

Dear Bidder

Our number	Equipped by / tel.	Contact	Date
	Mgr. Turčanová, LL.M.	+421 908 225 248	09.12.2024

Thing

## Invitation to submit a final bid pursuant to Section 73 of the Public Procurement Act

Dear Bidder,

As you know, Odvoz a likvidácia odpadu, a.s. (hereinafter referred to as the "Public Contracting Authority") has announced a public procurement for the subject of the contract: "**Digitization of the vehicle fleet, collection planning system and electronic records and confirmation of dumps**". Within the deadline for the submission of tenders, the contracting authority received two tenders. As both bids received were irregular or unacceptable pursuant to Section 70(2) and (4) of the Public Procurement Act, **the contracting authority proceeded to a negotiated procedure with publication** pursuant to Section 70(1)(e)<sup>1</sup> of the Public Procurement Act in order to improve these bids.

On the basis of the information obtained during the first round of negotiations and the second round of negotiations, the commission processed and modified the requirements for the description of the subject of the contract, especially in the scope of modification of the structure of the price offer and contractual conditions. Therefore, the contracting authority would **like to inform you that as of 09.12.2024 it has completed negotiations on basic bids. In this context, the contracting authority will inform you of any modifications to the service requirements,** namely:

- **Document Modification: Contract for the Provision of IT Solutions Services**
  - o adjustment after the first round of negotiations: consists in updating the size of the vehicle fleet and the related number of monitoring units, modifying the definition of additional services in the context of the creation of a special group of Training and Consultations and adjusting the installation of HW devices in the vehicle when they are replaced/purchased and supplementing the obligation in the field of cybersecurity;
  - o adjustment after the second round of negotiations: modification of the rules for indexing the price of selected items;
  - o the contracting authority insists on regulating the possibility of performing any part of the performance by a subcontractor within the meaning of Article 11 of the Treaty;

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<sup>1</sup> 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 inadmissible; 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.

- all changes are represented by the change tracking functionality;
- **Edit a Price document**
  - Adjustment after the first round of negotiations: concerns the creation of a separate load group: "Training and consultation", i.e. a special award for online training and separately for face-to-face training. The original item listed for each module is deleted because it is replaced by this specific group (aggregation of the item in one place). From the point of view of the total contractual scope of the provision of the service, there is no change in the scope of training and consultations (the total price includes 50 days of training and consultations);
  - Adjustment after the first round of negotiations: the amendment also concerns the creation of a separate load group: "Installation and activation of the monitoring unit", the subject of which is the valuation of the cost of installing the monitoring unit in different types of vehicles with different scope of monitored information. A specific valuation allows suppliers to take into account the real costs of monitoring units and data transmission, depending on each vehicle type and the extent to which the information is monitored;
    - At the same time, the installation of the monitoring unit, its operation and change management are particularly appreciated;
  - Modification after the second round of negotiations:
    - concerns the creation of a separate load group: "Functionality/Functionality FOLLOW ME", i.e. a special valuation of licenses to provide this functionality. At the same time, by modifying the document "SLA support and fines", the contracting authority will have the right to order this functionality according to real needs. At the same time, the contracting authority added information on the expected number of these licenses.
    - refers to the special valuation of the SW and HW maintenance cost group: "Platform support - SW (Software)" and "Platform support - HW (Hardware)" while maintaining the contractual terms and conditions of the SLA (emphasizing the indexation of these items).
  - all changes are colored blue;
- **Document edit: Fleet**
  - Modification after the first round of negotiations: The modification consists in updating and supplementing more detailed information about the public contracting authority's vehicle fleet in order to give a specific idea of the scope of installation of monitoring units during the term of the contract. Information about the planned year of vehicle replacement and the required type of monitoring unit has been added to the document. The purpose of the information supplement is to enable tenderers to calculate more accurately the price of the purchase and installation of monitoring units (taking into account the replacement of a vehicle vs. a new vehicle), as well as more accurate costs of operating the monitoring units in terms of data transmissions;
  - additions are listed in columns Q and R;
- **Document editing: Description of the subject of the contract**
  - modification after the first round of negotiations: on page 34, information regarding the reading of RFID tags has been added, in order to clearly define the required functionalities of the monitoring unit according to the type of vehicle. The scope of the monitored information has a direct impact on the scope of data transmissions and the storage of data from the monitoring units;
  - changes are represented by the change tracking functionality;

- **Document Editing: SLA Support and Penalties**

- modification after the first round of negotiations: the modification on pages 10 and 18 takes into account the creation of a special cost group for Training and Consultations, supplementation of the installation of HW equipment due to the replacement of the vehicle / purchase of a new vehicle,
- Modification after the second round of negotiations:
  - adding the item of installation of individual HW devices and implementation into the Platform for the purpose of moving them to the Support part of the costs (instead of the original cost of Installation of monitoring units);
  - additions to the communication language of team members: team members are required to be able to communicate in Slovak, Czech or English;
- changes are represented by the change tracking functionality;

The above documents are attached to this call (in Slovak and English). In each document, the changes you make are color-coded.

