

TENDER DOCUMENTATION

for above-the-threshold public contract for services awarded in the **competitive dialogue procedure**, pursuant to Act No. 134/2016 Coll., on public procurement, as amended (Public Procurement Act hereinafter “PPA”), taking into account the Competition Regulations of the Czech Chamber of Architects (CCA), entitled:

„Reconstruction and revitalization of the Breda department store“

This tender documentation serves as an **invitation to submit Applications for participation in a competitive dialogue** pursuant to Section 68(2) and (3) of the Public Procurement Act for an above-limit public service contract.

1. Identification data.....	2
2. Justification of the use of competitive dialogue	2
3. Jury / Evaluation committee	3
4. Annexes to the tender documentation.....	3
5. Specification of the contract’s subject-matter.....	4
6. Access to tender documents and communication in the tendering procedure	5
7. Explanation of the tender documentation and changes or additions	5
8. Resolving contradictions	5
9. Conditions for participation in the competitive dialogue	6
10. Opening of the tendering procedure - Request for participation.....	8
11. Reducing the number of participants - Approach to the solution of the contract	8
12. Competitive dialogue – workshop and presentations	10
13. Submission of tenders - final proposal.....	10
14. Method of evaluation of tenders according to the evaluation criteria.....	11
15. Rewards for participants in the competitive dialogue.....	13
16. Terms and Conditions of Sale and Payment	13
17. Further information and requirements of the contracting authority	13

1. Identification data

Name of contracting authority	The Statutory City of Opava
Identification No.	00300535
Address of registered office	Horní náměstí 382/69, Město, 746 01 Opava
Person authorized to represent the contracting authority	Ing. Tomáš Navrátil, mayor

Name of Public Contract	Reconstruction and revitalization of the Breda department store
Public Contract type and mode	Above-the-threshold public contract for services
Profile of contracting authority	https://zakazky.opava-city.cz/
Starting date of Tender Procedure	27. 10. 2023
Deadline for submitting applications to participate	27. 11. 2023, until 14:00

Representative of the contracting authority - administrator	MOBA studio s.r.o.
Person authorized to represent company	Ing. arch. Igor Kovačević, Ph.D., executive
Identification No.	61459712
Address of registered office	Turkmenská 1420/2, Vršovice, 101 00 Praha 10
Correspondence address	U Půjčovny 953/4, 110 00 Praha 1
<u>Contact person / email, phone</u>	Igor Kovačević , email: igor@cceamoba.cz tel: +420 222 222 521, mob: +420 603 810 083
Data box ID	mb5cici

2. Justification of the use of competitive dialogue

- 2.1. The Contracting Authority identifies its needs and objectives in this tender documentation but is unable to identify the ideal solution to meet them.
- 2.2. The languages of the tender procedure are Czech and English. In the event of a conflict, the Czech version shall always prevail. The tendering procedure is not anonymous and is open to all potential participants.
- 2.3. The competitive dialogue will take place in several phases, in each of which the contracting authority may deal with the participants in the tender procedure separately.

3. Jury / Evaluation committee

Dependent members	Independent members
<p>Ing. Tomáš Navrátil – Mayor of the Statutory City of Opava Ing. Michal Štěpánek – Councillor of the Statutory City of Opava Ing. Vladimír Schreier – Councillor of the Statutory City of Opava Ing. arch. Petr Stanjura – Head of the Department of the Chief Architect of the Municipality (ČKA 03594)</p> <p><u>Alternates:</u> Kurt Gebauer – Association for the Rescue of the Breda Department Store Jana Foltysová - Head of the Department of the Mayor Office</p>	<p>prof. Dr. Gabu Heindl (ANKO 45582) – chair of the jury Ing. arch. Jan de Vylder (OVA:A101245) prof. PhDr. PaedDr. Jindřich Vybíral, DSc. doc. Ing. arch. Jana Zdráhalová, Ph.D. doc. Ing. arch. Boris Redčenkov (ČKA 02625)</p> <p><u>Alternates:</u> Ing.arch. Adam Gebrian Mgr. Martin Strakoš</p>
Invited experts	
<p>Lucie Častulíková, Head of the Department of Heritage Care, Opava Municipality Marek Zygula, building manager Breda + OC Breda & Weinstein Pavel Koch, economic expert and developer Zlata Holušová, Colours of Ostrava Alois Hadamczik, company OV Rezidence s.r.o. owner of plot 182/13</p>	

