

TENDER DOCUMENTATION

prepared pursuant to Act No. 137/2006 Coll., on Public Contracts, as amended (hereinafter referred to as the "AoPC"), for over-the-threshold public contract, awarded

in open proceedings pursuant to Section 27 of the AoPC

**Tender for the implementer of the Czech pavilion for the
International and Universal Exposition EXPO 2015 in
Milan**

Client: **Office of the General Commissioner of the participation of the
Czech Republic at the International and Universal Exposition
EXPO**

Business Identification Number: 68378637

Registered seat: Rytířská 31, 110 00 Prague 1, Czech Republic

Representative: Mgr. Jiří František Potužník, General Commissioner

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1. CONTACT INFORMATION OF THE CLIENT

1.1. BASIC INFORMATION ABOUT THE CLIENT

Name of the Client: **Office of the General Commissioner of the participation of the Czech Republic at the International and Universal Exposition EXPO**

Representative: Mgr. Jiří František Potužník,
General Commissioner

Registered seat: Rytířská 31, 110 00 Prague 1, Czech Republic

Business Identification Number: 68378637

Tax Identification Number: CZ68378637

Bank contact: Československá obchodní banka, a. s.,
Radlická 333/150

Account number: 300253923/0300

1.2. CONTACT PERSON OF THE CLIENT

The contact person of the Client is:

Mgr. Eva Štréglová

Tel.: +420 224 186 264

Mobil: +420 731 899 905

E-mail: streglova@czexpo.com

Delivery address:

Rytířská 31, 110 00 Prague 1

1.3. CONTACT PERSON FOR THE TENDER

The contact person for matters related to the tender, to whom you can address all requests for additional information related to the tendered conditions or whom you can contact in other matters as well:

Mgr. Eva Štréglová

Tel.: +420 224 186 264

Mobil: +420 731 899 905

E-mail: streglova@czexpo.com

Delivery address:

Rytířská 31, 110 00 Prague 1

2. TENDER DOCUMENTATION

2.1. PURPOSE AND CONTENT OF THE TENDER DOCUMENTATION

This Tender documentation has been prepared for the purpose of submitting an offer to contractors who are interested in participating in the tender for fulfilling a public contract called the "Tender for the implementer of the Czech pavilion for the International and

Universal Exposition EXPO 2015 in Milan” (hereinafter referred to as the “**public contract**” or the “**project**”).

Tender documentation includes all tender conditions for fulfilling the public contract, including other information (written information or information provided in any other form) that is made available by the Deadline for submitting individual offers. Tender documentation is designated only for contractors who are interested in participating in the tender and who intend to submit an offer.

Tender documentation includes all its appendixes in a structure described further in the text (see Point 2.1.2), including the so-called Informative CD (see Point 2.1.1), which forms its integral part. In this relation, the Client also determines that shall there be any contradictions between the actual Tender documentation and its appendixes, Appendix 9, Contract Proposal, or its appendixes shall prevail. Moreover, Appendix 7 and Appendix 8.2 shall also take precedence over the other stipulations of the actual Tender documentation.

A summary of the used definitions is stated at the end of the Tender documentation (see Point 15) and in the Contract Proposal (see Appendix 9). Any definition used in one document shall be also valid in the other document, provided the significance of the given term for the purposes of the Contract Proposal is not defined in a different manner or the substance of the term is not labeled differently.

References to individual points (with a stated point number) refer to individual stipulations of this Tender documentation.

2.1.1. Informative CD

Pursuant to the above stated description, the Tender documentation also included a so-called Informative CD, which contains all other binding and not binding documents that have to be observed when preparing the offers and, if applicable, when fulfilling the public contract. The Informative CD is structured in the manner stated below. A detailed list of all documents is included directly on the Informative CD:

Binding documents:

1. Official guide for participants – exhibition areas, built utilizing internal resources – proposal, construction, installation and disassembly 2013;
2. Guide for participants – technological services for the exhibition areas, built utilizing internal resources;
3. Principles – hygiene and safety for the eating area – Exhibition areas / 2013;
4. Principles – requirements for the technical system – Individually built exhibition areas / 2013;
5. Principles – permanent solutions, design, construction, disassembly, repeated use;
6. Plot No.05 a;
7. Plot No.05 b.

Not binding documents:

8. Geological soil survey;
9. Topical declaration;
10. Government Resolution No. 964;
11. Additional information – plot No. 05.

2.1.2. Tender documentation appendixes

- | | |
|------------|---|
| Appendix 1 | Sample – Introductory page of the Offer |
| Appendix 2 | Sample – Content of the Offer |
| Appendix 3 | Sample – Cover page of the Offer |

- Appendix 4 Forms for demonstrating the qualification requirements:
 - Appendix 4.1 Form – Statutory declaration for demonstrating basic qualification requirements
 - Appendix 4.2 Form – Statutory declaration on economic and financial eligibility
 - Appendix 4.3 Form – Structured CV of the main project manager
 - Appendix 4.4 Form – Statutory declaration of the person, by the means of whom the professional qualification of the applicant is secured
 - Appendix 4.5 Form – List of important construction implementations
 - Appendix 4.6 Form – List of important exhibition implementations
 - Appendix 4.7 Form – Statutory declaration of the contractor on other circumstances
- Appendix 5 Form – List of subcontractors
- Appendix 6 Application form for additional information
- Appendix 7 Fulfillment of the subject of the public contract
 - Appendix 7.1 Detailed description of the subject of the public contract
 - Appendix 7.2 Spatial requirements of the partners of the Laboratoř Života (*Life Laboratory*) topical exposition and the Země Příběhů a Fantazie (*Land of Stories and Fantasies*) national exposition
 - Appendix 7.3 Technical conditions
- Appendix 8 Evaluations bases
 - Appendix 8.1 Form – Price calculation
 - Appendix 8.2 Form – Requirements for the Solution study
- Appendix 9 Contract Proposal
 - Appendix 1 – Solution study
 - Appendix 2 – Requirements of the Client
 - Appendix 3 – Insurance conditions
 - Appendix 4 – Land
 - Appendix 5 – Time schedule
 - Appendix 6 – List of subcontractors
 - Appendix 7 – Structured CV of the main project manager and a List of the members of the contractor’s authorial and implementation team
 - Appendix 8 – Guarantees of the subcontractor
 - Appendix 9 – Price calculation
- Appendix 10 Official guide for participants
 - Appendix 10.1 – Exhibition areas, built utilizing internal resources – proposal, construction, installation and disassembly 2013
 - Appendix 10.2 – Technological services for the exhibition areas, built utilizing internal resources
 - Appendix 10.3 – Principles – hygiene and safety for the eating area – Exhibition areas / 2013
 - Appendix 10.4 – Principles – requirements for the technical system – Individually built exhibition areas / 2013
 - Appendix 10.5 – Principles – permanent solutions, design, construction, disassembly, repeated use
- Appendix 11 Declaration on the offered price

2.1.3. Project website

Other, especially general information related to the public contract, can be found at the following website: www.czexpo.com.

2.2. ELECTRONIC VERSION OF THE TENDER DOCUMENTATION

The Tender documentation includes a CD with an electronic form of this Tender documentation, including its appendixes in the PDF format. For easy handling of appendixes, where applicants need to fill in some data, some documents are also attached in

the DOC format. However, in these cases, the PDF forms take precedence over the DOC forms.

Shall there be any discrepancies between the electronic and printed forms of the documents, the Client declares that the printed version takes precedence over the electronic version. Its original is available for inspection with the contact person of the tender proceedings stated in Point 1.3.

3. BASIC TENDER INFORMATION

This tender is conducted based on the concept of the participation of the Czech Republic at EXPO 2015, approved by the government of the Czech Republic on December 20th, 2012. Government Resolution No. 964 forms a part of the Informative CD (see Point 2.1.1.).

