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Rector's Office

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SR

Department of Central Public
Procurement (DCPP)

4136/2026

„Library Information System“ (contract for the provision of services)

Above-Threshold Public Contract

Open Procedure

Super-Reverse Procedure pursuant to Section 66(7)(b) of Act No. 343/2015 Coll. on Public Procurement and on Amendments to Certain Acts, as amended (the "Public Procurement Act")

TENDER DOCUMENTS

On behalf of the Contracting Authority – Comenius University Bratislava:

.....
Ing. Ingrid Kútňá Želonková, PhD.
CU registrar

Compliance of the Tender Documents with the Public Procurement Act is confirmed by:

.....
Mgr. Martin Dufala, PhD.
head of CU DCPP

.....
Ing. Lenka Batková
specialist of CU DCPP

Any matters that may arise during the public procurement procedure and are not governed by these Tender Documents shall be governed by the relevant provisions of the Public Procurement Act, as in force on the date of commencement of the public procurement procedure.

In the event of any conflict, inconsistency, ambiguity, uncertainty, or discrepancy between the Slovak version of these Tender Documents (including their annexes) and the English version, the Slovak version shall prevail.

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Part I. GENERAL INFORMATION

1. IDENTIFICATION OF THE CONTRACTING AUTHORITY

Name of the organization: Comenius University Bratislava
(hereinafter also referred to as "CU" or "Contracting Authority")
Organization Address: Safarikovo nam. 6, P.O.BOX 440, 814 99 Bratislava 1, Slovak Republic
Company Identification Number (ID): 00 397 865
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Link to the procurement procedure in the Josephine system: <https://josephine.proebiz.com/sk/tender/78162/summary>

2. SUBJECT MATTER OF THE CONTRACT

2.1 Contract Title: „Library Information System“

The subject matter of this above-threshold public contract for the provision of services is the implementation of a **library services platform**, including a discovery service/tool (hereinafter also referred to as the "System/LSP"), intended for the automation and management of library information processes at CU (installation – parametrization, configuration and adjustment, library records management, circulation services, management of electronic information resources, migration of data from the current integrated library information system, as well as after the expiry of technical support, training, hosting and other related services), and the provision of technical support and a license for the System/LSP during the implementation period and for a period of five (5) years (or, if the option for an additional three (3) years is exercised, up to eight (8) years) after its deployment into routine operation.

The Contracting Authority requires that the System/LSP be implemented as Software-as-a-Service (SaaS) and hosted in the successful tenderer's cloud/SaaS environment.

A more detailed description of the subject matter of the contract is provided in the annexes to these Tender Documents.

2.2 CPV code (Common Procurement Vocabulary)

Main Subject	
CPV code	Description
72000000-5	Information technology services: consulting, software development, Internet and support
72212160-8	Library software development services
48161000-4	Library management systems

2.3 The estimated value of the contract for the entire subject matter of the contract is **800 000 EUR excluding VAT**.

2.4 The Contracting Authority reserves the right not to accept a tender submitted by a tenderer exceeding the estimated value of the contract.

3. DIVISION OF THE SUBJECT MATTER OF THE CONTRACT

3.1 The contract is not divided into lots. The tenderer is required to submit a tender for the entire subject matter of the contract.

3.2 Justification for not dividing the subject matter of the contract into lots:

The Contracting Authority decided not to divide the subject matter of the contract into lots because the subject matter of the contract constitutes an integrated library service platform provided in the form of a SaaS service, which must operate as a single functional, technologically and operationally interconnected unit. The division of the contract into lots could result in disruption of the compatibility of individual modules, an increased risk of technical issues during their integration, and ambiguity regarding the allocation of responsibility for the proper operation of the System/LSP.

Furthermore, the division of the subject matter of the contract into lots would result in an unreasonable increase in the coordination requirements associated with multiple providers, which could adversely affect the continuity of service provision, the security of processed data, and the provision of consistent user support. Taking into account the nature of the subject matter of the contract, the Contracting Authority concludes that dividing the contract into lots would be unreasonable from a substantive and functional perspective, as the individual parts of the System/LSP cannot be fully and independently utilized without their mutual integration and unified management. Such an approach could lead to inefficiency, increased operational costs, and a reduction in the quality of the services provided.

Based on the above facts, the Contracting Authority has concluded that the decision not to divide the contract into lots is objectively justified, proportionate, and compliant with the principle of economy and efficiency in the use of public funds.

4. ALTERNATIVE SOLUTIONS AND EQUIVALENTS

- 4.1 The Contracting Authority does not permit the submission of alternative solutions in relation to the requirements for the subject matter of the contract.
- 4.2 If a tender includes an alternative solution, such solution shall not be included in the evaluation and shall be disregarded as if it had not been submitted.
- 4.3 Equivalent shall not be considered alternative solutions.
- 4.4 Where these Tender Documents or their annexes refer to a specific manufacturer, technical solution/type, product brand, or a product of a specific manufacturer, **the Contracting Authority permits the use of an equivalent**, provided that the offered equivalent product or equivalent technical solution meets, in particular, the requirements for the same or higher-quality dimensional, material, technical, performance or functional requirements and characteristics specified in these Tender Documents or their annexes. The Contracting Authority requires that any equivalent included in the tender be clearly identified in the list of equivalent items used as part of the tender, so that compliance of its technical, qualitative and other characteristics with the Contracting Authority's requirements can be assessed.
- 4.5 When proposing equivalent materials/products/solutions, the tenderer shall act with due professional care and shall take into account the original intended purpose specified by the Contracting Authority, ensure full functionality, and maintain compliance with such purpose without requiring any amendments to other parts of the Tender Documents. The proposed equivalent shall not require any additional related costs to be incurred by the Contracting Authority as part of the cooperation and assistance related to the performance of the subject matter of the contract, and the acceptance of the submitted equivalent shall not result in increased direct or indirect costs arising from the use of the delivered subject matter of the contract.
- 4.6 The Contracting Authority reserves the right not to accept a proposed equivalent if such equivalent does not meet the minimum technical parameters. The burden of proof regarding the suitability of the proposed material/product/equipment shall rest with the tenderer.

