

EXPLANATION OF TENDER DOCUMENTATION

within the meaning of Section 98 (3) of the 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

ID	Question	Answer
1	<p>In question No. 1 in the explanation of the tender documentation No. 19, the participant explained that the required functionality of remote lens rotation and remote zoom adjustment is unnecessary, yet counterproductive in real use. In the answers, the contracting authority only referred to the explanation of the tender documentation No.3, where it is stated that in this way it intends to eliminate the departures of the service group. The participant understands that the contracting authority is currently using camera technology, which needs to rotate the lens and refocus during operation, but states that the technology he offers does not need such operational interventions. The supplier intends to offer a technology that will be set to the correct setting for proper operation when installed, and any change in the angle or zoom setting will cause the recognition to malfunction, on the contrary to the primary purpose of the technology requested.</p> <p>Can the contracting authority explain why in the described case the participant is forced to supply worse and more expensive technology, resp. why is he at a disadvantage in quality assessment with this discriminatory requirement when it offers a better solution and yet is rated worse in the quality item?</p> <p>From the information provided by the contracting authority, it is clear that these</p>	<p>Not accepted.</p> <p>In the mentioned explanation, the participant stated his unsubstantiated conclusions, with which the contracting authority repeatedly disagrees.</p> <p>The contracting authority reiterates that it is not obliged to justify its requirements for the quality and parameters of the goods in any way, however, it has done so several times in the interests of transparency.</p> <p>The rotating and lens adjustment functionalities is not required by the contracting authority, but is permitted as part of the improvement of the supplier's offer in the area of qualitative evaluation. The contracting authority states with certainty that it has a justified future use for any additional parameters and does not agree with the participant's purposeful conclusions at all.</p> <p>In accordance with the method of evaluation of this public contract, the contracting authority will favor the offer, which may increase the usability value of the acquired goods in the future, especially in the case of providing other services to its clients with added value or operating cost savings by eliminating technical group departures.</p> <p>The contracting authority also disagrees with the inquirer's statement that (cit.) "<i>The contracting authority currently uses camera technology, which needs to rotate the lens and refocus during operation for correct operation</i>". The client tested, operated and operates several cameras from</p>

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	<p>functionalities are required only because they are contained in the technology of the existing = preferred supplier, according to whose product the technical specification was created. There is no technical justification for requesting them, which the contracting authority confirmed by replying that it does not really care what the camera solution will be for shooting and zooming. The participant states that this will be one of several points in his objections to the tender documentation, will the contracting authority correct its requirements so that they are not discriminatory, are transparent and economically advantageous for the contracting authority?</p>	<p>different manufacturers and none of them needs to rotate the lens and refocus for proper operation.</p> <p>The contracting authority strongly opposes the participant's claim that (cit.) <i>"The supplier is forced to supply worse and more expensive technology"</i> and that the contracting authority set <i>"discriminatory requirements"</i>, as the claimant evidently used this claim mainly because he does not have the technology. The contracting authority knows with certainty that a number of European and world manufacturers have the technology of remote control of the lens and these are functions that modern current cameras commonly have.</p> <p>With regard to (but also without regard to) the above, the contracting authority states unequivocally and with certainty that the quality assessment defined by it based on point evaluation of functional parameters beyond mandatory requirements is not discriminatory in principle, as it allows participation in public procurement and suppliers whose goods. does not have these additional parameters.</p> <p>The contracting authority opposes the interviewer's statement that (cit.) <i>"He does not care what the camera solution will have the ability to rotate and zoom"</i>, because the contracting authority is aware that if the manufacturer already offers this technology, then the ranges of these parameters are always optional and significantly exceed an absurdly small range of motion (+/- 1°), resp. an absurdly small zoom range (28-30°), as stated by the interviewer in his question No. 1 settled in the explanation of tender documentation No. 19 of 18 May 2020.</p>
2	<p>In response to questions No. 2 and 3 in the explanation of the tender documentation No. 19, the contracting authority stated that it will take pictures of vehicles only from the front. At the same time, the tender documentation in Article 8.2 states that the contracting authority assumes that the vehicles will be scanned from the front, but that the actual proposal is up to the participant. With this answer, the contracting authority significantly changed the tender conditions of the public contract. As the supplier has prepared an offer with a technical solution that scans the vehicles from behind (especially due to better reliability of reading license plate at night), the participant asks to extend the deadline for submission of bids by at least 21 days to prepare another technical solution.</p>	<p>Not accepted.</p> <p>In paragraph 8.2, the contracting authority set the assumption (intention) that it will install camera systems so that it captures vehicles from the front (against the direction of traffic) and only confirmed this assumption (intention) with its explanation.</p> <p>In the tender documentation, the contracting authority left a certain space for the supplier for his own design (by this the contracting authority had in mind the location, and the number of cameras intended for placement at toll gates with regard to the number of lanes, including emergency one, scanned by one camera) to meet the required accuracy parameters.</p> <p>In this way, in the interest of maximum openness and non-discriminatory access, the contracting authority opens the space for participation in the public contract to suppliers whose technology has</p>

