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| **Lidl Česká Republika v.o.s.** |
| **NOTICE ON COMMENCEMENT OF A PROCUREMENT PROCEDURE****PROCUREMENT DOCUMENTATION** |
| to award a supply contractawarded as a high value contract in an open call pursuant to the Instructions for Awarding Contracts for Programmes Co-financed from the SEF CZ Budget (hereinafter the “Instructions”), outside the applicability of Act No. 134/2016 Coll., Public Procurement Act(hereafter the “Act”) |
|  |
| titled **Construction of PVP on Lidl Česká Republika v.o.s. stores – 31 branches** |
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# BASIC DATA ABOUT THE PROCEDUREMENT PROCEDURE

## Preamble

### The Notice on commencement of a procurement procedure, Procurement documentation (hereinafter the “Procurement Documentation”) is drafted as a references for contractor’s to submit bids for the warding of a supply contract awarded as a high value contract in an open call pursuant to the Instructions for Awarding Contracts for Programmes Co-financed from the SEF CZ Budget (hereinafter the “Instructions”), outside the applicability of the Act. The rights, obligations and conditions not specified in this Documentation are governed by the Instructions, or mutatis mutandis by the Act, where the Contracting Authority refers to it. The Procurement Documentation contains all the requirements, including the business terms and conditions, which are an annex to and integral part thereof. By submitting a bid in the procurement procedure, the contractor accepts the procurement conditions, fully and without reservation, including all annexes and any amendments to the procurement conditions.

### The procurement procedure is implemented as part of the projects:

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Mnichovo Hradiště , Ostrava Sjízdná, Liberec Vratislavská, Hlučín and Klatovy, decision serial number: 7211100141

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Prostějov Újezd, Kroměříž, Ostrava U Stadiónu, Pardubice Hůrka, Sviadnov, decision serial number: 7211100142

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Vyškov, Prostějov Anenská, Slavkov u Brna, Bučovice, Valašské Klobouky, decision serial number: 7211100144

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Unhošť, Brno Trnkova, Pardubice Poděbradská, Svitavy U Tří mostů, Ostrava Jugoslávská, Karlovy Vary Dolní Kamenná, decision serial number: 7211100145

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Horoměřice, Kladno, Smečenská , Kralupy nad Vltavou, Karviná Sportovní, Pardubice Palackého třída, Hradec Králové, decision serial number: 7211100146

and

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Dobruška, Brno Pod Nemocnicí, Brno Dornych, Prague 5 Strakonická, decision serial number: 7211100181

These projects are implemented within the Modernisation Fund call and title: New renewable energy sources (RES+) - Photovoltaic Power Plants up to 1 MW.

## Identification details of the Contracting Authority

|  |  |
| --- | --- |
| Contracting Authority’s name: | **Lidl Česká Republika v.o.s.** |
| Contracting Authority’s registered office: | Nárožní 1359/11, 158 00 Prague 5 |
| Contracting Authority’s statutory body, shareholder: | Lidl Holding s.r.o., represented by Martin Molnár, Executive Officer, and Pavel Stratil, Executive Officer |
| Contracting Authority’s ID No. | 26178541 |
| Contracting Authority’s tax ID No. | CZ26178541 |
| Contracting Authority’s profile address: | <https://profily.proebiz.com/profile/26178541> |

## Contracting Authority’s representative:

|  |  |
| --- | --- |
| Trade name: | Regionální poradenská agentura, s.r.o. |
| Registered office: | Starobrněnská 20, 602 00 Brno |
| Statutory representative: | Ing. Jan Ševčík, Executive Officer |
| Business ID number: | 26298163 |
| Tax ID number: | CZ26298163 |
| Contact person: | JUDr. Josef Kudrna |
| Phone: | +420 544 113 244 |
| E-mail address: | zakazky@rpa.cz |
| The Contracting Authority’s representative is authorised to exercise contracting activity mutatis mutandis withSection 43 of the Act and has drafted the Procurement Documentation in accordance with the Contracting Authority’s reference materials and requirements.  |

### The representative is empowered to represent the Contracting Authority in exercising the rights and obligations related to the procurement procedure.

### The representative is not biased in relation to the contract and represents that it will not participate in processing any of the bids, and is not in conflict of interests.

## Subject of Contract

### Name of contract: **“Construction of PVP on Lidl Česká Republika v.o.s. buildings – 31 branches”**

### Type of contract: supply

### Type of procurement procedure: the contract is awarded as a high value contract in an open call pursuant to the Instructions, outside the applicability of the Act.

### Expected value of contract:

Estimated contract value **CZK** 130.000.000 **excluding VAT**

**The Contracting Authority does not enable partial performance of the contract**

The subject of performance of the contract is the construction of new and unused photovoltaic power plants on the roofs of 30 Lidl stores, described in detail in the project documentation, itemised budget and description of the technical standard, which are a part of this Procurement Documentation.

The subject of performance of the contract also include ensuring the connection of each individual photovoltaic power plant to the distribution grid. The performance of the contract also incudes compliance with all other requirements and requisites stipulated by the distributor.

The output from the work in each individual case will be a power plant brought into operation with an approval certificate, inspections, and approving opinion of the LDS and all other source documents required by the Energy Regulatory Office for the issue of a licence for the production of electricity.

Based on these source documents, the Contracting Authority will submit a request to the Energy Regulatory Office for the issue of a licence to produce electricity.

The subject of performance also includes training the each individual power plant’s staff.