3.1. TYPE OF THE TENDER

The subject of this tender is an over-the-threshold public contract, awarded pursuant to open proceedings in accordance with Section 27 of the AoPC.

3.2. ESTIMATED VALUE OF THE PUBLIC CONTRACT

The Client, in compliance with Section 13 and the following sections of the AoPC, determined the estimated value of this public contract to be 60,000,000.00 CZK (in words: sixty million Czech crowns).

The offer price shall not include the price of the needed utilities (water, electricity, gas...), consumed in relation to the operation of the pavilion. The utilities will be paid by the Client directly to the appropriate suppliers.

3.3. EXPECTED TIME SCHEDULE OF THE TENDER

- a) A preliminary notification was submitted for publishing in the Journal of Public Contracts on **September 9th, 2013**.
- b) The tender commenced in compliance with the AoPC. **On October 10th, 2013**, the notification on the commencement of the tender was submitted for publishing in the Journal of Public Contracts (www.isvzus.cz). The notification will be also published in the Official Journal of the European Union.
- c) The initial conference will take place on **October 24th, 2013 at 2.00 p.m.** at the registered seat of the Client (see Point 12.2.).
- d) Requests for additional information related to the tender conditions can be delivered in writing 6 days prior to the deadline for submitting the offers, i.e. by **November 22nd, 2013**, at the latest.
- e) The members of the evaluation committee will be announced on the profile of the Client on **December 2nd, 2013**.
- f) The deadline for submitting the offers has been set for **December 2nd, 2013 at 10.00 a.m.** (see Point 8 of the TD).
- g) Individual envelopes will be opened and inspected on **December 2nd, 2013**. **The procedure will commence immediately after the expiry of the period specified for submitting the offers** (see Point 9 of the TD).
- h) The Client expects that the submitted offers will be assessed and qualification evaluated on **December 13th, 2013**.
- i) The Client expects that the Contract with a selected applicant will be concluded on **December 17th, 2013**.

The Client reserves the right to change or amend the above stated time schedule, especially with regard to unexpected circumstances incurred during the tender proceedings.

4. GENERAL INFORMATION ABOUT THE EXPO 2015 EXHIBITION IN MILAN

| | |
|---|---|
| <u>Date:</u> | May 5 th to October 31 st , 2015 (184 days) |
| <u>Expected number of visitors:</u> | 20 million |
| <u>Expected daily visitors of the Czech pavilion:</u> | 20,000 |
| <u>Operation hours of the exhibition grounds:</u> | 9:00 a.m. – 10:00 p.m. |
| <u>Operation hours of the Czech pavilion:</u> | 9:00 a.m. – 11:00 p.m. |

Exhibition grounds EXPO 2015 – complex view



4.1. “FEEDING THE PLANET, ENERGY FOR LIFE” – MAIN THEME OF EXPO 2015

The following theme has been selected as the main theme of EXPO 2015 in Milan:
“Feeding the Planet, Energy for Life”.

The main theme will be built around two main pillars: sustainability – as a balanced relation between human beings and the nature – and innovation – as a strategy of the widely present spirit of cooperation and partnership.

The central idea of EXPO 2015 is the question how to secure sufficient quantity of high-quality foods and drinks for all inhabitants of our planet. Sub-themes of the exhibitions are:

- Securing supplies and quality of food and drinking water;
- Fighting poverty, malnutrition and famine, which effect up to 850 million people every year;
- Prevention of epidemics and civilization diseases, including obesity, cardiovascular diseases and cancer;

- Supporting research and innovations with the objective to improve food quality and its nutritional values;
- Education in the area of good nutrition and a healthy life style, focused on youth, people with disabilities and older generations;
- Evaluation of cultural and national culinary traditions.

EXPO 2015 also provides space for science and technology successes:

- For preserving biodiversity, protecting the environment, maintaining the balance of agricultural ecosystems and improving food quality and safety in the area of education when it comes to good nutrition and a healthy life style;
- For identifying the best methods for inspecting food production (including innovations in the area of biotechnologies, which must not endanger health of people or the environment), and for securing good-quality food and harmless water for consumption as well as agricultural purposes;
- In the area of seeking new food resources in the regions with insufficiently developed agriculture or affected by draughts or negative impacts of deforestation and water pollution.

Moreover, EXPO 2015 represents an opportunity for presenting results of the agricultural and food production, services in the area of logistics and sales or innovations and modern technologies and procedures:

- Focused on the production of good-quality food products;
- In the area of preserving and processing food, including meal preparation processes and communication with consumers;
- For monitoring the quality and trademarks of food products when fighting imitations.

4.2. “LIFE LABORATORY” – THEME OF THE NATIONAL PARTICIPATION OF THE CZECH REPUBLIC AT EXPO 2015

The Czech Republic would like to contribute to the theme “Feeding the Planet, Energy for Life” as a country with a rich tradition in the area of agricultural as well as food production and, at the same time, as world leader in some specific fields. The “Life Laboratory” national exposition intends to show the visitors of the Czech pavilion some possibilities brought into the area of supplying the population with good-quality food products, treatment and distribution of drinking water and health care of people and animals by work results of leading research institutions, inventions and applications of which represent a great added value even in the wide international comparison and which serve the entire planet.

The “Life Laboratory” exposition will let its visitors to grasp the secret of the submolecular world by the means of interactive exhibits, kinetic models and fine art of contemporary artists:

- Decoding genetic codes of agricultural crops;
- Considerate medicines for pets and livestock;
- Medicines against obesity, diabetes and other civilization diseases;
- Cleaning air and water using nanotechnologies;
- Monitoring and analyzing global climatic changes;
- Protecting of endangered animals.

The exposition, integrated in a harmonic and esthetic form of the “Life Laboratory”, will show the ways and tools, which the Czech Republic can offer the world in relation to taking care of plants, animals, human beings and the entire planet.

4.3. IMPLEMENTATION OF THE SELECTED NATIONAL THEME OF THE CZECH REPUBLIC AT EXPO 2015 IN MILAN

4.3.1. Internal layout of the pavilion

The Client requires that applicants submit proposals of a spatial solution of individual parts of the Czech pavilion at the International and Universal Exposition EXPO 2015 described below. The document shall especially propose the location and size of the national exposition, thematic expositions, multimedia projections, restaurants and administrative and technical facilities with the stipulation that their technical solution and the actual construction implementation do not form a part of the subject of this public contract.

4.3.2. Main exposition of the pavilion

Exposition of the Czech Republic and its individual regions – “Land of Stories and Fantasies”

The Client expects that the exposition of the Czech Republic and its regions will be a permanent installation, which will present the Czech Republic as a whole and the regions within a rotation system with an interval of approximately 10 days. The unifying topic of the installation will be the use of the four basic elements and areas assigned to them: Earth – foodstuff, Water – design, Air – art, Fire – science.

The Client requires that the spatial proposals will provide the best possible passability solution and safe and comfortable movement for the visitors.

Thematic exposition – “Life Laboratory”

The Client expects that the “Life Laboratory” exhibition will represent the main contribution to the theme of EXPO 2015, announced by its organizers, i.e. “Feeding the Planet, Energy for Life”. The unifying element will be the fact that the partners and co-authors of the thematic exposition are companies that focus on research at the submolecular level.

Joint stipulations for the “Czech Republic, Land of Stories and Fantasies” and “Life Laboratory” expositions

The Client requires that the spatial solution proposals will offer sufficient number of possibilities for placing the expositions of individual exposition partners with the stipulation that the total exposition area will be at least 400 m².

Exclusively for information purposes, the Client attaches proposals of its exposition partners for the use of the space for individual expositions (see Appendix 7.2).

Moreover, the Client requires that the spatial solution proposals offer the visitors extensive access to individual exhibits and especially to those of an interactive character.