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		<p>different ways of capturing vehicles, from one camera per lane to one lane for all lanes, including emergency one.</p> <p>When asked by the participant, the contracting authority states that (mere) scanning of vehicles from behind (ie without scanning from the front) will not achieve the parameters required by the contracting authority and thus will not fulfill the purpose of this public contract, especially because:</p> <ul style="list-style-type: none"> • the rear plate is much more prone to pollution due to the turbulent air flow behind the vehicle and the adhesion of solid particles contained in water droplets and aerosols, • the rear registration plate shows significantly poorer legibility than the front registration plate (also) due to lower reflectivity due to repeated abrasive effects of adhering dirt, • it is very difficult (if at all) to recognize the vehicle type from behind and to place it in the mandatory groups required by the contracting authority, • from the rear it is not possible to detect the registration number of the truck in case it has the trailer or semi-trailer attached, ie it would be excluded from the recognition of one whole category of vehicles, which the contracting authority needs to recognize. <p>The front plate, on the other hand, is washed by rain and is therefore less prone to dirt than the rear registration plate. If the participant prepared an offer for scanning vehicles only from behind, he did not respect the requirements of the contracting authority for the intended use of the goods and the required success of vehicle recognition.</p> <p>For the above reasons, the contracting authority will not comply with the interviewer's request.</p> <p>For the sake of completeness, the contracting authority states that it does not completely rule out that the supplier's system may also support passing vehicles from behind (eg due to an increase in the amount of data for the recognition of measured parameters). However, the contracting authority primarily considers it necessary to scan the vehicles from the front and requires quality images of the vehicles from the front.</p>
3	<p>In response to question No. 2 in the explanation of the tender documentation No. 19, the contracting authority stated that Article 16.11 of the tender documentation states that the vehicle will not be evaluated. The interviewer claims that this is not stated in Article 16.11. Can the contracting authority state in which</p>	<p>Not accepted.</p> <p>The interviewer answered his question <i>de facto</i> himself.</p> <p>Regardless of the angle that the camera axis has against the horizontal level, under certain conditions (distance, speed) the vehicle behind the</p>

