
**CONTRACT AWARD DOCUMENTATION
TO PUBLIC CONTRACT
*FULL-WAVEFORM AERIAL LASER SCANNER***

I. CONTRACT AWARDING AUTHORITY

| | |
|-------------------|--|
| Name | Ústav výzkumu globální změny AV ČR, v. v. i. (Global Change Research Institute CAS) |
| Registered office | Bělidla 986/4a, 603 00 Brno, Czech Republic |
| Comp. ID No (IČO) | 86652079 |
| Contact person | Mgr. Michal Minařík, minarik.m@czechglobe.cz , +420 511 192 220 |

II. PUBLIC CONTRACT

| | |
|-------------------------------|--|
| Subject matter of contract | Delivery, installation and verification of the correct installation of full-waveform laser scanner installed in the aircraft of the contract awarding authority of the type Cessna GrandCaravan 208B, including training of the scanner operators and its servicing. |
| Contract classification (CPV) | 38296000-6 – Surveying tools |
| Contract URL | https://zakazky.czechglobe.cz/vz00000203 |
| Type of public contract | For delivery |
| Type of tender | Over-limit open tendering |
| Estimated value | CZK 16,500,000 excl. VAT |
| Sources of financing | Operational Programme Research, Development and Education National Sustainability Programme |

III. BASIC CONDITIONS

| | | |
|-------------------------|--|------------|
| Fulfilment commencement | Immediately after the contract is signed | |
| Fulfilment completion | Scanner delivery and installation | 20/12/2016 |

| | | |
|----------------------|--|-------------------------|
| | Installation and training verification | 3 months after handover |
| Place of fulfilment | Brno, Czech Republic | |
| Business terms | They are enclosed to this contract award documentation as part of the text of the contract | |
| Technical conditions | They are enclosed to this contract award documentation as part of the text of the contract | |

IV. QUALIFICATION

The bidder is obliged to fulfil the following qualification requirements:

1. Basic qualification requirements

The bidder is obliged to fulfil the basic qualification requirements according to the provisions of section 53 (1) of Act No 137/2006 Coll. on public contracts, as amended (hereinafter referred to as the Act):

Basic qualification requirements are fulfilled by a bidder who

a) has not been sentenced legitimately for a criminal offence committed in favour of an organised criminal gang, a criminal offence of participation in an organised criminal gang, legalisation of income from criminal activities, participation, acceptance of a bribe, bribing, indirect bribing, fraud, credit fraud, including the cases of preparation or attempt or participation in such a criminal offence or when the sentence for committing of such a criminal offence has been effaced; if it is a legal entity, this requirement must be met both by this legal entity and its statutory body or every member of the statutory body, and if the statutory body of the supplier or a member of the statutory body of the supplier is a legal entity, this requirement must be met by both this legal entity and its statutory body or every member of the statutory body of this legal entity; if a bid or application for participation is submitted by a foreign legal entity through its organisation unit, the requirement pursuant to this letter must be met, besides the above specified persons, also by the head of this organisation unit; this basic qualification requirement must be fulfilled by the supplier both in relation to the territory of the Czech Republic as well as to the country of its registered office, place of business or permanent address,

b) has not been sentenced legitimately for the criminal offence the state of facts of which is connected with the sphere of business of the supplier according to special legal regulations or the sentence for committing of such a criminal offence has been effaced; if it is a legal entity, this requirement must be met both by this legal entity and its statutory body or every member of the statutory body, and if the statutory body of the supplier or a member of the statutory body of the supplier is a legal entity, this requirement must be met by both this legal entity and its statutory body or every member of the statutory body of this legal entity; if a bid or application for participation is submitted by a foreign legal entity through its organisation unit, the requirement pursuant to this letter must be met, besides the above specified persons, also by the head of this organisation unit; this basic qualification requirement must be fulfilled by the supplier both in relation to the territory of the Czech Republic as well as to the country of its registered office, place of business or permanent address,

c) has not fulfilled the state of facts of unfair competition in the form of bribing according to special legal regulation ⁴⁰⁾ in the past 3 years,

d) has not had any bankruptcy proceedings conducted against its assets in the past 3 years within which a decision would be made about bankruptcy or insolvency proposal was not rejected due to the fact that the assets are not sufficient to cover the costs of the bankruptcy