5. PLACE AND TIME LIMIT FOR PERFORMANCE OF THE SUBJECT MATTER OF THE CONTRACT

- 5.1 The place of performance of the subject matter of the contract is: Comenius University Bratislava.
- 5.2 The delivery period for the subject matter of the contract relating to the implementation of the System/LSP constitutes an evaluation criterion for tenders – K3. The maximum implementation period for the System/LSP is **300 calendar days**, and the minimum implementation period is **150 calendar days**. The delivery period for the subject matter of the contract relating to the provision of SaaS services shall be **at least five (5) years** from the deployment or implementation of the System/LSP, with the Contracting Authority reserving the right to exercise an **option for an additional three (3) years**.

6. TYPE OF CONTRACT AND FORM OF CONTRACT

- 6.1 In accordance with Section 66(7)(b) of the Public Procurement Act, the Contracting Authority has decided that the evaluation of tenders with respect to compliance with the requirements for the subject matter of the contract and the assessment of fulfillment of the conditions for participation shall be carried out after the evaluation of tenders based on the award criteria. The evaluation shall be conducted using the super-reverse procedure, i.e. the tenderer ranked first based on the evaluation criteria (following the calculation of the total number of points awarded) shall be assessed first.
- 6.2 The procurement procedure shall result in the conclusion of an Agreement on support for operation, maintenance, and development of the System/LSP – SaaS Services Subscription, and a Data Processing Agreement. The agreements shall be concluded in accordance with the applicable legal regulations, in particular Act No. 513/1991 Coll., the Commercial Code, as amended, and the Public Procurement Act.
- 6.3 A detailed specification of the contractual terms and conditions relating to the subject matter of the contract is set out in Annexes No. 3a and 3b to these Tender Documents and, in part, in Annex No. 1 and Annex No. 2 hereto. The wording of the agreements is binding, and tenderers are not entitled to amend any provisions thereof. Any comments or requests for changes to the agreements shall be submitted through the procedures provided for under the Public Procurement Act (request for clarification). *The Contracting Authority does not require signed drafts of the agreements*

to be submitted as part of the tender; however, by submitting a tender, the tenderer acknowledges and agrees to the contractual terms and conditions set out in the annexes to these Tender Documents.

7. SOURCE OF FOUNDING

- 7.1 The subject matter of the contract shall be financed from the Contracting Authority's own financial resources.
- 7.2 Payment shall be made by bank transfer on the basis of a tax invoice issued by the Provider, payable within thirty (30) days of its receipt by the Contracting Authority.
- 7.3 The Contracting Authority shall not provide any advance payment.

8. TENDER VALIDITY PERIOD

- 8.1 The tenderer shall be bound by its tender for a period of nine (9) months from the expiry of the deadline for the submission of tenders specified in the contract notice.

Part II. COMMUNICATION AND CLARIFICATIONS

9. COMMUNICATION BETWEEN THE CONTRACTING AUTHORITY, APPLICANTS AND TENDERERS

- 9.1 Communication between the Contracting Authority and economic operators/tenderers shall be conducted in the Slovak, Czech or English language exclusively through the JOSEPHINE information system, available at <https://josephine.proebiz.com/>. This method of communication shall apply to all communications and submissions between the Contracting Authority and economic operators/tenderers throughout the entire public procurement procedure.
- 9.2 An economic operator/tenderer may register in the JOSEPHINE system at <https://josephine.proebiz.com/> using a username and password or by means of an electronic identity card with an electronic chip and a personal security code (eID). The registration procedure is described in the library of manuals and links (icon located in the upper right corner, to the left of the national flag/language selection).
- 9.3 The Quick Registration Guide provides a simple step-by-step overview of the registration process in the JOSEPHINE electronic public procurement system. It also contains a description of the system's basic screens to facilitate its use.
- 9.4 For the proper use of the JOSEPHINE system, it is necessary to use one of the supported web browsers:
- Mozilla Firefox version 13.0 and higher,
 - Google Chrome,
 - Microsoft Edge.
- 9.5 Rules on Service of Communications – a communication shall be deemed to have been served on an economic operator/tenderer once the addressee has an objective opportunity to become acquainted with its contents. For the purposes of the JOSEPHINE system, a communication shall be deemed to have been served at the moment it is sent through the JOSEPHINE system, in accordance with the system's functionality.
- 9.6 Communication through the JOSEPHINE communication interface shall include, in particular, the submission of tenders, requests for clarification of the Tender Documents and the Contract Notice, any amendments or supplements to the Tender Documents, clarifications of submitted tenders and supporting documents, communication during review procedures between the Contracting Authority and economic operators/tenderers, as well as any other communication relating to this public procurement procedure, unless expressly excluded by the Public Procurement Act.
- 9.7 Where the sender of a communication is the Contracting Authority, an electronic notification informing the economic operator or tenderer that a new communication/message relating to the relevant procurement procedure is available shall be sent without undue delay to the contact e-mail address specified during registration in the JOSEPHINE system. The economic operator or tenderer shall log into the system, where the content of the communication/message will be available through the communication interface of the relevant procurement procedure. The economic operator or tenderer may also view the complete history of its communications with the Contracting Authority through the communication interface.
- 9.8 Where the sender of a communication is an economic operator or tenderer, it may, after logging into the JOSEPHINE system and accessing the relevant procurement procedure, submit messages and the necessary attachments to the Contracting Authority through the communication interface. Such communication shall be deemed to have been served on the Contracting Authority at the moment it is sent through the JOSEPHINE system, in accordance with the system's functionality.

10. CLARIFICATIONS AND AMENDMENTS TO THE TENDER DOCUMENTS

- 10.1 Where clarification or explanation of information contained in the Contract Notice, the Tender Documents or any other accompanying documentation is required, any economic operator may request such clarification exclusively through the JOSEPHINE system.
- 10.2 The Contracting Authority shall communicate the clarification of the Tender Documents or other accompanying documentation to all known economic operators, **no later than six (6) days before the expiry of the deadline for the submission of tenders** or the deadline for submission of documents proving fulfillment of the conditions for participation, provided that the request for clarification was submitted sufficiently in advance.

11. SITE VISIT

- 11.1 The subject matter of the contract does not require a site visit.

