**MINUTES OF THE THIRD ROUND OF PREPARATORY MARKET CONSULTATIONS**

**pursuant to the Act No 343/2015 Coll. on public procurement and on amendments and supplements to certain acts, as amended (hereinafter referred to as the "Public Procurement Act")**

1. **BASIC INFORMATION**

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| *Contracting authority:* | **Odvoz a likvidácia odpadu a.s., abbreviated as: OLO a.s.**  **Ivanská cesta 22, 821 04 Bratislava** |
| *Subject of the contract:* | **Digitisation of the fleet, collection planning system and electronic recording and confirmation of tipping** |
| *Procedure:* | Preparatory market consultations (hereinafter referred to as "PMC") pursuant to the Section 25 of the Act No 343/2015 Coll. on public procurement and on amendments and supplements to certain acts, as amended (hereinafter referred to as the "Public Procurement Act") |
| *Electronic tool:* | JOSEPHINE  Webpage where all information on the PMC in question is available  <https://josephine.proebiz.com/sk/tender/29581/summary> |

1. **General information**

The contracting authority has drawn up these minutes of the PMC in question in order to make them available to all candidates as a part of the documents for the contract the announcement of which will follow the execution of the PMC in question, namely in the form of an annex to the Tender Documents.

In order to enable the widest possible range of entities to participate in the PMC, the contracting authority also provided a description of the subject of the contract in English when the PMC was launched. All other documents, invitations to participate in individual PMC rounds as well as individual explanations given by the contracting authority were provided to candidates both in Slovak and English.

The contracting authority shall not publish any information herein that would identify individual participants in the PMC (candidates who participated in the PMC) in accordance with the Section 55 (3) of the Public Procurement Act. The contracting authority believes that disclosure of identification of the participating candidates may harm their legitimate interests and at the same time could lead to distortion of fair competition in the forthcoming public procurement process.

In the PMC none of the participating entities marked any of the information provided as confidential within the meaning of the Section 22 of the Public Procurement Act.

All documents published by the contracting authority within the PMC are available to candidates on:

<https://josephine.proebiz.com/sk/tender/29581/summary>

1. **General information about PMC**

The contracting authority launched the PMC in question by publishing a prior notice in the Public Procurement Journal. The prior notice is available on:

<https://www.uvo.gov.sk/vestnik-a-registre/vestnik/oznamenie/detail/573519?cHash=9f240bef7b61119ed05470eb318a4541>

Description of the course of the 1st and 2nd rounds of the PMC may be found in the minutes of those rounds.

The contracting authority considers the PMC process to be concluded with the publication of these minutes.

1. **Evaluation of the third round of PMC:**

The contracting authority invited all ten entities involved in the PMC as described above to participate in the third round of PMC. The contracting authority sent all 10 candidates an invitation to participate in the third round of PMC.

In the third round of PMC the contracting authority published the following documents to all candidates:

- description of the subject of the contract

- service provision agreement

- valuation table

- fleet list

- schedule

The documents are available on:

<https://josephine.proebiz.com/sk/tender/29581/document/list>

The contracting authority also made the questionnaire available to all candidates via Google forms on:

<https://forms.gle/U9KMYGuXrvvySSed6>

In the invitation the contracting authority stated inter alia that:

- Candidates shall answer the questions we ask in the form mentioned in the previous point

- If candidates wish to submit any suggestions for modification or comments on any documents in the text of the documents, they shall send such documents exclusively through the JOSEPHINE system functionality designed for communication on preparatory market consultations.

The contracting authority notes that 7 candidates answered the questions asked in the form.

The contracting authority provided 2 clarifications in the second round of PMC, which are available on:

[https://josephine.proebiz.com/sk/tender/29581/document/list](https://josephine.proebiz.com/sk/promoter/tender/29581/document/list)

The contracting authority shall not publish the submitted responses of the candidates in the present minutes, not even in their anonymised form, as most of the responses contained information on the business of the candidates, the disclosure of which could undermine the anonymity of this PMC.

1. **Evaluation of the answers of the participants in the PMC to the questions asked by the contracting authority in the second round of PMC:**

Question 1

*"Does your company provide / has your company provided IT solution(s) to customers other than OLO, a.s., the subject of which was digitalization of waste collection planning and electronic confirmation of container emptying?"*

Conclusion of the contracting authority:

All 7 candidates answered "Yes" to this question. The contracting authority assessed it in the conclusion to the question 2.

Question 2

*"If the answer to the previous question is "YES", can your company declare how many containers are emptied using your solution used by other customers (separately for each customer that uses your solution), what is the number of registered containers emptied using this solution and what is the number of registered collection points? Can your company demonstrate such claim in writing and unequivocally? By what document or other objective means can you prove this number of containers emptied? For what period of time can you demonstrate such figure (weekly, monthly, etc.)?"*

Conclusion of the contracting authority:

All candidates who answered this question declare that they are able to prove how many containers are emptied using their solution, what is the number of registered containers and collection points within this solution. At the same time, all of them state that it is possible to prove this, among other things, by exporting data from the software itself.

On the basis of the answers as given above, the contracting authority believes that demonstration of such information may be required in the context of the announced tender, provided that it complies with the Public Procurement Act.

Question 3

*"If your company provides / has provided such solution and it is not possible to demonstrate the data as referred to in the previous question, is there any other data that your company can demonstrate unequivocally and in writing that would indicate the volume of services that are provided using your waste management solutions?"*

Conclusion of the contracting authority:

As the answers to the question 2 were affirmative, no relevant answers were provided to this question.

1. **Determination of the estimated value of the contract:**

In the third round of PMC the contracting authority invited all 10 candidates who had applied for this PMC in the first round of PMC to submit indicative tenders for the purpose of determining the estimated value of the contract.

The contracting authority notes that it has received a sufficient number of tenders which meet the requirements of the contracting authority in terms of content and form and on the basis of such tenders the contracting authority has determined the estimated value of the contract in accordance with the Section 6 of the Public Procurement Act.

In order to maintain fair competition, the contracting authority shall not disclose the specific amounts of the tenders submitted.

**List of stakeholders and conflict of interest clause pursuant to the Section 23 of the Public Procurement Act**

* The contracting authority has examined the potential conflict of interest of the parties involved in the preparatory market consultation process.
* None of the stakeholders has disclosed to the contracting authority any conflict of interest during the procurement process in relation to the economic operators/candidate/tenderer.
* The contracting authority notes that the persons involved in the process of awarding the contract in question were not and are not in a conflict of interest in relation to the successful tenderer.

**Stakeholders:**

**Person responsible for the content:**

Ing. Marek Fedorco signature:

Ing. Jana Kolarovská signature:

Ing. Marek Horváth signature:

**Person responsible for procedural matters:**

Mgr. Adam Kašák signature:

**Person responsible for legal matters:**

Mgr. Tímea Richterová signature: