

## TENDER DOCUMENTATION

within the meaning of Act No 134/2016, on public procurement, as amended (hereinafter the “Act”)

Name of public contract:

### DELIVERY OF STATIONARY CAMERA SYSTEMS AND PROVISION OF RELATED SERVICES

Above-the-threshold public delivery contract,  
open procedure (hereinafter the “Public Contract”)

Reference number: VZ\_2020\_A46

#### 1 BASIC INFORMATION

##### 1.1 Identification of the contracting authority

Name: CENDIS, s. p.  
Registered office: nábřeží Ludvíka Svobody 1222/12, 110 15 Praha 1  
Company ID No: 00311391  
Tax ID No: CZ00311391  
Registration: entered in the Commercial Register kept by the Municipal Court in Prague, Section ALX, Insert 706

##### 1.2 Acting on behalf of the contracting authority

On behalf of the contracting authority acts: Ing. Jan Paroubek, in charge of state enterprise management.

##### 1.3 Contact point for procurement procedure:

The contact point for the procurement procedure is the person authorised by the contracting authority for the management of this public contract:

Name	e-mail
Ing. Petr Moravec	<a href="mailto:zakazky@cendis.cz">zakazky@cendis.cz</a>

#### 1.4 Communication and delivery

1.4.1 All communication, such as the participants' questions concerning the tender documentation, the submission of tenders and other tasks related to this public contract, shall be done in writing, in particular through the contracting authority's electronic public procurement tool E-ZAK (<http://zakazky.cendis.cz/>, hereinafter the "E-ZAK system"). The exact address of this public contract on the contracting authority's profile is [https://zakazky.cendis.cz/contract\\_display\\_17.html](https://zakazky.cendis.cz/contract_display_17.html)).

For communication purposes, registration of suppliers (participants) in the E-ZAK system is required. The contracting authority points out that for outgoing communication (including tender submissions), the E-ZAK system requires a qualified certificate for electronic signatures issued by one of the qualified trust services providers (see <https://www.mvcr.cz/clanek/seznam-kvalifikovanych-poskytovateluu-sluzeb-vytvarejicich-duveru-a-poskytovanych-kvalifikovanych-sluzeb-vytvarejicich-duveru.aspx>).

The E-ZAK system also accepts electronic signatures based on a qualified certificate issued by a foreign provider listed <https://webgate.ec.europa.eu/tl-browser/#/>.

A supplier who is not yet registered in the E-ZAK system may apply to the contracting authority for registration in the E-ZAK system only in writing by e-mail to the contact point mentioned in paragraph 1.3, providing its company name, legal form, company ID number and a contact e-mail address.

1.4.2 At the same time, in order to avoid confusion, the contracting authority notifies the suppliers (participants) that, in accordance with general legal regulations, the date of delivery of legal acts is:

- the day on which the contracting authority delivers the message to the participant's account registered in the E-ZAK system (i.e. the moment from which the participant is able to read the message in the E-ZAK system);
- the day on which the participant (supplier) delivers the message to the contracting authority in the E-ZAK system (i.e. the moment from which the contracting authority is able to read the message in the E-ZAK system).

1.4.3 In view of this, and for the sake of substitutability, the contracting authority recommends that suppliers (participants) have more contact persons (e-mails) in their registered account in the E-ZAK system.

1.4.4 In justified cases (e.g. non-functional E-ZAK system, force majeure, etc.), the contracting authority also allows alternative communication between the contracting authority and the supplier in accordance with Section 211 of the Act; to avoid any doubts, tenders are accepted solely through the E-ZAK system.

1.4.5 The contracting authority warns the supplier that the mere fact that the supplier does not have a qualified certificate for electronic signatures is not a reason for alternative delivery outside the E-ZAK system.

#### 1.5 Provision of tender documentation

The tender documentation is provided exclusively in electronic form by unrestricted remote access via the E-ZAK system (see paragraph 1.4.1). The contracting authority does not require any payments for the provision of the tender documentation.

### 1.6 Purpose of the contract

The contracting authority is a state-owned enterprise, a legal entity established and authorised by the Czech Republic – the Ministry of Transport, among other things to provide professional capacities for the operation, support and development of selected public administration information systems in the transport sector.

The purpose of this public contract is to acquire cameras (camera systems) compliant with the technical specification provided in Annex 1; the systems shall be acquired by a purchase contract, the binding draft of which is provided in Annex 2 to this tender documentation. The purchase contract includes the provision of related warranty services, further specified in paragraph 1.3. Annex No. 1 to this tender documentation.

### 1.7 Procurement procedure participant

The term “participant” in this tender documentation means a participant of the procurement procedure within the meaning of Section 47 of the Act. For the purposes of this tender documentation, the terms participant and supplier have the same meaning, unless the context otherwise requires.

### 1.8 Preliminary market consultations (PMC)

This tender documentation was prepared by the contracting authority using the results of preliminary market consultations. All documentation, results and the report from PMC are published on the contracting authority’s profile under the its registration number VZ\_2019\_A30 (see [https://zakazky.cendis.cz/contract\\_display\\_7.html](https://zakazky.cendis.cz/contract_display_7.html)).

The information resulting from the preliminary market consultations is also indicated in this tender documentation and its Annex 1 for each specific procurement specification, including the identification of the person who participated in the preliminary market consultation for the procurement specification in question, including all material information contained in the preliminary market consultation on the given procurement specification.

## 2 SUBJECT-MATTER OF THE PUBLIC CONTRACT

2.1 The subject-matter of this procurement procedure is the selection of the most economically advantageous tender for the supply of cameras (camera systems) (furthermore also “goods”) suitable for placement on toll gates, with the ability to recognise, at least the vehicle type, licence plate number and country of registration of the vehicle. The price of the delivery includes warranty services as defined in paragraph 1.3. Annex No.1 to this tender documentation.

2.2 The public procurement will result in a purchase contract with the selected participant for the delivery of goods and provision of warranty services as defined in paragraph 1.3. Annex No.1 to this tender documentation.