4.5. Where the documentation mentions the commercial names of certain products or deliveries, or other identification relating to a specific contractor, this will constitute the definition of the expected minimum standard and the contractor is by no means obliged to deliver this particular brand of a particular item.

## Period of contract performance

### The expected start date for performance in the place of performance is **April - December/2023.**

### The course of performance, including the required deadlines, is set out in detail in the Work Schedule, which is Annex 5 to the Business Terms and Conditions in the form of a performance contract.

## Place of contract performance

### **The place of contract performance is the following 31 Lidl stores:**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Objekt nr. | GPS N | GPS E | Mapa URL | Název prodejny | EAN | Napěťová úroveň | Distributor |
| CZ0252 | 50,044666 | 15,804381 | ZDE | Pardubice, Hůrka | 859182400708281119 | 35 kV (VN) | ČEZ\_Distribuce |
| CZ0344 | 49,140367 | 18,011116 | ZDE | Valašské Klobouky | 859182400212633886 | 22 kV (VN) | E.ON\_Distribuce |
| CZ0348 | 49,147759 | 17,002783 | ZDE | Bučovice | 859182400212705569 | 22 kV (VN) | E.ON\_Distribuce |
| CZ0351 | 50,289176 | 16,168251 | ZDE | Dobruška | 859182400708269742 | 35 kV (VN) | ČEZ\_Distribuce |
| CZ0401 | 49,89694 | 18,18327 | ZDE | Hlučín | 859182400511687719 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0403 | 49,47078 | 17,11908 | ZDE | Prostějov, Újezd | 859182400212168906 | 22 kV (VN) | E.ON\_Distribuce |
| CZ0404 | 49,39517 | 13,28684 | ZDE | Klatovy | 859182400801193586 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0408 | 50,74798 | 15,07107 | ZDE | Liberec, Vratislavická | 859182400408389535 | 10 kV (VN) | ČEZ\_Distribuce |
| CZ0413 | 50,03295 | 15,75007 | ZDE | Pardubice, Palackého třída | 859182400708181259 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0414 | 49,20041 | 16,66761 | ZDE | Brno, Trnkova | 859182403230000067 | 22 kV (VN) | ENERGZET |
| CZ0416 | 49,18715 | 16,61991 | ZDE | Brno, Dornych | 859182400211944150 | 22 kV (VN) | E.ON\_Distribuce |
| CZ0418 | 50,2138 | 15,8588 | ZDE | Hradec Králové, Víta Nejedlého | 859182400708440417 | 35 kV (VN) | ČEZ\_Distribuce |
| CZ0419 | 50,23201 | 12,84949 | ZDE | Karlovy Vary, Dolní Kamenná | 859182400801134350 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0423 | 49,29219 | 17,39103 | ZDE | Kroměříž | 859182400212168920 | 22 kV (VN) | E.ON\_Distribuce |
| CZ0424 | 50,14145 | 14,34456 | ZDE | Horoměřice | 859182400610072508 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0426 | 49,27399 | 16,99221 | ZDE | Vyškov | 859182400200051425 | 22 kV (VN) | E.ON\_Distribuce |
| CZ0427 | 49,82615 | 18,19819 | ZDE | Ostrava, Sjízdná | 859182400511524861 | 10 kV (VN) | ČEZ\_Distribuce |
| CZ0435 | 50,25212 | 14,3195 | ZDE | Kralupy nad Vltavou | 859182400600023626 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0436 | 49,46947 | 17,09093 | ZDE | Prostějov, Anenská | 859182400212300672 | 22 kV (VN) | E.ON\_Distribuce |
| CZ0437 | 50,516 | 14,97192 | ZDE | Mnichovo Hradiště | 859182400609984607 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0440 | 49,86564 | 18,542631 | ZDE | Karviná, Sportovní | 859182400511812456 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0449 | 49,685795 | 18,329422 | ZDE | Sviadnov | 859182400511653868 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0456 | 50,141916 | 14,061985 | ZDE | Kladno, Smečenská | 859182400610138433 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0483 | 49,83395 | 18,26273 | ZDE | Ostrava, U Stadiónu | 859182400511295594 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0485 | 50,018847 | 14,392826 | ZDE | Praha 5, Strakonická | 859182400300053022 | 22 kV (VN) | PRE\_Distribuce |
| CZ0493 | 50,229358 | 14,856956 | ZDE | Milovice | 859182400610650416 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0495 | 49,147256 | 16,876762 | ZDE | Slavkov u Brna | 859182400212900025 | 22 kV (VN) | E.ON\_Distribuce |
| CZ0505 | 49,80418 | 18,24348 | ZDE | Ostrava, Jugoslávská | 859182400511195313 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0509 | 49,754164 | 16,485433 | ZDE | Svitavy, U Tří mostů | 859182400708266574 | 22 kV (VN) | ČEZ\_Distribuce |
| CZ0520 | 50,087354 | 14,142072 | ZDE | Unhošť | 859182414580000010 | 22 kV (VN) | ČEZ LDS |
| CZ0527 | 50,055254 | 15,763829 | ZDE | Pardubice, Poděbradská | 859182413870000013 | 22 kV (VN) | ČEZ LDS |

## Financing

### The procurement procedure is implemented as part of the projects:

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Mnichovo Hradiště , Ostrava Sjízdná, Liberec Vratislavská, Hlučín and Klatovy, decision serial number: 7211100141

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Prostějov Újezd, Kroměříž, Ostrava U Stadiónu, Pardubice Hůrka, Sviadnov, decision serial number: 7211100142

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Vyškov, Prostějov Anenská, Slavkov u Brna, Bučovice, Valašské Klobouky, decision serial number: 7211100144

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Unhošť, Brno Trnkova, Pardubice Poděbradská, Svitavy U Tří mostů, Ostrava Jugoslávská, Karlovy Vary Dolní Kamenná, decision serial number: 7211100145

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Horoměřice, Kladno, Smečenská , Kralupy nad Vltavou, Karviná Sportovní, Pardubice Palackého třída, Hradec Králové, decision serial number: 7211100146

and

Construction of PVP on Lidl Česká Republika v.o.s. buildings – branches in Dobruška, Brno Pod Nemocnicí, Brno Dornych, Prague 5 Strakonická, decision serial number: 7211100181

### These projects are implemented within the Modernisation Fund call and title: New renewable energy sources (RES+) - Photovoltaic Power Plants up to 1 MW.

