

EXPLANATION OF TENDER DOCUMENTATION No. 2 – FINAL DRAFT DESIGN SUBMISSION STAGE

Public Contract name	NEW MAIN STATION DISTRICT
Contracting Authority 1	The Capital City of Prague Mariánské náměstí 2/2, 111 00 Praha 1 ID No.: 000 64 581 represented by the Department of Property Management of the Capital City of Prague
Contracting Authority 2:	Dopravní podnik hl. m. Prahy, akciová společnost (Prague Public Transit Company, joint-stock company) Sokolovská 42/217, Vysočany, 190 00 Praha 9 ID No.: 000 05 886
Contracting Authority 3:	Správa železnic, státní organizace (Správa železnic, state organisation) Dlážděná 1003/7, 110 00 Praha 1 ID No.: 709 94 234

The Contracting Authority received a written request from a participant in the Procurement Procedure for clarification of the Tender Documentation.

The Contracting Authority hereby provides an explanation of the Tender Documentation (Procurement Terms and Conditions) for the above-mentioned Public Contract in accordance with Section 98 of the PPA, in both Czech and English, including the exact wording of the request for explanation of the Tender Documentation without identifying the participant requesting the explanation. In the event of a discrepancy between the different language versions of the answers, the Czech version of the Contracting Authority's answers shall prevail.

	Question of the participant where the explanation was provided following a request for clarification
1.	<p>We would like to request that the final contract negotiations meeting with the Contracting Authorities gets moved to the week of Aug 7th. This will give us sufficient time to prepare for these important final negotiations with our internal team and advisors, after receiving the round 4 feedback on July 17th.</p> <p><i>Completion of the request:</i></p> <p>We would formally like to request that our final contractual comments meeting for round four be moved to the second week of august.</p>
	Explanation by the Contracting Authority
1.	<p>The Contracting Authority considers the final negotiation of the Contract to be essential. Given that officially the Contracting Authority may submit information to the participants for bidding purposes up to and including 31 August 2023 at midnight CET, the Contracting Authority agrees to extend the deadline for final Contract negotiations up to and including 15 August 2023.</p> <p>The schedule for Round 4 of Contract negotiations is hereby amended to read as follows:</p>

	<p>Written settlement of participants' comments and remarks on the draft contracts for the performance of the subject of the Public Contract from the Contracting Authority - Round 4 until 17 July 2023 by midnight CET (deadline remains the same)</p> <p>Confirmation of the final text of the contracts for the performance of the subject of the Public Contract</p> <p>until 25 August 2023 by midnight CET</p> <p>We would also like to ask those teams that have already arranged for Round 4 Contract negotiations for the July deadline to keep this deadline. However, these teams will be allowed, if they deem it necessary, to negotiate a shorter, additional date in early August up to and including 15 August 2023.</p>
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	Question of the participant where the explanation was provided following a request for clarification
2.	Please confirm that no contractor will be excluded from the competition if their bid exceeds the maximum allowed amount +10%.
	Explanation by the Contracting Authority
2.	<p>The Tender Documentation states in paragraph 11.3.3 of the Tender Documentation that “The Contracting Authority draws attention to the fact that the offer price for the performance of the subject of individual contracts should not exceed in individual cases the threshold limits set out below for the price level Q1/2022 (with the possibility of an exceptional price increase by 10% of the threshold limit, with justification of such price increase above the threshold limit):</p> <p>a) in respect of Contract 1 CZK 37 mil. without VAT b) in respect of Contract 2 CZK 15 mil. without VAT c) in respect of Contract 3 CZK 114 mil. without VAT.”</p> <p>The call for the submission of the bid shall stipulate that „When setting the bid price, the participant should respect the limits of the bid price according to paragraph 11.3.3 of the Tender Documentation. “</p> <p>Neither the Tender Documentation nor the Call for the submission of the bid stipulates that in the event of non-compliance with the specified limits, the participant will be excluded from the Tender Procedure. In the event that a participant does not respect the limits set, the participant is expected to provide proper justification for this action.</p>

	Question of the participant where the explanation was provided following a request for clarification
3.	Please confirm that a winner will still be announced if the official score system (30% fee / 70% design quality points) results in the participant having the highest score even though their bid exceeds the maximum allowed amount +10%.
	Explanation by the Contracting Authority
3.	The Contracting Authority states that the exact procedure for the evaluation of bids is set out in paragraph 11.3 of the Tender Documentation. The fact that a participant does not respect

	the limits set out in paragraph 11.3.3 of the Tender Documentation does not change the procedure followed by the Contracting Authority in evaluating the bids.
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Unless stated otherwise, capitalised terms used in this explanation have the meanings assigned to them in the definitions in the Tender Documentation.

For the avoidance of doubt, the Contracting Authority states that the provision of the above explanation does not imply any change in the Procurement Terms and Conditions (Tender Documentation) within the meaning of Section 98(5) and Section 99 of the PPA and that the deadline for submitting the Final Draft Designs remains unaffected.

The Contracting Authority also notes that a request for clarification of the Tender Documentation (including any tender documents) may be made either by submitting a written request for explanation via the Contracting Authority's Profile or by an e-mail sent to kamila.kulhankova@havelpartners.cz. If a participant makes a separate request for information to any other person (such as a member of the preparatory team of one of the co-contracting authorities), no information will be provided.

Prague, 4 July 2023