4.3.3. Area for installing a multimedia projection

The Client expects that the multimedia projection will relate to the tradition of national participations at the international and universal expositions and especially to “Laterna Magica” from EXPO 1958 in Brussels and “Kinoautomat” from EXPO 1976 in Montreal. A tender will decide about the particular form of the space for multimedia projection. This tender will be organized based on the spatial and technical possibilities, determined by the winning proposal of the pavilion and its internal layout.

The Client requires that the area for the multimedia projection will allow as much of a free movement of its visitors as possible.

4.3.4. Facilities

Restaurants

The Client expects that the Czech pavilion at EXPO 2015 will offer its visitors services of two restaurants – a traditional one for approximately 100 persons and a VIP restaurant for about 40 persons. Apart from the guest and service areas (including a bar), both restaurants have to have adequate kitchen and storage facilities as well as adequate bathrooms.

The Client requires for the traditional restaurant to be connected with the undercover outdoor area (garden) for the purpose of being able to serve restaurant guests at the garden as well. The VIP restaurant should overlook the exhibition grounds.

Store

The Client expects that the commercial part of the pavilion will also include a store where the partners of the participation of the Czech Republic at EXPO 2015 will be able to offer their goods. The store should also have a lockable or, from the public area divided, storage room.

The Client requires that the spatial layout of the store will allow for a free access to shop windows and the sales counter to a maximum number of visitors.

Administration

The Client expects that the pavilion will have administrative and bathroom facilities for the employees of the Client and for the partners of the participation of the Czech Republic at EXPO 2015.

The Client requires that the spatial layout of the administrative facilities will allow for implementing five offices, each of them for two persons, a kitchenette, locker room, shower and bathroom.

Meeting room

The Client expects that the pavilion will include a space for technical, business and other presentations of the partners of the participation of the Czech Republic at EXPO 2015.

The Client requires that the meeting room will allow for installing a projection device and offer a modifiable space for approximately 40 sitting or 60 standing people.

Technical control room

The Client expects that the pavilion will include a room designated for service and supervision of individual operation technologies, i.e. inspections and maintenance of energy and other systems. The appropriate space should also have available a workshop for two persons and spare parts.

The Client requires that the spatial layout of the pavilion will allow for a safe installation of devices that are necessary for controlling and supervising individual operation technologies, and for maintenance activities.

4.3.5. Garden

Exposition

The Client expects that at least three partners of the “Life Laboratory” exhibition will install their exhibits partially at the outdoor undercover area (garden) (see Appendix 7.2).

The Client requires that the indoor part of the “Life Laboratory” exposition will be freely connectable with the outdoor area and will allow for installing individual exhibits outside (including utility outlets).

Garden restaurant

The Client expects that the traditional restaurant will offer a possibility to sit and be attended to at the undercover outdoor area. The garden restaurant should be accessible from the exterior as well as the interior of the pavilion.

The Client requires that the spatial layout of the pavilion, i.e. its location at the given construction plot, will provide a space for the garden restaurant.

Amphitheatre

The Client expects that a part of the presentation of the partners of the participation of the Czech Republic at EXPO 2015 and the Regions of the Czech Republic will be also formed by occasional cultural performances. The Client intends to offer their organizers a possibility of internal presentations (at the multimedia projection area of the exposition or, if needed, in the meeting room of the administration facility) as well as external presentations – at the natural amphitheatre, which will be otherwise used as a playing field.

The Client requires that a part of the spatial layout of the pavilion, i.e. its location at the given construction plot, will provide a space for a natural amphitheatre and surrounding seating facilities.

5. FULFILMENT THE SUBJECT OF THE PUBLIC CONTRACT

5.1. SUBJECT OF THE PUBLIC CONTRACT

Fulfillment of the public contract shall mean the necessary project and engineering activities, implementation, operation and removal of the exposition and the pavilion of the Czech Republic at the International and Universal Exposition EXPO 2015 in Milan, all of the above in a way described by and under the conditions stated in this Tender documentation and especially by and in the Contract Proposal (see Appendix 9), which forms its integral part.

The subject of the fulfillment of the public contract is a proposal of a concept of the participation of the Czech Republic at EXPO 2015 in Milan and its complex solution. This complex solution shall consist of the following activities that will need to be fulfilled by the victorious applicant:

A. Pavilion

1. Architectural concept and layout of the building or buildings of the pavilion of the Czech Republic with a maximum total built-up area of 700 m², and its surroundings;
2. Preparing project documentation and acquiring all necessary permits for erecting the pavilion of the Czech Republic;
3. Implementation (construction) of the pavilion of the Czech Republic;
4. Disassembly of the pavilion of the Czech Republic and returning the land back into its original condition.

B. Exposition

1. Proposal of a concept of the internal layout of the exposition;

2. Implementation of the interior area for the exposition based on individual key parts of the pavilion, specified in more detail in Article 4.3 of the Tender documentation and in Appendix 7.1, Point 7.

C. Operation

Organizational and technical measures for the operation and maintenance of the pavilion, with the exception of individual exhibits and systems delivered by other entities than the selected applicant.

5.2. THE STUDY FOR THE FULFILLMENT OF THE PUBLIC CONTRACT WILL ALSO FORM A BINDING SOLUTION STUDY

Applicants shall incorporate a Solution study in their respective offers. The study shall comply with the requirements and shall be structured in accordance with the stipulations specified in the given appendix (see Appendix 7 and Appendix 8.2). The solution study submitted as a part of the offer shall become Appendix 1 of the Contract Proposal.

5.3. DURATION AND LOCATION OF THE FULFILLMENT OF THE PUBLIC CONTRACT

Fulfillment of the public contract will take place between the moment the contract will be concluded (the expected date for concluding the contract is December 17th, 2013) and December 31st, 2015. The location of the fulfillment of the contract is Italy, mostly at the following address: **Via Cristina Belgioioso, Milan.**

Locations of individual parts of the fulfillment of the contract are specified in more detail in the Contract Proposal (see Appendix 9).

5.4. EXPECTED TIME SCHEDULE OF THE IMPLEMENTATION OF THE PUBLIC CONTRACT

The below stated time schedule represents a general time schedule of the implementation of the public contract, issued by the Client.

A more exact time schedule, which applicants are obliged to comply with when preparing their offers, is included in Appendix 6 of the Contract Proposal (see Appendix 9). In this regard, the Client would also like to point out that the selected applicant will be obliged to submit a detailed time schedule of individual works pursuant to the Contract Proposal within 5 days after the contract is concluded.

- a) Organizers of the exhibition will transfer the construction site to the Client between April 1st, 2014 and April 21st, 2014;
- b) The construction site will be transferred to the selected applicant between April 1st, 2014 and April 21st, 2014;
- c) Rough construction modifications in the pavilion will be completed by January 1st, 2015;
- d) Interior modifications in the pavilion will be completed by January 15th, 2015;
- e) Installation of the exposition in the pavilion will be completed by March 30th, 2015;
- f) The pavilion trial operation will take place between April 1st, 2015 and April 30th, 2015;
- g) The exhibition will be officially open from May 1st, 2015 until October 31st, 2015;
- h) The pavilion will be transferred to the selected applicant for liquidation on November 15th, 2015;
- i) The final deadline for liquidating the pavilion and returning the land, in its original condition, to the exhibition organizer is December 31st, 2015.

5.5. BINDING CONTRACT PROPOSAL

The applicant shall submit an amended, binding Contract Proposal, including appendixes, pursuant to the binding sample included in the given appendix (see Appendix 9). The Contract Proposal shall be signed by a person authorized to act on behalf and in the name of the applicant.

The applicant shall amend the binding text of the Contract by the data marked in the sample of the Contract Proposal or required in the Tender documentation.

