



Our Ref. 1717/2023-SŽ-SS VRT
Sheets/
Annexes 4/2
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Published on the Contractor's Profile

The Letter of Invitation to preliminary market consultations – D&B&M VRT Jižní Morava

Dear Madam, Dear Sir,

Správa železnic, státní organizace, with the registered office at Dlážděná 1003/7, 110 00, Prague 1 – Nové Město, ID: 01312774, registered in the Commercial Register maintained by the Municipal Court in Prague, file number A 48384, represented by Jakub Bazgier, MSc., Director of the High-Speed Lines Construction Management (hereinafter referred to only as the "**Contractor**") hereby takes the liberty of contacting you and politely asking you to participate in preliminary market consultations (hereinafter referred to as the "**consultations**") which will be conducted with the aim of preparing the tender conditions and informing potential Suppliers about the intentions and requirements of the Contractor for the performance of the public procurement for construction works, which is a Design, Build & Maintain project, the subject of which will be design, construction and maintenance works on the new high-speed line (VRT) Jižní Morava (hereinafter referred to as the "**Public Procurement**").

I. Identifying the purpose and subject matter of Consultations

The Contractor is considering starting the tender procedure for the public procurement which has not yet been implemented in the territory of the Czech Republic to such an extent. The purpose of consultations is to familiarize potential Suppliers with the Public Procurement and to inform and open a discussion about the specifics of the Public Procurement and the procurement conditions considered. The aim is to define the subject matter of the Public Procurement and to set the tender conditions, so that they best meet the needs of the Contractor and at the same time, together with the subject matter of the Public Procurement, they are set in accordance with Act No. 134/2016 Coll., on the public procurement ("**ZZVZ**"), especially with the principle of adequacy and other principles regulated in § 6 ZZVZ.

For the avoidance of doubt, the Contractor states that this Letter of invitation relates exclusively to participation in the consultation pursuant to § 33 ZZVZ, it is not a call for preliminary expressions of interest, nor a call for submission of applications for participation or tenders for a Public Procurement.

II. The expected course of consultations

The opportunity to participate in consultation is open to all potential Suppliers and persons /parties interested in the Public Procurement who will meet all requirements for participation in these consultations (see Article III. below). The Contractor reserves the right to carry out consultations in multiple rounds, using written communication and possible personal and/or online negotiations with Suppliers.

At the same time, the Contractor states that he carries out consultation meetings in order to determine the capabilities and possibilities of the market in relation to the intended subject matter of the Public Procurement and to define its scope, in the first phase. Subsequently, after ascertaining the necessary information for defining the subject matter of the Public Procurement, the Contractor plans to discuss the intended definition of the tender conditions within the framework of the consultation meetings.

The consultation will be held in Czech and English languages with a possible interpretation between these two languages.

a) Registration of Suppliers

All Suppliers are obliged to register to participate in the consultation meetings within the period specified below in Article IV. As part of their registration, all Suppliers are required to prove that they are relevant Suppliers who are able to meet the conditions for participation in the consultations set out in Article III.

b) Phase I: Setting the technical parameters of the assignment

The Contractor assumes that the first round of consultations will take place in the form of filling out a written questionnaire regarding the considered technical parameters and the definition of the subject matter of the Public Procurement by the registered relevant Suppliers.

If, after evaluating the received questionnaires, the Contractor concludes that it is necessary to carry out another round of consultations, the Contractor reserves the right to continue the first phase of the consultation in any form (a questionnaire, personal or online meetings), while the Contractor may approach either all or only some of Suppliers for negotiations in the next round, according to his needs and results of the previous rounds of consultations.

c) Phase II: Setup of tender conditions

After verifying the information related to the scope of performance and defining the basic parameters of the Public Procurement subject matter, the Contractor presupposes the second phase of holding a consultation for the purpose of introducing and verifying the considered setting of tender conditions of the Public Procurement, including the minimum conditions of participation and contractual conditions.

However, the Contractor reserves the right to modify the course of consultations or to continue the consultation by carrying out further rounds in any form (questionnaires, personal or online meetings, addressing all or only some Suppliers), depending on the results of previous rounds of consultation and the Contractor's needs.

All Suppliers will be informed of the end of consultations by the Contractor.

III. Terms of participation in consultations

Relevant Suppliers who can participate in consultations are potential Suppliers who prove at least 1 experience with linear transport constructions worth at least CZK 1,000,000,000 total investment costs of the construction, excluding VAT, carried out within the last 10 years before the start of consultations, whereby the Supplier participated in such a construction either in the phase of its design (design activities), or in the phase of the construction works themselves, or in the form of supplies of technological elements (e.g. prefabricated parts, technological buildings and objects, traction assemblies, ETCS elements, GSM-R/FRMCS elements, etc.), or participated in their subsequent maintenance.

The fulfilment of this condition will be proved by Suppliers by providing the necessary information about the similar contract they have stated in the Registration Form for preliminary market consultations – D&B&M VRT Jižní Morava (hereinafter referred to as the “**Registration Form**”) which forms Annex No. 1 of this letter of invitation, and which will result in the fulfilment of the Contractor’s requirements listed above. The Suppliers shall provide at least the following information:

- (i) Contract name;
- (ii) Factual description of linear transportation construction;
- (iii) The way of the Supplier’s engagement;
- (iv) The value of the total investment costs of a construction;
- (v) The period of the Supplier's involvement in the contract completed;
- (vi) The description of activities carried out by the interested person/party;
- (vii) The designation of the ordering party, including contacts (the name and e- mail/telephone number) of the relevant representative of the ordering party.

The Contractor reserves the right to verify the truthfulness of the information provided by the Supplier with the Ordering Party of a given contract. In the event that the Supplier will not prove his relevant experience enable him to meet requirements stated above in the text, the Contractor reserves the right not to include such a Supplier among the participants in consultations.

In order to participate in consultations, potential Suppliers are first required to confirm their interest in participation **by sending a completed Registration Form by e-mail to the Contractor’s contact person listed below in the text.**

The Suppliers take into account that all information provided to them as part of consultations is confidential and serves solely for the purposes of the consultations. The questionnaire and relevant documents describing the considered technical parameters of the subject matter of performance will thus be provided only to registered relevant Suppliers (i.e. Suppliers who have sent the Registration Form and fulfilled the conditions for participation in consultations set out in Article III above in the text), and who have submitted to the Contractor a Declaration of maintaining the confidentiality of confidential information (hereinafter referred to as the “**Declaration of maintaining confidentiality of confidential information**”) which forms Appendix No. 2 of this letter of invitation.

IV. The dates for consultations and the supplier's registration application form

The deadline for submitting a completed written questionnaire within the first phase of consultations is set as a deadline of **twenty-one (21) calendar days since the date of receipt of the questionnaire wording and related documents from the Contractor.**

As part of the first phase of consultations a written questionnaire, including documents related to the Public Procurement, is sent to Suppliers after confirming their participation by sending (i) a completed Registration Form which can be found in Annex No. 1 of this Letter of invitation, (ii) and the signed Confidentiality Declaration form which can be found in Annex No. 2 of this Letter of invitation, and after verifying the fulfilment of the conditions for the Supplier's participation in consultations, set out in Article III.

If the above is of interest to you, **please confirm your participation by sending the completed Registration Form and the Confidentiality Declaration form** by e-mail to the contact person:

Ing. Martin Kosmál, e-mail: kosmal@spravazeleznice.cz

and no later than **19/01/2024 till 12:00 p.m.**

The Registration form and the Confidentiality Declaration form are available on the Contractor's profile: https://zakazky.spravazeleznice.cz/contract_display_14045.html.

If any persons/parties are interested in the consultation participation after the deadline, their participation in consultations cannot be guaranteed.

The person/party interested in the consultation participation acknowledges and accepts that some records (audio, audio-visual or written ones) may be made within consultations for the purposes of a checkback and archiving the information provided.

V. Contractor's reservations

For the avoidance of doubt, the Contractor states that this Letter of invitation relates exclusively to participation in consultations, and it does not initiate a tender procedure.

The Contractor reserves the right not to allow the Supplier to participate in consultations, unless it has been proven that it is a relevant Supplier (see Article III. above).

The Contractor reserves the right to modify the conditions and rules of consultations at any time, or to terminate a consultation.

The results of consultations do not have the character of offers in the tender procedure. Participation in consultations does not entitle the Supplier to any rights or obligations in the future tender procedure.

The Contractor reserves the right to disregard communications, documents, and comments from suppliers in a language other than Czech, Slovak or English languages.

The Contractor reserves the right to require Suppliers to complete or explain any information submitted by them. The Contractor reserves the right to evaluate and use all conclusions of the consultation at his discretion.

The Contractor reserves the right to identify all persons participated in consultations in the tender documentation of the Public Procurement and introduce the essential information obtained within consultations. The Suppliers themselves cover the costs associated with their participation in consultations, the Contractor is under no obligation to participate in their payment.

VI. Annexes:

Annex No.1: Registration form for preliminary market consultations – D&B&M VRT Jižní Morava

Annex No.2: Declaration of maintaining confidentiality of confidential information

Yours faithfully,

Ing. Jakub Bazgier, MSc.

Director of High-Speed Lines Construction Management
Správa železnic, státní organizace

Ověřovací doložka změny datového formátu dokumentu podle § 69a zákona č. 499/2004 Sb.

Doložka číslo: 4223042

Původní datový formát: application/pdf

UUID původní komponenty: 954f7049-f73c-4dc7-b17f-6d510f0eb710

Jméno a příjmení osoby, která změnu formátu dokumentu provedla:

System ERMS (zpracovatel dokumentu Martin KOSMÁL)

Subjekt, který změnu formátu provedl: Správa železnic, státní organizace

Datum vyhotovení ověřovací doložky: 14.12.2023 10:55:07



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