4. Annexes to the tender documentation

- Annex No. 1:** Editable annexes
- a) Cover sheet of the request for participation
 - b) Sworn statement
- Annex No 2:** Framework of the brief
- Annex No 3:** Template of the Professional approach to addressing the contract
- Annex No 4:** Draft contract – valid is Czech version. English is informative version, Czech version of the contract will be signed after Competitive Dialogue
- Annex No 5:** Sample for the price offer

Competition documents - for the development of the proposal

The following documents will be available only to the participants selected to elaborate their proposals:

- a) Model (Archicad, Revit)
- b) Drawings of the existing situation
- c) Energy performance of the building - certification, parameters, calculations
- d) Map base
- e) Ortophoto map
- f) Balance sheet – template to fill in

5. Specification of the contract's subject-matter

Subject-matter of the Public Contract

- 5.1. The subject of this tender is the provision of services consisting primarily in the completion of the winning architectural design and the preparation of complete project documentation and author's supervision according to the specification below for the Reconstruction and Revitalization of the Breda Department Store ("**construction**") and related actions specified in this tender documentation..
- 5.2. The subject of the contract will be performed on the basis of a contract concluded between the contracting authority and the selected contractor. The wording of the draft contract will be adjusted during the competitive dialogue and according to its results.
- 5.3. The timetable for the design and preparatory work will be determined in the course of the competitive dialogue.
- 5.4. Classification of the Subject-matter of the contract performance according to the CPV code:
- | | |
|------------|---|
| 71000000-8 | Architectural, construction, technical and inspection services; |
| 71200000-0 | Architectural and related services; |
| 71221000-3 | Architectural services for buildings; |
| 71320000-7 | Technical designing; |
| 71246000-4 | Determining and compiling a cost estimate for the construction; |
| 71242000-6 | Preparation of designs and projects, cost estimation; |
| 71251000-2 | Architectural services and construction supervision. |
- 5.5. The Contractor shall elaborate complete Project Documentation in accordance with the Standard of Architect's Services and his/her documentation for designing buildings, issued by the Czech Chamber of Architects 2018, including procurement relating to the issue of a Zoning Permit and a Building Construction Permit according to the stages given below:
- Providing necessary surveys and research;
 - FS 1 – Project preparation;
 - FS 2 – Building Design;
 - FS 3 – Documentation for joint management for the issue of the decision on structure location, and FS 4 – Documentation for the issue of a building permit;
 - FS 5 – Documentation for building construction (i.e. selection of builder);
 - FS 6 – List of works and supplies;

- FS 7 – Author Supervision;
- Interior Project.

Place of execution of the public contract

- 5.6. The place of execution of the public contract is the building of the Breda department store (Opava-Město: p. no. 131 and 132) and the adjacent plots (Opava-Město: p. no. The place of performance of the public contract is also the workplace of the selected contractor..

Duration of execution of the public contract

- 5.7. The execution of the public contract will commence after the contract concluded with the contracting authority and the selected contractor becomes effective. The contracting authority assumes that the contract with the selected supplier will be concluded at the end of the competitive dialogue. The reconstruction is expected to be completed in 2026.
- 5.8. Due to the complexity and temporal unpredictability of this competitive dialogue procedure, the Contracting Authority is not in a position to specify specific dates for the commencement and completion of activities.

Estimated value of the public contract

- 5.9. The implementation costs will be determined and specified during the competitive dialogue and are expected to be CZK 220,000,000 excluding VAT. The estimated value of the public contract is **CZK 18,000,000 excluding VAT**.