The Client reserves the right to further negotiate about the final text of the Contract and to require its more exact specification or changes. However, such changes shall always comply with the stipulations of Section 82 of the AoPC, i.e. especially with the exception of changes of any binding conditions specified in the tender conditions and in the contract proposal, included in the offer of the selected applicant.

5.6. FULFILLMENT GUARANTEE

Furthermore, when concluding the Contract, the Client will require a bank guarantee or deposited financial security from the selected applicant for securing all financial obligations related to the implementation of the public contract. Detailed conditions of this obligation off the applicant are specified in the Contract Proposal (see Appendix 9).

5.7. INSURANCE

Moreover, when concluding the Contract, the Client will also require that the selected applicant presents a valid insurance contract, adequate to the conditions specified in the Contract Proposal (see Appendix 9).

5.8. BUSINESS AND PAYMENT CONDITIONS

Business and payment conditions are specified in detail in the binding Contract Proposal (see Appendix 9).

The price for implementing the public contract will be paid gradually. Individual payment amounts are specified in the Contract Proposal (see Appendix 9). The selected applicant will not receive any deposit payments with the exceptions stated in the Contract Proposal.

5.9. SUBCONTRACTORS

The Client requires that the applicant in its offer specifies those parts of the public contract, extents of which are greater than 10% of the offer price, which the contractor intends to outsource to a single subcontractor or multiple subcontractors. For these parts of the public contract, the Client requires that the applicant includes identification data of every single subcontractor who will participate in the fulfillment of the public contract in this extent.

Moreover, for all of the above defined subcontractors, the applicant shall be obliged to attach to its offer consent of these subcontractors to actually be a subcontractor for fulfilling the given part of the public contract. Shall the given subcontractor also demonstrate its compliance with a part of the qualification requirements, the subcontractor shall be obliged to submit a contract instead of the consent – see Point 6.1.(a) and Section 51, Paragraph 4 of the AoPC. A list of these subcontractors shall form Appendix 7 of the Contract.

6. QUALIFICATION REQUIREMENTS

6.1. GENERAL RULES FOR DEMONSTRATING THE REQUIRED QUALIFICATION

Demonstrating compliance with the qualification criteria pursuant to the below stated requirements represents a condition for evaluating and assessing the offer of the given applicant as a part of the tender proceedings. The Client will disqualify all applicants who

do not comply with the qualification criteria in the required extent from participating in the tender proceedings. When demonstrating its qualification, the applicant shall be obliged to comply with the following rules:

- (a) Shall the applicant demonstrate a part of its qualification via a subcontractor, the applicant shall be also obliged to submit to the Client the documents pursuant to Section 51, Paragraph 4 of the AoPC, especially a contract concluded with the given subcontractor, which clearly demonstrates the obligation of the subcontractor to fulfill the corresponding part of the public contract for the applicant or to provide given things or rights, with which the applicant will be entitled to work as a part of its fulfillment of the public contract, at least in the extent, in which the subcontractor demonstrated its qualification compliance, and at least during the duration of the fulfillment of the given part of the public contract.
- (b) Shall the subject of the public contract be fulfilled by multiple contractors together and shall they, for this purpose, submit or intend to submit a joint offer, they shall be obliged to comply with the conditions stated in Section 51, Paragraphs 5 and 6 of the AoPC. Most of all, every single of these contractors shall be obliged to demonstrate its compliance with the basic qualification criteria pursuant to Section 50, Paragraph 1, Letter a) of the AoPC and the professional qualification condition pursuant to Section 54, Letter a) of the AoPC in its full extent. Furthermore, apart from the appropriate documents that demonstrate their compliance with the required qualification criteria, such contractors shall be obliged to submit a contract, which will include an undertaking that all of these contractors, who are submitting the given joint offer, will be accountable to the Client and to third persons with regard to any legal relations, arisen in relation to the public contract, jointly and alike. This stipulation shall apply during the duration of the fulfillment of the public contract as well as during the duration of other obligations arising from the public contract.
- (c) In its offer, the applicant can submit only copies the documents that are required for demonstrating compliance with the qualification requirements. Prior to concluding the contract, the Client shall have the right to request submission of the originals or officially verified copies of these documents. For cases when the Client requires statutory declarations, such declarations must be signed by the given statutory body or by a person explicitly authorized to do so by the statutory body. For these purposes, the Client does not require official verification of the signature of such a person. For signatures by authorized persons, the corresponding authorization shall form a part of the documents, by the means of which the compliance with the qualification criteria is demonstrated.
- (d) Pursuant to Section 57, Paragraph 2 of the AoPC, documents that demonstrate compliance with the basic qualification criteria and the appropriate excerpt from the Companies Register shall not be older than 90 days as of the day of submitting the offer.
- (e) Shall it not be specified by a special legal regulation otherwise, foreign applicants shall demonstrate their compliance with the qualification requirements in a way that complies with the legal regulations valid in the country of their registered seats, at the location where they conduct their business or in the location of their residency. Shall it not be possible to obtain a certain document based on such legal regulations, the foreign applicant in question shall be obliged to demonstrate its compliance with the corresponding part of the qualification requirements by the means of a statutory declaration. Shall an obligation, compliance with which needs to be demonstrated as a part of the qualification, not be specified in the country of its registered seat, at the location where it conducts its business or in

the location of its residency, the applicant shall issue a statutory declaration to this effect. Foreign applicants shall submit the documents that demonstrate compliance with the qualification requirements in their original language, together with an officially verified translation into the Czech language, provided this tender documentation does not explicitly specify otherwise.

- (f) Shall any change in the qualification of the applicant occur prior to the final decision on the selection of the most suitable offer, and shall such a change result in incompliance with the qualification requirements pursuant to the AoPC or this tender documentation, the applicant shall be obliged to notify the Client about this fact in writing within 7 working days in accordance with Section 58, Paragraph 1 of the AoPC. The applicant shall be obliged to submit the necessary documents that demonstrate its compliance with the qualification requirements in their full extent within 10 working days after notifying the Client about this fact.
- (g) In accordance with Section 59, Paragraph 4 of the AoPC, the Client can require that the applicant explains in writing submitted information or documents or that the applicant submits additional information that demonstrates its compliance with the qualification requirements, with the exception of cases when compliance with the qualification requirements has not been demonstrated by the applicant at all. The applicant shall be obliged to do so within a reasonable period of time specified by the Client. The applicant shall be obliged to unambiguously answer all inquiries made by the Client.
- (h) The applicant can also demonstrate its compliance with the qualification criteria in a way and under the conditions specified in part six of the AoPC, i.e. in Section 125 and the following sections of the AoPC.

6.2. BASIC QUALIFICATION CRITERIA

Pursuant to Section 53 of the AoPC, the basic qualification criteria are fulfilled by the applicant,

- (a) who has not been legally sentenced for a criminal act committed for the benefit of an organized criminal group, criminal act of participating in an organized criminal group, legalization of revenues from criminal activities, participation in such criminal activities, accepting bribes, bribery, indirect bribery, fraud or credit fraud, including cases when the act in question represents preparation or attempt or participation in such a criminal act, or when the sentence for participating in such a criminal act has been obliterated; pursuant to Section 53, Paragraph 1, Letter a), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated facts by submitting an **excerpt from the Penal Register**;
- (b) who has not been legally sentenced for a criminal act, when the facts of the case are related to the applicant's subject of business activities pursuant to special legal regulations, or when the sentence for committing such a criminal act has been obliterated; pursuant to Section 53, Paragraph 1, Letter b), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated facts by submitting an **excerpt from the Penal Register**;
- (c) who has not, during the last 3 years, fulfilled facts of the case related to unfair competition in the form of bribery pursuant to Section 49 of the Commercial Code; pursuant to Section 53, Paragraph 1, Letter c), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated fact by submitting a **statutory declaration**;
- (d) against whose assets has not been, during the last three years, conducted insolvency proceedings, which resulted in an issued decision on bankruptcy, or the insolvency proposal has not been rejected because the assets were not

sufficient to cover the expenses of the given insolvency proceedings, or the bankruptcy proceedings have not been cancelled because the assets were entirely insufficient or forced administration pursuant to special legal regulations has been introduced; pursuant to Section 53, Paragraph 1, Letter d), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated facts by submitting a **statutory declaration**;

