



EVROPSKÁ UNIE  
EVROPSKÝ RYBÁŘSKÝ FOND  
INVESTOVÁNÍ DO UDRŽITELNÉHO  
RYBOLOVU

**WRITTEN INVITATION INCL. TENDER DOCUMENTATION**  
**for small-scale public contract awarded in the award procedure according**  
**to the section 18 (5) Act No. 137/2006 Coll., on Public Contracts, as**  
**amended (hereinafter referred to as the "Act")**

Contract name	<b>Lineal washer machine</b>
Contract type	supplies

**ČÁST I**  
**IDENTIFIKAČNÍ ÚDAJE ZADAVATELE**

Contracting entity's name	KIMBEX, s.r.o.
Contracting entity's registered office	Šalounova 326/40, Vítkovice, 703 00 Ostrava
Contracting entity's ID No.	19010494
Contracting entity's presentation	<a href="https://www.profilzadavatele.cz/profil-zadavatele/KIMBEX--s-r-o-_2654/">https://www.profilzadavatele.cz/profil-zadavatele/KIMBEX--s-r-o-_2654/</a>
Person authorized to act on behalf of the contracting entity	IVO KUBIŠ

Represented based on power of attorney

Authorized representative	Dobrá zakázka s. r. o.
Authorized representative's address	Hlubinská 1378/36, 702 00 Moravská Ostrava
Contracting entity's ID No.	286 31 595
Electronic address	<a href="mailto:info@dobrazakazka.cz">info@dobrazakazka.cz</a>
URL	<a href="http://www.dobrazakazka.cz">http://www.dobrazakazka.cz</a>
Telephone number	+ 420 774 883 284

**PART II**  
**SPECIFICATION OF THE SUBJECT OF THE CONTRACT**

The subject-matter of the contract is a supply of complete lineal washer and dryer machine with all necessary equipment.

The minimum requirements for the System:

- manufactured in stainless steel
- For containers:
  - max. diameter – 99 mm, max. height 120 mm, max. weight – 900 g
  - min. diameter – 72 mm, min. height 105 mm, min. weight – 400 g
- Capacity – min. 300 to 500 containers/hour
- dryer must ensure drying of containers without leaving visible drops

The subject of the delivery is also a technical documentation, agreement declaration and facility revision. All documents and parts necessary for working in the Czech Republic must be delivered with the facility.

The Technical Specifications contain the minimum requirements for the System. Failure to meet the minimum level of one of the parameters shall be a reason for elimination of the tender.

Delivery period must not exceed 60 days from the day of operation of contract.

The place of fulfilment of the contract is contracting entity's registered office

The expected value of the public contract is 19 000 EUR without VAT.

### **PART III**

#### **ADDITIONAL INFORMATION TO THE TERMS OF REFERENCE**

The Supplier is entitled to require from the order party additional information to the Terms of reference in writing. The request has to be sent till 5 working days before a date of submission of the offer.

The order party will deliver additional information to the Terms of reference, or related documents, at the latest in 3 working days from the day of receipt of the supplier's request. The order party will deliver this additional information, including precise wording of the request, simultaneously to all suppliers, who requested the Terms of reference, or to whom the Terms of reference was submitted.

The order party may provide to the suppliers additional information to the Terms of reference also without their previous request. Preceding paragraphs are used in the similar way.

The supplier will deliver his request for additional information to the address of the authorised agent, given in the Part I. The order party recommends sending this request preferably electronically with certified electronic signature.

### **PART IV**

#### **TERMS OF TRADE, INCLUDING PAYMENT TERMS**

##### **The minimum requirements for terms of trade:**

Contracting parties.

Subject-matter of the Contract

Paymant terms:

Advance payments will be till 30 % of the price by invoice performed by the supplier after operation of the contract. The rest will be paid after delivered to the place. Payment of the purchase price shall be performed based on an invoice issued by the supplier.