12. CONFIDENTIALITY OF THE PUBLIC PROCUREMENT PROCEDURE

- 12.1 Information relating to the examination, clarification, evaluation, comparison of tenders and recommendations for the acceptance of a tender shall be confidential. Members of the tender evaluation committee and responsible representatives of the Contracting Authority shall not, during the ongoing public procurement procedure, disclose or provide such information concerning the content of tenders to either tenderers or third parties.
- 12.2 Information which a tenderer identifies as confidential in its tender (Annex No. 2 to these Tender Documents) shall not be disclosed or otherwise used without the prior consent of the tenderer, unless such disclosure or use would be

contrary to the Public Procurement Act or other generally binding legal regulations/specific legislation (in particular Act No. 211/2000 Coll. on Free Access to Information and on Amendments and Supplements to Certain Acts, Act No. 215/2004 Coll. on the Protection of Classified Information and on Amendments and Supplements to Certain Acts, etc.).

- 12.3 Personal data of data subjects involved in the public procurement procedure shall be processed by the Contracting Authority for a predefined purpose in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), and Act No. 18/2018 Coll. on Personal Data Protection and on Amendments and Supplements to Certain Acts.
- 12.4 The Contracting Authority considers that, by submitting a tender, the tenderer shall be responsible for ensuring that all other data subjects whose personal data are included in the submitted tender have provided their consent to the processing of such personal data in accordance with Act No. 18/2018 Coll. on Personal Data Protection and on Amendments and Supplements to Certain Acts, as amended, and Regulation (EU) 2016/679 (General Data Protection Regulation). Upon request, the tenderer shall provide such consents to the Contracting Authority. The same shall apply where the tender is submitted by a group of suppliers/economic operators.

Part III. PREPARATION AND SUBMISSION OF TENDERS

13. PREPARATION OF THE TENDER

- 13.1 The Contracting Authority requires that the tender be prepared exclusively in electronic form in accordance with Section 49(1)(a) of the Public Procurement Act and submitted through the JOSEPHINE system within the deadline for the submission of tenders. If a tenderer submits a tender in paper form, such tender shall not be opened or included in the evaluation.
- 13.2 Submission of tenders is permitted only to authenticated tenderers. Authentication may be carried out in the following ways:
- By registering and logging into the JOSEPHINE system using an electronic identity card (eID) with an electronic chip and a personal security code (BOK). The company is authenticated in the system by its statutory representative, who registers the company using the eID. Authentication is performed by the JOSEPHINE system provider on working days from 8:00 a.m. to 4:00 p.m. The tenderer shall be informed by e-mail once the authentication has been completed.
 - By uploading the qualified electronic signature of the statutory representative of the company (e.g. an eID-based signature) to the user profile after registration and logging into the JOSEPHINE system. Authentication is performed by the JOSEPHINE system provider on working days from 8:00 to 16:00. The tenderer shall be informed by e-mail once the authentication has been completed.
 - By uploading a document proving the identity and authority of the statutory representative to the user profile after registration, signed by the statutory representative with an electronic signature or having undergone authorized conversion. Authentication is performed by the JOSEPHINE system provider on working days from 8:00 to 16:00. The tenderer shall be informed by e-mail once the authentication has been completed.
 - By uploading a power of attorney to the user profile after registration, signed by both the statutory representative and the authorized person with electronic signatures, or having undergone authorized conversion. Authentication is performed by the JOSEPHINE system provider on working days from 8:00 to 16:00. The tenderer shall be informed by e-mail once the authentication has been completed.
 - By waiting for an authentication code, which shall be sent by registered mail to the company's registered office address and delivered to the statutory representative of the tenderer. This process usually takes three (3) working days, and the tenderer shall take this period into account when submitting its tender.
- 13.3 After logging into the JOSEPHINE system, the authenticated tenderer shall select the relevant procurement procedure from the overview/list of procurement procedures and submit its tender using the designated tender submission form available under the "Tenders and Requests" tab.
- 13.4 The tender shall be uploaded to the JOSEPHINE system upon completion of the envelope processing. The progress of processing is displayed by the system as a percentage next to the relevant button. The system shall confirm the successful submission of the tender with the message "Saved", and the submitted tender shall appear under the "Tenders and Requests" tab. The tenderer shall be able to view its submitted tender under the "Tenders and Requests" tab together with the date of submission. Upon successful submission of the tender to the JOSEPHINE system, the tenderer shall receive an automatic notification e-mail confirming the submission of the tender.
- 13.5 Where these Tender Documents refer to the submission/sending of a tender, documents or other materials, this shall be understood exclusively as the electronic submission of documents (both by the economic operator/tenderer and by the Contracting Authority).
- 13.6 The Contracting Authority reserves the right to request documents in paper form if it has reasonable doubts regarding the authenticity/originality of scanned documents or in the case of a successful tenderer.
- 13.7 The Contracting Authority draws the attention of economic operators to the provisions of Section 49(4) of the Public Procurement Act.

14. LANGUAGE, CURRENCY AND PRICES STATED IN THE TENDER

- 14.1 The tender and any other certificates, documents and supporting documents submitted in this public procurement procedure shall be submitted in the official language used in the territory of the Slovak Republic, i.e. in Slovak, or alternatively in Czech or English.
- 14.2 If a certificate, document or other supporting document is prepared in a language other than Slovak, Czech or English, it shall be submitted together with an official translation into the official language. In the event of any discrepancy between the original document and the translation, the official translation into the official language shall prevail.
- 14.3 The contractual price proposed by the tenderer and stated in the tender shall be expressed in EUR as a price excluding VAT, rounded in accordance with mathematical rules to a maximum of two decimal places. The price shall not be linked to any other currency.
- 14.4 The price for the subject matter of the contract shall be determined in accordance with Act of the National Council of the Slovak Republic No. 18/1996 Coll. on Prices, as amended, and Decree of the Ministry of Finance of the Slovak Republic No. 87/1996 Coll., implementing Act of the National Council of the Slovak Republic No. 18/1996 Coll. on Prices.

The price shall include **all costs related to, or arising in connection with, the performance of the subject matter of this contract**, including a reasonable profit margin.