proceedings or the bankruptcy proceedings were cancelled due to the fact that the assets were absolutely insufficient ⁴¹⁾ or forced administration has been introduced according to special legal regulations,

e) is not in liquidation,

f) does not have any tax arrears recorded in the tax records, both in the Czech Republic and in the country of the registered office, place of business or permanent address of the supplier,

g) does not have any arrears of insurance premium and penalties of health insurance, both in the Czech Republic and in the country of the registered office, place of business or permanent address of the supplier,

h) does not have any arrears of insurance premium and penalties of social health insurance, both in the Czech Republic and in the country of the registered office, place of business or permanent address of the supplier,

i) has not been given legitimate disciplinary punishment in the past 3 years or a disciplinary measure according to special legal regulations, if pursuant to section 54 (d) it is required to prove professional qualification according to special legal regulations; if the supplier performs this activity by means of a responsible representative or another person in charge of the activity of the supplier, this requirement also relates to these persons,

j) is not in the register of persons banned from fulfilment of public contracts and

k) has not been fined legitimately in the past 3 years for enabling illegal work pursuant to the special legal regulations ⁷⁷⁾,

l) has not had temporary administration introduced against in the past 3 years or a measure applied to solve a crisis pursuant to the act stipulating stabilisation procedures and solving of crisis in the financial market within the past 3 years.

A bidder will prove fulfilment of the basic qualification requirements pursuant to the provisions of section 53 (3) of the Act by submitting

a) Extract from Criminal records [letter (a) and (b)],

b) Certificate from the competent revenue office and a statutory declaration as regards the excise tax [paragraph 1 (f)],

c) Certificate from the competent body or institution [paragraph 1 (h)],

d) Statutory declaration [paragraph 1 (c) to (e) and (g), (i) to (l)].

2. Professional qualification requirements

Pursuant to the provisions of section 54 (a) and (b), the Bidder is obliged to fulfil the qualification requirements by submitting:

a) Extract from the commercial register if the bidder is recorded in it, or extract from another similar register if the bidder is recorded in it,

b) Certificate of business authorisation pursuant to special legal regulations in the extent corresponding to the subject matter of the public contract, i.e. a document proving existence of the relevant trade certificate.

3. Economic and financial capability

Pursuant to section 50 (1) (c) of the Act, the bidder is obliged to submit a statutory declaration of its economic and financial capability to fulfil the public contract.

4. Technical qualification requirements

Pursuant to section 56 (1) (a) of the Act, the bidder is obliged to submit:

a) A list of significant supplies implemented by the supplier within the past 3 years with specification of their extent and time of fulfilment; the following must be enclosed to this list:

1. *Certificate issued or signed by the contract awarding authority if the goods were delivered to the contract awarding authority,*
2. *Certificate issued by another entity if the goods were delivered to an entity other than the contract awarding authority, or*
3. *Contract concluded with another entity and evidence of fulfilment by the supplier if it is not possible to obtain the certificate pursuant to clause 2 from this entity due to the reasons it is responsible for,*

The list will be signed by a person authorised to act on behalf of the bidder.

Minimum level:

At least one significant supply with the financial extent of minimum CZK 10,000,000 excl. VAT the subject matter of which is delivery and installation of an aerial sensor

Evidence of qualification

In the extent in which the recorded data cover the requirements of the contract awarding authority, documents can be replaced with extract from a list of qualified suppliers (mainly section 127 of the Act) or a certification from the system of certified suppliers (mainly section 134 of the Act).

The bidder is entitled to prove fulfilment of the qualification requirement by means of a subcontractor, in the way specified in section 51 (4) of the Act.

A public contract can be fulfilled by more suppliers at the same time. In such a case the suppliers will submit a joint bid pursuant to section 51 (5) and (6) of the Act.