### The other conditions of financing the public contract are defined in the Contracting Authority’s business terms and conditions, which are an integral part of this Procurement Documentation.

# QUALIFICATIONS

##  Qualification requirements

### A participant is obliged to prove its qualification requirements no later than by the deadline set for the submission of bids. Compliance with the qualification requirements is understood to mean:

* Compliance with the basic qualification requirements;
* Compliance with the professional qualification requirements;
* Compliance with the technical qualification requirements.

A participant proves compliance with the qualification requirements using the documents requested by the Contracting Authority in the notification
of commencement of a procurement procedure or in this part of the procurement documentation. A simple copy of the documents is sufficient to prove the qualification requirements.

Documents demonstrating basic qualification requirements and professional qualification requirements as per article 12(a) of the procurement documentation must demonstrate compliance the required criteria at the latest 3 months prior to the commencement of the procurement procedure.

A contractor can prove a certain part of the technical qualifications required by the Contracting Authority through other entities. In such case, a contractor is obliged to submit to the Contracting Authority:

a) Documents demonstrating compliance with the professional qualification requirements pursuant to Section 12(a) of the procurement documentation by such other person;

b) Documents demonstrating compliance with the missing part of the qualification requirements through the other entity;

c) Documents demonstrating compliance with the basic qualification requirements pursuant to Section 11 of the procurement documentation by the other entity; and

d) A written obligation of the other entity to provide performance designated for the contract or to provide items or rights the contractor will handle as a part of the performance of the contract, at least to the extent to which the other entity proved qualification requirements for the contractor.

## Basic qualifications

### The Contracting Authority requires proof of the basic qualifications.

### A contractor **is not** qualified if it

##### was lawfully sentenced for a criminal act listed in Annex No. 3 to the Act or a similar criminal act under the system of law of the country where the contractor has its registered office, in the last 5 years before the commencement of the procurement procedure; regard will not be had to expunged convictions;

##### has due tax arrears listed in tax records in the Czech Republic or the country where the contractor has its registered office;

##### has due arrears of insurance contributions or penalties for public health insurance in the Czech Republic or the country where the contractor has its registered office;

##### has due arrears of insurance contributions or penalties with respect to social security, or contributions to the state employment policy in the Czech Republic or the country where the contractor has its registered office;

##### is in liquidation or a bankruptcy order has been declared against it or receivership has been ordered against it under different legislation or it is in a similar situation under the system of law of the country where the contractor has its registered office.

A contractor will prove compliance with basic capability by submitting a sworn statement. A specimen sworn statement is part of the procurement documentation. Participants can use this specimen.

## Professional qualifications

### The Contracting Authority requires proof of the professional qualifications.

Professional capability is held by a contractor that submits:

a) An excerpt from the Commercial Register or other similar records, if other legal regulations require an entry in such records;

b) A document demonstrating authorisation to perform business as per special legal regulations in the scope corresponding to the subject of the public contract, a trading licence:

- Installation, repair, inspection and testing of electrical equipment;

A contractor will submit documents attesting to compliance with the requisite professional qualifications
in a simple copy.

## Technical qualifications

### The Contracting Authority does not permits alternative solutions for the contract.

The technical qualification requirements are met by a contractor that submits:

**A)**

A list of significant deliveries made in the last 3 years before the start of procurement procedure.

The Contracting Authority will set a limit for compliance with the qualification requirement:

At least 3 contracts of a similar character (a contract whose subject was the delivery and assembly of a photovoltaic power plant, including its installation on the roof of a building with an installed output exceeding 100 kWp in PV panels for each individual contract and also in a value of at least CZK 2.5 m excluding VAT for each individual contract) in the last 3 years.

A licence has to be granted by the Energy Regulatory Office for all the aforementioned PV power plants.

A list of significant deliveries will contain, at least, the name of the Contracting Authority and the Contracting Authority’s contact person with whom the Contracting Authority will be able to verify the stated data, the title of the contract, and the place and time of performance. The Contracting Authority will provide a possible specimen list of significant deliveries as a part of the procurement documentation. The participants can use such document when preparing their bids.

In the event that, after telephone or e-mail verification, the Contracting Authority or evaluation commission ascertains doubts about the truthfulness of the data stated in the list of important deliveries in relation to individual contracts of a similar character, the Contracting Authority reserves the right to request from the individual clients a certification of realisation of a contract of a similar character.

**B)**

A certificate of education and professional qualifications for the contractor’s managers or persons in a similar position and persons responsible for managing the realisation of the relevant deliveries.