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	<p>specific sentence it is treated? The interviewer assumes that the contracting authority considers that the image is "<i>illegible due to external influences or the image will be illegible for reasons beyond the supplier's control</i>", however, it should be noted that the camera angle to the road is not external and is a parameter specified by the supplier and this angle has a direct effect on which vehicle going in eclipse will be and which it will not.</p> <p>If the Interviewer uses a small angle of tilt of the camera to the road (eg 5°), from his point of view, the vehicle will be in alignment, even if he drives 100 m behind the truck. If the participant uses a large angle of tilt of the camera to the road (eg 60°), from his point of view, the vehicle will not be in alignment, even if he drives 10 m behind the truck. Can the contracting authority specify the conditions for the assessment of when the vehicle in transit should be identified and when not, so that these criteria are transparent, objective, verifiable and independent of the existing supplier?</p>	<p>previous vehicle can certainly be in alignment. Therefore, in accordance with paragraph 16.11 of the tender documentation, such a vehicle will not be included in the evaluation, as driving in eclipse is a reason that the supplier could not influence. This fact will be taken into account when testing the samples.</p> <p>This method of possible correction is largely independent of the control measurement of the contracting authority and the settings of his camera system.</p> <p>At the same time, the contracting authority reminds that the subject of the public contract will be the delivery of goods. However, the installation of the goods (and the correction of the absurd scanning angle preferred by the supplier, if any) will be performed by the contracting authority itself.</p> <p>Therefore, this explanation of the contracting authority should be considered as evidence of the contracting authority's commitment to maximum transparency and non-discriminatory access. Based on the above, the contracting authority will not change the tender conditions of this public contract.</p>
4	<p>In response to question No. 4 in the explanation of the tender documentation No. 19, the contracting authority stated that it "<i>reasonably assumes that the registration number of the vehicle is not visible on the trailer</i>". With this answer, apart from the fact that it is based on a false assumption, he did not answer the question asked. Can the contracting authority answer whether the registration number of the vehicle on the trailer should be recognized if it is visible to the camera? Should other parameters such as colors, vehicle type and other required functionalities be detected in such a case?</p>	<p>Explained.</p> <p>The contracting authority states that if the vehicle is placed on a trailer or on a lorry and yet exceptionally the license plate of this vehicle (and other parameters, if subject of the offer), recognition will be assessed in the same way as if such vehicle was driven separately and achieved parameters will be assessed in accordance with the supplier's offer.</p> <p>The above special cases will be approached individually during the test of the samples (eg if only a small part of the vehicle is visible from which only the color of the vehicle is apparent, the vehicle will be considered as obscured and not included in the sample test as a whole).</p>
5	<p>In response to question no. 1 in the explanation of the tender documentation no. 18, the contracting authority stated that the main reason for requesting the division into categories is to determine the category above 3.5 tonnes and below 3.5 tonnes. The Inquirer understands this as a completely relevant and justified requirement of the contracting authority, however, the current technical specification contains requirements that are probably met only by the existing supplier of the Ministry of Transport, according to whose product the technical specification was evidently created. The interviewer asks the</p>	<p>Not accepted.</p> <p>The contracting authority has concluded contracts with its clients, the conditions of which were the basis for the technical specifications and other requirements of the contracting authority formulated in the tender documentation.</p> <p>Goods acquired under this public contract will be used by the contracting authority as technical means within its own integrated solution, for which the classification of vehicles into (at least) 5 groups is necessary.</p> <p>The participant is wrong that the requirements of the contracting authority (cit.) "<i>Are probably fulfilled only by the existing supplier of the Ministry</i></p>