2.3 Classification of the subject-matter of the public contract

Main CPV codes:

CPV code	Name
32235000-9	Closed-circuit surveillance systems
34971000-4	Speed camera equipment
34923000-3	Road traffic-control equipment
32333200-8	Video camcorders
63712210-8	Highway toll services
30144400-4	Automatic fare collection

CPV code	Name
38651000-3	Cameras
34972000-1	Traffic-flow measuring system

- 2.4 A detailed description of the requirements for the requested performance is provided in Annex 1 to this tender documentation – Technical Specification.
- 2.5 Other, especially business terms and conditions for performance are set out in Annex 2 to this tender documentation - Binding Draft Purchase Contract.
- 2.6 The contracting authority requires that the participant, in demonstrating the ability to provide the performance required by the contracting authority, clearly states in its tender how it meets the (especially technical) requirements of the contracting authority specified in Annex 1 by providing commentary on Annex 1 or by adding its own datasheet of the offered equipment, from which it will be clear that the contracting authority's technical requirements for the goods and for the description of the way in which the participant proposes to provide the requested goods and the related warranty services are met; all values of the offered goods must correspond to the data given by the participant in the documents for the evaluation of the quality of goods (see paragraph 10.3).
- 2.7 The contracting authority notifies the participants that, in accordance with the Act, it is not possible, except in the cases specified in Section 46 of the Act, to change the tenders after the deadline for their submission.
- 2.8 In this regard, the contracting authority recommends that the participants, in case of any uncertainty, utilise the possibility to send a request to the contracting authority for an explanation of the tender documentation (see paragraph 1.4).

### **3 PERIOD AND PLACE OF THE PERFORMANCE OF THE PUBLIC CONTRACT**

The period and place of the performance of the public contract are specified in the contracting entity's business terms and conditions, which form Annex 2 to this tender documentation – Binding Draft Contract.

### **4 INSPECTION OF THE PLACE OF PERFORMANCE**

Due to the subject-matter and method of the performance, the contracting authority will not organise an inspection of the place of performance.

### **5 CONDITIONS FOR QUALIFICATION OF PARTICIPANTS**

- 5.1 In this procurement procedure, the contracting authority requires each participant to prove the following:
- basic competence (Sections 74 to 76 of the Act and paragraph 5.2 below);
  - professional competence (Section 77 of the Act and paragraph 5.3 below);
  - economic qualification (Section 78 of the Act and paragraph 5.4 below);
  - technical qualification (Section 79 of the Act and paragraph 5.5 below).

## 5.2 Requirements for demonstrating basic competence

<p>The basic competence is met by the supplier as follows (Section 74 of the Act):</p>	<p>In order to demonstrate the basic competence in relation to the Czech Republic (Section 75 of the Act), a supplier must:</p>
<ul style="list-style-type: none"> <li>• demonstrate that it has not been convicted by a final decision of the offences listed in Annex 3 to the Act or a similar offense under the law of the country of the supplier's domicile in the country of its registered office in the last 5 years prior to the start of the procurement procedure; deleted convictions are disregarded;</li> </ul>	<ul style="list-style-type: none"> <li>• submit an extract from the Criminal Register;</li> </ul> <p><i>Note:</i>  <i>if the participant is a legal entity, it shall provide the extract from the Criminal Register both in relation to the legal entity itself and in relation to all its statutory bodies (e.g. s.r.o.) or all members of its statutory body (e.g. a.s.);</i>  <i>if the statutory body of the participant or a member of the statutory body of the participant is a legal entity, the extract from the Criminal Register shall be provided by the participant both for the legal entity itself and for the person representing the legal entity in the supplier's statutory body or for every member of this legal entity's statutory body;</i>  <i>if a branch of a foreign legal entity participates in the procurement procedure, the condition of basic competence must be met by the legal entity and the head of the branch;</i>  <i>if a branch of a Czech legal entity participates in the procurement procedure, the condition in question must be met by the persons referred to in point 2) and by the head of the branch;</i></p>
<ul style="list-style-type: none"> <li>• have no tax arrears due in the Czech Republic or in the country of its registered office;</li> </ul>	<ul style="list-style-type: none"> <li>• submit a certificate from the competent tax authority; and</li> <li>• submit a written affidavit in relation to excise duty;</li> </ul>
<ul style="list-style-type: none"> <li>• have no outstanding arrears of premiums or penalties for public health insurance in the Czech Republic or in the country of its registered office;</li> </ul>	<ul style="list-style-type: none"> <li>• submit a written affidavit about its basic competence;</li> </ul>
<ul style="list-style-type: none"> <li>• have no outstanding arrears in insurance premiums or penalties for social security and state employment policy contributions in the Czech Republic or in the country of its registered office;</li> </ul>	<ul style="list-style-type: none"> <li>• submit a certificate from the relevant district social security administration;</li> </ul>
<ul style="list-style-type: none"> <li>• not be in liquidation (Section 187 of the Civil Code);</li> <li>• have no bankruptcy decision issued against itself (Section 136 of Act No 182/2006, on insolvency and methods of its resolution, as amended (the Insolvency Act));</li> <li>• have no forced administration</li> </ul>	<ul style="list-style-type: none"> <li>• submit an extract from the Commercial Register or a written affidavit if it is not registered in the Commercial Register.</li> </ul>

The basic competence is met by the supplier as follows (Section 74 of the Act):	In order to demonstrate the basic competence in relation to the Czech Republic (Section 75 of the Act), a supplier must:
ordered against itself under another legal regulation (e.g. Act No 21/1992, on banks, as amended, Act No 87/1995, on savings and credit cooperatives and certain related measures and amending Act of the Czech National Council No 586/1992, on income tax, as amended, Act No 363/1999, on insurance and amending certain related acts); the supplier must not be in situation similar to the above under the law of the country of the supplier's registered office.	

*Note: documents proving the basic competence in accordance with Section 74 of the Act (i.e. those listed in the table above) must prove that the basic competence criteria were met no later than 3 months before the date of commencement of the procurement procedure.*

### 5.3 Requirements for demonstrating professional competence

The supplier shall prove the demonstrate its professional competence in relation to the Czech Republic by submitting an extract from the Commercial Register or other similar register, if another legal regulation requires registration in such register; *(note: the document referred to in this point must show compliance with the required competence criterion no later than 3 months before the date of commencement of the procurement procedure – i.e. the relevant extract must not be older than 3 months before the date of commencement of the procurement procedure).*

### 5.4 Requirements for demonstrating economic qualification

The contracting authority requires each participant to prove that its minimum annual turnover in the last 3 immediately preceding accounting periods was at least CZK 5 million without VAT. The participant shall prove the turnover by a supplier's profit and loss statement or a similar document according to the law of the country of its registered office.

### 5.5 Requirements for demonstrating technical qualification

Requirement of the contracting authority for technical qualification of the participant	Method of demonstrating technical qualification
A significant delivery with a similar subject-matter of performance to this public contract, i.e. delivery of surveillance systems using camera technology with recognition of vehicle type, licence plate number and country of registration.	A supplier meets this technical qualification criterion if it proves that it has made at least 3 significant deliveries in the last 3 years prior to the start of the procurement procedure, with a list of significant deliveries provided by the supplier in the following structure, preferably in the form of a table: <ul style="list-style-type: none"> <li>• name of the client;</li> <li>• client's sector or field of business;</li> </ul>

Requirement of the contracting authority for technical qualification of the participant	Method of demonstrating technical qualification
	<ul style="list-style-type: none"> <li>• name of contract;</li> <li>• place of implementation;</li> <li>• description of delivery and, where appropriate, of services provided;</li> <li>• total scope of performance (optional);</li> <li>• start date;</li> <li>• information whether the contract has already been completed;</li> <li>• name, telephone number and e-mail of the person who can confirm the references.</li> </ul>

The list of significant deliveries in the above binding structure can be combined into one table. The contracting authority reserves the right to verify the said significant deliveries with the contact persons of the ordering parties, which the supplier shall specify as the contact persons for significant deliveries.

#### 5.6 Common provisions regarding qualification

The documents required in this part of the tender documentation may be submitted as a simple copy or they may be replaced by a single European public procurement certificate in accordance with Section 87 of the Act; however, the contracting authority is entitled to require the submission of the original or a certified copy of the document in accordance with the procedure in accordance with Section 46(1) of the Act.

Before concluding the contract, the contracting authority shall require the selected supplier to submit the originals or certified copies of the qualification documents, if they have not already been submitted in the procurement procedure.

If there is a change in the qualification of the participant, it is necessary to proceed according to Section 88 of the Act.

If the qualification was acquired abroad, it shall be proved by documents issued under the law of the country in which it was acquired, to the extent required by the contracting authority.

If the law or the contracting authority requires the submission of a document under the law of the Czech Republic, the supplier may submit a similar document according to the law of the country in which this document is issued; such a document must be submitted together with a Czech language translation. In accordance with Section 45(3) of the Act, the contracting authority stipulates that if it has doubts about the correctness of the translation, it may require the supplier to submit an officially certified translation of the document into the Czech language by an interpreter registered in the list of experts and interpreters in accordance with a special legal regulation<sup>1</sup>.

If the relevant legal order does not issue the required document, it may be replaced by an affidavit.

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<sup>1</sup> Act No 36/1967, on experts and interpreters. Decree No 37/1967, on the implementation of the Act on Experts and Interpreters.

In accordance with Section 45(4) of the Act, the contracting authority stipulates that the obligation to produce the document may be fulfilled by the supplier by reference to the corresponding information kept in a public administration information system under special legal regulation<sup>2</sup> or in a similar system maintained in another Member State allowing unrestricted remote access. Such a reference must include the Internet address and credentials for logging in and retrieving the required information, where such credentials are necessary.

The contracting authority requires that the participant submits documents proving the basic competence in accordance with Section 74 of the Act and paragraph 5.2 and professional competence in accordance with Section 77 of the Act and paragraph 5.3 of this tender documentation for its possible subcontractors.

In accordance with Sections 228 and 234 of the Act, a participant may demonstrate compliance with basic and professional competence by submitting an extract from the list of qualified suppliers or a valid certificate issued under an approved system of certified suppliers.

In accordance with Section 83 of the Act, the supplier may prove a certain part of the economic and technical qualifications required by the contracting authority through other persons. In this case the supplier must submit to the contracting entity the following:

- a) documents proving the another person's professional competence referred to in paragraph 5.3;
- b) documents proving that the missing part of the qualification has been met by another person;
- c) documents proving the another person's basic competence in accordance with Section 74 of the Act (paragraph 5.2 of this tender documentation); and
- d) a written obligation of the another person to provide performance intended to perform the public contract or to provide things or rights that the supplier will be entitled to dispose of as part of the performance of the public contract, at least to the extent the another person has demonstrated qualification in place of the supplier.

Requirement under point (d) above (i.e. the requirement in accordance with Section 83(1)(d) of the Act) is fulfilled if the content of such a written obligation of another person is joint and several liability of that person for performance of the public contract together with the supplier.

In the case of joint participation of suppliers, basic competence under Section 74 of the Act and professional competence under Section 77(1) of the Act shall be demonstrated by all of the suppliers, i.e. each of these suppliers must prove that this competence has been met in relation to its own person. The fulfilment of other requirements for economic qualification in accordance with Section 78 of the Act and technical qualification in accordance with Section 79 of the Act stipulated by the contracting authority in this tender documentation must be demonstrated by all suppliers in the case of joint participation jointly or through other persons.

#### 5.7 Consequence of failure to demonstrate qualification

If a participant fails to demonstrate its qualification in the full (required) scope, it can be excluded from participation in the procurement procedure in accordance with Section 48 of the Act.

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<sup>2</sup> Act No 365/2000, on public administration information systems and amending certain other acts.

## 6 BUSINESS CONDITIONS AND TERMS OF PAYMENT

The binding business conditions and terms of payment of the contracting authority are specified in the binding draft contract, which forms Annex 2 to this tender documentation.

## 7 DRAFT CONTRACT

By submitting a tender, the participant expresses its consent to the binding draft contract provide in Annex 2 of this tender documentation.