- (e) who is not subject to liquidation proceedings; pursuant to Section 53, Paragraph 1, Letter e), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated fact by submitting a **statutory declaration**;
- (f) who has no unpaid taxes recorded in the tax evidence systems in the Czech Republic as well as in the country of its registered seat, at the location where it conducts its business or in the location of its residency; pursuant to Section 53, Paragraph 1, Letter f), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated facts by submitting a **confirmation** issued by the appropriate financial office and, for the consumption tax, by a **statutory declaration**;
- (g) who does not have any outstanding insurance premium balances and unpaid penalties related to the public health insurance in the Czech Republic as well as in the country of its registered seat, at the location where it conducts its business or in the location of its residency; pursuant to Section 53, Paragraph 1, Letter g), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated facts by submitting a **statutory declaration**;
- (h) who does not have any outstanding insurance premium balances and unpaid penalties related to the social security payments and to the contributions to the state employment policy in the Czech Republic as well as in the country of its registered seat, at the location where it conducts its business or in the location of its residency; pursuant to Section 53, Paragraph 1, Letter h), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated facts by submitting a **confirmation** issued by the appropriate authorities or institutions, especially the Czech Social Security Administration;
- (i) who has not been, during the last 3 years, disciplinarily punished or who has not been subject to a punitive provision pursuant to special legal regulations, if it is required to demonstrate professional qualification pursuant to special legal regulations in accordance with Section 54, Letter d) of the AoPC; if the contractor conducts this activity via an authorized representative or via some other person that is responsible for the activities of the contractor, this stipulation shall also apply to these persons; pursuant to Section 53, Paragraph 1, Letter i), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated facts by submitting a **statutory declaration**;
- (j) who is not on the list of the persons who are forbidden to participate in public contracts; pursuant to Section 53, Paragraph 1, Letter j), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated fact by submitting a **statutory declaration**;
- (k) who has not been, during the last 3 years, legally issued a penalty for allowing illegal work pursuant to a special legal regulation; pursuant to Section 53, Paragraph 1, Letter k), and Paragraph 3 of the AoPC, the applicant shall demonstrate the above stated fact by submitting a **statutory declaration**.

For the criteria specified in this Point under Letters a) and b), the following stipulations apply: for legal entities, these criteria shall be fulfilled by the given legal entity as well as its statutory body or every member of the statutory body and, if the statutory body of the

applicant or a member of the statutory body of the applicant is a legal entity, these criteria shall be fulfilled by this legal entity as well as its statutory body or every member of the statutory body of this legal entity; if the offer is submitted by a foreign legal entity via its organizational unit, the criteria pursuant to this Letter shall be fulfilled, apart from the stated persons, also by the manager of the given organizational unit; the applicant shall be obliged to fulfill this basic qualification requirement not only in relation to the Czech Republic, but also in relation to the country of its registered seat, location where it conducts its business or residency address.

A sample of a statutory declaration for demonstrating compliance with the basic qualification criteria stated in Points (c), (d), (e), (f), (g), (i), (j) and (k) is stated in the an appendix to the tender documentation (see Appendix 4.1).

6.3. PROFESSIONAL QUALIFICATION CRITERIA

To demonstrate compliance with the professional qualification criteria, the applicant shall submit the following documents:

- (a) **Excerpt from the Companies Register**, provided the applicant is registered in it, or an excerpt from other, similar evidence, provided the applicant is registered in it;
- (b) Documents demonstrating its authorization to conduct business in accordance with special legal regulations in the extent that corresponds to the subject of the subject of the public contract, especially documents that demonstrate the appropriate **trade authorizations** or **licenses**;
- (c) Document that confirms its authorization by the **Czech Chamber of Architects** or by the **Civil Chamber of the Czech Republic** or some other document necessary for fulfilling the public contract that confirms **professional ability** of the entity or person, by the means of which the applicant secures its professional qualification. If the professional qualification is demonstrated via a different person than the applicant, the applicant shall be also obliged to submit documents, based on which the relation between such a person and the applicant is clear, and a statutory declaration of this person on its clean record (see Appendix 4.4).

6.4. ECONOMIC AND FINANCIAL CAPABILITY TO FULFILL THE PUBLIC CONTRACT

Pursuant to Section 50, Paragraph 1, Letter c) of the AoPC, the applicant shall submit a statutory declaration on its economic and financial capability to fulfill the public contract. A sample of the statutory declaration is included in an appendix of the tender documentation (see Appendix 4.2).

6.5. TECHNICAL QUALIFICATION CRITERIA

- 6.5.1.** To demonstrate compliance with the technical qualification criteria, the applicant shall submit a **structured CV of the main project manager** who will be responsible for overseeing the quality of the provided work, regardless of the fact if he/she is an employee of the applicant or he/she is in a different relation to the applicant. Compliance with the requirements stated in the given appendix (see Appendix 4.3) has to be clear from the structured CV, binding sample of which is included in the appendix of the Tender documentation. The actual CV shall also include consent with processing the personal data of the main project manager in the extent that is necessary for complying with all requirements required from the Client by the AoPC. The CV has to be signed by the main project manager. The above stated compliance shall be demonstrated by the appropriately signed structured CV (see Appendix 4.3).

6.5.2. Furthermore, to demonstrate compliance with the technical qualification criteria, the applicant shall be obliged to submit either

- (a) **a list of important construction implementations (construction works)** implemented within the last 5 years. The Client requires that the applicant demonstrates its participation in at least 3 contracts related to the construction, modification or renovation of buildings. The total investment expenses of every such contract had to amount to at least 30,000,000.00 CZK (in words: thirty million Czech crowns). This fact shall be demonstrated by a list of important construction implementations and a corresponding certification in the structure (see Appendix 4.5), with the required information stated and specified documents attached; **or**
- (b) **a list of important exhibition implementations (services)** implemented within the last 5 years. The Client requires that the applicant demonstrates its participation in at least 3 contracts related to the implementation of exhibitions. The total sum of the investment expenses of all such contracts together had to amount to at least 30,000,000.00 CZK (in words: thirty million Czech crowns). This fact shall be demonstrated by a list of important exhibition implementations and a corresponding certification in the structure (see Appendix 4.6), with the required information stated and specified documents attached.
- (c) The applicant can also demonstrate its compliance with the technical qualification criteria pursuant to Letter (a) or (b) by submitting a **combination** of a list of important construction implementations (construction works) and a list of important exhibition implementations (services) pursuant to Letters (a) and (b) above. The applicant can do so if the combination includes at least two important public contracts pursuant to one of the above Letters and at least one important public contract pursuant to the other Letter of this Point stated above, and if the sum of the investment expenses of all such contracts together amount to at least 30,000,000.00 CZK (in words: thirty million Czech crowns).

It is up to the applicant to decide how to demonstrate its compliance with the technical qualification criteria pursuant to Paragraph 6.5.2, i.e. either pursuant to Letter (a) or (b) or by submitting a combination of the important implementations pursuant to Letter (c). If utilizing Letter (c), the applicant shall demonstrate its compliance with the technical qualification criteria by submitting both lists specified in Appendixes 4.5 and 4.6 of this tender documentation while complying with the conditions stated under Letter c).

