

Information on the result of the evaluation of bids

pursuant to Section 55 (2) of Act No. 343/2015 Coll. on Public Procurement and on Amendments to Certain Acts, as amended (hereinafter referred to as the "Public Procurement Act" or the "Public Procurement Act")

to the contract called

"Digitization of the vehicle fleet, collection planning system and electronic registration and confirmation of dumps"

1. Identification of the contracting authority:

Odvoz a likvidácia odpadu, a.s., Ivanská cesta 22, 821 04 Bratislava

The contracting authority pursuant to Section 7(1)(d) in conjunction with Section 7(2) of the Public Procurement Act

2. Identification of public procurement:

Type of contract: Above-limit order

Procedure: Negotiated procedure with publication

Announcement published: in Úr. Journal of the EU 2023/S 141 of 25.07.2023 under No. 450711
in the Bulletin of the Public Procurement Office No. 146/2024 of 26.07.2023
under No. 24732 – MSS
Original call for tenders

3. Circumstances of the course of the original tender and the application of the negotiated procedure with publication

The contracting authority announced an above-threshold contract for the provision of services with an estimated contract value of EUR 2,750,000.00 excluding VAT through a public tender procedure. On 03.10.2023, 2 bids were delivered to the contracting authority. The committee appointed to evaluate the bids and meet the conditions for participation in the initial public tender concluded that one of the submitted bids met the defining features of an unacceptable bid, because the price offered far exceeded the estimated value of the contract and also the budgetary possibilities of the contracting authority allocated at the time of the announcement of the tender (see the minutes of the designation of the PHZ for the original tender). The second tenderer who submitted a bid, in the bid and even after the subsequent request for the submission of documents, did not prove that the set conditions of participation were met. For that reason, that tenderer was excluded from the tendering procedure and did not contest that exclusion before the ÚVO.

List of submitted bids and their evaluation in the original public tender:

Offer ID	Identification of the applicant	Offered price in EUR excl. VAT	Conclusion from the evaluation of the bid in the public tender
124081	Elte Smart sp. z o. o.	2,067,000.00 EUR	He did not prove compliance with the PU.
124084	c-trace GmbH	5.494 671,00 EUR	An unacceptable offer according to Section 72 (4) of the Public Procurement Act.

The negotiated procedure with publication is according to Section 70 (1) (e)¹ of the Public Procurement Act can be applied in a situation where unacceptable or irregular bids are delivered to the contracting authority in a previous public tender. According to Section 70(4)² of the Public Procurement Act, unacceptable tenders are, in particular, tenders submitted by tenderers who do not meet the selection criteria and tenders whose price is higher than the budget determined and documented by the contracting authority before the announcement of the public procurement.

With regard to the conclusions of the commission from the evaluation of the bids and the fulfilment of the conditions for participation in the original public tender, the contracting authority applied the procedure of a negotiated procedure with publication. The aim of this procedure is mainly to clarify the reasons for offering techn. solutions at such a high price, as well as to find opportunities to optimize costs without significantly changing the scope of the subject of the contract in order to improve the offer.

4. List of bidders who met the conditions for participation in the Original Tender and were invited to negotiate the basic offer:

Offer ID	Identification of the applicant	Offered price in EUR excl. VAT	Reason for the invitation to the meeting
124084	c-trace GmbH Stieghorster Str. 122, 33605 Bielefeld,	5.494 671,00 EUR	An unacceptable offer according to Section 72 (4) of the Public Procurement Act.

5. List of bidders who submitted the final bid and the price offered by them:

Final bid of the bidder:

Identification of the applicant	Price for the implementation of the solution in EUR without VAT	Price for 5 years of operation of the solution in EUR without VAT	Total price for implementation and 5 years of operation in EUR excluding VAT (criterion)
c-trace GmbH Stieghorster Str. 122, 33605 Bielefeld,	2 530 924,00 EUR excl. VAT	2 130 720,00 EUR excl. VAT (monthly payment: €35,512.00)	EUR 4,661,644.00

6. Advantages and characteristics of the winning bid:

On 09.12.2024, the bidder was invited to submit a final price offer. The bidder submitted the final bid on 15.12.2024 at 15:17:10. The opening of the final bids took place on 16.12.2024 at 9:30 a.m.

The content of the final bid shows that the technical solution offered by the bidder, called: **c-ware**, is still valid, meeting the specified technical and functional requirements. At the same time, the candidate agrees to the stipulated terms and conditions.

¹ A negotiated procedure with publication may be used by the contracting authority 'if, in a previous call for tenders or in a restricted procedure, all tenders were irregular or unacceptable; The contracting authority shall not be obliged to publish a contract notice if it negotiates with all tenderers who fulfil the selection criteria and have submitted tenders corresponding to the formal requirements of the tender procedure in a previous call for tenders or restricted procedure.'