15. TENDER SECURITY

15.1 The Contracting Authority does not require the provision of a tender security.

16. CONTENT OF TENDER

16.1 The documents and supporting documents submitted by the tenderer may, pursuant to Section 49(7) of the Public Procurement Act, be copies of documents in electronic form (PDF format recommended).

16.2 The tender submitted by the tenderer shall contain the following documents, supporting documents and information:

- 16.2.1 ***A honour declaration of a group of economic operators*** pursuant to Annex No. 4 to these Tender Documents and a power of attorney granted to one of the members of the group of economic operators authorized to act on behalf of the group, where the tender is submitted by a group of economic operators,
- 16.2.2 ***A power of attorney*** authorizing a person to act on behalf of the tenderer or a group of economic operators, where the tender and the documents contained therein are signed by a person other than the member(s) of the statutory body authorized to act on behalf of the tenderer,
- 16.2.3 ***Documents and supporting documents demonstrating fulfillment of the conditions for participation*** specified in the Contract Notice and in Section 21 of these Tender Documents,
- 16.2.4 ***The tenderer's priced and fully completed Annex No. 2 to these Tender Documents***, submitted in PDF format with a signature, as well as in XLS format for the purposes of the subsequent evaluation of tenders by the committee. The tenderer shall print and sign only Sheet No. 1 of this annex for inclusion in the tender. The complete Annex No. 2 shall be submitted in Excel format,
- 16.2.5 If the tenderer has not prepared the tender itself, the tenderer shall ***provide the identification details of the person whose services or materials were used in preparing the tender*** (at least name and surname, business name or company name, address of residence, registered office or place of business and identification number, if assigned),
- 16.2.6 ***A proposed implementation schedule for the System/LSP*** in accordance with the tenderer's proposed value for evaluation criterion No. 3 (K3). A detailed implementation schedule, or its basic template, is included in Annex No. 5 to these Tender Documents.

The proposed implementation schedule shall contain, as a minimum, the following phases:
 - 1. project analysis and implementation preparation; preparation of the conversion and migration procedure;
 - 2. creation of the testing environment; training of relevant library staff – administrators and trainers; test migration; initial installation of the production environment;
 - 3. final data migration, commencement of operation (Go-live of the System/LSP);
 - 4. transition to operational/technical support and routine use of the System/LSP.
- 16.2.7 ***Documents, videos, supporting materials and other materials*** by which the tenderer demonstrates compliance with the requirements for the subject matter of the contract, as well as compliance with the functional requirements of the System/LSP – evaluation criterion No. 2 (K2).

16.3 In accordance with Act No. 305/2013 Coll. on the electronic form of exercise of the powers of public authorities and on Amendments and Supplements to Certain Acts (the e-Government Act), the Contracting Authority shall accept the documents referred to in Section 16.2 also in electronic form, provided that they are submitted as newly created electronic documents transformed through authorized conversion in accordance with Part Four of the e-Government Act.

16.4 Where documents forming part of the tender are issued directly in digital form by a public administration authority (or another obliged institution), the tenderer may upload such digital documents to the system (including their official translations).

17. COSTS OF PREPARING THE TENDER

17.1 The tenderer shall bear all costs and expenses associated with the preparation and submission of its tender without any entitlement to reimbursement from the Contracting Authority, regardless of the outcome of the public procurement procedure, including where the Contracting Authority does not accept any of the submitted tenders or cancels the procurement procedure.

18. ELIGIBILITY OF THE TENDERER

18.1 A tender may be submitted by a tenderer that is a natural person or legal entity acting independently towards the Contracting Authority, or by a group of natural persons/legal entities acting jointly towards the Contracting Authority as a group of economic operators. Economic operators established in a third country with which neither the Slovak

Republic nor the European Union has concluded an international agreement guaranteeing equal and effective access to public procurement in that third country for economic operators established in the Slovak Republic may not participate in this public procurement procedure.

- 18.2 For the purposes of these Tender Documents, the term “tenderer” shall also include a group of economic operators.
- 18.3 The tenderer/group of economic operators shall submit with its tender a document signed by all members of the group appointing the lead member of the group authorized to act on behalf of the other members of the group pursuant to Section 16.2.1 of these Tender Documents. The authorized member of the group shall register in the JOSEPHINE system and submit the tender on behalf of all members of the group. The Contracting Authority shall communicate through the JOSEPHINE system only with the designated member and not with all members of the group.
- 18.4 Each tenderer may submit only one tender in this public procurement procedure.
- 18.5 A legal entity whose founder, member or shareholder is a political party or political movement may not participate in the public procurement procedure. If such legal entity submits a tender, the tender shall not be included in the evaluation and the tenderer shall be excluded.
- 18.6 If the successful tenderer is a group of economic operators within the meaning of Section 37 of the Public Procurement Act, the draft contract submitted by the successful tenderer – the group of economic operators – shall be signed by the authorized representative of each member of the group, and the details of each member of the group of economic operators shall be stated separately in Article I of the draft contract. Where a group of economic operators participating in the public procurement procedure does not establish a legal form with its own legal personality, the contract must be signed separately by each member of the group. Alternatively, if the contract is to be signed by an authorized representative of the group, a power of attorney shall be submitted (a scan of the original or a certified copy), expressly stating that the power of attorney also covers the signing of the contract with the Contracting Authority on behalf of all members of the group of economic operators. Members of a group of economic operators that has not established a legal form with its own legal personality by the date of conclusion of the contract shall be jointly and severally liable for the performance of the subject matter of the contract, irrespective of their internal arrangements.

19. SUBMISSION METHOD, PLACE AND DEADLINE FOR TENDERS

- 19.1 The tender shall be submitted electronically through the JOSEPHINE information system within the deadline for the submission of tenders. **The deadline for the submission of tenders is specified in the Contract Notice.**
- 19.2 After expiry of the deadline for submission of tenders, the JOSEPHINE system shall notify the tenderer that the deadline for submission of tenders has expired and that the submitted tender can no longer be opened.

20. AMENDMENT, MODIFICATION AND WITHDRAWAL OF TENDERS

- 20.1 A tenderer may supplement, modify or withdraw its submitted tender until the expiry of the deadline for submission of tenders. When withdrawing a tender, the tenderer shall proceed in the same manner as when submitting the initial tender (by clicking the “Withdraw Tender” button and submitting a new tender).