## 8 METHOD OF TENDER PRICE PREPARATION

- 8.1 The tender price shall be stated in the offer as the total amount for the performance of the subject-matter of this procurement procedure, excluding VAT.
- 8.2 The participant shall prepare its own design of the installation of **41 toll gates**, where each gate is built so that it is possible to install a device for monitoring traffic in both directions of travel. The client shall assume that the vehicles will be scanned from one direction, from the front (against the direction of travel). However, it is up to the participant to carry out its own design to achieve the measurement accuracy parameters required by the contracting authority.
- 8.3 The **total number of monitored lanes is 238**; this number includes ordinary lanes and emergency stopping lanes in both traffic directions. In order to minimise the costs of maintenance and administration of the camera systems, the contracting authority stipulates that the complete delivery of camera systems under this public contract may consist of **a maximum of 2 types** of camera systems.
- 8.4 The number and type of camera systems offered for individual toll gates shall be determined by the participant in its offer, and the contracting authority requires that the requirements of the contracting authority set out in Annex 1 to this tender documentation or the parameters of the camera systems indicated by the participant in its offer are met for all to gates.
- Note: the contracting authority chose this method of determining the tender price based on the results of the PMC (see the reference in paragraph 1.8.). The contracting authority intentionally does not ask for a specific number of camera systems, but leaves it to the participant to participate in the design of the overall solution and to design the optimum number of camera systems of a certain type for each stationary checkpoint (toll gateway). This principle was recommended for example by the PMC participant, TollNet a.s., Company ID No 29055059. Therefore, the final number of camera systems that will form the subject-matter of the purchase contract may vary depending on whether the participant submits a design of one camera system per lane (most PMC participants recommended this), or a design of one camera system for scanning multiple lanes, such as Macq nv, Company ID No 0402226831.*
- 8.5 The participant shall prepare the basis for the Total Tender Price by filling in the yellow fields in the table, the editable form of which forms Annex 3 to this tender documentation and the preview of which is provided below.

#	Toll Gate ID	Number of monitored lanes in one direction incl. emergency braking lane	Number of monitored lanes in the second direction incl. emergency braking lane	Total number of monitored lanes	Name of the type A camera system	Type A camera system unit price (CZK without VAT)	Number of type A camera systems	Tender price of type A camera system	Name of the type B camera system	Type B camera system unit price (CZK without VAT)	Number of type B camera systems	Tender price of type B camera system	Total number of items (both types of camera systems)	Total tender price (both types of camera systems)
						a				b				
1	D0102	6	2	8			0				0	0	0	0
2	D0111	4	2	6			0			0	0	0	0	0
3	D0116	5	1	6			0			0	0	0	0	0
4	D0123	4	2	6			0			0	0	0	0	0
5	D0128	4	2	6			0			0	0	0	0	0
6	D0132	4	2	6			0			0	0	0	0	0
7	D0141	4	2	6			0			0	0	0	0	0
8	D0154	4	2	6			0			0	0	0	0	0
9	D0204	4	2	6			0			0	0	0	0	0
10	D0311	4	2	6			0			0	0	0	0	0
11	D0315	4	2	6			0			0	0	0	0	0
12	D0408	4	2	6			0			0	0	0	0	0
13	D0502	4	2	6			0			0	0	0	0	0
14	D0506	4	2	6			0			0	0	0	0	0
15	D0512	4	2	6			0			0	0	0	0	0
16	D0518	4	2	6			0			0	0	0	0	0
17	D0805	4	2	6			0			0	0	0	0	0
18	D0815	4	2	6			0			0	0	0	0	0
19	D1104	4	2	6			0			0	0	0	0	0
20	D1111	4	2	6			0			0	0	0	0	0
21	I1109	3	1	4			0			0	0	0	0	0
22	I3307	2	0	2			0			0	0	0	0	0
23	I4712	2	2	4			0			0	0	0	0	0
24	I4807	4	0	4			0			0	0	0	0	0
25	R0114	5	1	6			0			0	0	0	0	0
26	R0606	4	2	6			0			0	0	0	0	0
27	R0703	4	2	6			0			0	0	0	0	0
28	R1007	4	2	6			0			0	0	0	0	0
29	R1012	4	2	6			0			0	0	0	0	0
30	R3501	4	2	6			0			0	0	0	0	0
31	R3541	4	2	6			0			0	0	0	0	0
32	R3548	5	1	6			0			0	0	0	0	0
33	R4601	6	0	6			0			0	0	0	0	0
34	R4608	4	2	6			0			0	0	0	0	0
35	R4801	4	2	6			0			0	0	0	0	0
36	R4815	4	2	6			0			0	0	0	0	0
37	R5201	4	2	6			0			0	0	0	0	0
38	R5204	4	2	6			0			0	0	0	0	0
39	R5505	4	2	6			0			0	0	0	0	0
40	R5601	4	2	6			0			0	0	0	0	0
41	R6301	4	2	6			0			0	0	0	0	0
Operational reserve 1 pc for each started 10 pcs, min. 2 pcs							0			0	0	0	0	0
<b>Total</b>		<b>166</b>	<b>72</b>	<b>238</b>			<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 8.6 The total tender price shall also include the operational reserve required by the contracting authority of 1 pc for every 10 pieces thereof out of the total number of each of the offered camera types, but at least 2 for each of the two types.
- 8.7 The contracting authority requires that the prices of the camera systems also include the prices of the required services referred to in paragraph 1.3 of Annex 1, in aggregate for the entire duration of the warranty period offered by the participant.
- 8.8 The total tender price (the blue field in the table) is the sum of products of tender prices of the individual camera types and their numbers proposed by the participant to be placed on each toll gate and the operating reserves. The price of the proposed camera systems must also include a warranty for the participant's warranty period.
- 8.9 Further specification of toll gates is provided in Annex 7 – List of toll gates.
- 8.10 Annex 3 of this tender documentation – a Microsoft Excel file – is provided by the contracting authority as an optional aid. The file is password protected against overwriting. The participant is responsible for the accuracy of all calculations.

**9 THE METHOD OF PROCESSING THE DOCUMENTS FOR THE TENDER QUALITY EVALUATION**

- 9.1 The participant shall prepare the basis for the tender quality evaluation by filling in the yellow fields in the table, the editable form of which form Annex 4 and the preview of which is provided below.

