered office, place of business or residence;**
 - the fulfillment of this prerequisite in relation to the Czech Republic can be obtained here:

Rejstřík trestů

Address: Soudní 1 14066 Prague 4, Czech Republic

<http://portal.justice.cz/justice2/Soud/soud.aspx?o=203&j=213&k=2027>

Contact places called Czech POINT (municipal and city offices, post offices).

Addresses and office hours you can find here: <http://www.czechpoint.cz/>.

Abroad, the embassies of the Czech Republic.

For more details see the website of the Ministry of Foreign Affairs: <http://www.mzv.cz>.

- 2) **a statement of relevant Tax Authority** (corresponding to § 53/1 f) of the Act)
 - which demonstrates that there is no outstanding tax arrears in tax records
 - this basic qualifications prerequisite shall be met by the tenderer **both in relation to the territory of the Czech Republic and to the country of registered office, place of business or residence;**
 - the fulfillment of this prerequisite in relation to the Czech Republic can be obtained here:
 - Finanční úřad pro Prahu 1**
 - Address: Štěpánská 28, 112 33 Prague 1, Czech Republic
 - written application signed by competent person must be submitted with information to where/or whom the issued statement shall be send or given to.

a solemn declaration that there is no outstanding excise tax in relation to the territory of the Czech Republic and to the country of registered office, place of business or residence
- 3) **a statement of relevant authority or institution for demonstrating of fulfillment of qualifications requirements** that there is no outstanding arrears in respect of payments and penalties of the social



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security insurance and contribution to the State employment policy (corresponding to § 53/1 h) of the Act)

- this basic qualifications prerequisite shall be met by the tenderer **both in relation to the territory of the Czech Republic and to the country of registered office, place of business or residence thereof**
 - the fulfillment of this prerequisite in relation to the Czech Republic can be obtained here:
Pražská správa sociálního zabezpečení, územní pracoviště pro Prahu 8
Address: Trojská 1997/13a, 182 00 Prague 8, Czech Republic
URL: <http://www.cssz.cz/cz/kontakty/krajaska-a-okresni-pracoviste/praha/prazska-sprava-socialniho-zabezpeceni.htm>
 - tenderer must submit a written application signed by competent person with information to where/or whom the issued statement shall be send or given to.
- 4) a **solemn declaration** of the tenderer for demonstrating of fulfillment of following qualifications requirements:
- [§ 53(1)(c) through § 53(1)(e) and § 53(1)(g), §53(1)(i), § 53(1)(j) and § 53(1)(k)].

Exact wording of the Question no 8:

Section 4.1.4 requires the following information:

Proof of the technical qualification requirements:

The Tenderer shall prove that it meets the technical qualification requirements by submitting:

- under a) according to Section 56 paragraph 1 (a) of the Act - a list of major orders with corresponding certificates issued or signed by a public or private Customer, or the contract with another person and evidence of the effected performance by the Tenderer, that the orders were duly provided, proving that: the Tenderer in the last past 3 years finalized:

Delivery and installation of AMHS/AFTN system according to following document:

- EUROCONTROL Specification on the Air Traffic Services Message Handling System(AMHS)

Edition 2.0

Edition date: 18/09/2009

Reference nr: EUROCONTROL-SPEC-136

ISBN: 978-2-87497-037-5

The major orders shall be indicated with:

place of the installation,

their extent,

the time of performance,

completion of Site Acceptance Tests (SAT) after installation.

What information are you requesting for “their extend”? The Scope of Works?

What information are you requesting for the “time of performance? The implementation schedule?

Answers of the Customer to Question no 8:

„their extend“ means information from which is clear to the customer that subject of the supply was delivery and installation of AMHS/AFTN system.

- description of the scope of the AMHS part of the system according to document specified by the customer,

- description of the scope of the AFTN part of the system

It could be proved by The Scope of Works as well if it contains information required by customer.

“time of performance” means information about date of successful SAT execution (Site acceptance test).

Exact wording of the Question no 9:

In the Appendix 4- Price Breakdown, under section B- Software, it is mentioned

The total price for the Hardware is calculated as follows: [B1] + [B2] + [B3] + [B4] + [B5]

The word “hardware” should be replaced by the word “software”

The same comment applies for section C- Project Management



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Answers of the Customer to Question no 9:

In the light of the above mentioned information the Customer provides the new valid correct wording of "Appendix 4- Price Breakdown_version_2" as attachment 1 to this Additional information.

Customer replaces word "Hardware" to "Software" under section B - Software.

| *Actual wording section B – Software: "The total price for the ~~Hardware~~ Software is calculated as follows: [B1] + [B2] + [B3] + [B4] + [B5]"*

Customer replaces word "Hardware" to "project management" under section C - Project management.

| *Actual wording section C – Project management: "The total price for the ~~Hardware~~ Project management is calculated as follows: [B1] + [B2] + [B3] + [B4] + [B5]"*

List of attachments:

1. Attachment 1 to Additional information - "Appendix 4- Price Breakdown_version_2"