6. Access to tender documents and communication in the tendering procedure

- 6.1. The complete tender documentation is published on the profile of the contracting authority (in the electronic tool):
<https://zakazky.opava-city.cz/>
- 6.2. The contracting authority will communicate in the procurement procedure in accordance with § 211 of the ZZVZ **by electronic means**.
- 6.3. Communication of the participant to the contracting authority will be made through the contact person of the tender procedure (the representative of the contracting authority, here specifically MOBA studio s.r.o., see 1. Identification data) - (1) on the profile of the contracting authority, (2) via the data box of the representative of the contracting authority and (3) by sending an e-mail to his address. In particular, the tender contact person is authorised to receive requests for clarification of the tender documentation.
- 6.4. In its request for participation, the tenderer shall indicate a contact person in relation to this procurement procedure. It will include a contact address, telephone number and e-mail address to which, in particular, requests for completion or clarification of the request for participation or tender, notices of exclusion of a tenderer and other documents and information related to the procurement procedure may be delivered.
- 6.5. The final submission of the tender must be made via the aforementioned electronic tool. Registration in this system is therefore required for the submission of the tender. This registration is free of charge. The contracting authority strongly recommends that suppliers make the necessary registration well in advance of the submission of tenders.
- 6.6. The electronic encryption key, if it is necessary to use it, will be generated and published on the contracting authority's profile together with the tender documentation.

7. Explanation of the tender documentation and changes or additions

- 7.1. The tenderer is entitled to ask the contracting authority for a written explanation of the tender conditions - a question. The written request must be received by the contracting authority (contact person) no later than 8 working days before the deadline for submission of requests to participate/tenders. Explanation of the tender documentation will be provided in accordance with the provisions of Section 98 of the Public Procurement Act.
- 7.2. The contracting authority may provide an explanation without prior request.
- 7.3. The contracting authority shall send/publish an explanation of the terms of reference within 3 working days of receipt of the question.
- 7.4. The contracting authority shall publish the clarification of the terms of reference, including the exact wording of the request, on the contracting authority's profile.

8. Resolving contradictions

- 8.1. Tenderers may file objections against the contracting authority's procedures in the procurement procedure in accordance with Part Thirteen of the Act, or in accordance with Section 13 of the CCA Competition Regulations..
- 8.2. The requirements for a petition for initiation of proceedings for review of the acts of the contracting authority and other actions of the complainant are governed by the provisions of Section 249 et seq. of the Act.

9. Conditions for participation in the competitive dialogue

9.1. The contracting authority requires demonstration of compliance with the basic competence according to § 74 of the ZZVZ. The contracting authority also requires proof of compliance with the conditions in terms of Section 3 of the CCA Competition Regulations.

The basic eligibility and the conditions set out in the CCA Competition Rules are listed in Annex 1 b) Sworn statement.

9.2. The contracting authority also requires proof of professional competence, namely the authorisation to conduct business in the field of 'Design activities in construction' and professional competence

Method of proving the conditions for participation in the request for participation

9.3. Basic eligibility and fulfilment of the conditions in terms of Section 3 of the CCA Competition Regulations shall be demonstrated in the application for participation by submitting a sworn statement, a template of which is included in Annex 1 to this tender documentation.

9.4. The Contracting Authority draws attention to the fact that the selected (winning) contractor will be obliged to submit originals or certified copies of documents proving the fulfilment of the qualification..

The selected ('winning') contractor shall demonstrate compliance with the basic qualification conditions by submitting (a) an extract from the criminal records, (b) a certificate from the competent tax office and (c) a certificate from the competent district social security administration, (d) an extract from the commercial register, or a written affidavit if not registered in the commercial register, and (e) in relation to excise duty and health insurance, a written sworn statement by the contractor.

In accordance with the provisions of Section 45(3) of the ZZVZ, the contractor shall be entitled to submit a similar document in accordance with the law of the State of its registered office in which the document is issued. Such a document shall be submitted by the contractor with **a simple translation into the Czech language**. If the required document is not issued under the relevant legal system, it may be replaced by an affidavit.

9.5. The contractor shall demonstrate professional competence by submitting:

- proof that they are authorised to conduct business in the scope corresponding to the subject of the public contract, if other legal regulations require such authorisation, i.e. the contractor shall submit proof of authorisation to conduct business in the field of "Design activities in construction" according to Act No. 455/1991 Coll., on Trade Enterprise (Trade Licensing Act), as amended;
- proof of professional competence, namely authorization of the responsible person (certificate of authorization or certificate of registration of the person established or visiting) in the field of "Authorized Architect" according to Article 4 of Act No. 360/1992 Coll, on the practice of the profession of authorised architects and the practice of the profession of authorised engineers and technicians active in construction, as amended ("Authorisation Act"), or another similar document issued in a country other than the Czech Republic, which authorises its holder in the above-mentioned field to perform activities under the draft contract in that other country.