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	<p>contracting authority to accept a solution which, instead of the required car-van-LT-HT-bus categories, will provide the information in the distribution as needed by the contracting authority, ie. "above 3.5 tonnes" or "below 3.5" or "cannot be determined", when the category cannot be determined will essentially be a light truck, when it cannot be clearly determined whether it is above or below 3.5 tonnes.</p> <p>The interviewer states that this will be one of several points in his objections to the tender documentation, will the contracting authority correct its requirements so that they are transparent and do not disadvantage¹ the existing supplier to the detriment of all others? The interviewer further states that the current supplier means the technology manufacturer, not the integrator with whom MD has a contract as a supplier, as all companies contacted in the market investigation offer technology from the same manufacturer.</p>	<p><i>of Transport, according to whose product the technical specification was obviously created", as such a supplier does not even exist.</i></p> <p>However, if the inquirer refers to the camera systems currently available to the contracting authority and through which it provides services to its clients (including the Ministry of Transport in the context of this public contract), the contracting authority states that the technical specification has been set by the contracting authority. in particular with regard to the future use of CCTV systems, with regard to the content of contracts which the contracting authority has concluded with or negotiates with its clients and which are significantly broader in function and scope compared to the existing service provided by the contracting authority.</p> <p>In the case of accession to the interviewer's proposed requirement to reduce the scope of vehicle classification groups from the current 5 to the interviewer's proposed 3, the purpose of this public contract would not be met, as with such an absurdly narrow group selection the function of parameter A1 would be completely meaningless. The interviewer's proposal to use primarily the weight of the vehicle as a sorting element is not appropriate, and the interviewer himself states in his question that it is not possible to distinguish between vehicles weighing up to 3.5 t and over 3.5 t by the optical method.</p> <p>The contracting authority will use other supporting databases and registers for this mass-targeted mass differentiation. The contracting authority also needs a substantiated and reasonable need to distinguish vehicles falling into the category over 3.5 t into a freight vehicle and a bus, which would not allow the distinction proposed by the interviewer.</p> <p>The current setting of parameter A1, ie the requirement to recognize and classify vehicles into 5 mandatory groups, is justified, because with a just rough classification, the contracting authority would not be able to fulfill its obligations to its clients with whom it has concluded business contracts and with whom it negotiates future use of acquired camera systems. .</p> <p>If the interviewer refers to the preliminary market consultations carried out by the contracting authority prior to the commencement of this public</p>

¹ inquirer probably means the opposite, note of the contracting authority

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		procurement process, then in his conclusion that (cit.) "All companies surveyed in the market research offer technology from the same manufacturer", the inquirer is clearly wrong.
6	<p>In response to question No. 5 in the explanation of tender documentation No. 16, the contracting authority stated that the only possible transparent distinction between day and night traffic is sunrise. The inquirer states that this is not the only and not at all transparent distinction between day and night mode. From the point of view of camera systems, day and night mode is differentiated according to the intensity of lighting of the scene, ie in cloudy weather the camera can switch to night mode 2h before sunset, while in clear sky it will switch 30 minutes after sunset. recognized parameters included in the evaluation criteria, because in the cloudy sky the camera system stops recognizing colors before sunset and the contracting authority then evaluates the offered technical solution as unsatisfactory, although it meets all the requirements of the contracting authority.</p> <p>We ask the sponsor to define the day and night regime either through the intensity of lighting (which is in fact the only possible transparent and non-discriminatory parameter) or to limit the effect of weather at the time of the test (for example, it must be clear to partly cloudy, no clouds or fog)</p>	<p>Not accepted.</p> <p>Measuring in a transparent, verifiable and verifiable manner the intensity of the lighting of the scene would require the placement of a light sensor in the road on which the scanned vehicles pass, and this is neither technically nor materially nor legally possible.</p> <p>Activation of the night mode (ie switching on the illumination) of the camera system is a function which, in addition to lighting the scene, is mainly influenced by the technical properties of the camera system, such as</p> <ul style="list-style-type: none"> • lens aperture • lens focal length • size of the optical sensor, • resolution of the optical sensor, • parameters and properties of illumination. <p>The purpose of this public contract is to select the most economically suitable camera system that will enable the contracting authority to meet its obligations to clients (measured by contractual quality parameters), the non-fulfillment of which has significant economic impacts for the contracting authority. These contractual indicators are reasonably independent of the weather, day or night time, degree of cloud cover, precipitation, fog and other weather and light conditions.</p> <p>As part of the test of samples, the contracting authority wants to verify the parameters of the offered goods under conditions corresponding to the real operational use. Testing of samples loses its meaning if its conditions are too narrowly or even laboratory-defined to suit only the inquirer.</p> <p>For the avoidance of any doubt, the contracting entity allows, in the interests of transparency and non-discriminatory approach, the possibility of a reasonable interruption of the test of samples if circumstances or conditions arise which do not correspond to normal operation. The reasons for the interruption of the test include, in particular, any reduced visibility according to § 2 letter. ff) of Act No. 361/2000 Coll. on road traffic with the exception of darkness during night mode.</p>
7	In response to question no. 8 in the explanation of the tender documentation no. According to the requirements of Act and Antimonopoly office, the evaluation of the public contract	<p>Not accepted.</p> <p>The inquirer's statement that the selected supplier (cit.) "Must ensure speed measurement" is not true and is one of the proofs for the contracting</p>