Tender Documentation of the Public Contract

A: Key functional parameters	Tender evaluation method	Required by contracting entity	Point evaluation	Participant's tender	Indicator	Points awarded
		a	b	c	$d = (c - a) * 100$	$e = b * d$
A1 Accuracy of recognition and classification of compulsory vehicle types (MMR)	Numeric (higher is better)	95%	3		0,0	0,00
A2 Accuracy of licence plate recognition incl. state of issue (ANPR)	Numeric (higher is better)	95%	3		0,0	0,00
<b>Sub-total</b>						<b>0,00</b>

B: Additional parameters which will be subject of the sample test	Tender evaluation method	Required by contracting entity	Point evaluation	Participant's tender	Indicator	Points awarded
		a	b	c	$d = c / a$	$e = b * d$
B1 Accuracy of recognition and classification by vehicle manufacturer, make and type	Numeric (higher is better)	90%	1		0,00	0,00
B2 Accuracy of vehicle colour detection	Numeric (higher is better)	80%	1		0,00	0,00
<b>Sub-total</b>						<b>0,00</b>

B: Additional parameters which will not be subject of the sample test	Tender evaluation method	Point evaluation	Participant's tender	Points awarded
		a	b	$c = a * b$
B3.1 Recognition and classification of pedestrians	1 = YES / 0 = NO	0,25		0,00
B3.2 Recognition and classification of bicyclists	1 = YES / 0 = NO	0,25		0,00
B3.3 Recognition and classification of motorcycles	1 = YES / 0 = NO	0,50		0,00
<b>Sub-total</b>				<b>0,00</b>

B4: Parameter with required minimal and limited maximal value	Tender evaluation method	Required by contracting entity	Point evaluation	Participant's tender	Indicator	Points awarded
		a	b	c	$d = c / a$	$e = b * d$
B4 Warranty period (years)	Numeric (higher is better)	2	1		0,00	0,00
<b>Sub-total</b>						<b>0,00</b>

C: Selected technical parameters	Tender evaluation method	Point evaluation	Participant's tender	Points awarded
		a	b	$c = a * b$
C1 Image processing in camera (preferred)	1 = YES / 0 = NO	3		0
C2 Image processing on local server (Debian OS, 1 Gbit LAN)	1 = YES / 0 = NO	1		0
C3 Data transfer format (preferred: JSON)	1 = YES / 0 = NO	3		0
C4 Data transfer format (one of the possible: UTMC or ONVIF or SNMP)	1 = YES / 0 = NO	1		0
C5 Remote lens rotation control	1 = YES / 0 = NO	1		0
C6 Remote zoom adjustment	1 = YES / 0 = NO	1		0
<b>Sub-total</b>				<b>0,00</b>

**Total** Quality of offered goods (points): **0,00**

- 9.2 The participant will receive points for the key functional parameters A1 and A2 if their tender value is higher than the contracting authority's minimum requirement.
- 9.3 The quality of the tender (offered goods, a blue field in the table above) is the sum of the partial scores of the groups of parameters A, B and C.
- 9.4 Annex 4 of this tender documentation – an editable Microsoft Excel file – is provided by the contracting authority as an optional aid. The file is protected against overwriting and contains contextual functions for checking the minimum and maximum allowed values of the entered input data. The participant is responsible for the accuracy of all calculations.
- 9.5 The contracting authority shall verify the tender parameters with the selected supplier by testing samples, see article 16 of this tender documentation.

*Note: this approach was chosen by the contracting authority in order to exclude subjective evaluation on the basis of the PMC results, see the reference in paragraph 1.8, based on recommendations of PMC participants, CROSS Zlín, a.s., Company ID No 60715286, Tattile S.r.l., Company ID No 03463200984 and CAMEA Technology, Company ID No 06230831.*

**10 EVALUATION CRITERIA AND TENDER EVALUATION METHOD**

10.1 Tenders will be evaluated according to the value for money principle. The value for money of the tender will be evaluated on the basis of the most favourable ratio of the total tender price excluding VAT and the quality of the offered goods, specifically on the basis of the table below:

Criterion	Type	Weight
Total tender price (CZK excl. VAT)	Cost-based (lower is better)	40%
Quality of offered goods (points)	Numeric (higher is better)	60%

10.2 Evaluation method within the **Total tender price** criterion (CZK without VAT).

This criterion is cost-based, i.e. lower values are considered more advantageous than higher ones. The participant receives a score according to the following equation:

$$\frac{\text{lowest tender price}}{\text{evaluated tender price}} * \text{criterion weight} * 100$$

The total tender price is set by the participant in accordance with article 8 of this tender documentation.

10.3 Evaluation method within the **Quality of offered goods** criterion.

This criterion is numerical, return-based; higher values are considered more advantageous than lower ones. The participant receives a score according to the following equation:

$$\frac{\text{points awarded by evaluation}}{\text{most points awarded}} * \text{criterion weight} * 100$$

The calculation of the points awarded under the Quality of the offered goods criterion shall be made by the participant in accordance with article 9 of this tender documentation.

## 10.4 The participant shall enter the required data into its tender and includes the electronic version of the filled in tables according to the paragraphs 8.5 and 9.1 of this tender documentation.

## 10.5 At the same time, the participant shall attach to the tender all relevant documents proving the information provided by the participant in the tender. The contracting authority does not require that these documents are electronically signed, a simple copy is sufficient. The contracting authority's right to request original documents or certified copies in accordance with Section 46(1) of the Act is not affected.

## 10.6 The tenders will be ranked by the contracting authority in descending order from best to worst. The tender with the best value for money will be the tender ranked in the first spot, i.e. the tender that has earned the highest weighted total of points for both evaluation criteria under this article.

## 10.7 In the event that the contracting authority, in accordance with the procedure under paragraph 10.6, evaluates the tenders of multiple participants to be of equally good value for money and thus equality of tenders occurs, the contracting authority carries out a secondary evaluation of tenders and decides on their ranking based on the higher point evaluation for the Quality of offered good criterion.

## 10.8 If multiple tender are still equal even after the secondary evaluation of the contracting authority according to the preceding paragraph, the order of tender will be decided by ballot in the presence of the concerned participants of this procurement procedure.

## 10.9 If the winning tender or the participant submitting such tender fail to comply with the specifications or other conditions for the conclusion of the contract, such as a successful sample test in accordance with article 16 of this tender documentation, the participant will be excluded from the procurement procedure and the contracting authority will consider the next tender in order. The contracting authority is entitled to use this procedure repeatedly.

## 11 REQUIREMENTS AND CONDITIONS FOR THE PREPARATION OF TENDERS

## 11.1 Required particulars:

- set of documents to prove qualification – see article 5 of this tender documentation;
- documents for determining the tender price – see article 8 of this tender documentation;
- documents for evaluating the quality of the tender – see article 9 of this tender documentation;
- detailed specifications of goods and services – the participant’s tender and Annex 1 to this tender documentation with commentary;
- a list of subcontractors, if known to the participant, and information on which part of the contract each subcontractor will perform.