Conditions of participation in case of joint participation of contractors

9.6. Where the subject-matter of the contract is to be executed jointly by several contractors and for this purpose they submit a joint application for participation, each of the contractors is obliged to prove the fulfilment of the basic competence separately.

Each of the contractors is also obliged to demonstrate compliance with the conditions in terms of Section 3 of the CCA Competition Regulations separately.

9.7. Contractors submitting a joint application for participation are also obliged to submit to the contracting authority, together with the documents proving fulfilment of the qualification, a commitment of the contractors that all contractors will be jointly and severally liable for the execution of the contract.

Extract from the list of qualified suppliers

9.8. If the contractor submits to the contracting authority an extract from the list of qualified suppliers pursuant to Section 228 of the ZZVZ, this extract shall replace the document proving:

- basic competence according to § 74 ZZVZ

- professional competence pursuant to § 77 ZZVZ to the extent that the data in the extract from the list of qualified contractors demonstrate compliance with the professional competence criteria.

9.9. The extract from the list of qualified contractors must not be older than 3 months at the last date on which the basic competence or professional competence is to be demonstrated.

Certificate

9.10. If the contractor submits to the contracting authority a certificate issued within the approved system of certified suppliers according to the provisions of § 233 et seq. of the ZZVZ, this certificate can be used to prove qualification in the procurement procedure, while the contractor is considered to be qualified to the extent indicated on the certificate.

9.11. The maximum permissible validity of the certificate is one year from the date of issue.

10. Opening of the tendering procedure - Request for participation

- 10.1. The contracting authority has initiated the procurement procedure by sending a notice of initiation of the procurement procedure for publication pursuant to Section 212 ZZVZ, inviting an unlimited number of contractors to submit applications for participation. Until the end of the deadline for their submission, the contracting authority will accept **Requests for Participation** submitted on the basis of the following tender documentation.
- 10.2. The application for participation will be submitted in written electronic form in the Czech language or in English via an electronic tool.
- 10.3. The deadline for submission of applications for participation is **27. 11. 2023 at 14:00**. It is the responsibility of the participant to ensure that the application is submitted on time.
- 10.4. The application for participation shall include::
- Cover sheet for the request to participate (see *Annex 1*);
 - Documents proving qualifications compliance (see *Annex 1*).
- 10.5. Subsequently, the Contracting Authority will assess the fulfilment of the conditions of participation in the procurement procedure by the participants who have submitted a request to participate. At this stage, the contracting authority will invite all those who fulfil the conditions to participate in the competitive dialogue. The contracting authority expects that invitations to participate in the competitive dialogue **will be sent to qualified participants within approximately 3 days of the deadline for submission** of the Request for Participation.
- 10.6. The Contracting Authority will exclude those participants whose requests to participate do not comply with the conditions set out in these tender documents.

11. Reducing the number of participants - Approach to the solution of the contract

- 11.1. In order to reduce the number of solutions, the contracting authority sets the following quality criteria: 'Architectural quality' and 'Technological solution concept'. As the tenderers cannot be fairly required to submit a full artistic proposal at each stage, the contracting authority has decided that the tenderers shall first prepare and submit a so-called **Professional Approach to addressing the contract**.
- 11.2. The approach to the contract will be submitted as a PDF document compiled in accordance with the template attached as *Annex 3* to this tender document.
- 11.3. The deadline for the submission of the approach to the contract will end on **06. 12. 2023 at 14:00 h**. It is the responsibility of the participant to ensure that the approach is submitted on time.
- 11.4. The participants shall describe in the approach to the contract the aspects of the future architectural work - the public contract - in terms of (1) architectural quality and (2) quality of the technological design concept. It is expected that the design aspects will be documented with two own examples of already completed projects or competitions designs, studies or projects in progress. In terms of relevance, it is essential that at least one person from the contractor's design team is also the author or co-author of the examples used. It is acceptable for both aspects to be described by both reference projects, just as it is possible for each aspect to be described separately by one reference project.
- 11.5. Each of the two aspects described in the Approach to the Contract will be assigned a point value by the Evaluation Committee, ranging from 0 points to 10 points, with 10 points representing the highest level of fulfilment of the quality criteria. A ranking will then be established according to the points awarded. The Evaluation Committee will then select a maximum of 5 highest scoring approaches and recommend their authors to be invited to the next stage of the competitive dialogue.
- 11.6. The Contracting Authority expects that invitations to participate in the next phase of the competitive dialogue will be sent to the selected participants within approximately 7 days of the deadline for the submission of the Approach to the Contract.
- 11.7. Tenderers not selected by the Committee will be excluded from participation in the tender procedure.
- 11.8. Given that the evaluation criteria cannot be expressed numerically, or rather, the numerical scale of 1-10 is used only to proportionally express the degree of fulfilment

