

## PROCUREMENT DOCUMENTS FOR THE PUBLIC CONTRACT entitled

### ***„Provision of a shared micromobility platform services within the territory of the Capital City of Prague and related performances“***

awarded pursuant to Section 56 et seq. of Act No. 134/2016 Coll., on Public Procurement, as amended (hereinafter the ‘Public Procurement Act’).

Name of the public contract:	<b><i>Provision of a shared micromobility platform services within the territory of the Capital City of Prague and related performances</i></b>
Type of procurement procedure:	open above-threshold procedure
Type of contract:	public contract for services
Prior information notice (§ 34 of the Public Procurement Act):	Bulletin of Public Procurement: form registration number F2025-066969. Supplement to the Official Journal of the EU: publication number 798930-2025.

#### Identification details of the Contracting Authority

<b>Contracting Authority:</b>	<b>Operátor ICT, a.s.</b>
Registered Office:	Plynární 1617/10, Holešovice, 170 00 Praha 7
Company ID Number:	02795281
Tax Identification Number:	CZ02795281
Data box ID:	3xqfe9b

## 1. SUBJECT OF PERFORMANCE

The subject matter of performance under the public contract is specified in detail in Annex No. 3 to these procurement documents (hereinafter the 'PD') – the Draft agreement proposal (hereinafter the 'Agreement').

The subject of performance of the public contract is the acquisition of services of a monitoring tool for the management of shared micromobility (hereinafter the 'Platform') in the form of 'software as a service', including the operation and support of the Platform, the implementation of data into the Platform and initial training (hereinafter the 'Platform Services'), and consulting services, training and other performances related to the Platform, including customization of the Platform (hereinafter the 'Additional performance').

The subject of performance of the public contract will be provided in two ways, namely: a) directly on the basis of the Contract (Platform Services), b) on the basis of partial contracts concluded pursuant to arrangements having the nature of a framework agreement (Additional performance).

CPV: 72000000-5 (Information technology services: consulting, software development, Internet and support).

## 2. ESTIMATED VALUE OF THE PUBLIC CONTRACT

The estimated value of the public contract is CZK 9,500,000 excluding VAT (Platform Services: CZK 6,500,000 excluding VAT; Additional performance: CZK 3,000,000 excluding VAT).

The estimated value of the Platform Services and the Additional performance also constitute the maximum, highest permissible price for the provision of the respective performance under this public contract.

The maximum tender price for 60 months of providing the Platform Services is CZK 6,500,000 excluding VAT. Any economic operator who submits a tender price exceeding this amount shall be excluded from the procurement procedure.

The maximum tender price for the anticipated Additional performance provided over 48 months, as specified in the Table for processing the tender price under Annex No. 4 to this PD, is CZK 3,000,000 excluding VAT. Any economic operator who submits a tender price exceeding this amount shall be excluded from the procurement procedure.

The tender price must include all costs associated with the performance of the subject of the public contract, in particular any costs related to the provision of technology, access to the Platform, operation and support of the Platform, initial training and training materials, including the provision of licenses under the Agreement.

## 3. TERM AND PLACE OF PERFORMANCE OF THE PUBLIC CONTRACT

**Term of performance:** The economic operator shall be obliged to commence the provision of the Platform Services no later than within 14 calendar days from the date on which the Agreement becomes effective and to provide the Platform Services for a period of 60 months.

Additional Performance under the Agreement may be contracted for a period of 48 months after the expiry of 3 months from the commencement of the provision of the Platform Services.

**Place of performance:** the Capital City of Prague and the Central Bohemian Region

## 4. COMMERCIAL AND TECHNICAL CONDITIONS

The commercial and payment conditions defined in Annex No. 3 to this PD – the Agreement – constitute binding requirements of the Contracting Authority for the performance of the public contract.

If a tender is submitted jointly by several economic operators (as a group of economic operators), they shall attach to the tender a simple copy of the contract (or another legally binding document) from which it follows

that all such economic operators shall be jointly and severally liable towards the Contracting Authority and any third parties for any legal relationships arising in connection with the public contract, for the entire duration of the performance of the public contract as well as for the duration of any other obligations arising from the public contract.