Maturity date for payment of the invoice is 30 calendar days from the date of its delivery to the buyer. The obligation to pay the price is met on the day when the amounts were debited from the buyer's account.

The seller provides the buyer on the performance of the contract a quality guarantee lasting not less than 24 months.

The contracting parties have agreed that if there is not any proof of the fact that a document sent to the other contracting party based on this Contract was delivered to the addressee, the delivery day shall be the 15th day after demonstrable sending of the document to the registered office address of the contracting party recorded in the Commercial Register or another publicly accessible register, unless demonstrated otherwise.

### **PART V**

#### **CONDITIONS, UNDER WHICH IT IS POSSIBLE TO EXCEED THE OFFERING PRICE**

The offer price must not be exceeded.

### **PART VI**

#### **REQUIREMENTS FOR VARIANTS**

The order party does not allow variant solutions.

## **PART VII**

### **REQUIREMENTS TO THE MANNER OF SPECIFICATION OF THE OFFERING PRICE**

The applicant will specify the offering price for realisation of the whole contract together with detailed price calculation, which will make part of the draft of the Purchase contract.

The offering price will be specified in EUR in this itemisation: offering price without VAT, VAT as such (VAT rates 15 % and 21 %) and total offering price, including VAT.

Total offering price in this itemisation will be given in the Cover note of the. The offering price will be specified in accordance with the announcement of start of the tendering process, Terms of reference or with other documentation containing specification of the subject of contract.

The offering price will be determined as the "maximum admissible" price, and it must contain all the costs connected with complete realisation of the subject of contract.

If the applicant grants a discount to the order party, this discount must be included in individual items (it is inadmissible to grant it just as one item, which reduces the offering price). All the items of the subject of contract must be priced.

## **PART VIII**

### **CONDITIONS AND REQUIREMENTS TO PRESENTATION OF THE OFFER**

The supplier will give in his offer its identification data, specifically – title of trading company, residence/place of business/domicile, name of the person authorised to act on behalf of the supplier, Company ID, Tax Id, telephone, fax, e-mail (for communication in the course of placing the public contract) and URL address – see the Annex No. 3 to these Terms of reference.

The supplier will submit in his offer a draft of the contract signed by the person authorised to act on behalf of the applicant. If the draft of the contract is signed by an authorised agent, the offer must contain also the relevant proxy. Non-signed draft of the contract is in the sense of the Act a non-signed offer and it is therefore legally not effective. The offer, which will contain a non-signed draft of the contract, will be excluded on the basis of non-fulfilment of the Terms of reference. Written draft of the contract must accept the Terms of reference or other documents specifying the subject of contract. Written draft of the contract must fully accept the text of Terms of trade and it is not allowed to depart from them. If it be to the contrary, the order party reserves the right to act in accordance with the § 76 par. 1 of the Act. The data given in the draft of the contract may not differ from the data given in another part of the applicant's offer. In case of contradictions the decisive document is always the written draft of the contract.

The offer will be submitted in Czech or English language in two copies: in one original and in one copy in a written form, marked as „ORIGINAL OF THE OFFER" and „COPY OF THE OFFER". In case of contradictions between the original and copy of the offer, the decisive document is original of the offer. The documents and papers submitted in another language than Czech or English or origin language, must be accompanied by their officially confirmed translation into Czech or English language, with the exception of documents submitted in accordance with the § 51 par. 7 of the Act. The documents of qualification pre-requisites could be submitted in origin language.

The tender documentation is a part of this written invitation.

The applicant will submit in his offer a draft of the contract and his offer in electronic version (on CD-R in formats \*.doc, \*.odt or \*.rtf, \*.ods or \*.pdf). **In case of contradictions between printed and electronic version of the draft of contract, the decisive document is the written form of the draft of contract.**

Offer of the applicant must not contain any overwritings of corrections, which might mislead the order party. The order party recommends to secure the applicant's offer in a manner, which prevents any manipulation with individual sheets.