of the specified criteria, the Contract Approaches will be evaluated by the Committee based on the knowledge and experience of its members. Such evaluation will be as professional as possible but still subjective to the opinion of the committee. By participating in this procedure, the participants in this procedure agree to the proposed evaluation method (including the method of reducing the number of solutions in the competitive dialogue).

12. Competitive dialogue – workshop and presentations

- 12.1. The selected maximum of five (5) tenderers advancing to the next stage of the competitive dialogue will be invited to prepare a detailed design of the solution, which will already include an architectural design, a concept of the technological solution, a qualified estimate of future operating costs and a qualified estimate of investment costs. In addition, the proposal will include a tender price for the preparation of the project documentation.
- 12.2. The site visit will be organised as part of a joint workshop with all selected participants. The aim of this workshop will be to explain the technical conditions and limits, and to clarify or explain the specifications, if necessary. **This first workshop is tentatively scheduled for 15. 12. 2023.**
- 12.3. Subsequently, participants will be invited to present their work-in-progress proposals in person at a second workshop. The aim of this meeting will be to present and consult their proposals individually with the evaluation committee. **The date of this second workshop is tentatively scheduled for 08. 03. 2024.**
- 12.4. The dates of the first and second workshops will always be specified in the call for participation in the next phase of the competitive dialogue. Both will take place in Opava. The details of the design of the proposal will also be specified in the following calls.
- 12.5. The contracting authority will then invite all tenderers to submit final tenders in the competitive dialogue. The contracting authority expects that **invitations to submit final tenders** in the competitive dialogue will be sent to the participants **within approximately 3 days** of the second workshop.

13. Submission of tenders - final proposal

- 13.1. A tenderer shall submit its tender exclusively electronically through the electronic tool within the deadline for submission of tenders. Tenders received late or submitted in a manner inconsistent with the method set out in these tender documents shall not be considered as submitted by the contracting authority and shall be excluded from consideration.
- 13.2. The tender will be prepared as a digital presentation in PDF format A3 landscape, printed poster-panels format B1 portrait and a portfolio in A4 portrait format. The extent of the detail of the proposal is expected to be on a scale of 1:100. Everything will be specified in the calls during the competitive dialogue.
- 13.3. The tenderer shall also specify the offer price in the tender.
- 13.4. The deadline for the submission of the final tender is **26. 4. 2024 at 14:00 h.** It is the tenderer's responsibility to ensure that the tender is submitted on time.
- 13.5. The contracting authority emphasises that they are not responsible for technical conditions on the part of the contractor. The contracting authority recommends that contractors take particular account of the speed of their internet connection when submitting their tender so that it is submitted within the deadline for submission of tenders (submission of the tender means the final upload of the tender to the electronic tool after all documents have been uploaded).
- 13.6. Since tenders are submitted only electronically, the opening of the tenders will be cloed to the public.
- 13.7. The contracting authority expects that the competitive dialogue will result in one suitable solution capable of meeting the needs and requirements of the contracting authority.
- 13.8. The evaluation committee will proceed with the evaluation according to the predetermined evaluation criteria (see Article 14 of these tender documents).

14. Method of evaluation of tenders according to the evaluation criteria

- 14.1. The evaluation criterion is the **overall quality of the tender**. The overall quality will be evaluated on the basis of the ratio of the tender price to the quality of the design.