The Contracting Authority will set a limit for compliance with this qualification requirement:

Implementation team manager

• Must have at least 5 years’ experience in the field of delivery and assembly of photovoltaic power plants

• Must have experience with the performance of at least 3 contracts of a similar character (a contract whose subject was the delivery and assembly of a photovoltaic power plant, including its installation on the roof of a building, each with a value of at least CZK 2.5 m excluding VAT), where he/she worked as the implementation team manager, the references will state: project name, Contracting Authority, time of performance and position of such person during contract implementation.

* He/she must have professional capability 26-014-H – electrical engineer for photovoltaic systems. For the purpose of proving compliance with this request it is necessary to submit a certificate of obtaining professional qualifications, i.e. a Certificate of an Electrical Engineer for Photovoltaic Panels pursuant to Section 10d of Act No. 406/2000 Coll., on energy management.

Method of proving compliance with this qualification requirement:

• Document on professional qualifications (length of experience) in the form of a professional CV – summary of length of professional experience specifying information about the length of professional experience, information about the employer concerning the relevant professional experience and information about contact persons with whom the Contracting Authority can verify such information. A summary of the length of professional experience of the person whose professional experience is being demonstrated will have the form of a professional CV signed by the person whose professional experience is being demonstrated

• Document on professional qualification (reference) – summary of contracts realised by the person who is demonstrating his/her references, specifying the contract name, contract duration and position held by the relevant person related to the contract. A summary of contracts realised by the person whose references are being demonstrated will have the form of a sworn statement signed by the person whose references are being demonstrated (can be part of his/her professional CV)

• Document on professional competence pursuant to Section 10d of Act No. 406/2000 Coll.

* Documentation of relationship (employment law or similar) of the contractor with such person

 For own employees the form of a sworn statement from the contractor is sufficient. In the event they are not the contractor’s own employees, it is necessary to produce documents pursuant to Section 10 of the Procurement documentation.

The contractor will submit documents attesting to compliance with the technical qualifications in a simple copy.

#  OTHER REQUIREMENTS

## Procurement period

### The procurement period starts immediately upon expiry of the deadline for submitting bids and ends on the date of signing the contract with the winning participant or cancellation of the procurement procedure. The length of the procurement period is 180 calendar days. The procurement period is the period during which the contractor must not withdraw from the procurement procedure.

## Variants

### The Contracting Authority does not permits alternative solutions for the contract.

## Business terms and conditions

### For every individual part of the public contract, the Contracting Authority has stipulated separate binding business terms and conditions for implementation of the public contract in the form of a purchase agreement, which forms Annex No. 1 to this Procurement Documentation. The Contracting Authority unconditionally insists of the business terms and conditions (all provisions of the draft contract). The draft contracts signed by the person authorised to act for or on behalf of the participant must be included in the bid.

### The contractor must not alter, supplement or otherwise amend the draft agreement, unless expressly stipulated otherwise in the procurement conditions; otherwise, its bid may be eliminated and the contractor may be excluded from further participation in the procurement procedure.

Attached to the procurement documentation is a specimen agreement for each individual part of the public contract, which will serve to conclude the contractual relationship with the winner of the procurement procedure. The Contracting Authority only admits the following amendments to the draft contract by the contractor in preparing the draft contract for each individual part of the public contract, which must be part of the bid and which must be signed by the contractor’s authorised representative. The draft contract for each individual part of the public contract must respect the conditions set forth in this procurement documentation in full scope and must not put the Contracting Authority to disadvantage.

In the specimen agreement, the contractor will only add the missing data, which are highlighted in yellow “ ”.

#  BID

## Content of the bid

### The bid shall contain all the documents required by the Contracting Authority.

### The bid shall be drafted in the Czech or English language and must contain:

##### **Bid cover letter** - completed form in the procurement documentation. This document forms Annex No. 2 to the procurement documentation “*Annex No. 2 contractor’s bid cover letter*”.

##### **Business terms and conditions in the form of a draft contract for work** respecting all the procurement conditions, compiled according to the instructions contained in this procurement documentation. This document forms Annex No. 1 to the procurement documentation “*Annex No. 1 Business terms and conditions”*.

##### The completed Annex No. 5 to the draft contract for work, **Schedule for performance of work**;

##### The completed Annex No. 12 to the draft contract for work **Price list**;

##### **Documents proving fulfilment of the qualification requirements;**

##### The valued **itemised budget**

##### **Technical documentation (catalogue or technical sheets)** for the offered PV panels, for the offered inverters and for the offered supporting structure, which renders it obvious that the Contracting Authority’s requirements set forth mainly in the description of the technical standard, which is part of the project documentation, have been met.

##### **Document on payment of the security deposit** in accordance with Art. 12 of this procurement documentation.

##### Any other documents, if their submission is required in the procurement documentation.

### The contractor alone is responsible for the completeness of the bid content - the list of documents in this article of the procurement documentation serves only to ease the contractor’s orientation in compiling the bid - if this list does not contain a document, the submission of which in the bid may follow from the procurement conditions or from legislation, the contractor will not be relieved of liability for the incompleteness of the bid content by referring to the present list of documents.

## Manner of processing the tender price

### For the purposes of the procurement procedure, the bid price will be understood to mean the total price for the delivery of all technologies specified in the procurement documentation, including their transport and brining into operation, and related building work and services excluding value added tax (hereinafter “VAT”). A bid price must contain all necessary costs for the full delivery and installation of technology, including all related costs (charges, transport costs, expected risks related to placement, operation by the client, exchange rate influences, general trends in prices, etc.). All related costs will be included in the bid price.