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	<p>must be transparent, verifiable and, above all, reviewable. Can the contracting authority explain how the requirement for reviewability of the quality test will be ensured when the tenderer brings the certified technology, measures the speeds, communicates the results to the contracting authority and takes it back? Similarly, in a situation where the speed measurement is not performed by the tenderer at all and the tenderer claims that the vehicle was traveling faster than 200km/h, the contracting authority will have no tangible evidence to substantiate its decision to include or not classify the vehicle as correct or incorrect.</p> <p>The interviewer states that this will be one of several points in his objections to the tender documentation, will the contracting authority correct its requirements so that they are transparent, objective and allow the contracting authority's procedure to be reviewed by the Antimonopoly office?</p>	<p>authority's statement in the summary below this settlement table.</p> <p>The contracting authority only allows the possibility of measuring the speed of vehicles by the supplier in the interest of transparency and protection of the selected supplier against any unlikely unfair practice of the contracting authority. However, this good will of the contracting authority does not change his reasonable belief that the measurement of speed for the purpose of possible elimination of erroneous records of the supplier's camera system due to the speed of the vehicle over 200 km/h considers superfluous, because the presence of such fast moving vehicles is quite exceptional.</p> <p>Furthermore, it is worth noting that if the supplier's system is able to capture even faster moving vehicles, the reasons for parallel speed measurement by the supplier are reduced to an absolute minimum.</p> <p>The procedures and examples given by the interviewer are absurd, as the possible (very unlikely) elimination of an erroneous sample due to the excessive speed of the scanned vehicle is an action performed by the contracting authority, solely on the basis of a substantiated request from the supplier. If the supplier submits the request and duly substantiates it, the contracting authority shall establish the documents in the documentation on the procurement procedure, thus enabling a possible subsequent review. If the supplier's request is not substantiated, it will not be complied with by the contracting authority.</p> <p>The contracting authority considers the manner in which the samples will be tested to be transparent and objective and will not make adjustments to the tender documentation in this area.</p>
8	<p>In several answers to the questions, the contracting authority replied that it would use the existing technology to decide on the number of vehicles driven. We ask the contracting authority to publish the manufacturer and the type of this technology it will use for the evaluation, which according to the published information will certainly affect the calculation of % reliability, because despite many inquiries the contracting authority has still not set clear and objective criteria. those vehicles that were to be recognized.</p>	<p>Not accepted.</p> <p>The inquirer states a misleading conclusion that the contracting authority (cit.) "<i>Will use the existing technology to decide on the number of vehicles driven</i>".</p> <p>The contracting authority assumes that its temporary parallel measurement will show worse results than the system of the selected supplier, also due to the fact that the parallel measurement will not use IR illumination in night mode. The contracting authority therefore assumes that the parallel measurement will measure a smaller number of vehicles than the supplier's system.</p> <p>In accordance with the above assumption, the measured parameters will be assessed as follows:</p>