Partial evaluation criteria

	Description of criterion:		Váha v %
1.	Total offer price in CZK excluding VAT		30%
2.	Quality of architectural design	2.1 Architectural quality (50 %)	70%
		2.2 Concept of technological and operational solution (25 %)	
		2.3 Investment costs (25 %)	

Method of evaluation of individual partial evaluation criteria

- 14.2. Criterion "Total offer price in CZK excluding VAT" (weighting 30 %)

For this sub-criterion, 100 points will be awarded to the lowest tendered value excluding VAT. The other evaluated tenders will be awarded a point value according to the following formula:

$$100 \times \frac{\text{lowest offer price in CZK excluding VAT}}{\text{offer price of the bid being evaluated in CZK excluding VAT}}$$

The result shall be rounded according to mathematical rules to two decimal places. The resulting number of points of the individual bids in this partial evaluation criterion shall be subsequently multiplied by its weight (i.e. x 0.30).

- 14.3. Criterion "Quality of Architectural Design" (weight 70 %)

In the case of evaluation of tenders according to the criterion 'Quality of the proposal', a ranking of tenders shall be established for each sub-criterion (2.1 to 2.3) from most suitable to least suitable. For each sub-criterion, the most advantageous tender shall be awarded 100 points and each other tender shall be awarded a score on a scale of 1 to 100 reflecting the extent to which the tender evaluated is deficient in relation to the most advantageous tender. More than one tender may be awarded the same number of points.

The scores for each sub-criterion (2.1 to 2.3) will then be multiplied by the weight of the relevant sub-criterion. The evaluation committee will add the values thus obtained for each tender to obtain the score for criterion 2 'Quality of the proposal'. The tender with the highest score for weighted sub-criteria 2.1 to 2.3 will be awarded 100 points, the other tenders proportionately less according to the following formula:

$$100 \times \frac{\text{sum of points scored for weighted sub-criteria 2.1 to 2.3 of the tender being evaluated}}{\text{sum of points scored for weighted sub-criteria 2.1 to 2.3 of the tender with the highest number of points}}$$

The result shall be rounded according to mathematical rules to two decimal places. The resulting number of points of the individual bids in this partial evaluation criterion shall be subsequently multiplied by its weight (i.e. x 0.70).

14.3.1. Sub-criterion No. 2.1 Architectural quality

This sub-criterion will assess the quality of the project and the added value for the city of Opava and its inhabitants. Proposals that are at a high conceptual level, that take into account the current requirements for architecture in public space and that enrich the cultural and social life of the city will be better evaluated. Proposals with high quality operational and material solutions will be better evaluated. In addition, proposals whose architectural intent is clear to the committee will be better evaluated.

14.3.2. Sub-criterion No. 2.2: Concept of technological and operational solution

This sub-criterion will evaluate the quality of the technological solution closely linked to the specific requirements for the reconstruction of buildings of heritage value. Proposals that optimise the technological solution and create the best conditions for the use of the house and the public space will be better evaluated. Proposals that are able to ensure the best possible technical parameters and timelessness of the technological solution will be better evaluated. At the same time, proposals that do not compromise on architectural quality will be better evaluated. In terms of operational design, proposals that allow for a variety of operations in the building and are able to adapt to the needs of the city and the future operator will be better evaluated.

14.3.3. Sub-criterion No. 2.3: Investment costs

The declared investment costs of the chosen solution will be assessed under this sub-criterion. The objective of this sub-criterion is to find the optimum investment cost and to take into account the efficiency and long-term sustainability of the funds spent. The contracting authority is aware that the competition proposals cannot precisely determine the investment costs and that the contracting authority will only arrive at these costs during the subsequent stages of the project documentation with the selected contractor.

14.4. Comment on the following sub-criteria of the "Architectural quality"

These sub-criteria are listed in no order of importance. As they cannot be expressed numerically or precisely, the fulfilment of the sub-criteria will be assessed by the committee on the basis of the knowledge and experience of its members. Such an assessment will therefore be as professional as possible, but logically still to a certain extent a subjective opinion of the evaluation committee. By participating in this procedure, the participants in the competitive dialogue agree to the proposed method of evaluation, which corresponds to the type of services requested by the contracting authority (including the way in which the number of solutions will be reduced in the competitive dialogue).

Overall evaluation of tenders

- 14.5. The point values obtained in the individual sub-evaluation criteria ("Total offer price in CZK excluding VAT" and "Quality of the proposal") will then be added together. The tenders will be ranked in descending order of the number of points obtained. The tender with the highest overall quality score will be evaluated as the best tender.