**In the context of the completed negotiations on the improvement of the basic bids, the contracting authority invites you to submit a final bid, in the structure according to Annex No. 2 of this Call.**

The final offer will be submitted in Slovak/Czech/English. Unit prices will be rounded to 2 decimal places and the total price will be expressed as a price excluding VAT. The price offer will be in EUR.

After the opening of the final bids, the committee evaluates all the final bids received in terms of price acceptability (Criterion K1 is the **total price of the bidder for the provision of the service** within the scope of the tender documents, including all their annexes) and qualitative criteria (Criterion K2 is "**recognized quality of the solution offered**" and **Criterion K3 is "characteristics and capabilities of the project manager and the quality of the presented demo of the existing solution"**). The evaluation of bids will take place according to Chapter VI of the Tender Documents and Criteria set out in the public tender.

Deadline for submission of final bids: **16.12.2024 until 09:30 a.m.**

Bid opening date: 16.12.2024 at 9:31 am

**Date of presentation of the DEMO version and interview with the project manager:**

- In the offer, the applicant proposes two dates when it is possible to make an online presentation of the DEMO version and an interview with the project manager. After opening all received bids, the contracting authority will notify the bidder of the specific date of the interview with the project manager.
- Duration of the presentation and interview: max. 60 minutes
- Language: Slovak / Czech / English
- persons present at the interview: project manager (the participation of other representatives of the tenderer is not permitted in accordance with the rules for the evaluation of this criterion K3 set out in the Tender Documents for the original tender);
- connection: MS Teams application (link will be sent after opening the offers)

**Required content of the final offer:**

- **Declaration of compliance of the offered solution with the modifications made to the description of the subject of the contract and of agreement with the modified contractual**

- conditions and SLA conditions;**
- it is possible to use the statement that is attached to this call;
  - **Price offer in the structure according to Annex No. 2 of the Invitation**
    - The structure of the price offer is binding.
    - The applicant fills in the cells in the "Evaluation" tab marked in yellow in the specified structure;
  - **Reference Sheets for Evaluation Criteria K2**
    - for the purpose of evaluating Criterion K2 (qualitative criterion): "Recognized quality of the offered solution" within the meaning of the description of criterion K2 specified in the Tender Documents for the Public Tender, **the applicant shall submit reference letters according to Annex No. 12 of the Tender Documents to the Public Tender for a maximum of 4 implemented implementations of the offered solution for evaluation by the Committee**, in which it describes in detail the 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).
      - **If the specific required information is not provided in the reference letter, it will not be possible to award points for the given functionalities / implementation.**
  - **Date of the interview and presentation of the DEMO version**
    - In order to evaluate Criterion K3 (qualitative criterion): "characteristics and abilities of the project manager and the quality of the presented demo of the existing solution", **the applicant will propose two dates when it is possible to perform an online presentation of the DEMO version and an interview with the project manager.**
      - one date will be on 16.12.2024 until 12:00 p.m. (in the morning after the opening of bids);
      - the second date will be on 16.12.2024 after 12:00 p.m. (afternoon);
  - **Power of attorney** if the declarations and price offer are signed by a person other than the statutory representative;

#### **Method of submitting a tender:**

The bidder submits the bid through the designated interface of the Josephine system – the Bids / Applications tab.

#### **Rules for explaining the documents provided:**

The applicant may ask OLO, a.s. for an explanation of the provided documents via the communication interface of the Josephine system. **strongly asks for factuality, specificity of questions** (especially with regard to the course of the first round of negotiations) **and timely delivery of any questions**. At the same time, OLO, a.s. asks for the delivery of the request in an editable format, or in a format that allows the selection and copying of the text, in order to speed up the administrative processing of the answers to the received questions.

OLO, a.s. will process answers/explanations in Slovak and English. All answers to the received questions (explanations of tender documents) will be sent directly to all applicants (via the communication interface of the Josephine system).

Moment of delivery rule: the rules set out in 7.7 of the Tender Documents apply.

**List of annexes to the call for tenders:**

1. Document Modification: Contract for the Provision of IT Solutions Services
2. Edit a Price document
3. Document edit: Fleet
4. Document editing: Description of the subject of the contract
5. Document Editing: SLA Support and Penalties
6. Declaration of compliance of the offered solution with the modifications made to the description of the subject of the contract and of agreement with the modified contractual terms and conditions and SLA conditions (template)
7. Reference letters for the evaluation of criterion K2

Yours sincerely,

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Mgr. Marcela Turčanová, LL.M.

Person authorized to communicate in the competition