² 'Unacceptable tenders shall include, in particular, tenders submitted by tenderers which do not satisfy the selection criteria and tenders the price of which is higher than the budget determined and documented by the contracting authority prior to the invitation to tender.'

Allocation of points for the price criterion:

- Based on the rules of the original tender:

Evaluation of criterion K1:

In Annex No. 4 of these tender documents, in the line marked as the total price for the subject of the contract, the tenderer shall state the total price for the provision of the service to the extent specified in the tender documents, including all their annexes. The total price of the tenderer (marked as 'P' in the formula below), which is the subject of criterion K1, is expressed as the sum of the prices of all the valued items listed in Annex No. 4 of these tender documents. The proposed prices must include all costs of the tenderer that are related to or will be incurred in connection with the performance of the subject of the contract.

Candidates will be awarded points under criterion K1 according to the following formula:

$$K1 = P / 15\,625 \text{ by story,}$$

K1 represents the number of points awarded (arithmetically rounded to two decimal places)

P represents the total price of the tenderer expressed as the sum of the prices of all the valued items listed in Annex 4 to these tender documents.

15 625 represents the value determined by the contracting authority as the value of one point

Number of points awarded for this criterion: $K1 = \text{EUR } 4\,661\,644.00 / 15\,625 = 298.35$ points

Awarding points for the qualitative criterion: K2 - recognized quality of the offered solution

- Based on the rules of the original tender:

In order to obtain points for criterion K2 in the bid, the bidder **shall submit reference letters according to Annex No. 12 to the tender documents for up to 4 implemented implementations of the offered solution for evaluation by the committee**, in which it will describe in detail the given project / description of the implemented solution (proven quality of the solution in practice) that it offers to the contracting authority (i.e. the solution that is the subject of the bidder's bid). A tenderer may submit 4 such letters of reference in the tender.

Number of points awarded for this criterion: K2 = 25 points

- Allocation of points for implemented techn. the solution is captured in a separate evaluation sheet;

Kontroly list kvantitatívneho kritéria K2						
Hodnoverne preukázaná implementácia riešenia uchádzača						
P.č.	Obchodné meno uchádzača	Termín referenčného plnenia	Stručný popis hodnotenej referencie	Kontaktné údaje pre overenie poskytnutých informácií:		
				Meno, priezvisko a pracovná pozícia kontaktnej osoby:	Tel. číslo a email kontaktnej osoby:	
1.	c-trace GmbH	01.07.2019-01.01.2020	A.R.T. Trier (združenie miest v regióne Trier-Saarburgi - optimalizácia zberu a odvozu odpadů pre tento región)	██████████	██████████	
2.		01.06.2019-01.08.2020	Projekt HVC - Kihotronics B.V. - optimalizácia zberu a zvozu odpadů pre región v Holandsku	██████████	██████████	
3.		01.02.2021-01.02.2022	Projekt Koettenbrech&Gurdilic Duale Systeme - optimalizácia zvozu pre 132 vozidiel	██████████	██████████	
4.		01.03.2023-31.12.2023	Projekt EBE Essen - identifikácia obcí a manažment objednávok	██████████	██████████	
Hodnotené prvky			Počet bodov za hodnotený prvok			
			Referencia č. 1	Referencia č. 2	Referencia č. 3	Referencia č. 4
A.	Preukázaný počet výstupov za obdobie 12 mesiacov v rámci referencie (prvá úroveň 1 bod, druhá úroveň 2 body, 3 úrovne 4 body)		1	4	1	0
B.	Riešenie je postavené na báze cloudovej služby – t.j. riešenie je poskytované zvozev spoločnosti vo firme cloudovej služby (bez ohľadu na softvér, ktorý je za týmto účelom používaný).		1	1	1	0
C.	Riešenie umožňuje zvozev spoločnosti minimálne evidenciu zmlúv so zákazníkmi, evidenciu zberných nádob vrátane evidencie ich umiestnenia a evidenciu zrealizovaných výstupov týchto nádob. Všetky skutočnosti podľa predchádzajúcej vety toto riešenia spája do jednej databázy a prepája na základe prednastavených databázových modelov		2	2	2	0
D.	Riešenie umožňuje zvozev spoločnosti monitorovanie údajov o zvozevých vozidlách (spotreba, údaje o rýchlosti jazdy, kniha jázd), ktoré spoločnosť využíva na základe monitorovacích jednotiek alebo inej technológie a to vrátane aktuálnej polohy vozidla počas čítania RFID čipu nádoby počas výstupu nádoby.		0	0	0	0
E.	Riešenie umožňuje zvozev spoločnosti automatickú (t.j. také pri ktorom nie je potrebný manuálny zásah zamestnanca spoločnosti) plánovanie trasy zvozevých vozidiel pri zvozev odpadů a automaticky navrhuje optimalizáciu trasy na základe dát, ktoré riešenie spracováva		5	5	0	0
Celkový počet získaných bodov:			25,00			