The order party recommends to number all the sheets of the offer, including the Annexes by ascending numbering, and to give on the last sheet and undersigned declaration specifying total number of sheets if the offer.

## **PART IX SUBMISSION OF THE OFFER**

The supplier may submit only one offer.

The supplier who presented his offer in tendering process, may not be at the same time a sub-supplier, through whom another supplier proves his qualification within the same tendering process. The cover note of the offer will comprise an applicant's declaration that he is not a sub-supplier, through whom another supplier proves his qualification within the same tendering process.

Should the supplier submit several offers individually or together with other suppliers, or if he is a sub-supplier through whom another supplier proves his qualification within the same tendering process, the order party will exclude all the offers submitted by such a supplier.

By joint offer is understood an offer submitted jointly by several suppliers under conditions specified in § 51 par. 6 of the Act. In such case the suppliers submitting the joint offer are considered as one applicant.

Date for submission of the offer: on 23rd February 2015 at 10:00 hours at the latest

Place of submission of the offer: Dobrá zakázka s. r. o.

Hlubinská 1378/36  
702 00 Ostrava, Czech republic

Personal delivery is possible subject to previous arrangement (with advance of 2 working days at least) to the authorized representative .

Manner of submission of the offer: In sealed protected envelope delivered to the above mentioned place of submission of the offer. The envelope will be marked with a sticker:

Contract <b>Lineal washer machine</b> DO NOT OPEN
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The top left corner of the envelope will contain designation of the applicant and an address for possible sending the announcement about late delivery of the offer.

## **PART X PROOF OF QUALIFICATIONS PRE-REQUISITES**

**Basic qualification pre-requisites are fulfilled by the applicant:**

- a) who was not legitimately sentenced for a crime committed for the benefit of an organized crime groupe, of a criminal offence of participation in an organized crime group, legalisation of proceeds of criminal activity, accessoryship, taking bribes, bribery, indirect corruption, fraud, loan fraud, including the cases where they involve preparation for and attempts of complicity in such a criminal offence, or if the conviction on committing such a criminal offence has been expunged; this prerequisite shall be met in the case of a legal person by both such a legal person as well as the statutory body thereof or by each member of the statutory body, and where a legal person acts as a statutory body or a member of the statutory body of an economic operator, this prerequisite shall be met by the statutory body

or by each member of the statutory body of such a legal person; the supplier must fulfil this basic qualification pre-requisite both in relation to the territory of Czech Republic, and also in respect to the country of his residence, place of business or domicile (§ 53 par. 1 letter a) of the Act),

- b) who was not legitimately sentenced for a crime, the facts of which are related to the supplier's line of business in accordance with special legal regulations, or when sentence for such crime was expunged; in case of legal entity, this pre-requisite must be fulfilled by the statutory body or by each member of the statutory body, and if legal entity is a statutory body of the supplier or it is a member of the statutory body, this pre-requisite must be fulfilled by the statutory body or by each member of the statutory body of this legal entity; if the application or request for participation is submitted by a foreign legal entity through its branch, the pre-requisite of this letter must be fulfilled apart from the mentioned persons also by the manager of this branch; the supplier must fulfil this basic qualification pre-requisite both in relation to the territory of Czech Republic, and also in respect to the country of his residence, place of business or domicile (§ 53 par. 1 letter b) of the Act),
- c) who during last 3 years did not fulfil the state of facts of unfair competition by bribing in accordance with special legal regulation (§ 53 par. 1 letter c) of the Act),
- d) in respect to whose property during last 3 years no insolvency procedures took place, in which a decision on bankruptcy was issued or insolvency proposal was not refused on the grounds that the property was insufficient for compensation of expenses of insolvency procedures, or if bankruptcy was cancelled on the grounds that property was absolutely insufficient (Act No. 182/2006 Sb., on bankruptcy and manners of its solution (insolvency act), as from time to time amended), or that administrative receivership was applied in accordance with special legal regulations (§ 53 par. 1 letter d) of the Act),
- e) who is not in liquidation (§ 53 par. 1 letter e) of the Act),
- f) who has no arrears of taxes registered in the Tax Register, both in Czech Republic, and also in the country of supplier's residence, place of business or domicile (§ 53 par. 1 letter f) of the Act),
- g) who has no arrears of insurance or penalties for public health insurance, both in Czech Republic, and also in the country of supplier's residence, place of business or domicile (§ 53 par. 1 letter g) of the Act),
- h) who has no arrears of insurance or penalties for social insurance and contribution to the government employment policy, both in Czech Republic, and also in the country of supplier's residence, place of business or domicile (§ 53 par. 1 letter h) of the Act),
- i) who is not registered in the Register of persons who are banned from fulfilment of public contracts (§ 53 par. 1 letter j) of the Act),
- j) who has not been imposed any effective penalty on in the preceding 3 year for facilitating the performance of illegal work under separate legal regulation.