Foreign supplier

Unless a special legal regulation shows otherwise, a foreign supplier proved meeting of the qualification in the way pursuant to the legal regulations valid in the country of its registered office, place of business or permanent address, in the extent required by this law and contract awarding authority. If according to the legal regulations valid in the country of the registered office, place of business or permanent address of a foreign supplier a certain document is not issued, the foreign supplier is obliged to prove fulfilment of this part of qualification by means of a statutory declaration. If a duty the fulfilment of which is to be proved within the scope of the qualification is not determined in the country of the registered office, place of business or permanent address of the foreign supplier, the foreign supplier will make a statutory declaration concerning this fact. Documents proving that the qualification has been met are submitted by the foreign supplier in the original language with the enclosed officially verified translation into Czech language or Slovak language or English language if they are not prepared in the specified languages; this also applies in case the qualification fulfilment is proved with documents in other than Czech language by a supplier with the registered office, place of business or permanent address in the territory of the Czech Republic.

Instead of some of the documents specified above, a foreign supplier may submit extract from a foreign list of suppliers pursuant to section 143 of the Act.

Requirements for authenticity and age of documents

Unless specified otherwise by law, the supplier submits copies of the documents proving fulfilment of qualification. If the contract awarding authority requires submitting of originals or verified copies proving fulfilment of qualification before the contract is concluded, the bidder with whom the contract is to be concluded pursuant to section 82 is obliged to submit them.

Documents proving fulfilment of the basic qualification requirements and extract from the commercial register may not be older than 90 days as of the day on which the bid is submitted.

V. ASSESSMENT

| Assessment criterion | Economic advantage of the bid | Weight |
|-------------------------------|---|--------|
| 1 st sub-criterion | Bid price | 90 % |
| 2 nd sub-criterion | Ensuring of servicing in the duty-free zone | 5 % |
| 3 rd sub-criterion | Integration of the existing SW POSPack | 2 % |
| 4 th sub-criterion | Duration of guarantee for quality | 3 % |

1. Bid price

A bid price in EUR excl. VAT for the whole fulfilment specified in the draft contract will be assessed.

$$\text{Number of points per the criterion} = \frac{\text{The most advantageous bid}}{\text{Assessed bid}} * 90 \text{ points}$$

2. Ensuring servicing in the duty-free zone

The fact whether the bid includes an obligation of the bidder to ensure guarantee and after guarantee servicing in the duty-free zone in relation to the registered office of the contract awarding authority. The obligation to ensure guarantee and after guarantee servicing will be part of the bid if specified in the provisions of article VI par. 3 of the draft contract. If the bid includes the specified obligation, the bid will obtain 5 points; otherwise it will be 0 points in this sub-criterion.

3. Integration of the existing SW POSPac MMS

Offer of ensuring of functional integration of SW POSPac MMS in the subject matter of purchase will be assessed. The obligation to ensure integration of the existing SW POSPac MMS will be part of the bid if specified in the provisions of Annex No 3 paragraph 10 of the draft contract. If the bid includes the specified obligation, the bid will obtain 2 points, otherwise it will get 0 points in this sub-criterion.

4. Duration of guarantee for quality

The duration of the guarantee for quality specified in the draft contract will be assessed.

$$\text{Number of points for the criterion} = \frac{\text{Assessed bid} - 12 \text{ months}}{\text{The most advantageous bid} - 12 \text{ months}} * 3 \text{ points}$$

If the bidder offers a value higher than 24 months, the contract awarding authority will accept the bid but for the purpose of assessment, the value of 24 months will be used for this bid.

The final value of the bid in points will be sum of the above specified valued. The most advantageous bid is the bid with the highest number of points.

VI. DRAFT CONTRACT

The draft contract must be signed by a person authorised to act on behalf of the bidder.

Full-waveform aerial laser scanner

The draft contract will be prepared on the basis of the text of the contract which is enclosed to this contract award documentation. When preparing a draft contract, the bidder is not entitled to change the text of the contract, except for the following cases:

1. Identification of the bidder and persons authorised to act on behalf of the bidder (introduction and conclusion of the contract, provision IX par. 2 of the draft contract).
2. Specification of the bid price amount in EUR excl. VAT (provision IV par. 1 of the draft contract).
3. Specification of the duration of guarantee for quality (article VI par. 2 of the draft contract); minimum guarantee period duration accepted by the contract awarding authority is 12 months.
4. Selecting a variant condition in article VI par. 3 of the draft contract, (non-)determining the obligation to ensure provision of guarantee and post guarantee service in the duty-free zone in relation to the registered office of the contract awarding authority.
5. Specification of the manufacturer and factory marking of the offered sensor in Annex No 3 of the text of the contract.
6. Selecting a variant condition in Annex No 3 par. 10 of the draft contract, (non-)determining the obligation to integrate the POSpacMMS software.
7. The bidder may offer conditions which are more suitable for the contract awarding authority (e.g. amount of contractual penalty etc.)