In the event that some of the tenderers obtain the same number of points after the overall evaluation, the tender which obtained a higher number of points in the sub-evaluation criterion "Total tender price in CZK excluding VAT" will be considered the best overall tender.

15. Rewards for participants in the competitive dialogue

- 15.1. The total amount allocated for reimbursement of expenses (fees) in the competitive dialogue is set at **CZK 2 000 000.**
- 15.2. Each tenderer who is invited to submit a tender after the end of the competitive dialogue, duly submits a tender and accepts all the conclusions drawn from the competitive dialogue will receive a reimbursement of expenses (remuneration) of **CZK 400,000.**
- 15.3. The deadline for the payment of remuneration is 50 days from the notification of the selection of the contractor according to § 123 ZVZ.
- 15.4. The selected contractor will lose the right to payment of the remuneration if it fails to fulfil the obligations arising from these tender documents or the obligations arising from the ZVZ, which are connected with the conclusion of the contract for the fulfilment of the subject of the public contract, or refuses to provide the cooperation necessary for the conclusion of this contract and for these reasons the contract for the fulfilment of the subject of the public contract will not be concluded with it.
- 15.5. In the event of cancellation of the tender procedure after sending out invitations to participants advancing to the next stage of the competitive dialogue, these participants will be reimbursed for the costs reasonably incurred in connection with their participation in the tender procedure, based on their written request delivered to the contracting authority. The contracting authority shall be obliged to pay to each of the invited participants who proves that they have developed or prepared a competitive proposal a reasonable compensation, which shall be a proportionate share of the total amount of the fees, i.e. a proportionate amount of CZK 2 000 000..

16. Terms and Conditions of Sale and Payment

- 16.1. The wording of the contract will be adjusted in the framework of the competitive dialogue.
- 16.2. Any work created by the tenderers as part of their participation in the tender procedure is a competition work created on the order of the contracting authority. In the event that the awarded author (tenderer) concludes a contract for the execution of the public contract, the remuneration for the copyright granted (licence) will already be included in the price for the execution of the public contract.

17. Further information and requirements of the contracting authority

- 17.1. The authors of the proposals shall retain their copyright (unless otherwise stated in the draft contract for the selected contractor), may publish their proposals and may reuse them in another case. By submitting their proposals, contractors agree to the free reproduction and display of their proposals in the promotion of the tender and its outcome. The submitted proposals (physical and digital form of the proposal and identification documents) become the property of the contracting authority. By submitting their proposals, contractors grant the contracting authority permission to use their copyrighted works for the purposes of this procurement procedure.
- 17.2. The tenderers shall not be entitled to reimbursement of costs associated with participation in the tender procedure, except for the fees described in Section 14.
- 17.3. Requests for participation, tenders including proposals shall not be returned to the participants and shall remain with the Contracting Authority as part of the documentation of the tendering procedure.
- 17.4. The Contracting Authority reserves the right to verify the information contained in the Participant's request for participation/tender with third parties.
- 17.5. The tenderer is obliged to provide, at the request of the contracting authority or the competent control body, as a person obliged to cooperate in the performance of financial control (see Section 2(e) of Act No. 320/2001 Coll., on financial control in public administration, as amended).
- 17.6. The Tenderer is obliged to provide the Contracting Authority with all supporting documents related to the implementation of the project and the fulfilment of any monitoring indicators requested by the inspection authorities.
- 17.7. The Contracting Authority does not accept the submission of variants of the final tender.
- 17.8. The Contracting Authority, in developing the terms of reference, including the rules for the evaluation of tenders, and the selection of the supplier, has acted to fulfil, as far as possible, the principles of socially responsible procurement, environmentally responsible procurement and innovation as defined by the Law.
- The contracting authority requires the supplier to provide equivalent payment terms to those agreed between the supplier and the contracting authority in the execution of the contract. The contracting authority has defined the element of responsible sourcing and the obligations of the contractor related to it in the binding draft contract (Equivalent payment terms in the supply chain).
 - In order to reduce the administrative complexity of bid processing for suppliers, the Contracting Authority allows the use of sample affidavits, which are annexes to this tender documentation (Reducing the administrative complexity of bid processing).