**Professional qualification pre-requisites are fulfilled by the applicant:**

- by an extract from the Trade Register, if the applicant is registered in it, or by an extract from another similar Register, if the applicant is registered in it (§ 54 letter a) of the Act),
- by document of trade authorisation in accordance with special legal regulations in the extent corresponding to the subject of the contract, particularly by document proving the appropriate trading certificate or licence, (§ 54 letter b) of the Act).

If the supplier is unable to prove fulfilment of certain part of qualification required by the order party in accordance with the § 50 par. 1 letter b) and d) in full extent, he is entitled to prove fulfilment of

qualification in the missing extent through his sub-supplier (unless specified otherwise by the order party). The supplier is in such a case obliged to present the following:

- a) documents proving fulfilment of the basic qualification pre-requisite in accordance with the § 53 par. 1 letter j) and professional qualification pre-requisite in accordance with the § 54 letter a) by sub-supplier,
- b) contract concluded with the sub-supplier, from which is evident the sub-supplier's obligation to fulfil the contract by the supplier or to provide objects or rights, with which the supplier will be entitled to operate within the frame of fulfilment of the public contract, at least in the extent, in which the sub-supplier proved fulfilment of qualification in accordance with the § 50 par. 1 letter b) and d).

The supplier is not entitled to prove fulfilment of professional qualification through a sub-supplier – by an extract from the Trade Register, if he is registered in it, or by an extract from another similar Register, if he is registered in it (§ 54 letter a) of the Act).

If the subject of the contract is to be fulfilled by several suppliers jointly and if they submit or intend to submit a joint offer, each of the suppliers is obliged to prove qualification of basic qualification pre-requisites and professional qualification pre-requisite - by an extract from the Trade Register, if he is registered in it, or by an extract from another similar Register, if he is registered in it – in full extent. Fulfilment of remaining qualification required by the order party must be proven by all suppliers jointly. In case of proving the qualification in missing extent through a sub-supplier the previous paragraph is applied similarly.

In the case that subject of the contract is to be fulfilled in accordance with the previous paragraph jointly by several suppliers, they are obliged to submit together with documents proving fulfilment of qualification pre-requisites also an agreement, containing the obligation that all these suppliers will be in respect to the order party and to third parties obliged in respect to any legal relations connected with the contract jointly and severally for the whole duration of fulfilment of the contract and also during duration of other obligations ensuing from the contract.

#### **Complying of the qualification:**

Basic qualifications are proved by the fulfilment of the basic qualification pre-requisites by supplier Declaration on word of honour. Professional qualification pre-requisites are proved by presentation of the relevant document. Extract from the Trade Register may not be older to the last day, on which the fulfilment of qualification is to be proven (i.e. to the date of submission of the offers), than 90 days.