7. OFFER

7.1. CONTACT PERSON OF THE APPLICANT

In relation to its participation in the tender, the applicant shall name a contact person in its offer, including his/her address for delivering written documents. Such a person shall be responsible for all communication with the Client and the Client shall be able to send especially any notifications or requests (see Appendix 3) to his/her address.

7.2. SECURITY

- a) Together with submitting its offer, at the latest, the applicant shall be obliged to provide the Client with a security in the amount of 300,000.00 CZK (in words: three hundred thousand Czech crowns) for securing fulfillment of its obligations arising from its participation in the tender. The applicant shall be obliged to demonstrate its provision in the offer.

Pursuant to Section 67 of the AoPC, the applicant shall provide the security in the form of a bank guarantee, guarantee insurance or by depositing the above mentioned amount to the account of the Client. For this purpose, the Client has established account number

300253923/0300. Variable symbol of the corresponding bank transfer shall be the business identification number of the applicant. The amount in question must be deposited on the account of the Client by the deadline for submitting the offers, at the latest.

- b) The security will be returned to the applicant or acquired by the Client based on the facts expected in the stipulation of Section 67 of the AoPC.
- c) Shall the applicant chose to provide the security by depositing the above mentioned amount to the account of the Client, the applicant shall state the appropriate identification data for the bank account, to which the security shall be eventually released, in its offer.

7.3. PERIOD, DURING WHICH THE OFFER SHALL BE BINDING, AND OTHER PARTS OF THE OFFER

In relation to the tender and pursuant to Section 43 of the AoPC, the Client determines that the period, during which the applicants shall be bound by their respective offers, is 4 months. This period shall start running as of the moment the period for submitting the offers expires.

Pursuant to Section 68, Paragraph 3 of the AoPC, the offer shall also include:

- a) List of the statutory bodies and members of the statutory bodies who have had, during the last 3 years counting back from the deadline for submitting the offers, a labor, functional or other relation with the Client;
- b) If the contractor is a joint stock company, a list of owners of shares, aggregate nominal value of which exceeds 10% of the given basic capital, prepared during the time period designated for submitting the offers;
- c) Declaration of the applicant that it has not concluded and will not conclude any forbidden agreement pursuant to a special legal regulation in relation to the public contract in question.

Samples of these documents are included in an appendix of the tender (see Appendix 4.7).

7.4. ALTERNATIVE OFFERS

Pursuant to Section 70, the Client hereby allows the clients to submit alternative offers.

Shall an applicant desire to submit an alternative offer, the applicant shall submit all parts of the offer for each submitted alternative, for which both alternatives are not identical, i.e. especially a Solution study (see Appendix 8.2), Price calculation (see Appendix 8.1), Contract Proposal (see Appendix 9) and Declaration on the offer price (Appendix 11).

The offer shall be structured in a way that it is clearly possible to differentiate and separate individual alternatives from each other.

7.5. FORMAL LAYOUT, STRUCTURE AND CONTENT F THE OFFER

The Client recommends to accept the below stated requirements for the formal layout, structure and content of the offer, which should provide clarity of the offers and thus make their evaluations easier and minimize the possibility of erroneous exclusion of an applicant.

- a) Tender offers shall be prepared as a single printed copy in the Czech language. This copy shall form the so-called "original" of the offer. Documents included in the offer shall be provided as originals or officially verified copies, unless stated otherwise in this Tender documentation.
- b) Individual parts of the offer and their appendixes should be separated by free sheets (the so-called separators), which will allow for simple orientation among individual parts of the offer. The separators shall partially overlap the other pages on the right side and they shall be numbered pursuant to the individual points of the offer, adjusted in accordance with the needs of the applicant.
- c) All pages of the offer's Original shall be numbered at the bottom right corner, using a continuous, ascending number line, starting with number 1 on the page of the so-called "CONTENT" (for example, handwritten). For the purpose of this numbering system, neither the first page of the offer, nor the separator sheets count. Shall the applicant attach a separate unit (document) to its offer as its integral part and shall this document already have its pages

numbered by its own number line, the applicant shall clearly and in a different manner number even these pages again as a part of the above mentioned uninterrupted number line.

- d) **The introductory page** of every copy shall be prepared pursuant to the sample that forms an appendix of the Tender documentation (see Appendix 1).
- e) The first numbered page of the offer shall be the **content of the offer**, prepared pursuant to the sample that forms an appendix of the Tender documentation (see Appendix 2). The other pages and order of individual chapters arise from the content of the offer form.
- f) If some of the required documents, or documents submitted beyond the frame of the Client's requirements, cannot be assigned to any category stated in the content of the offer (see Appendix 2), they should be submitted in the part marked as **other documents**.
- g) The original copy of the offer (and every file, if the copy is formed by multiple files) shall be sufficiently **secured against manipulation** with individual pages by utilizing such security and unique elements, which will eliminate the possibility of an unauthorized replacement of its individual pages. The Client recommends, as one of the possible security elements, to bind the document using a string, the end of which is taped over using a sticker with a stamp of the applicant and signature of its statutory body. The Client recommends not inserting any other documents, printed or advertisement materials, etc. into the offer, with the exception of documents and materials specified by the legal regulations related to the public contract and required by the Client in the tender requirements.
- h) Together with the printed documents included in its offer, the applicant shall also submit an **architectural model** of the proposed architectural solution and of the design of the pavilion pursuant to Point 10.3, in the scale of M1:100. The model can be made of any material and it shall be white. Parts of the model, such as roofs and walls, can be removable. The allowed tolerance of the scale deviation is 5%, Using a different scale will constitute a breach of the tender conditions and will result in excluding the applicant from the tender.
- i) Moreover, when submitting its offer, the applicant shall include a complete **electronic version** of the text as well as graphic parts of the offer on a physical data carrier that does not allow for rewriting (for example, CD-R or DVD-R). This electronic version shall include a complete copy of the Original of the offer in the PDF format (for these purposes, the electronic version of the offer should be divided into multiple, independent and clearly marked files pursuant to individual chapters of the offer, which arise from its content). Furthermore, the Client requires that the CD in question also includes the appropriate Contract Proposal in the .DOC format. The carrier shall be labeled using identification data of the applicant and the name of the public contract. The carrier shall be submitted in a form that will allow for making copies of the files placed on the carrier.
- j) The Original of the offer, together with the architectural model and the data carrier pursuant to Letters h) and i) of this Point, shall be submitted inside of a non-transparent, enclosed and undamaged package, labeled on its front side in the following manner: mailing address of the applicant, to which a notification pursuant to Section 71, Paragraphs 6 and 7 of the AoPC, can be sent if the offer is submitted too late, at the upper left corner of the package; signs "**OFFER – Tender for the Implementer of the Czech pavilion for the International and Universal Exposition EXPO 2015 in Milan**" and "**DO NOT OPEN**" in the middle; and the address of the Client at the bottom right corner. On its closure, the package shall be furnished with a stamp of the applicant and possibly also with a signature of the statutory body of the applicant.
- k) The applicant shall be obliged to state all financial amounts in the offer or its appendixes in the Czech currency, i.e. in CZK.

8. DEADLINE FOR SUBMITTING THE OFFERS

Envelopes with individual offers will be accepted during the period specified for submitting the offers, i.e. until **10.00 a.m. on December 2nd, 2013**.

The following is the address for submitting the offers: **Office of the General Commissioner of the participation of the Czech Republic at the International and Universal Exposition EXPO, Rytířská 31, 110 00 Prague 1**. The contact person for accepting the offers is Mgr. Eva Štrégllová.

Applicants can send their respective offers to the above stated address or they can submit them in person between 9.00 a.m. and 11.30 a.m. on working days and between 9.00 a.m. and 10.00 a.m. on the last day specified for submitting the offers.