VII. CONTENT OF THE BID

The bid must include at least the following:

1. Identification data of the bidder (name, registered office, identification number).
2. Document proving that the qualification requirements have been met.
3. A list of the statutory bodies or members of the statutory bodies which have been in the employment, functional or similar relationship with the contract awarding authority in the past 3 years counted from the deadline for bid submitting.
4. If a bidder is in the form of a joint-stock company, a list of the owners of the shares the total nominal value of which exceeds 10 % of the registered capital prepared within the deadline for submitting bids.
5. Declaration from the bidder concerning the fact that in connection with the awarded public contract, the bidder has not concluded and will not conclude a forbidden agreement pursuant to Act No 143/2001 Coll. on the protection of economic competition, as amended.
6. Draft contract signed by a person authorised to act on behalf of the bidder.
7. Documents proving authorisation of the person who signed the draft contract that this person is authorised to do so.

VIII. SUBMITTING A BID

Deadline 25/08/2016, 10:00

Place Registered office of the contract awarding authority

Way Bids are submitted in writing, either in paper or electronic form.

Submitting a bid in paper form

Full-waveform aerial laser scanner

By mail or in person on workdays between 8:00 and 14:30 to the secretariat of the director of the contract awarding authority or to Bc. Nikola Audesová, David Schüch or Mgr. Michal Minařík.

The bidder is obliged to submit the bid in paper form in a sealed envelope; marked as follows:

- a)Text: DO NOT OPEN.
- b)Name of the public contract.
- c)Name of the bidder.
- d)Address to which it is possible to send a notification that the bid was submitted after the deadline for submitting bids or possible notification to the bidder concerning the fact that only one bid was submitted within the deadline.

The contract awarding authority recommends stapling the individual sheets of the bid together so that they could not be tampered with.

Submitting a bid in the electronic form

To the address <https://zakazky.czechglobe.cz/vz00000203> by means of an electronic tool of the contract awarding authority, while:

- a)The size of none of the bid files may not exceed 25 MB.
- b)Documents which are to be signed by a person authorised to act on behalf of the supplier or in its name (mainly a draft contract and statutory declarations) have to be signed with a secured electronic signature.
- c)The bid files must be submitted in generally used formats (*.pdf; *.jpg, *.png, *.rtf formats of Microsoft Office (Word, Excel) or Open Office).

For the tool functionality, it is necessary to use a browser supporting JavaScript, enable JavaScript and permit saving of Cookies. For working with the electronic signature which is used for sending messages and electronic bids, it is necessary to install and permit Sun (Oracle) Java, minimum version 1.6. More information concerning use of the electronic tool is available in the profile of the contract awarding authority, at URL <https://zakazky.czechglobe.cz/data/manual/EZAK-Manual-Dodavatele.pdf>.

IX. OPENING ENVELOPES WITH BIDS

Deadline 25/08/2016, 10:00

Place Registered office of the contract awarding authority

X. OTHER CONDITIONS

1. The contract awarding authority determines the contract award period of 180 days.
2. Bids included variants are not permitted.
3. The contract awarding authority only accepts bids in Czech, Slovak or English language.
4. In case of discrepancy between Czech and English versions of the contract award documentation or text of the contract has always prefer Czech version.
5. The contract awarding authority reserves the right not to conclude a contract with any of the participants, refuse all the bids and cancel the tender. .
6. The contract awarding authority reserves the right to change, add or specify the contract award conditions during the period for bidding.

XI. ANNEX

Text of the contract

Brno, on 01/07/2016

prof. RNDr. Ing. Michal V. Marek, DrSc., dr. h. c.

Director

Ústav výzkumu globální změny AV ČR, v. v. i.

(Global Change Research Institute CAS)