## **PART XI MANNER OF EVALUATION OF THE OFFERS BY EVALUATIVE CRITERIA**

Basic criterion for placing the contract is economic advantage of the offer (§ 78 par. 1 letter a) of the Act).

partial evaluative criteria are ordered in descending order depending on the degree of significance assigned to them by the order party, namely:

<b>Partial evaluative criteria</b>		<b>Weight in %</b>
1.	Offering price without VAT	60
2.	Installed load	20
3.	Measurement of machine - lenght	20

#### Criterion No. 1 – Offering price without VAT

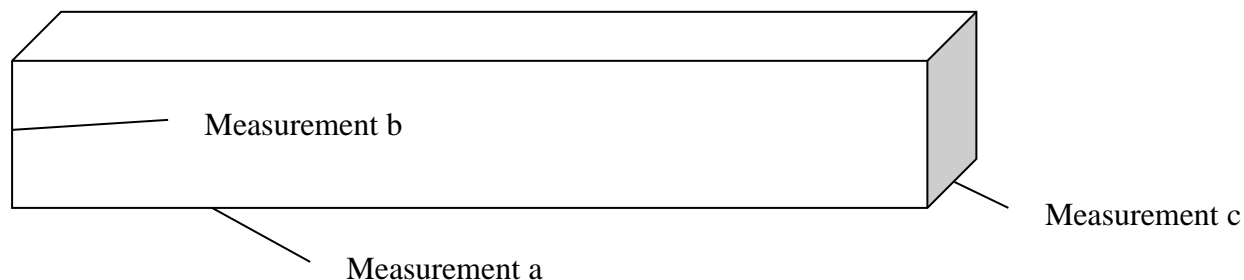
At evaluation of the offering price its price without VAT, as specified in the draft of the contract, is decisive. This price must comprise all the expenses – such as customs duties, insurance etc.

#### Criterion No. 2 – Installed load

For evaluation of the Installed load is binding the installed load of machine in kW. The best offer is offer with the lowest installed load.

#### Criterion No. 3 – Measurement of machine - length

For evaluation of this criterion is binding the length of the machine – measurement a – see picture.



A points scale ranging from 0 to 100 will be used for evaluation. Each individual offer will be attributed in accordance with partial evaluative criterion a value expressed in points, which reflects successfulness of the given offer within the partial criterion.

For criteria that can be expressed numerically, for which the most suitable offer has the minimal value of the criterion, the evaluated offer will get a value expressed in points, which will be created by multiplication by 100 of the ratio of the value of the most suitable offer in respect to the evaluated offer.

For criteria that can be expressed numerically, for which the most suitable offer has the maximal value of the criterion, the evaluated offer will get a value expressed in points, which will be created by multiplication by 100 of the ratio of the value of the evaluated offer in respect to the most suitable offer.

Evaluation based on the points method will be made in such a manner that individual points evaluations of the offers according to partial criteria will be multiplied by relevant weight of the given criterion. Sequence of successfulness of individual offers will be made on the basis of sum of final values of individual offers in such a manner that the most successful is the offer, which achieved the highest value.

If the manner for evaluation of the mentioned evaluative criteria is not given above, evaluation according to the each required parameter will be used, i.e. for the minimal value the manner of evaluation for minimum, for the maximal value the manner of evaluation for maximum, for subjective criterion (if applicable) – subjective evaluation. In the case that some of the parameters will be in the offers given in different units than expected, the order party reserves the right to make an evaluation according to the required parameter (i.e. if for example a maximal value is required and the value is given in units, which express this value by a minimal value, it will be evaluated for minimum, etc.).

## **PART XII OTHER ARRANGEMENTS**

The order party does not pay to the applicants the expenses that occurred by their participation in the tendering procedure.

This public contract is not subject to public opening of envelopes.

The order party stipulates duration of period for placing the order to be **180 days**. The period for placing the order does not run in the cases set by the legislation. Dodavatel podáním nabídky uděluje zadavateli souhlas k ověření a prověření údajů uvedených v nabídkách.

The subject-matter of the contract is co-financed by Operační program Rybářství – European union and Czech republic state budget.

## **PART XIV ANNEXES TO THE TERMS OF REFERENCE**

Annerx No. 1: Cover note of the offer (template)