9. OPENING ENVELOPES AND INSPECTING COMPLETENESS OF THE OFFERS

Opening of the envelopes with submitted offers will take place on **December 2nd, 2013**. **The process will commence immediately upon the expiry of the deadline for submitting the offers** at the following address: **Office of the General Commissioner of the participation of the Czech Republic at the International and Universal Exposition EXPO, Rytířská 31, 110 00 Prague 1, in room No. 212.**

The opening process can be attended by applicants, whose offers were delivered by the deadline specified for submitting the offers. Each applicant can send a maximum of two persons, authorized to do so or authorized pursuant to a power of attorney.

The committee for opening the envelopes will open them in the same order they were delivered. Pursuant to the stipulation of Section 71 of the AoPC, the committee will make sure that the offers are prepared in the required language and that the corresponding Contract proposals have been signed by persons who are authorized to act on behalf or in the name of the given applicant.

After the above stated inspection is executed, the present applicants will be informed, pursuant to Section 71, Paragraph 10 of the AoPC, about the identification data of the given applicant (i.e. company name, its Business Identification Number and registered seat). Moreover, the applicants will be informed if the offer complies with the requirements pursuant to the previous paragraph.

10. EVALUATING THE OFFERS

This section explains the methodology, which the Client will use for evaluating submitted offers of individual applicants who have complied with the qualification requirements and whose offers have fulfilled the appropriate legal requirements and the requirements of the Client, stated in the tender conditions (evaluating the offers). The basic evaluation criterion for awarding the public contract is the **price** of the offers. The Client will evaluate all offers and determine their order based on the partial evaluation criteria specified in Point **Chyba! Nenalezen zdroj odkazů.**

10.1. EVALUATION CRITERIA

The Client will evaluate and assess all offers in accordance with the following partial evaluation criteria:

| No. | Name of the partial criterion | Weight of the partial criterion |
|-----|--|---------------------------------|
| 1 | Architecture and design of the submitted project | 60% |
| 2 | Offer price | 30% |
| 3 | Economy of the submitted project | 10% |

10.2. ARCHITECTURE AND DESIGN OF THE SUBMITTED PROJECT (weight of the partial criterion 60%)

10.2.1. Solution complexity of the submitted project

Evaluation of this sub-criterion will especially focus on the below stated areas. The Solution study, prepared pursuant to the conditions specified in the given appendix (see Appendix 8.2), will be used as the basis for this evaluation.

Evaluation of this sub-criterion will especially focus on the following areas:

- a) Esthetic solution of the project (idea and originality);
- b) Spatial solution of the exterior of the pavilion (in relation to the garden and the waterway);
- c) Spatial solution of the interior of the pavilion (in relation to the expected parts of the pavilion).

10.2.2. Ideological affinity of the submitted project with the theme of EXPO 2015 and with national participation of the Czech Republic

Evaluation of this sub-criterion will especially focus on the below stated areas. The Solution study, prepared pursuant to the conditions specified in the given appendix (see Appendix 8.2), will be used as the basis for this evaluation.

Evaluation of this sub-criterion will especially focus on the following areas:

- a) Relation to the theme of EXPO 2015 (“Feeding the Planet, Energy for Life”);
- b) Relation to the theme of the national participation of the Czech Republic (“Life Laboratory”);
- c) Relation to the theme of the national exposition of the Czech Republic (“Land of Stories and Fantasies”).

10.2.3. Technical solution

Evaluation of this sub-criterion will especially focus on the below stated areas. The Solution study, prepared pursuant to the conditions specified in the given appendix (see Appendix 8.2), will be used as the basis for this evaluation.

Evaluation of this sub-criterion will especially focus on the following areas:

- a) Construction solution of the submitted project;
- b) Functionality (operability) of the submitted project;
- c) Impact of the submitted project on the environment.

10.3. OFFER PRICE (30%)

The offer price represents the total price for the implementation (construction) of the pavilion, all pursuant to the Contract Proposal (see Appendix 9). The offer price can amount to a maximum of **70,000,000.00 CZK** (in words: seventy million Czech crowns), including

VAT, determined pursuant to the appropriate valid legal regulations. The applicant shall be obliged to state its offer price in the Czech currency, i.e. in CZK.

The applicant shall be obliged to attach a price calculation for implementing the pavilion and the interior of the pavilion (see Appendix 8.1) to its offer. All financial amounts in the calculation shall be in the Czech currency, i.e. in CZK.

The subject of the evaluation will be the **offer price, including VAT**. To eliminate any doubts, the Client states that the price, including VAT, shall be an amount, in which the VAT (value added tax) is already incorporated.

In this regard, the Client would like to point out that the above stated maximal offer price also represents all financial resources that the Client has available for this public contract. That is why the Client will not be able to accept any offer price that would exceed this amount. Pursuant to Section 76, Paragraph 1 of the AoPC, the evaluation committee will discard any offer with an offer price that exceeds the maximal permitted offer price.

10.4. ECONOMY OF THE SUBMITTED PROJECT (WEIGHT OF THE PARTIAL CRITERION 10%)

Evaluation of this sub-criterion will especially focus on the below stated areas. The Solution study, prepared pursuant to the conditions specified in the given appendix (see Appendix 8.2), will be used as the basis for this evaluation

Evaluation of this sub-criterion will especially focus on the following areas:

- a) Expediency of the expenses related to the implementation of the pavilion and exposition from the perspective of adequacy of the proposed solution and the purpose of the pavilion and the exposition;
- b) Solution flexibility (degree of difficulty of the assembly and disassembly of the pavilion and the exposition);
- c) Operation expenses, including energy consumption.

10.5. EVALUATION MANNER

The point evaluation process within the frame of the partial criteria and sub-criteria is determined as a part of a point scale in a range between 0 and 100 points in a way that the applicant who fulfills the evaluation criteria the best receives 100 points. Point evaluations of the other applicants will be determined in the following manner:

- 10.5.1.** For the Offer price criterion, which is the only criterion that can be expressed by a number, the applicant receives such a number of points that are calculated as a multiple of 100 and the ratio of the offer price of the applicant who has offered the best price in relation to the offer price of the given evaluated applicant in accordance with the following formula:

$$\text{number of points} = \text{lowest offer price} / \text{evaluated offer price} \times 100$$

- 10.5.2.** For the criterion of the Architecture and design of the submitted project in Paragraph 10.2 of the TD and the criterion of the Economy of the submitted project in Paragraph 10.4 of the TD, which cannot be expressed as a number, the evaluation committee will vote on the order of individual offers.

The applicant, whose offer ends up on the first place, receives 100 points. The other applicants will receive 100 points reduced by the number of points that proportionally correspond to the deficiencies of the project of the evaluated applicant in relation to the proposal of the applicant who ends on the first place in accordance with the following formula:

number of points = 100 – number of points that proportionally correspond to the deficiencies of the project of the evaluated applicant in relation to the proposal of the applicant who ends on the first place

The evaluators will explain their evaluation of individual offers in writing and in such a way that will clearly demonstrate the differences among individual offers and the fact that the assigned number of points proportionately corresponds to the differences in the offers of individual applicants.

- 10.5.3.** The number of points received by applicants within the frame of each partial criterion will be consequently **multiplied by the weight of the given partial criterion**. The total number of points of each applicant will be then determined by the sum of the values acquired in this manner for individual partial criteria, i.e. pursuant to the following formula:

total number of points = number of points received for the criterion of Architecture and design of the submitted project x 0.6 + number of points received for the criterion of Offer price x 0.3 + number of points received for the criterion of Economy of the submitted project x 0.1

- 10.5.4.** The offer with the most total number of acquired points shall be the most successful offer.
- 10.5.5.** Shall a multiple number of applicants acquire the same total number of points, the most successful offer shall be the offer of such an applicant who receives more points for the partial criterion of Architecture and design of the submitted project.