Allocation of points for the qualitative criterion: K3 Qualities and skills of the project manager and quality of the presented demo of the existing solution

- Based on the rules of the original tender:
Within the criterion "**Characteristics and abilities of the project manager and quality of the presented demo of the existing solution**", it will be evaluated, on the basis of a direct interview between the committee and the project manager (designated bidder within the bid), whether the project manager has the basic prerequisites and individual characteristics and abilities specified in the checklist of this criterion. As part of this evaluation interview, a demo version of the offered solution / offered version of the software will be presented to the committee by the designated representative of the applicant, which will be evaluated by the committee in the same way as the skills of the project manager presented in the evaluation interview.
- The interview with the project manager took place on 16.12.2024 at 2:00 p.m. online, via the MS Teams application. The project manager was alone at the interview. The course of the interview was recorded, including the connection of the project manager. The recording is part of the file documentation.
- The allocation of points for this criterion is recorded in a separate evaluation sheet;

Number of points awarded for this criterion: K3 = 12,91 points

The total number of points awarded to the applicant (PB) will be determined according to the following formula:

$$PB = K1 - (K2 + K3) \quad PB = 298.35 - (25 + 12.91) = 298.35 - 37.91 = 260.44 \text{ points}$$

7. Result of the evaluation of the fulfilment of the conditions of participation:

Fulfilment of the condition of participation pursuant to Section 32 of the Public Procurement Act:

- The applicant has submitted documents pursuant to Section 32 (2) of the Public Procurement Act;

Fulfilment of the condition of participation according to § 33 of the Public Procurement Act (INDEX 05):

Index 05 per year:	2019	3,04
Index 05 per year:	2020	3,30
Index 05 per year:	2021	5,66
Index 05 per year:	2022	7,04

Fulfilment of the condition of participation according to Section 34 (1) (a) of the Public Procurement Act (references):

- 01.07.2019-01.01.2020 A.R.T. Trier (association of cities in the region of Trier-Saarburg) - optimization of waste collection and removal for this region in the value of EUR 358,000.00 excluding VAT
- 01.06.2019-01.08.2020 Project HVC - Kliktronics B.V. - optimization of waste collection and collection for the region in the Netherlands in the value of EUR 650,000.00 excluding VAT
- 01.02.2021-01.02.2022 Project Knettenbrech&Gurdulic Duale Systeme - collection optimization for 132 vehicles worth EUR 1,370,000.00 excluding VAT

Fulfilment of the condition of participation according to Section 34 (1) (g) of the Public Procurement Act (expert: Project Manager):

- Mr. Stephan Vogt, Head of Project Management from 2009- today,
- Experience: Project Knettenbrech&Gurdulic Duale Systeme, Project HVC - Kliktronics B.V., Abfallwirtschaft und Stadtreinigung Freiburg

Fulfilment of the condition of participation according to Section 34 (1) (g) of the Public Procurement Act (expert: Software analyst):

- Mr Sebastian Ahlborn, Head of Software Department since 2016 - today,
- Experience: Project Knettenbrech&Gurdulic Duale Systeme, Project HVC - Kliktronics B.V., Project Abfallzweckverband Rhein – Mosel – Eifel, A.R.T. Trier (Association of Cities in the Region of Trier-Saarburg)

8. Information to the successful applicant:

The contracting authority hereby notifies the successful bidder, spol. **c – trace GmbH**, Stieghorster Str. 122, 33605 Bielefeld that it accepts **its tender within the meaning of Paragraph 55(2) of the Law on public procurement.**

After announcing the result of the evaluation of the bids, the contracting authority will ask the shareholder to consent to the conclusion of a contract with c – trace GmbH, Stieghorster Str. 122, 33605 Bielefeld in the total value of implementation and operation for a period of 5 years in the total value of EUR 4,661,644.00 excluding VAT. The contracting authority shall invite the successful tenderer to sign the contract only after receiving the shareholder's consent to conclude the contract.

Edification:

Entities whose rights or legally protected interests may have been affected by the actions of the contracting authority have the right to file an objection in accordance with Section 170 of the Public Procurement Act within 10 days from the date of receipt of this information. The conditions for filing objections are governed by the relevant provisions of the Public Procurement Act.

In Bratislava on 21.01.2025