11.2 Suggested method of tender preparation:

- table of contents with page indication or hyperlinks;
- documents demonstrating qualifications;
- technical and price part – information about what goods and services the supplier offers;
- proof of the person’s authorisation to act on behalf of the participant (e.g. power of attorney), if the legal act on behalf of the participant is made by a person other than the person authorised to act as the statutory body of the participant or a corporate agent.

11.3 Form of tenders:

- tenders are submitted exclusively in electronic form (see paragraph 14.1);
- the tender, demonstrating documents and documentation submitted as part of the tender, all correspondence, including the supplier’s questions regarding the tender conditions, must be submitted in Czech, Slovak or English; all documents serving to demonstrate qualifications that are not in Czech or Slovak must be accompanied by a translation into Czech;
- the contracting authority asks the suppliers (participants) that the electronic tender they submit contains (also) a version that can be searched automatically (i.e. not just a scan, but e.g. a pdf generated directly from a word or spreadsheet editor); this applies in particular to the technical part of the tender and documents demonstrating economic and technical qualifications.

## **12 TIME LIMIT FOR SUBMISSION OF TENDERS AND TENDER PERIOD.**

- 12.1 The closing and opening dates for the submission of tenders are set out in the procurement procedure notice in the Public Contracts Journal and in the Official Journal of the European Union, as well as on the contracting authority’s profile.
- 12.2 Tenders received after the submission deadline will not be opened in the procurement procedure and their content will not be made available to the contracting authority by the E-ZAK system. Such a tender will be deemed not to have been submitted.
- 12.3 The contracting authority in accordance to the Section 40 of the Act sets an award period of 90 days.

## **13 SECURITY**

- 13.1 In accordance with Section 41 of the Act, the contracting authority requires suppliers (participants) to provide a security of CZK 100,000 within the deadline for submission of tenders.
- 13.2 The security may be provided in one of the ways specified in Section 41 (3) to (5) of the Act, ie:

- a) By depositing a sum of money on the contracting authority's account (hereinafter referred to as the "cash security").

The cash security account number is: 5517635319/0800, IBAN: CZ43 0800 0000 0055 1763 5319, SWIFT: GIBACZPXXXX. The financial security shall be deemed to be granted at the moment when the entire financial amount is credited to the contracting authority's account.

The participant shall prove the provision of monetary security in the tender by providing information of the payment made to the contracting authority.

- b) By submitting a bank guarantee to the contracting authority.

The participant shall submit an electronic original of the bank guarantee document containing the obligation to pay the security to the contracting authority under the conditions stipulated in Section 41(8) of the Act, i.e. provided that the participant's participation in the procurement procedure terminated after its exclusion pursuant to Section 122(7) or Section 124(2) of the Act.

The participant is obliged to ensure the validity of the bank guarantee for the entire duration of the award period (see paragraph 12.3. of the tender documentation).

- c) Submission of guarantee insurance to the contracting authority.

The participant shall submit an electronic original of guarantee insurance document with the insurer's written declaration containing the obligation to pay the contracting authority under the conditions set out in Section 41, par. 8 of the Act, i.e. provided that the participant's participation in the procurement procedure terminated after its exclusion pursuant to Section 122(7) or Section 124(2) of the Act.

The participant is obliged to ensure the validity of the guarantee insurance for the entire duration of the tender period (see paragraph 12.3. of the tender documentation).

## **14 METHOD OF TENDER SUBMISSION**

- 14.1 The tenders shall be submitted in writing, exclusively in electronic form, via the E-ZAK system (see 1.4.1).
- 14.2 Technical requirements and conditions for electronic submission of tenders are specified in the supplier's user manual, which is available for download on the home page of the contracting authority's profile (<https://zakazky.cendis.cz/>).
- 14.3 The contracting authority does not confirm submission of the offer in electronic form; the confirmation is part of the E-ZAK system and each supplier has access to it within their user account.
- 14.4 The contracting authority notifies the suppliers of the possibility to test the settings of the browser and the system from which it will send the offer, including the test of sending the electronic offer – for detailed information see [https://zakazky.cendis.cz/test\\_index.html](https://zakazky.cendis.cz/test_index.html).
- 14.5 Tenders are not accepted in paper form.
- 14.6 The supplier (participant) may submit only one tender in the procurement procedure.
- 14.7 The supplier (participant) who has submitted a tender in the procurement procedure must not at the same time be the person through which another supplier proves his qualification in the same procurement procedure.

- 14.8 The contracting authority shall exclude a participant who has submitted several tenders separately or jointly with other suppliers or has submitted a tender and at the same time is the person through which another participant demonstrates qualification in the same procurement procedure.

## 15 OPENING OF TENDERS

- 15.1 The opening of tenders shall take the form of making the content of tenders available to the contracting authority in accordance with the contracting authority's E-ZAK system setting, immediately after the deadline for submission of tenders. Opening of the electronic tenders takes place without the presence of participants' representatives.

## 16 TESTING OF SAMPLES

- 16.1 The contracting authority reserves the right to test samples of the selected supplier's goods.

*Note: this decision was made by the contracting authority based on the recommendations of PMC participants (see the reference in paragraph 1.8.), CAMEA Technology, Company ID No 06230831 and Tattile S.r.l, Company ID No 03463200984.*

- 16.2 A successful test result constitutes a condition for concluding a purchase contract with the selected supplier in accordance with Section 104(b) of the Act.

- 16.3 The test will focus on verifying the actual achieved value of:

- a mandatory A1 parameter: the actual measured accuracy of vehicle type recognition and its correct classification into one of the 5 mandatory groups as specified in paragraph 2.1 of Annex 1 in mixed day and night mode;
- a mandatory A2 parameter: the actual measured accuracy of the licence plate number recognition, including the country of issue, as specified in paragraph 2.2 of Annex 1 in mixed day and night mode;
- complementary parameters B1 and B2 (in day mode only) and selected technical parameters C1 through C6, provided that they were offered by the participant in the tender;
- other technical requirements of the contracting authority set forth in Annex 1;

For the avoidance of doubt, the contracting authority explicitly states that the actual values of parameter B3 are not subject to sample testing. However, in accordance with the binding draft contract, the selected supplier will be responsible for ensuring that the supplies provided meet the requested accuracy of the recognition and classification of groups of objects within parameter B3, namely those groups of objects which the selected supplier has marked in the tender as those which will be recognized and classified by the delivered goods (see paragraph 3.3 of Annex 1 of the tender documentation).