21. CONDITIONS FOR PARTICIPATION IN THE PUBLIC PROCUREMENT PROCEDURE

21.1 Personal Status

- 21.1.1 The tenderer shall demonstrate fulfillment of the conditions for participation relating to personal status pursuant to Section 32(1) of the Public Procurement Act in the manner specified in Section 32(2), (4) and (5) of the Public Procurement Act (by submitting the relevant documents), or pursuant to Section 152 of the Public Procurement Act (by registration in the Register of Economic Operators in the Slovak Republic = Zoznam hospodárskych subjektov – the Contracting Authority may verify such registration itself and the tenderer is not required to submit proof thereof), or in the manner specified in Section 21.1.5.
- 21.1.2 For the purposes of demonstrating fulfillment of the conditions for participation relating to personal status, the Contracting Authority shall also accept registration of the tenderer in a similar or equivalent register (such as the Register of Economic Operators = Zoznam hospodárskych subjektov) maintained by the relevant authority in the state of establishment of the tenderer (e.g. in the Czech Republic, the List of Qualified Suppliers = Seznam kvalifikovaných dodavatelů), to the extent of the registered information.
- 21.1.3 A tenderer consisting of a group of economic operators shall demonstrate fulfillment of the conditions for participation relating to personal status separately for each member of the group. The fulfillment of the condition for participation pursuant to Section 32(1)(e) of the Public Procurement Act (authorization to supply goods, perform works and provide services) shall be demonstrated by each member of the group only in relation to the part of the subject matter of the contract which that member is responsible for providing.
- 21.1.4 The tenderer shall demonstrate personal status pursuant to Section 32 of the Public Procurement Act also in respect of any other person referred to in the Public Procurement Act and Section 34(3) of the Public Procurement Act.

21.1.5 The Contracting Authority has access to the oversi.gov.sk information system. A tenderer established in the Slovak Republic that intends to demonstrate fulfillment of the conditions for participation relating to personal status by submitting documents is not required to submit the following documents:

- Section 32(2)(a) of the Public Procurement Act (the tenderer is not required to submit only an extract from the Criminal Register concerning a legal entity),
- Section 32(2)(b) of the Public Procurement Act,
- Section 32(2)(c) of the Public Procurement Act,
- Section 32(2)(d) of the Public Procurement Act,
- Section 32(2)(e) of the Public Procurement Act,
- Section 32(2)(f) of the Public Procurement Act (the tenderer is not required to submit a solemn declaration only where its state of establishment, place of business or habitual residence is the Slovak Republic),

as the Contracting Authority is able to verify these documents itself, except for the documents referred to in Section 21.1.6 below.

21.1.6 A tenderer established in the Slovak Republic that intends to demonstrate fulfillment of the conditions for participation relating to personal status by submitting documents shall be required to submit the following documents:

- Section 32(2)(a) of the Public Procurement Act – an extract from the Criminal Register not older than three (3) months concerning all members of the statutory body, members of the supervisory body and procurator(s). If the tenderer does not submit the documents referred to in the preceding sentence, it shall, for the purpose of demonstrating fulfillment of this condition for participation, provide the Contracting Authority with the data necessary for requesting the extract from the Criminal Register from the oversi.gov.sk information system, pursuant to Section 12(4) of Act No. 192/2023 Coll. on the Criminal Register and on Amendments and Supplements to Certain Acts, as amended,
- Section 32(2)(f) of the Public Procurement Act – a solemn declaration that the tenderer is not subject to a prohibition from participating in public procurement procedures, submitted only where the tenderer's state of establishment, place of business or habitual residence is other than the Slovak Republic.

21.1.7 If, during the period of evaluation of fulfillment of the conditions for participation relating to personal status, the Contracting Authority is unable to access the relevant data for technical reasons on the part of the operator of the www.oversi.gov.sk portal, the Contracting Authority shall be entitled to request from the tenderers the original or a certified copy of the relevant document.

Tenderers originating from countries other than the Slovak Republic shall also be required to submit to the Contracting Authority the documents referred to in Section 21.1.5 (or temporarily replace such documents with the European Single Procurement Document (hereinafter referred to as the "ESPD")), as the Contracting Authority has access only to registers established in the Slovak Republic.

21.2 Technical and Professional Capacity

21.2.1 Section 34(1)(a) of the Public Procurement Act – References of the Tenderer

The tenderer shall demonstrate its technical and professional capacity by providing a list of services performed during the previous **five (5) years** preceding the publication of the public procurement procedure, including the prices, delivery periods and recipients. Where the recipient was a contracting authority pursuant to the Public Procurement Act, the relevant reference shall serve as evidence.

The publication of the Contract Notice in the Official Journal of the European Union shall be deemed to constitute the publication of the public procurement procedure.

Pursuant to Section 34(1)(a) of the Public Procurement Act and in connection with Section 34(2) of the Public Procurement Act, the Contracting Authority has, in order to ensure an adequate level of competition, determined the period for demonstrating technical and professional capacity by a list of services provided as five (5) years preceding the publication of the public procurement procedure.

The Contracting Authority requires the tenderer to demonstrate experience in the performance of comparable contracts, i.e. contracts involving the implementation, operation and technical support of a Software-as-a-Service (SaaS) cloud-based Library Services Platform (LSP), for a comparable type of institution, including the data migration (bibliographic, authority, item and transaction data). The tenderer shall submit a list of at least three (3) reference projects carried out during the previous five (5) years, the subject matter of which was the implementation of a similar SaaS solution for a library services platform.

Of the references submitted, at least one (1) reference must demonstrate compliance with all of the requirements for a comparable contract set out below. The remaining two (2) references must each demonstrate compliance with at least two (2) of the four (4) characteristics of a comparable contract specified below. In addition, all references must satisfy the requirements applicable to a comparable type of institution.

A comparable contract shall mean the implementation, operation and technical support of a Library Services Platform (LSP) based on a SaaS (cloud) solution, which:

- provides, in a unified manner (through interconnected and cooperating modules), at least the functionalities of cataloging, collection management and circulation, an online discovery tool, a reporting tool, a comprehensive LSP administration tool and basic acquisition functions, and simultaneously
- includes the functionality of an integrated discovery tool for both print and electronic resources, and simultaneously
- includes the functionality of a link resolver for providing access to electronic resources, and simultaneously
- provides options for integration and interoperability of the LSP with external systems, such as an academic information system, authentication systems (Shibboleth, SAML), and similar systems.

A comparable type of institution shall mean a library or an institution managing extensive collections of information resources (e.g. an academic institution, archive, information center, memory institution or similar), which:

- operates on the basis of multiple libraries cooperating within a single LSP instance (with at least eight (8) main locations), which may be further divided into additional departments or branches (sublocations), and simultaneously,
- provides services to at least fifteen thousand (15,000) end users.

For each project, the tenderer shall provide:

- the name and registered office of the contracting entity,
- a brief description of the subject matter of the performance, clearly demonstrating compliance with the above-mentioned requirements,
- the implementation period,
- the number of system users,
- the contact person of the contracting entity for the purpose of verifying the reference (telephone number, email address and name).

21.2.2 Section 34(1)(d) – in connection with Section 35 of the Public Procurement Act – Quality Assurance Measures

The tenderer shall submit a description of the measures applied by the tenderer to ensure quality. The tenderer shall demonstrate that it holds the following valid certificates:

- **a certificate of an information security management system (ISMS) for the field of information systems development in accordance with the ISO 27001 standard** valid as at the date of submission of the tender, or an equivalent certificate related to the subject matter of the contract,
- **a certificate of a business continuity management system (BCMS) in accordance with the ISO 22301 standard** valid as at the date of submission of the tender, or an equivalent certificate related to the subject matter of the contract.

The Contracting Authority shall accept as equivalent a certificate issued by a competent body of a Member State. If the tenderer objectively had no possibility to obtain the relevant certificate within the specified deadlines, the Contracting Authority shall also accept other evidence of equivalent measures to ensure an information security management system submitted by the tenderer, demonstrating that the proposed measures for ensuring the information security management system comply with the required Slovak technical standards applicable to information security management systems.

21.3 Common provisions for conditions for participation pursuant to Section 34 of the Public Procurement Act

- Pursuant to Section 34(3) of the Public Procurement Act, a tenderer may rely on the technical and professional capacities of another person for the purpose of demonstrating technical and professional capacity, regardless of the legal relationship between the tenderer and such person. In such a case, the tenderer shall demonstrate to the Contracting Authority that it will actually use the capacities of the person whose capacity is relied upon for the performance of the contract or concession contract. The tenderer shall demonstrate this fact by submitting a written contract concluded with the person whose technical and professional capacities the tenderer intends to use to demonstrate its technical and professional capacity. The written contract shall contain an undertaking by that person to provide its capacities throughout the entire duration of the contractual relationship. The person whose capacities are to be used for demonstrating technical and professional capacity shall demonstrate fulfillment of the conditions for participation relating to personal status and shall not be subject to any grounds for exclusion pursuant to Section 40(6)(a) to (g) and Section 40(7) of the Public Procurement Act. Such person shall demonstrate authorization to supply goods, perform works or provide services in relation to the part of the subject matter of the contract for which its capacities have been provided to the tenderer.
- A group of economic operators shall demonstrate fulfillment of the conditions for participation relating to technical and professional capacity jointly.

21.4 General provisions on demonstrating fulfillment of the conditions for participation

- The tenderer may demonstrate fulfillment of all conditions for participation by submitting a completed **European Single Procurement Document (ESPD)** pursuant to Section 39(1) of the Public Procurement Act. The submitted ESPD must clearly demonstrate that, in terms of its scope and content, the tenderer meets the conditions for participation required by the Contracting Authority as at the deadline for submission of tenders and is able to prove such fulfillment.
- Where the ESPD form is used, a tenderer relying on the capacities of other persons to demonstrate fulfillment of the conditions for participation (pursuant to Section 34(3) of the Public Procurement Act) shall submit an ESPD for itself as well as for each entity whose capacities it relies upon. If a tender is submitted by a group of economic operators and the group intends to demonstrate fulfillment of the conditions for participation by means of the ESPD, each member of the group shall submit an ESPD.
- The ESPD is available to tenderers on the website of the Public Procurement Office at <https://www.uvo.gov.sk/jednotny-europsky-dokument-pre-verejne-obstaravanie>, where a manual for completing the ESPD is also available.
- The Contracting Authority permits the completion of the Global indication in Part IV: Selection criteria of the ESPD. If the tenderer completes Section α of Part IV of the ESPD, it is not required to complete any other sections of Part IV of the ESPD. Where the documents required by the Contracting Authority are directly and free of charge available in electronic databases, the tenderer shall also provide in the ESPD the information necessary to access such electronic databases, in particular the internet address of the electronic database, any identification details and any consents required for access to such databases.

Part IV. OPENING AND EVALUATION OF TENDERS

22. OPENING AND EVALUATION OF TENDERS

22.1 The opening of tenders shall take place at the time specified in the Contract Notice.

22.2 The opening of tenders shall be carried out electronically. The place where the tenders will be made available is the website <https://josephine.proebiz.com/> and the same section used for the submission of tenders. The opening of tenders shall be made available pursuant to Section 52(2) of the Public Procurement Act to all tenderers that submitted a tender within the deadline for submission of tenders. Participation in the opening of tenders shall mean that the tenders are made available through the functionality of the JOSEPHINE information system to all tenderers that submitted their tenders in the prescribed manner. At the moment of opening the tenders, the JOSEPHINE system shall generate and send the minutes of the opening of tenders to all tenderers that submitted a tender within the deadline for submission of tenders. The minutes sent shall contain the number of submitted tenders and the proposals for fulfillment of the award criteria that can be expressed numerically. Other information contained in the tenders, including the business name or name, registered office, place of business or address of residence of all tenderers, shall not be disclosed.

22.3 The evaluation of tenders shall be conducted in a non-public manner. The tenders submitted by tenderers shall be evaluated in accordance with the award criteria specified in the Contract Notice and in these tender documents.

