

## **PUBLIC TENDER ANNOUNCEMENT**

for the most appropriate Bid for concluding Agreement according to the provision of § 281 et seq. of the Act no. 513/1991 of the Commercial Code as amended and the provision of § 29, section 3, 5 and 6 of the Act no. 250/2012 Coll. on regulation of network industries as amended (hereinafter "Tender")

### **1. Announcer of Tender:**

**SPP - distribúcia, a.s.**

Registered office:

Mlynské nivy 44/b, 825 11 Bratislava  
joint stock company registered the Commercial Register of the  
District Court Bratislava I., Section: Sa, Entry no.: 3481/B

Business Registration  
Number:

35 910 739

### **2. Contact person of Tender Announcer**

Name:

RNDr. Andrea Ščepková

Telephone:

02/62625131

E – mail:

andrea.scepkova@spp-distribucia.sk

### **3. Subject of Public tender:**

Qualification system of the supplier line stopping and drilling works on DN 500 and DN 700 pipelines under pressure.

Subject of procurement is performance of line stopping and drilling works on DN 500 and DN 700 pipelines under pressure according to applicable laws and technical standards and in quantities according to Announcer's requirements under conditions agreed in the framework agreement (hereinafter „Agreement“) and its Annexes.

Announcer concludes Agreement without price specification with Bidders, who fulfils all participation conditions including all conditions provided in Tender documents. Minitender, where Bidders, with who Agreement was concluded, shall submit their Price bids shall take place upon every request for performing subject works. Such Price bids shall be consequently the subject of negotiations and/or electronic auction. Bidders shall not be obliged to submit Price bid upon every Minitender.

Bidders shall submit Price bids in two variants:

a) Price bid a the case when the fittings will be provided by Announcer - Price bid shall not contain the price for the fittings, which will be specified in Minitender;

b) a) Price bid a the case when the fittings will be provided by Bidder - Price bid shall contain the price for the fittings, which will be specified in Minitender;

Announcer is entitled to withdraw from Agreement if Bidder materially breaches contracting relationship during validity of Agreement or materially breaches his professional duties.

Other terms of Tender, related to this subject including technical specification are provided in Tender documents.

### **4. Type of agreement to be concluded and other business terms and conditions:**

Framework agreement is concluded under § 536 et seq. Act no. 513/1991 Coll. Commercial Code, as amended.

Performance, which is subject of Agreement, will be delivered on the basis of partial agreements signed by representatives of both contracting parties.

Akciová spoločnosť je zapísaná v Obchodnom registri Okresného súdu Bratislava 1, oddiel SA, vložka číslo 3481/B

Agreement/agreements shall be concluded without price specification. Every partial agreements shall be concluded as a result of Minitender, meaning on the basis of Price bid submitted by Bidder, which is subject to negotiations and/or electronic auction, while only Bidders with who Agreements is concluded shall be invited to submit Price bid.

Other business terms and conditions related to the subject of Tender including technical specification are provided in Tender documents.

#### **5. Tender participation conditions:**

In order to demonstrate ability to fulfil subject of Agreement, Bidder shall submit document about his business licence and other documents a papers that are mentioned in Tender documents.

Announcer also reserves the right to exclude from Tender such Bidder, who breached his contractual obligations in previous contractual relationship with Announcer, while such breach includes, but is not limited to, breach of any obligation of Bidder arising from any agreement concluded between Announcer and Bidder, any act of Bidder that resulted in breach of any obligation of Bidder arising from any agreement concluded between Bidder and Announcer, Bidder's unjust enrichment at the expense of Announcer or act of Bidder resulting into Bidder's unjust enrichment at the expense of Announcer or damage to reputation or other legitimate interests of announcer.

Forming association in order to demonstrate ability of Bidder to perform subject of procurement is not allowed.