- 16.4 The contracting authority shall, without undue delay after the evaluation of the tenders and the decision on the supplier selection, determine the place of the sample testing and invite the selected supplier in writing to deliver the sample of goods and participate in the test. The selected supplier is entitled to participate in all phases of the sample test. The selected supplier is entitled, at his own expense, risk, solely for his own use and for the purpose of control to make any documentation of the course of testing of samples.

The contracting authority is ready to provide the selected supplier with co-operation with the possible installation of technologies intended for the control measurement of vehicle speed during the test of samples (see paragraph 16.11 of this tender documentation).

- 16.5 The place for testing will be a toll gate selected by the contracting authority from the list identical with the list of toll gates for which the participant prepared a design for installation of camera systems in accordance with article 8 of this tender documentation.
- 16.6 The selected supplier shall, according to the agreement with the contracting authority, but no later than 2 weeks after the invitation referred to in paragraph 0, deliver the same number and types of camera systems along with additional components, if any, as proposed to install on the selected toll gate in accordance with paragraph 8.2 of this tender documentation, even with the documentation required for the installation and operation of the equipment during the test of the samples. The provided technology and documentation must be in accordance with the content of the offer of the selected supplier.
- 16.7 The contracting authority shall carry out, by itself and at its own risk, the installation and commissioning of camera systems at the test site in accordance with the documentation, methodological and technical assistance provided for this purpose by the selected supplier. The selected supplier undertakes to provide the contracting authority with assistance, in particular in the form of technical assistance in the installation and commissioning of the systems, and it may be, subject to an agreement with the contracting authority, present on-site during the installation and commissioning.
- 16.8 Installed systems will be tested in the presence of the selected supplier before the test begins.
- 16.9 After a successful testing of the systems, the contracting authority shall specify day and time, the measurement of the tested parameters shall be commenced in accordance with paragraph 16.3 of this tender documentation.
- 16.10 The measurement shall be carried out continuously for the time needed to collect at least 10 000 control samples (images), in day mode and at least 2 000 control samples in night mode (ie together in the mixed day and night mode).

For the avoidance of doubt, the contracting authority explicitly states that the subject of the test is all vehicles that pass the relevant measured section of the road, continuously from the moment the measurement / capture starts until 10,000 images are acquired in day mode and 2,000 images in night mode (see Annex 1 of the tender documentation).

At least 1 vehicle with the relevant metadata must be captured on each image. If there are more vehicles in the image, it must be clear to which vehicle the individual records / parts of metadata belong. The total number of measured vehicles therefore depends on the capacity of the supplier's images.

The contracting authority is entitled to interrupt the measurement for important reasons.

The contracting authority will perform parallel monitoring/recording using its existing technology (in night mode without IR illumination, so that the system of the selected supplier is not disturbed). The contracting authority assumes that its temporary parallel measurement will show worse results than the system of the selected supplier.

- 16.11 At the end of the measurement, the representatives of the contracting authority shall perform a visual inspection of the metadata measured and their comparison with the acquired overview pictures of the vehicles. The selected supplier will be entitled to be present.

The contracting authority expressly stipulates that in cases where it is possible to interpret the metadata as correct as well as defective, this metadata will be considered correct. This applies in particular when determining the type of vehicle (eg a Mercedes Vito can be classified as a van as well as a passenger car) and the color of the vehicle (distinguishing transitional colors). Metadata that clearly does not correspond to the displayed vehicle will be included as defective (eg classification of a Škoda Octavia as a heavy truck, etc.)

If the data on the image is illegible, the inspection will proceed as follows:

- the illegibility of the image is caused by poor image quality (especially insufficient focus): the image will be considered defective in relation to the vehicle and parameters that cannot be verified due to poor image quality;
- the illegibility of the image is caused by external influences that the selected supplier could not influence (eg dirty or missing registration plate): the image will be excluded from the test sample in relation to the vehicle and parameters that cannot be verified due to illegibility of the image.

In the case that the number of vehicles measured by the system of the selected supplier are not in accordance with the results of the contracting authority's parallel measurement, the inspection will proceed as follows:

- the system of the selected supplier has captured the vehicle, but the parallel system of the contracting authority has not: OK, proceed to the assessment of the metadata assigned to the given vehicle;
- the system of the selected supplier did not capture the vehicle, but the system of the contracting authority did: the vehicle is considered to be defectively recognized by the system of the selected supplier in relation to all measured parameters.

The selected supplier is entitled to request the exclusion of a certain vehicle from the test sample of vehicles during the inspection, in relation to parameters which due to poor image quality or absence of the vehicle in the image cannot be verified if during the inspection it proves that the vehicle in question exceeded more than 200 km/h. A record from a road speedometer shall be considered as reliable evidence that the vehicle has traveled more than 200 km/h, stating at least that the vehicle has traveled more than 200 km/h at that time. The record according to the previous sentence must come from a road speedometer of an approved type in the sense of Act No. 505/1990 Coll., On Metrology, and Decree No. 345/2002 Coll., Which stipulates measuring instruments for mandatory verification and measuring instruments subject to type approval. The supplier is obliged to prove the type approval and verification of the road speedometer in accordance with the stated regulations and verification.

If, during the inspection of images, more than 20% (in relation to all vehicles shown in the image) of images taken in day or night mode are rightfully excluded, the contracting authority is entitled to request that the measurement is supplemented by the number of images required in the given mode.

In case of disagreement regarding the result of the evaluation of a certain image, the contracting authority will decide on the result of the evaluation (the supplier is subsequently entitled to use remedies according to the law).

- 16.12 The test result will be determined as the ratio of correctly recognised data and correct classification to the total number of recognized parameters of vehicles, whose images were not rightfully excluded from the sample test.
- 16.13 The results of the tests will be entered in the evaluation tables the editable form of which forms Annex 5 and a preview of which is provided below.