### The bid price will be stated in CZK or a foreign currency, broken down into the total price excluding VAT, the VAT rate, the amount of VAT and the total price including VAT. Offers in a foreign currency are translated at the Czech National Bank exchange rate valid as of the last day of the period for submitting bids.

### As a part of a bid a contractor will submit an itemised budget (a valued itemised budget, which is part of the procurement documentation), which includes the unit prices for the individual items for construction work, deliveries and services and where for each item the total bid price of an item is expressed as corresponding to the requested number of measurement units. Through its structure and content an itemised budget corresponds to the relevant budget that is part of the assignment, changes in any part of an item are not permissible. A change to the budget’s structure or content are not permissible. A contractor is obliged to value all items in a budget submitted. Price should be stated solely in the budget submitted.

## Means and deadline of submitting bids

### Bids are submitted in writing, exclusively in **electronic** form via the **JOSEPHINE** electronic tool, available at the internet address **https://josephine.proebiz.com/profile/26178541**, where the contract will be published under **its** title.Detailed information about the electronic tool is stated at the address **https://josephine.proebiz.com/cs/**, in the section MANUAL AND LINK LIBRARY (top right).The contractor may send the bid to the address of the Contracting Authority’s representative via a postal license holder or via courier - the moment of acceptance of the bid is always decisive in determining whether the bid was delivered on time.

### For the purposes of preventing technical problems with various formats of uploaded files, the Contracting Authority recommends that contractors submit bids in the format \*.pdf, \*.doc or similar (text part of bid, documents) and \*.xls or similar (table part of bid). Encryption of a bid in the electronic tool is performed automatically.

### The Contracting Authority notifies a contractor that the submission of a bid by the deadline for bid submission is its responsibility. The Contracting Authority therefore recommends to contractors that intend to submit a bid to submit it a sufficient time in advance. The Contracting Authority also states that for submission of a bid it is necessary to, inter alia, perform registration in the electronic tool.

### **The deadline for submitting bids is published at the Contracting Authority’s profile. The time of submission of bids is governed by the system time in the JOSEPHINE electronic tool.** The deadline for submission of bids expires on **24 February 2023 at 10:00 a.m.**

## Method of evaluating the bids according to evaluation criteria

### Bids will be evaluated in accordance with the economic benefit they provide. The economic benefit of bids will be evaluated based on the most advantageous ratio of the bid price and quality, using the following evaluation criteria:

**Amount of bid price excluding VAT Value 70%**

**Price of complete service for a year Value 10%**

**Price of service action over framework**

**of complete service per hour Value 2.5%**

**Period of work performance**

**at each individual branch in weeks Value 2.5%**

**Length of warranty on panels in months Value 5%**

**Length of performance warranty term**

**in months for panels Value 5%**

**Length of warranty on inverters in months Value 5%**

In the evaluation criterion – **Amount of bid price excluding VAT** the bid containing the lowest bid price excluding VAT will be evaluated as the best.

In the evaluation criterion – **Price of complete service for a year** the bid containing the lowest price for 1 year of provision of complete service to an extent in accordance with Annex 13 of the business terms and conditions in the form of the draft performance contract will be evaluated as the best. **The Contracting Authority requests that the price of complete servicing (for the entire scope of 31 stores) for a year is at least CZK 155,000 excluding VAT and at most CZK 1,000,000 excluding VAT.** A participant will state the price of complete service for a year in annex no. 12 to the business terms and conditions in the form of the draft performance contract.

In the event a participant states in its bid a price of complete service for a year exceeding the maximum requested value, it will have as a consequence the participant’s exclusion from further participation in the procurement procedure at the bid evaluation stage. In its bid a participant can state a price of complete service for a year that is lower than the minimum required value, but for the purposes of evaluation in such case the value of the minimum requested price for complete service for a year will be used.

In the evaluation criterion – **Price of service action over the framework of complete service per hour** the bid containing the lowest price for 1 to the extent in accordance with Annex 13 of the business terms and conditions in the form of the draft performance contract will be evaluated as the best. **The Contracting Authority requests that the price of a service action over the framework of complete service per hour is at least CZK 250 excluding VAT and at most CZK 1,200 excluding VAT, including overheads. A participant will state the price of a service action over the framework of complete service per hour in Annex No. 12 to the business terms and conditions in the form of the draft performance contract.**

In the event a participant states in its bid a price of a service action over the framework of complete service per hour exceeding the maximum requested value, it will have as a consequence the participant’s exclusion from further participation in the procurement procedure at the bid evaluation stage. In its bid a participant can state a price of service action over the framework of complete service per hour that is lower than the minimum required value, but for the purposes of evaluation in such case the value of the minimum requested price of service action over the framework of complete service per hour will be used.

In the evaluation criterion **Period for work performance at each individual branch in weeks**, the bid containing the shortest period for work performance at each individual branch in weeks from the day of acceptance of the building site within the meaning of compliance with milestone no. 3 in accordance with annex no. 5 to the business terms and conditions in the form of the draft performance contract will be evaluated as the best. **The Contracting Authority requests that the period for work performance at each individual branch in weeks is no more than 8 weeks from the day of acceptance of the site.** A participant will state the realisation period for the work in weeks in annex no. 5 to the general terms and conditions in the form of the draft performance contract.

In the event a participant states in its bid a period for realisation of the work in weeks exceeding the maximum requested period for realisation, it will have as a consequence the participant’s exclusion from further participation in the procurement procedure at the bid evaluation stage.