22.4 If a tender contains several different proposals for fulfillment of the same award criterion, the Contracting Authority shall, when evaluating such tender, proceed in accordance with General Methodological Guidance No. 5-2025 issued by the Public Procurement Office.

23. CONTRACT AWARD AND CONTRACT CONCLUSION

23.1 The successful tender shall be the tender ranked first (according to the award criteria) and meeting all conditions for participation and requirements of the Contracting Authority as precisely defined in these tender documents and in the Contract Notice.

23.2 After the evaluation of tenders, the Contracting Authority shall, without undue delay, notify in writing all concerned tenderers whose tenders were evaluated of the result of the tender evaluation, including the ranking of tenderers, and shall simultaneously publish information on the result of the tender evaluation and the ranking of tenderers in its profile maintained by the Public Procurement Office. The concluded contract shall not be in conflict with the tender documents or with the tender submitted by the successful tenderer.

23.3 The contract with the successful tenderer whose tender has been accepted shall be concluded within the tender validity period, but not earlier than the eleventh day following the dispatch of the notification of the result of the tender evaluation, unless review procedures have been initiated. The contract shall enter into force on the day following the day of its publication in the Central Register of Contracts maintained by the Government Office of the Slovak Republic.

23.3.1 The successful tenderer or successful tenderers shall provide the Contracting Authority with all necessary cooperation required for the conclusion of the Agreements (failure to do so shall be deemed by the Contracting Authority to constitute a failure to provide the required cooperation). No later than within the time limit specified in the request for cooperation issued prior to the conclusion of the Agreements, the successful tenderer or successful tenderers shall submit to the Contracting Authority the signed Agreements – **Annexes No. 3a and 3b to these Tender Documents** – completed in accordance with the successful tender, including all annexes thereto. Where the Agreements are submitted in paper form, the tenderer shall provide the number of counterparts specified in the respective Agreements. The draft Agreements forming part of these Tender Documents are binding and may not be amended in any way. This shall not apply to the correction of clerical or typographical errors that do not alter the meaning of the relevant provisions. **Schedule No. 1, forming part of Annex No. 3b, has been pre-completed by the Contracting Authority. By submitting a tender, the tenderer confirms compliance with all requirements set out in that Annex. The successful tenderer shall ensure continued compliance with those requirements throughout the performance of the Agreement.**

23.3.2 The successful tenderer or tenderers that are obliged to be registered in the Register of Public Sector Partners pursuant to Act No. 315/2016 Coll. on the Register of Public Sector Partners and on amendments to certain acts, as amended (hereinafter referred to as the "Register of Public Sector Partners"), or their subcontractors that are subject to such registration obligation, shall, as part of providing the necessary cooperation required for the conclusion of the contracts, be registered in the Register of Public Sector Partners and shall have the ultimate beneficial owners registered therein. The public sector partner shall remain registered in the Register for at least the duration of the contract.

23.3.3 The Contracting Authority does not require tenderers to submit, as part of their tender, a list of subcontractors known to them at the time of tender submission. As part of the cooperation required for the conclusion of the contract resulting from this procurement procedure, the successful tenderer shall submit to the Contracting Authority a list of all subcontractors who will participate in the performance of the contract, together with the required information about them.

The list of known subcontractors shall form an annex to the contract and must contain the required details of the subcontractors. The Contracting Authority does not require such information regarding suppliers of goods that the successful tenderer will use for the performance of the contracts.

Part V. AWARD CRITERIA AND RULES FOR THEIR APPLICATION

24.1 Award Criteria

In accordance with Section 44(3)(a) of the Act, the Contracting Authority has selected the **best price-quality ratio** as the criterion for the evaluation of tenders.

24.2 Definition of the award criteria, calculation rules and relative weighting:

- Criterion No. 1 (K1) – Total price in EUR excluding VAT – 30 %
- Criterion No. 2 – Functional Requirements of the System/LSP – 50 %
- Criterion No. 3 – System/LSP Implementation Timeframe – 20%

Criterion No. 1 (K1): Total price in EUR excluding VAT – weighting: 30%

A maximum of 30 points may be awarded to the tenderer for this criterion.

The proposed price stated in Annex No. 2 – Tender Proposal for the Fulfillment of the Criterion, Requirements for the Subject Matter of the Contract, Functional Requirements of the System/LSP, and Declarations of Honour – shall include all costs related to or arising in connection with the performance of the subject matter of the contract.

The number of points awarded to the tenderer for the offered price shall be determined based on the following formula:

$$K1 = 30 * \frac{\text{max. price} - \text{price offer in EUR without VAT}}{\text{max. price}}$$

K1	Number of points awarded to the tenderer for the criterion
Maximum price (Estimated Contract Value)	800,000 EUR
Price offer	Tenderer's price for the entire subject matter of the contract (EUR excluding VAT)
Criterion weighting	30%

The total price in EUR excluding VAT shall include all costs associated with the delivery, hosting, installation (parameterization, configuration, and adjustment), and implementation of the System, as well as its subsequent technical support and license provision for a minimum period of 5 years, including the option for an additional three years. The price shall also include training, including training of administrators and trainers, migration of data from the currently used library information system, and data migration after 5 years (or, where applicable, after 8 years).

The tenderer shall also include in this price any potential increase in the current minimum number of library employees working with the System/LSP – from the current minimum number of 80 employees to a maximum of 100 employees during the term of the contract, i.e. for a maximum period of 8 years.

The Contracting Authority anticipates the migration of approximately 1.3 million records (including bibliographic and authority records) from the current library information system to the procured System/LSP. During the service provision period, the volume of data may increase beyond the stated scope. Therefore, the total price included in the tender offer shall take into account a potential increase of up to 500,000 additional records above the baseline volume of 1,300,000 records.

The Contracting Authority anticipates a maximum volume of up to 1.8 million records (bibliographic, authority) during the term of the Contract.

The price proposal, which shall form an annex to the Agreement on support for operation, maintenance, and development of the System/LSP – SaaS Services Subscription, is included as Sheet 2 of Annex No. 2 to these Tender Documents.