Recognised	Car	Van	Light truck	Heavy truck	Bus	Correctly	Incorrectly	Total	A1 parameter
						a	b	c = a + b	e = a / c
Taken									
Car						0	0	0	0,00%
Van						0	0	0	0,00%
Light truck						0	0	0	0,00%
Heavy truck						0	0	0	0,00%
Bus						0	0	0	0,00%
Not recognised						0	0	0	0,00%
Total						0	0	0	0,00%

Recognised	Correctly	Incorrectly	Total	A2 parameter
	a	b	c = a + b	e = a / c
License plate + country			0	0,00%

16.14 The test for achievement of complementary (optional) parameters B1 and B2, provided they were offered by the supplier, shall be performed at the same time and in a similar manner as the mandatory parameters; the test results shall be entered in the evaluation tables whose editable form is included in Annex 5 and their preview is below.

Recognised	Correctly	Incorrectly	Total	B1 parameter
	a	b	c = a + b	e = a / c
Make + model			0	0,00%

Recognised	Correctly	Incorrectly	Total	B2 parameter
	a	b	c = a + b	e = a / c
Vehicle colour			0	0,00%

16.15 The contracting authority shall enter the sum of correctly recognised and classified data in the relevant green field and the sum of incorrectly recognised or unrecognized data in the relevant red field of the evaluation tables.

16.16 The actual achieved value of the test sample parameters (in the evaluation tables as blue-coloured fields) is the sum of partial % results of the parameters. The measured values of the parameters according to paragraph 16.3 of the tender documentation shall be entered by the contracting authority in the sample test report. The test of samples is considered to be completed by sending a sample test report signed by the contracting authority via the E-ZAK system.

16.17 If the values offered by the selected supplier are not reached, the selected supplier may request for a repeat test of the samples, but only once and no later than until 17:00 hours of the next working day following the day of delivery of the sample test report through E-ZAK system.

16.18 If the offered values are not reached even after repeated test, the contracting authority is entitled to dismantle the installed samples, return them to the selected supplier, and further proceed according to paragraph 10.9 of this tender documentation.

16.19 The verification of the technical parameters, including parameters C1 to C6 according to the selected supplier's offer shall be carried out by testing the offered parameters by the contracting authority in presence of the selected supplier's representative and recorded in the test report.

16.20 If the sample test is successful, the contracting authority shall conclude a purchase contract with the selected supplier without undue delay and the installed camera systems used for sample testing shall be part of the delivery of goods according to the concluded purchase contract (they will not be dismantled).

**17 OBLIGATIONS OF THE SELECTED SUPPLIER**

- 17.1 The selected supplier is obliged to provide the contracting authority with the necessary cooperation for the conclusion of the contract for performance of the public contract.
- 17.2 The contract shall be negotiated and concluded in the Czech language according to the applicable Czech laws. Other language versions, if any, are for information only.
- 17.3 In order to provide cooperation prior to the conclusion of the contract, the selected supplier is obliged, in particular, to submit to the contracting authority upon its request originals or certified copies of documents demonstrating the supplier's qualification and the qualification of his subcontractors, if any.
- 17.4 In the event that the contracting authority fails to obtain information on the beneficial owner of the participant in accordance with the Act on Certain Measures against Money Laundering and Terrorism Financing (hereinafter the "**beneficial owner**") from the register of beneficial owners under the Act on Public Registers of Legal and Natural Persons (see Section 122(4) of the Act), the contracting authority shall also invite the selected supplier to submit an extract from the register similar to that of the beneficial owners or to disclose identification data of all persons who are its beneficial owners in accordance with Act No 253/2008, on certain measures against money laundering and terrorist financing, as amended, and to submit documents demonstrating the relationship of all persons referred to in point (a) to the Supplier; these documents are in particular the following:
- an extract from the Commercial Register or other similar register;
  - list of shareholders;
  - the decision of the statutory body to pay the profit share;
  - memorandum, articles of association or statutes.

**18 RESERVATIONS AND RIGHTS OF THE CONTRACTING AUTHORITY**

- 18.1 In the event that the information stated in the tender change before the conclusion of the contract with the selected supplier, the selected supplier is obliged to inform the contracting authority about the fact in writing without delay.
- 18.2 The contracting authority does not accept variants of the tender.
- 18.3 The contracting authority does not grant any supplier the right to reimbursement of costs associated with participation in the procurement procedure. At the same time, the contracting authority shall not claim reimbursement of costs for the realisation of this procurement procedure from the supplier, neither in the form of reimbursement of actually incurred costs nor in the form of fees for the supplier's participation in this procurement procedure.
- 18.4 Any costs or expenses incurred in connection with the performance of the public contract by the supplier shall be included in the tender price, otherwise the supplier is obliged to pay them. The supplier shall not be entitled to demand reimbursement for such expenses outside the agreed tender price or to refuse to pay them from its own resources.
- 18.5 The contracting authority reserves the right to verify the information provided by the participant to third parties and the participant is obliged to provide all necessary cooperation in this respect.

- 18.6 The contracting authority shall not be liable for errors, wrong statements, misinterpretations or any omissions or missing information relating to this procurement procedure obtained by the supplier from sources other than the tender documentation or its supplement and explanations received from the contracting authority in accordance with the Act.
- 18.7 The contracting authority notifies the participants that legal regulations other than the Act apply to the procurement procedure, to the performance of the contract and to the subsequent control (further specified in Annex 2 of this tender documentation).
- 18.8 The contracting authority requires that, in the case of joint participation of several suppliers (joint performance of the public contract), all the suppliers submitting the joint offer are jointly and severally liable.
- 18.9 The supplier is obliged to indicate in the tender the data which it considers confidential or protected under special legal regulations and which must not be disclosed. The contracting authority shall keep confidential all information and documents indicated by the supplier as a trade secret, unless otherwise stated in this tender documentation or required by law. The obligation of the contracting authority to maintain confidentiality does not apply to information the disclosure of which is, or in the future will be, required from the contracting authority by valid and effective legal regulations by which the contracting authority is or will be bound.

List of annexes:

- Annex 1: Technical specification
- Annex 2: Binding draft contract
- Annex 3: Tender price
- Annex 4: Quality of offered goods
- Annex 5: Samples test
- Annex 6: Sample handover report
- Annex 7: List of toll gates

Prague, date 4 May 2020

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