#### **6. Submission of Bids:**

Bidders submit Bids in Slovak or as a case may be in Czech language. Bidder may submit his Bid in other foreign language. In that case, Slovak translations of such Bids and documents must be provided as well (official translation is not required). **Bidder shall submit Bid containing documentary** in one sealed package. The outer side shall contain basic business information of Bidder (business name, registered office), Announcer's address and Announcer's contact person and password of Tender: **"KS-PLUGGING" AND DESIGNATION "TENDER ŠČEPKOVÁ – DO NOT OPEN"**. Details are provided in Tender documents.

Bids shall be submitted to the address: SPP - distribúcia, a.s., Podateľňa, RNDr. Andrea Ščepková Mlynské nivy 44/b, 825 11 Bratislava and simultaneously in electronic form upon requirements provided in Tender documents.

#### **7. Deadline for submission of Bids:**

5.12.2014 till 12:00 am.

#### **8. Deadline for submission of Bids:**

Minitender, where Bidders, with who Agreement was concluded, shall submit their Price bids shall take place upon every request for purchasing the fittings. Deadlines for submitting Price bids in each particular Minitender will be clearly defined within invitation for submission of Price bid for each Minitender separately.

#### **9. Deadline for announcing accepted Bid:**

Deadline for announcing acceptance of Bid shall be 30.03.2015. Announcer reserves the right to extend such deadline.

#### **10. Deadline for announcing accepted Price bid:**

Deadline for announcing accepted Price bid in particular Minitenders is not earlier than within 3 months from expiration of deadline for submission Price bids in each Minitender separately. Announcer reserves the right to extend such deadline.

#### **11. Date and place of Bids and Price bids assessment:**

*Period for Bids assessment shall begin by opening envelopes with documentary parts of Bidder's Bids, i.e. 5.12.2014 and finished by announcing the accepted Bid and conclusion of Agreement. Assessment of documentary part of Bids take place is the registered office of Announcer (Mlynské nivy 44/b, 825 11 Bratislava).*

Akciová spoločnosť je zapísaná v Obchodnom registri Okresného súdu Bratislava 1, oddiel SA, vložka číslo 3481/B

Deadline for assessment of Price bids in particular Minitenders starts to begin by the day of opening Price bids i.e. by the day, which was determined as the date for submission of Price bids in each Minitenders separately and finishes by the date of announcing the acceptance of Price bid in each Minitenders separately. Bids assessment place is the registered office of Announcer.

## **12. Guarantee**

Announcer does not require guarantee.

## **13. The method for selecting the most appropriate Bid and Price bid:**

Announcer concludes Agreement with such Bidder, who fulfils all participation conditions including conditions provided in Tender documents.

Minitender, where Bidders, with who Agreement was concluded, shall submit their Price bids shall take place upon every request for performing subject works.

Announcer reserves the right to invite Bidders for individual negotiations on price or to participate in electronic auction after submission of Price bids in each Minitender separately.

Announcer reserves the right to negotiate with Bidder about Price bids in some consequent phases with possibility to invite Bidders to submit updated Price bid after each phase of negotiation. Announcer reserves the right to invite Bidders to update their Price bid in the form of electronic auction. Further information on the course and conditions of electronic auction is provided in Tender documents or in invitation to participate in electronic auction.

In accordance with § 283 of Commercial Code, Announcer reserves the right to change announced conditions of this tender or to cancel tender without purpose.

Announcer reserves the right to reject all submitted Bids and/or Price bids.

## **14. Commitment to cover costs**

Announcer does not cover Bidder's costs related to his participation in this Tender. Bidders fully bear their costs related to their participation in this Tender.

## **15. Further information:**

Interested persons may require Tender documents from the day of publishing at Announcer's website but not later than 2 business days before deadline for submitting Bids before 12.00 am. Interested persons will be provided with tender documents only in electronic way and upon written request sent electronically to address: [andrea.scepkova@spp-distribucia.sk](mailto:andrea.scepkova@spp-distribucia.sk). Interested person shall in his request state business name, registered office, Business registration number and contact person communicating on his behalf with Announcer (telephone number, e-mail)

Tender documents are sent to potential Bidders electronically by e-mail to the address provided in their request.

Bid may be submitted only by Bidder who within prescribed period asked for tender Document and to whom they were provided by Announcer.