11. BONUSES FOR OTHER PLACED APPLICANTS

11.1. BONUS FOR THE SECOND MOST SUCCESSFUL APPLICANT

The applicant, whose offer will place second in the overall evaluation, i.e. second behind the applicant, with whom the contract in question is concluded, shall receive a bonus of 200,000.00 CZK (in words: two hundred thousand Czech crowns), including VAT, if applicable.

11.2. BONUS FOR THE THIRD MOST SUCCESSFUL APPLICANT

The applicant, whose offer will place second behind the offer of the applicant pursuant to Point 11.1 shall receive a bonus of 100,000.00 CZK (in words: one hundred thousand Czech crowns), including VAT, if applicable.

11.3. ORIGIN OF THE ELIGIBILITY TO RECEIVE A BONUS AND ITS PAYMENT DUE DATE

Applicants become eligible to receive a bonus as of the moment of concluding the contract with a selected applicant. The bonuses shall be due in 60 days after the delivery of written requests by the applicants, to whom the bonuses belong. The requests shall be delivered to the address of the Client. The bonuses shall be paid to the bank accounts, from which the eligible applicants transferred their security to the account of the Client pursuant to Point 7.2, unless the applicants state a different account in their requests.

12. INQUIRIES OF THE APPLICANTS AND THE INITIAL CONFERENCE

12.1. ADDITIONAL INFORMATION RELATED TO THE TENDER CONDITIONS (INQUIRIES)

In order to secure transparency of the tender, the Client, pursuant to the appropriate stipulations of the AoPC, sets the following rules for submitting inquiries related to the tender and the public contract and for answering them.

The contractor shall have the right to request additional information related to the tender conditions pursuant to Section 49 of the AoPC. The contractor can do so 6 days prior to the deadline for submitting the offers, at the latest, i.e. by **November 22nd, 2013**, inclusive. A special form (see Appendix 6) has been created for the purpose of submitting requests for additional information).

Individual inquiries can be submitted to the Client by mail or electronic mail. They shall be addressed to the contact person designated for the purpose of the tender in Point 1.3. Shall an inquiry be submitted by electronic mail and the message has not been furnished with an advanced electronic signature, the original of the inquiry has to be also mailed in writing within 3 days after its submission by electronic mail. The Client shall provide additional information pursuant to the AoPC. The time period permitted for providing additional information shall start running as of the day of delivery of the inquiry in writing (i.e. the original by mail or by electronic mail with an advanced electronic signature).

12.2. INITIAL CONFERENCE

Since the location of the fulfillment of the public contract is very specific and lies outside of the Czech Republic, access to the location for contractors who would like to participate in the tender and submit an offer for the public contract is thus problematic. The Client therefore decided to organize an initial conference for these contractors instead of actual viewing of the location.

At the initial conference, the Client will, most of all, inform individual applicants about its basic ideas, requirements and expectations, related especially to the Solution study, which will form a part of every offer. At the same time, the Client can inform the present applicants about previous exhibitions, about the environment where the current exhibition will be implemented, etc.

Nevertheless, the Client would like to point out that no questions having a character of additional information pursuant to Point 12.1 will be answered at the conference. A protocol will be created from the initial conference and this protocol will be subsequently sent to all contractors who collect the Tender documentation.

The initial conference will take place on **October 24th, 2013 at 2.00 p.m.** at the registered seat of the Client (see Point 1.1). For the purpose of securing sufficiently large room for the conference, the Client requires that contractors who are interested in submitting an offer for the public contract confirm their attendance at the initial conference to the contact person stated under Point 1.3 by **October 21st, 2013**. In this regard, the Client would also like to point out that, for capacity reasons, every contractor can send only one person to the conference. Participants of the initial conference will be obliged to demonstrate that they are authorized to act on behalf or in the name of the given contractor (by submitting an excerpt from the Companies Register, power of attorney, etc.) and, at the same time, they will have to sign a statutory declaration that the contractor, on whose behalf they are attending the conference, is interested in participating in the tender and in submitting an offer for the public contract.

Furthermore, the Client would like to point out that it hereby reserves the right to change the date and location of the initial conference or to cancel it all together. Shall such situation arise, all contractors who collect the Tender documentation will be immediately informed about such a decision of the Client in writing.

13. RIGHTS AND RESERVATIONS OF THE CLIENT

Not affecting the appropriate rights stated in the AoPC, the Client reserves the below stated rights related to the entire tender procedure and specifies the following reservations:

- a) The right not to return submitted offers to individual applicants;
- b) The right to cancel the tender in accordance with the AoPC;

- c) The right to correct obvious errors or omissions in the Tender documentation;
- d) Any expenses, work or effort expended prior to the final award of the public contract, which is the subject of the tender, shall be exclusively matters of the business judgment of the applicants. Applicants shall not be entitled to any reimbursement of their expenses related to their participation in the tender, including preparation and submission of the offer and other applications, proposals, etc.;
- e) This Tender documentation must not be considered an investment recommendation made by the Client for any applicant or any other person who is thinking to participate in the public contract, which is the subject of this tender. Every applicant or any other person, to whom the Tender documentation has been made accessible, shall make its own, independent evaluation of this public contract;
- f) This Tender documentation is made accessible to individual applicants with the reservation that it will be used only in relation to preparing, submitting, evaluating and assessing the offers;
- g) The Client does not permit submissions of partial offers, i.e. offers for only a part of the subject of the public contract.

14. OTHER

Czech language shall be the official language for submitting the offers and for all communication between the applicants and the Client when it comes to matters related to this tender. The Client shall provide no translation services for the applicants.

15. SUMMARY OF TERMS

| TERM | DEFINITION |
|--|--|
| BIE | International Exhibitions Bureau |
| Tender commencement day | Day of submitting the notification on the commencement of the tender for the public contract for publishing, i.e. October 10 th , 2013 |
| Informative CD | Set of documents that are binding for preparation of the offers and that forms a part of the Tender documentation (for more details, see Point 2.1.1) |
| Qualification requirements | Requirements of the Client for the qualification of individual applicants, fulfillment of which represents a condition for evaluating and assessing their offers |
| Time period for submitting offers | Time period between the commencement of the tender until 10.00 a.m. on December 2 nd , 2013 |
| Offer | Document prepared by an applicant in accordance with this Tender documentation, which the applicant submits to the Client for the purpose of acquiring a possibility to conclude the contract for the fulfillment of the public contract |
| Project or public contract | This public contract called the “Tender for the implementer of the Czech pavilion for the International and Universal Exposition EXPO 2015 in Milan” |

| TERM | DEFINITION |
|--------------------------------|---|
| Contract Proposal | Contract for the project and engineering activities, implementation, operation and removal of the exposition and the pavilion of the Czech Republic at the International and Universal Exposition EXPO 2015 in Milan, binding sample of which is included in an appendix to the TD (see Appendix 9) |
| Solution study | Proposal of the ideological and functional solution of the project, prepared in compliance with the requirements specified in the given appendix (see Appendix 7) and in a way determined in the corresponding appendix (see Appendix 8.2) |
| Applicant | Contractor who submits an offer as a part of the open proceedings within the specified period of time |
| Exhibition (EXPO 2015) | International and Universal Exposition EXPO 2015 in Milan |
| Tender documentation/TD | Set of documents, data, requirements and other conditions of the Client, which specify the subject of the public contract in details that are necessary for preparing the offers. |
| Tender conditions | All requirements of the Client stated in the notification on the commencement of the open proceedings, in the Tender documentation or in other related documents that address specifications of the subject of the public contract |
| Client or KGK | Office of the General Commissioner of the participation of the Czech Republic at the International and Universal Exposition EXPO |
| Contractor | Selected applicant, with whom the Client concludes the Contract |
| AoPC | Act No. 137/2006 Coll., on Public Contracts, as amended |