In the evaluation criterion – **Length of warranty on panels in months** the best bid will be evaluated to be the one containing the longest warranty period in months for the panels from the day of handover of the equipment. The Contracting Authority requires that the warranty period be at least 120 months and at most 180 months **from the day the equipment is handed over.**

In the event that a participant states in its bid a length of warranty for the panels in months shorter than the requested minimum length of the warranty, it will lead to the exclusion of the participant from the procurement procedure at the bid evaluation stage. A participant can state in its bid a length of warranty for panels that is longer than the maximum required warranty, but for the purposes of evaluation in such case the value of the maximum required performance warranty will be used.

In the evaluation criterion – **Length of performance warranty on panels in months for panels**, the bid containing the longest period of provision of a performance warranty in months for panels from the day the equipment is handed over in accordance with Section 8.1.4(iii) of the business terms and conditions in the form of the draft performance contract will be evaluated as the best (at least 80% of the nominal declared performance of a photovoltaic panel). The Client requires that the performance warranty period be at least 300 months and at most 360 months from the day the equipment is handed over).

In the event that a participant states in its bid a length of performance warranty for the panels in months shorter than the requested minimum length of the performance warranty, it will lead to the exclusion of the participant from the procurement procedure at the bid evaluation stage. A participant can state in its offer a length of the performance warranty for the panels that is longer than the maximum required warranty, but for the purposes of evaluation in such case the value of the maximum required performance warranty will be used.

In the evaluation criterion – **Length of warranty on invertors in months**, the best bid will be evaluated to be the one containing the longest warranty period in months for the inverters from the day of handover of the equipment. The Contracting Authority requires that the warranty period be at least 120 months and at most 180 months **from the day the equipment is handed over.**

In the event that the participant states in its bid a warranty period for inverters in months that is shorter than the requested minimum warranty period, it will lead to the exclusion of the participant from the procurement procedure at the bid evaluation stage. A participant can state in its bid a warranty period for inverters that is longer than the maximum required warranty, but for the purposes of evaluation in such case the value of the maximum required performance warranty will be used.

### The bid evaluation method is set as follows for the contract:

An evaluation sub-criterion with a most advantageous minimum value is evaluated in such a manner that 100 points are allocated to the lowest value. The other evaluated bids will receive a point value that is a multiple of 100 and the ratio of the best bid’s value and an evaluated bid’s value.

An evaluation sub-criterion with a most advantageous maximum value is evaluated in such a manner that 100 points are allocated to the highest value. The other evaluated bids will receive a point value that is a multiple of 100 and the ratio of the evaluated bid’s value and the best bid’s value.

The point value of a bid, calculated according to the method described above, will be multiplied by the weight of the criterion, and in each sub-criterion the reduced point criterion value for each bid will be calculated.

The sum of the reduced point values from all sub-criteria shall determine the resulting point value of a bid.

The overall ranking of bids is given by the absolute value of the point value, so that the most advantageous overall is the bid that receives the highest total points.

In case of the equality of point values of two or more bids, the ranking in the bid price criterion determines the overall ranking of bids.

## Selection of the of best bid

### The evaluation of bids consists of assessing whether the bids are compiled in accordance with the procurement conditions. If the bid is found to be unclear or incomplete, the bidder may be invited to complete or clarify it. The completion or clarification of bids may not alter the bid price and/or the data and information to be evaluated. If a bidder fails to complete or clarify its bid within the additional time limit, or if it is not excused for late completion or clarification, its bid will be rejected.

### A written report on the evaluation and assessment of the bids shall be made by the Contracting Authority or the committee.

### The Contracting Authority will not apply the negotiation of bids.

### The Contracting Authority shall decide on the selection of the most suitable bid of the contractor whose bid was evaluated as the most suitable according to the evaluation criteria.

### The selected contractor is obliged to provide the Contracting Authority with the necessary cooperation to conclude the contract. If the selected contractor refuses to conclude a contract with the Contracting Authority or fails to provide proper cooperation to enable the contract to be concluded within this period, the Contracting Authority may conclude a contract with the second-ranked contractor. If the second-ranked contractor refuses to conclude a contract with the Contracting Authority or fails to provide proper cooperation for its conclusion, the Contracting Authority may conclude a contract with the third-ranked contractor. The second- or third-ranked contractor with whom the contract is to be concluded is obliged to provide the Contracting Authority with the necessary cooperation for the conclusion of the contract within 15 days from the date of delivery of the invitation to conclude the contract.

## Submission of bids

### Each contractor may submit only one bid. A contractor who has submitted a bid may not also be the party through which another contractor in the same procurement procedure demonstrates its qualifications.

### The Contracting Authority shall exclude a bidder who has submitted multiple bids, either individually or jointly with other contractors, or who has submitted a bid and is also the party through which another bidder in the same procurement procedure demonstrates its qualifications.

### If a bid was not delivered to the Contracting Authority by the deadline or in the manner stipulated in the procurement documentation, it is not regarded as having been submitted and regard will not be had to it during the procurement procedure.

##  Joint bid

### Contractors submitting a joint bid are obliged to submit to the Contracting Authority an agreement containing an undertaking that all such contractors will be jointly and severally liable to the Contracting Authority and to third parties in respect of any legal relations arising in connection with the public contract, throughout the period of performance of the public contract and for the duration of any other obligations arising out of the public contract. The agreement shall be signed by each of the contractors or by a party authorised to act on behalf of or for each of the contractors in accordance with Art. 21 of the procurement documentation.

### In view of the fact that the contractors submitting a joint bid are considered by law to be one contractor and are bound and entitled jointly and severally, the Contracting Authority is entitled to send all correspondence, including relevant decisions, to the address of any of them.