Criterion No. 2 (K2): Functional Requirements of the System/LSP – weighting: 50%

For this criterion, the tenderer may obtain a maximum of 300 points in the initial evaluation. These points will subsequently be used in the formula set out below, while the resulting score for this criterion is limited to a maximum of 50 points.

The criterion concerns optional functionalities (requirements), i.e., functionalities that the System/LSP offered by the tenderer may or may not fulfill. In Annex No. 2 to these Tender Documents, the Contracting Authority has specified the functionalities (requirements) that will be subject to evaluation. The tenderer shall select, from the drop-down list (Sheet No. 4), one of the following options for each functionality:

- if the System/LSP fully complies with the requirement – the answer YES together with a reference to the relevant documentation – the tenderer will automatically be awarded 3 points;
- if the System/LSP does not comply with the requirement – the answer NO – the tenderer will be awarded 0 points.

The number of points awarded to the tenderer for the offered price shall be determined based on the following formula:

$$K2 = 50 * \frac{\text{points achieved}}{\text{maximum points}}$$

K2	Number of points awarded to the tenderer for the criterion
Maximum points	300
Functional Requirements of the System/LSP (Total 100)	YES (3 pts)
	NO (0 pts)
Points achieved	Number of points awarded to the tenderer for the System functional requirements specified in Annex No. 2 to the Tender Documents
Criterion weighting	50%

The Contracting Authority reserves the right to verify the accuracy and truthfulness of the information declared by the Tenderer in Annex No. 2 to these Tender Specifications under Criterion K2 – Functional Requirements of the System/LSP, through the supporting documentation required as part of the tender submission. Consequently, the number of points declared by the Tenderer for this criterion may not be final and may change during the evaluation of tenders.

For each requirement for which the Tenderer has indicated the answer “YES”, the Tenderer shall provide, in the column “Reference to Relevant Documentation”, a precise identification of the document (e.g. the title of a manual, technical data sheet, reference to a specific chapter, page or manufacturer's website, title of a video, including a specification of the relevant timestamp or time interval where the information can be found) clearly demonstrating compliance with the respective requirement. Such documentation must form part of the submitted tender.

If, during the evaluation process, the Evaluation Committee determines that:

- the Tenderer's reference to documentation does not contain evidence demonstrating compliance with the requirement;
- the submitted documentation contradicts the Tenderer's statement (i.e. the requirement is not fulfilled or is only partially fulfilled); or
- the Tenderer has not provided any reference to relevant documentation,

shall request, in writing, that the Tenderer provide an explanation of its tender in accordance with Section 51 of the Public Procurement Act.

If the Tenderer fails, within the time limit set by the Evaluation Committee, to credibly demonstrate and satisfactorily explain compliance with the respective functional requirement, the Evaluation Committee shall revise the score awarded for that specific requirement to 0 points (i.e. the answer shall be reclassified from “YES” to “NO”).

Any adjustment of the score in accordance with the preceding paragraph shall not affect the assessment of compliance with the minimum requirements for the Subject Matter of the Contract. However, if, during the verification process, the Evaluation Committee determines that the Tenderer has provided false or misleading information in its tender with the intention of influencing the evaluation of the award criteria, the Contracting Authority shall proceed in accordance with Section 40(6)(g) of the Public Procurement Act (exclusion of the Tenderer on the grounds of submitting information that may have a material impact on the outcome of the procurement procedure).

Criterion No. 3 (K3): System/LSP Implementation Timeframe – weighting: 20%

A maximum of 20 points may be awarded to the tenderer for this criterion.

The number of points awarded to the tenderer for this criterion shall be calculated in accordance with the following formula:

$$K3 = 20 * \frac{\text{max. implementation period} - \text{proposed implementation period}}{\text{max. implementation period} - \text{min. implementations period}}$$

K3	Number of points awarded to the tenderer for the criterion
Maximum System/LSP implementation timeframe/period	300 calendar days

Minimum System/LSP implementation timeframe/period	150 calendar days
Proposed System implementation timeframe/period	Number of calendar days from the effective date of the Agreement on support for operation, maintenance, and development of the System/LSP – SaaS Services Subscription
Criterion weighting	20%

The maximum number of points awarded for this criterion is 20. This means that if the tenderer specifies the maximum System implementation period of 300 calendar days, the tenderer shall be awarded 0 points.

Please note that the System implementation period specified by the tenderer shall be incorporated into the Agreement and shall be binding. If the successful tenderer fails to comply with the System implementation period specified in the Tender Evaluation Criteria Fulfillment Proposal, the successful tenderer shall be obliged to pay the Contracting Authority a contractual penalty of EUR 3,555.00 for each day of delay.

Based on the value proposed under criterion K3, the tenderer shall submit a System implementation timetable in accordance with Section 16.2.6 of these Tender Documents.

24.3 Rules for the application of evaluation criteria:

Tenders shall be evaluated based on the total number of points awarded for all three criteria, on the basis of which a descending ranking of all evaluated tenders shall be established. **The tender obtaining the highest number of points** (mathematically rounded to two decimal places) **shall be ranked first**. The remaining tenders shall be ranked in descending order, with the tender obtaining the lowest number of points being ranked last. The tender of the tenderer that is ranked first by the members of the evaluation committee authorized to evaluate tenders (the successful tender) and that simultaneously complies with all requirements of the Contracting Authority regarding the subject matter of the contract and fulfills the specified conditions for participation shall be recommended by the committee to the Contracting Authority for acceptance.

24.4 Decisive criterion in the event of a tie:

In the event that several tenderers achieve the same total number of points for all three criteria, the ranking shall be determined by the lowest total price for the subject matter of the contract in EUR excluding VAT – the value of criterion K1.

B. List of Annexes

Annex No. 1 – Description of Contract Subject Matter

Annex No. 2 – Tender Proposal for the Fulfillment of the Criterion, Requirements for the Subject Matter of the Contract, Functional Requirements of the System/LSP, and Declarations of Honour

Annex No. 3a – Agreement on support for operation, maintenance, and development of the System/LSP – SaaS Services Subscription

Annex No. 3b – Personal Data Processing Agreement

Annex No. 4 – Declaration of Honour on the Formation of a Group of Economic Operators

Annex No. 5 – Basic Template of the System/LSP Implementation Schedule