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		<p>(a) the selected supplier's system detected the vehicle, but the contracting authority's system did not: OK, proceeds to assess the metadata assigned to the vehicle;</p> <p>(b) the selected supplier's system did not detect the vehicle, but the contracting authority's system did: the vehicle is considered to be defectively recognized by the selected supplier's system in relation to all measured parameters.</p>
9	<p>In response to question no. 11 in the explanation of the tender documentation no. 16 the contracting authority stated it will allow for software update in camera systems in order to ensure required reliability of the type, make/model resolution during the whole warranty period. With this requirement, the tender documentation was significantly expanded and the requirements for suppliers for the next 2-5 years were newly inserted. Can the contracting authority specify how the SW update will take place in the cameras, resp. what requirements does it mean for suppliers in this regard? Is it sufficient if the supplier provides instructions on how to update the SW and the actual update is performed by the contracting authority? Or does the contracting authority² have to carry out the update on its own? Will he be allowed to do so remotely or does he have to physically go around all the installation sites?</p>	<p>Explained.</p> <p>First of all, the contracting authority does not agree with the interviewer's conclusions that by accepting software updates in cameras as an example given by the contracting authority in explaining the required methodological and technical assistance of the supplier, the contracting authority extended the tender conditions of this public contract by (cit.) <i>"Inserting new requirements"</i>. Continuous software update, including updating the sample database, is a common part of deliveries and related services of camera system suppliers and the contracting authority explicitly requires methodological and technical assistance of the supplier in the operation of delivered camera systems in point 1.3.2 paragraph 1.3 of Annex No. 1 to the tender documentation.</p> <p>The way in which the update will take place is up to the supplier, resp. on his tender. The contracting authority accepts all procedures named by the inquirer, except that it will not require the supplier³ (cit.) To <i>"physically go around all places of installation"</i>, but if a physical interaction with the goods is necessary for updating, the contracting authority will perform it at its own expense .</p>
10	<p>In question no. 1 in the explanation of the tender documentation no. 15, the contracting authority was asked to "clearly and transparently determine how it will determine the country of origin". The client did not answer this question, but described some of the possible algorithms for how camera systems can determine the country of origin. Once again, we ask the contracting authority to describe unambiguously, transparently and objectively how the contracting authority (= its employees participating in the evaluation assessment) determines which state the license</p>	<p>Explained.</p> <p>The contracting authority refers to Article 16.11 of the tender documentation, which stipulates that the optical (visual) inspection of the measured metadata and their comparison with the acquired survey images of vehicles will be performed by the contracting authority's representatives, so the contracting authority will not rely on data from any "existing system".</p> <p>For optical (visual) verification of the correctness of the detected and recognized license plate and its assignment to the country of registration, the</p>

² the inquirer probably meant the supplier

³ with regards to the footnote no. 2 above

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	<p>plate belongs to.</p> <p>From the above, it can be assumed that he will use some existing system and will "trust" it. If this presumption is correct, we ask the contracting authority to indicate the exact model and type of the equipment in question, as well as to describe in detail how it will verify that the system made a mistake and incorrectly determined the country of origin.</p> <p>The inquirer states that this will be one of several points in his objections to the tender documentation, will the contracting authority correct its requirements so that they are transparent, objective and exclude a high probability of influencing the evaluation criteria of the error rate of the existing technology?</p>	<p>contracting authority will primarily use the catalog specified in Decree of the Ministry of Transport No. 343/2014 Coll., on vehicle registration, older legal regulations and corresponding regulations of foreign countries containing syntaxes and graphic designs of national license plates, including the temporal and spatial range of their validity.</p> <p>In more complex cases, the contracting authority may draw on publicly available sources, followed by verification in sources within the transport sector, to which the contracting authority has an access.</p>
11	<p>In response to question no. 9, the contracting authority states in the explanation of the tender documentation no. 15 that it supposes the camera system will choose the best picture from the sequence and send to evaluation. This answer clearly indicates that the tender documentation is tailored to the contracting authority's existing supplier. The inquirer has another (and more widespread in the world) mechanism used for the recognition of license plates, which does not meet this assumption, on which the contracting authority was based and according to which the tender documentation is written. The tenderer's system works on the principle that it searches for vehicles with registration plates and at the moment when it finds such, it tries to recognize registration plates, at the moment when it recognizes registration plates, an image is created for the contracting authority and subsequent images only increase its level of certainty. exceeds a certain limit, it will cause the image to be sent to the contracting authority as a recognized one.</p> <p>Is it permissible for the inquirer to offer the described technology in the performance of this public contract?</p>	<p>Accepted.</p> <p>Yes, because the method of acquisition and selection of records stated by the inquirer is factually identical to the quoted assumption of the contracting authority. The interviewer only described in more detail the method of selecting the image that will be submitted by the system for assessment in the sample test.</p>
12	<p>In response to question no. 11 in the explanation of the tender documentation no. 15 states that it is entirely up to the supplier to take into account the price of the local server in the price offer and that it is not able to process the bidder's price offer and that the bidder should be able to price this. The inquirer states that he knows exactly how to process the price offer and how to price local servers, but the</p>	<p>Explained.</p> <p>The contracting authority is not obliged to advise the interviewer on how to price the goods. However, it is permissible for the contracting authority (this also applies to the costs incurred by the supplier for the provision of related services) to dissolve and add parts of the prices of any local servers to the unit prices specified by the supplier in</p>

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	<p>problem is that the table published by the contracting authority to determine the number of individual technologies (which must not be interfered with other than by filling in prices and numbers) does not allow the interviewer filled in the price of the servers. Where should the interviewer state the price of local servers when it cannot be listed in Annex 3?</p>	<p>Annex 3 to the tender documentation.</p> <p>The contracting authority provided the suppliers with a list of toll gates for the installation of cameras. Therefore, if the supplier determines the number of required cameras depending on the types of cameras it offers and the number of possibly needed servers for a given toll gate, the inclusion of the server price in the camera prices is a banal operation of elementary arithmetic.</p>
13	<p>In answer to question no. 14 in the explanation of the tender documentation no. 15 the contracting authority states that it is not true that "it will determine the total number of vehicles according to the current system", while in answer no. 16 in explanation no. number of vehicles using existing technology "and this number will be directly included in the evaluation. From these, as well as a number of other definitions and answers, it is still not in the slightest clear how the contracting authority intends to proceed in the evaluation of the public contract.</p> <p>Finally, we ask the contracting authority to define unambiguously, transparently and verifiably how the initial set of 100% of vehicles will be determined, which will be included as those whose registration number was to be recognized. According to the interviewer and other interviewers, it is evident that the only possible way is to make a continuous video and perform an evaluation according to this video, which practically means that the evaluation will start a video and assess whether the candidate's system correctly recognized the vehicle in the video.</p> <p>The interviewer states that this will be one of several points Objections to the tender documentation, the contracting authority adjusts the evaluation criteria so that it is objective, does not depend on the existing technology (apparently) of the preferred supplier and it was possible to clearly demonstrate in the interval of interest passed through the monitored section?</p>	<p>Not accepted.</p> <p>The contracting authority does not agree with the inquirer's conclusion that (cit.) "<i>This determined number will directly enter the evaluation</i>". The contracting authority described the way in which it will work with any differences found between the records obtained by the supplier's and the contracting authority's systems in answer No. 16 of the explanation of tender documentation No. 4 of 4.5.2020 and in answer No. 8 of this explanation of tender documentation and insists on this method:</p> <p>(a) the selected supplier's system has detected the vehicle, but the contracting authority's system has not: OK, proceed to assess the metadata assigned to the vehicle;</p> <p>(b) the selected supplier's system did not detect the vehicle, but the contracting authority's system did: the vehicle is considered to be defectively recognized by the selected supplier's system in relation to all parameters which are subject to verification.</p> <p>It follows clearly, transparently and verifiably from the above that the set of 100% of records is the sum of sub-files (a) and (b).</p> <p>The procedure of manual counting of passing vehicles from the video recording proposed by the inquirer is not feasible to the extent necessary for the verification of the offered parameters and testifies to the purposefulness of the query raised by the inquirer.</p>
14	<p>In response to question no. 1, the contracting authority states in the explanation of the tender documentation no. 15 states that it requires 3 reference contracts containing recognition of the country of origin of the license plate, as a result of which the tenderer has a sufficient base of recognized samples. The client therefore explicitly assumes that the</p>	<p>Explained.</p> <p>In its answer to question 1 in explanation No. 15 dated 15 May 2020, the contracting authority stated that (cit.): "<i>It requires the participant to prove technical qualification by at least 3 reference supplies, the subject of which corresponds to the subject of this public contract and that it therefore has a system (or know-how) which, from previous</i></p>