## Signing of the bid

### Where the procurement conditions or the law specify that the bid (i.e. the document constituting the content of the bid) is to be signed by a person authorised to act on behalf of or for the contractor, the relevant document shall be signed in accordance with the manner of acting for the contractor as entered in the commercial register, if the bidder is entered therein.

### Where a representative will sign the tender or perform other acts on behalf of the contractor in the procurement procedure under power of attorney, a copy of the power of attorney signed by the person authorised to act for the contractor in the manner registered in the commercial register, if any, or an officially certified copy (duplicate) of the original power of attorney in accordance with a special regulation, must always be provided.

### Where the procurement conditions or the law specify that the bid is to be signed by a person authorised to act on behalf of or for the contractor, the joint bid must be signed by each of the contractors, i.e. by a person authorised to act for each of those contractors submitting a joint bid, unless expressly stated otherwise in the procurement conditions. The signature of the person acting for each contractor must be in accordance with the manner of acting for the contractor concerned as entered in the commercial register, if any.

### Where a joint bid is to be signed by a representative on behalf of one of the contractors submitting the joint bid, the original power of attorney must always be accompanied by a power of attorney signed by a person authorised to act for that contractor in the manner registered in the commercial register, if any, or, in accordance with the special regulations, by a copy of the power of attorney.

### If an employee (member) of the legal entity is to sign the bid on behalf of the contractor, *ad hoc* authorisation granted by the legal entity’s statutory body in accordance with Section 166 of the Civil Code must always be provided. The authorisation must be signed in accordance with the manner of acting for the relevant contractor as entered in the commercial register, if any. The authorisation must be submitted in the original or a copy (copy) of the original certified in accordance with the special regulations.

### If a person authorised under Article 430 of the Civil Code is to sign the bid on behalf of the contractor, the bid must always be accompanied by *ad hoc* authorisation signed by the entrepreneur or its statutory body, in accordance with the manner of acting for the contractor as entered in the commercial register, if any.

### The document containing the power of attorney or authorisation for all acts that the contractor is authorised or obliged to perform in the procurement procedure shall always be attached to the Bid Cover Sheet. If the authorised person is authorised to perform some (some) acts in the procurement procedure, it shall be attached to the document containing the relevant act.

### If the bid is not signed in accordance with the above conditions, it may be rejected and the contractor excluded from further participation in the procurement procedure.

# COMMUNICATION BETWEEN THE CLIENT AND CONTRACTORS

## Clarification of the procurement documentation

### Any and all acts of the Contracting Authority with respect to the contractors or acts of the contractors with respect to the Contracting Authority in the procurement procedure must be made in written form. Communication between the Contracting Authority and the contractors takes place solely in electronic form, preferentially using the JOSEPHINE electronic tool available at the website <https://josephine.proebiz.com/profile/26178541> or the e-mail address of the Contracting Authority’s representative zakazky@rpa.cz or via the data box of the Contracting Authority’s representative

### The contractor is authorised to request from the Contracting Authority a written explanation of the procurement documentation. The contractor will deliver the written request solely in electronic form, preferentially through the JOSEPHINE electronic tool available at the internet address <https://josephine.proebiz.com/profile/26178541> or by e-mail sent to the address of the Contracting Authority’s representative zakazky@rpa.cz or via the data mailbox of the Contracting Authority’s representative. A request for an explanation of the procurement documentation must be delivered to the Contracting Authority no later than 4 business days before the expiry of the period for submission of bids. The Contracting Authority will provide an explanation of the procurement documentation within 2 business days of the delivery of a request for explanation of the procurement documentation submitted on time and in the proper manner.

### The Contracting Authority shall send an explanation of the procurement documentation, or any related documents, no later than 2 working days after receipt of the request referred to in the preceding paragraph. The Contracting Authority shall publish the clarification of the procurement conditions, including the exact wording of the request, in the same way as it published the notice of the opening of the procurement procedure in the open call.

### If a request for an explanation of the procurement documentation is delivered on time and the Contracting Authority does not publish an explanation by a deadline as per the previous paragraph, the period for submission of bids will be extended by at least the number of business days by which the period from delivery of the request for explanation of the procurement documentation until the publication of the explanation exceeded the period in accordance with the previous paragraph.

### The procurement conditions contained in the procurement documentation may be amended or supplemented by the Contracting Authority before the deadline for submission of bids. The amendment or addition to the procurement documentation must be published or notified to the contractors in the same way as the procurement condition which has been amended or added.

### If the Contracting Authority makes modifications to the procurement conditions (by way of clarification of the procurement documentation), it shall extend the time limit for the submission of bids accordingly, according to the nature of the modification made. In the case of such a modification of the procurement conditions, which may extend the range of possible contractors, the Contracting Authority shall extend the time limit so that, from the time of the modification, it is the full length of the original time limit for the submission of bids.

## Opening of envelopes

### If a bid was not delivered to the Contracting Authority by the deadline or in the manner stipulated in the procurement documentation, it is not regarded as having been submitted and regard will not be had to it during the procurement procedure.

### Neither the Contracting Authority nor the committee may open a bid before the expiry of the deadline for submitting bids.