ID	Question	Answer
	<p>supplier has access to image data from the supplied camera systems. We ask the contracting authority to indicate whether it provides the current supplier with image data from existing camera systems. What data and to which supplier do you provide, resp. have you provided in the past?</p>	<p><i>practice, has a sufficient basis of recognized patterns and syntaxes of the license plate and is able to use them to assign the country of origin in the conditions necessary for the performance of this public contract. "</i></p> <p>The inquirer's conclusion that (cit.) <i>"The client therefore explicitly assumes that the supplier has access to image data from the supplied camera systems"</i> is incorrect. If the contracting authority allowed the supplier access to image data from the delivered systems, it would violate not only the contracts with its clients, but mainly the law.</p> <p>The inquirer either has no experience with the supply of camera systems and the way in which its manufacturers ensure that the settings and algorithms are up-to-date and then abuses the institute's request for explanations of tender documentation for professional training, or deliberately and repeatedly misinterprets the contracting authority's explanations to achieve obstructive goals.</p>
15	<p>In response to question no. 1, the contracting authority states in the explanation of the tender documentation no. 15 states that it requires 3 reference contracts containing recognition of the country of origin of the license plate, as a result of which the tenderer has a sufficient base of recognized samples. The interviewer states that the scenario envisaged by the contracting authority is not at all common and that it is not usual for a system user to provide image data to a manufacturer so that he can improve the characteristics of his products on the basis of them. It is clear from the above that the requirement for the content of reference supplies, which has already been identified in the past as discriminatory and rejected by the contracting authority as unfounded, is based on these completely erroneous and erroneous assumptions.</p> <p>The interviewer states that this will be one of several points in objections to the tender documentation, will the contracting authority adjust the requirements for reference contracts so that they are non-discriminatory?</p>	<p>Explained.</p> <p>Question No. 15 is not intended to explain the tender documentation (there is nothing to explain to the contracting authority) and is only the output of the interviewer, with which, however, the contracting authority does not agree. According to the contracting authority, it is not usual, resp. in the legal environment of the Czech Republic, it is not even possible for the supplier of the camera system to have direct access to data on the passage of vehicles. Therefore, if the inquirer assumes that this is the case, he is already wrong in this part of his speculations.</p> <p>If the interviewer intends to dispute the fact that the successful implementation of significant supplies, the supplier gains experience and the contracting authority is thus guaranteed successful completion of the subject of the public contract than in the case of a supplier without experience.</p>

Summary conclusions of the contracting authority. The inquirer with his conclusions and suggestions:

- abuses the institute of the explanation of the tender documentation to unreasonably influence the inalienable rights of the contracting authority to set requirements for the functions and properties of the goods, based on the business plans and intentions of the contracting authority;
- under the pretext of defending the principles of public procurement, imposes on the contracting

authority non-preferred, technologically and economically less suitable solutions, which are probably available to the inquirer;

- accuses the contracting authority in an unsubstantiated and unjustified manner of infringing the principles of fair competition;
- intentionally inaccurately cites the requirements and explanations of the contracting authority to substantiate its unreasonable and purely purposeful conclusions.

During the procurement procedure, the contracting authority repeatedly demonstrated goodwill, clarified and explained its intentions and requirements in a sufficiently transparent manner in the previous explanations, or modified the tender documentation and adequately extended the deadline for submission of tenders in order to make this public contract as accessible as possible to the widest possible range of potential suppliers.

Filing an objection to the contracting authority's actions is an inalienable right of the supplier and the contracting authority is prepared not only to defend its intentions, requirements and procedures, but to provide all information and cooperation for a fair review of the contracting authority's procedure and actions in this public contract.

In Prague on 22 May 2020

Ing. Jan Paroubek
in charge of the state enterprise