### Opening of envelopes is non-public, because the bids will be submitted only in electronic form.

## Inspection of the place of performance

### An inspection of the place of performance will be conducted on the following dates:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Objekt Lidl nr. | GPS N | GPS E | Mapa URL | Název prodejny | Den  | Hodina  |
| CZ0252 | 50,044666 | 15,804381 | ZDE | Pardubice, Hůrka |  1.2.2023 | 10:00  |
| CZ0344 | 49,140367 | 18,011116 | ZDE | Valašské Klobouky | 9.2.2023 | 14:00  |
| CZ0348 | 49,147759 | 17,002783 | ZDE | Bučovice | 9.2.2023  | 10:00 |
| CZ0351 | 50,289176 | 16,168251 | ZDE | Dobruška | 16.2.2023  | 14:00  |
| CZ0401 | 49,89694 | 18,18327 | ZDE | Hlučín | 15.2.2023  | 14:00  |
| CZ0403 | 49,47078 | 17,11908 | ZDE | Prostějov, Újezd | 8.2.2023  | 14:00  |
| CZ0404 | 49,39517 | 13,28684 | ZDE | Klatovy |  17.2.2023 | 10:00  |
| CZ0408 | 50,74798 | 15,07107 | ZDE | Liberec, Vratislavická |  3.2.2023 | 14:00  |
| CZ0413 | 50,03295 | 15,75007 | ZDE | Pardubice, Palackého třída | 1.2.2023  |  14:00 |
| CZ0414 | 49,20041 | 16,66761 | ZDE | Brno, Trnkova | 7.2.2023  |  10:00 |
| CZ0416 | 49,18715 | 16,61991 | ZDE | Brno, Dornych | 7.2.2023   | 12:00  |
| CZ0418 | 50,2138 | 15,8588 | ZDE | Hradec Králové, Víta Nejedlého | 16.2.2023  | 10:00  |
| CZ0419 | 50,23201 | 12,84949 | ZDE | Karlovy Vary, Dolní Kamenná |  17.2.2023 |  14:00 |
| CZ0423 | 49,29219 | 17,39103 | ZDE | Kroměříž | 10.2.2023  |  10:00 |
| CZ0424 | 50,14145 | 14,34456 | ZDE | Horoměřice | 2.2.2023  | 10:00  |
| CZ0426 | 49,27399 | 16,99221 | ZDE | Vyškov | 10.2.2023  | 14:00  |
| CZ0427 | 49,82615 | 18,19819 | ZDE | Ostrava, Sjízdná | 14.2.2023  |  10:00 |
| CZ0435 | 50,25212 | 14,3195 | ZDE | Kralupy nad Vltavou | 2.2.2023  |  12:00 |
| CZ0436 | 49,46947 | 17,09093 | ZDE | Prostějov, Anenská | 8.2.2023  |  10:00 |
| CZ0437 | 50,516 | 14,97192 | ZDE | Mnichovo Hradiště |  3.2.2023 | 12:00  |
| CZ0440 | 49,86564 | 18,542631 | ZDE | Karviná, Sportovní | 13.2.2023  | 10:00  |
| CZ0449 | 49,685795 | 18,329422 | ZDE | Sviadnov | 13.2.2023  |  14:00 |
| CZ0456 | 50,141916 | 14,061985 | ZDE | Kladno, Smečenská | 2.2.2023  | 14:00  |
| CZ0483 | 49,83395 | 18,26273 | ZDE | Ostrava, U Stadiónu | 14.2.2023  | 14:00  |
| CZ0485 | 50,018847 | 14,392826 | ZDE | Praha 5, Strakonická |  6.2.2023 | 10:00  |
| CZ0493 | 50,229358 | 14,856956 | ZDE | Milovice | 3.2.2023  | 10:00  |
| CZ0495 | 49,147256 | 16,876762 | ZDE | Slavkov u Brna | 7.2.2023  | 14:00  |
| CZ0505 | 49,80418 | 18,24348 | ZDE | Ostrava, Jugoslávská | 15.2.2023  | 10:00  |
| CZ0509 | 49,754164 | 16,485433 | ZDE | Svitavy, U Tří mostů | 1.2.2023  | 15:00  |
| CZ0520 | 50,087354 | 14,142072 | ZDE | Unhošť | 6.2.2023 |  14:00 |
| CZ0527 | 50,055254 | 15,763829 | ZDE | Pardubice, Poděbradská |  1.2.2023 |  12:00 |

Those interested in inspecting the place of performance will always meet in front of the store entrance at 10:00 a.m.

No explanations of the procurement documentation will be provided as a part of the tour of the place of performance. The participants will be let in and guided through the place of performance by a layperson. Any questions arising before, during or after the inspection of the place of performance must be submitted in writing by the participants in accordance with the procurement conditions.

The inspection of the future place of performance serves only to familiarise contractors with the existing place of future performance and its technical and operational parameters.

## Publication of the outcome of the procurement procedure

The Contracting Authority reserves the possibility of publishing the notice of the outcome of the procurement procedure or the notice of exclusion of a participant in the same way as it published the notice of the procurement procedure, i.e. on the Contracting Authority’s profile at <https://profily.proebiz.com/profile/26178541> The notice of the outcome of the procurement procedure or the notice of exclusion of a bidder shall be deemed to have been delivered to all bidders concerned at the moment of publication on the Contracting Authority’s profile.

# LIST OF ANNEXES

## Annexes to the procurement documentation

### List of annexes to the procurement documentation

*Annex No. 1 Business terms and conditions in the form of a draft contract for work, including annexes*

*Annex No. 2 Contractor’s bid cover sheet*

*Annex No. 3 Specimen affidavit on fulfilment with basic competence*

*Annex No. 4 Specimen list of significant deliveries*

*Annex No. 5 Project documentation including a description of the technical standard*

*Annex No. 6 Contract on connection to the distribution grid*

*Annex No. 7 Itemised budget*