By submitting a tender in the procurement procedure, the economic operator confirms that the performance offered by the economic operator meets the requirements of the Contracting Authority as stated in this PD.

## 5. QUALIFICATION

The Contracting Authority, in accordance with Section 73 of the Public Procurement Act, requires proof of fulfillment of basic and professional qualification and technical qualification.

The economic operator must demonstrate in the tender the basic and professional qualification and technical qualification to the following extent:

### 5.1.1 Fulfillment of basic qualification under Section 74 of the Public Procurement Act

The economic operator is obliged to prove the fulfillment of basic qualification under Section 74 of the Public Procurement Act in conjunction with Section 75(1) of the Public Procurement Act. In accordance with Section 86(2) of the Public Procurement Act, these documents may be replaced in the tender by an affirmation. For this purpose, the economic operator may use the affirmation attached as Annex No. 2 to this PD, which shall be signed by the person/persons authorized to act on behalf of the economic operator.

### 5.1.2 Fulfillment of professional qualification under Section 77(1) of the Public Procurement Act

The economic operator is obliged to prove the fulfillment of professional qualification under Section 77(1) of the Public Procurement Act by submitting an extract from the Commercial Register or other similar records provided that registration in such records is required pursuant to another legal regulation. In accordance with Section 86(2) of the Public Procurement Act, this document may be replaced in the tender by an affirmation. For this purpose, the economic operator may use the affirmation attached as Annex No. 2 to this PD, which shall be signed by the person/persons authorized to act on behalf of the economic operator.

### 5.1.3 Fulfillment of professional qualification under Section 77(2)(a) of the Public Procurement Act

The economic operator is obliged to prove the fulfillment of professional qualification under Section 77(2)(a) of the Public Procurement Act by submitting an authorization to conduct business to an extent corresponding to the subject of the public contract, i.e., by submitting a trade license for:

Subject of business: Production, trade and services not listed in Annexes 1 to 3 to the Trade Licensing Act,

Field of activity: Provision of software, consulting in the field of information technologies, data processing, hosting and related activities, and web portals.

In accordance with Section 86(2) of the Public Procurement Act, this document may be replaced in the tender by an affirmation. For this purpose, the economic operator may use the affirmation attached as Annex No. 2 to this PD, which shall be signed by the person/persons authorized to act on behalf of the economic operator.

### 5.1.4 Fulfillment of technical qualification under Section 79(2)(b) of the Public Procurement Act

The economic operator is obliged to prove the fulfillment of technical qualification by submitting:

**A list of significant supplies/services** performed in the last 3 years prior to the commencement of the procurement procedure, containing at least the price, description of performance, period of provision, and identification of the customer (the Contracting Authority also recommends indicating a contact person with e-mail and telephone for potential verification of information about the contract); the period of

performance of a significant contract shall be assessed within the meaning of Section 79(3) of the Public Procurement Act. Within the list of significant contracts, the Contracting Authority requires proof of:

three significant contracts (supplies or services) whose subject matter was the operation and, at the same time, customization of a micromobility management platform that works with real-time data in the MDS (Mobility Data Specification) standard, each with a minimum value of CZK 2,000,000 excluding VAT.

For this purpose, the economic operator may use the affirmation attached as Annex No. 2 to this PD, which shall be signed by the person/persons authorized to act on behalf of the economic operator.

## **5.2 Common provisions on the fulfillment of qualification requirements**

### **5.2.1 Authenticity of documents proving the fulfillment of qualification**

The economic operator shall prove the fulfillment of qualification in all cases by submitting the relevant documents in simple copies. The economic operators may replace the required documents by submitting an affirmation pursuant to Section 86(2) of the Public Procurement Act (as stated above) or by submitting the European Single Procurement Document pursuant to Section 87 of the Public Procurement Act.

### **5.2.2 Age of documents proving the fulfillment of qualification**

Documents proving basic qualification must demonstrate the fulfillment of the required qualification criterion no later than 3 months prior to the commencement date of the procurement procedure.

### **5.2.3 Proof of qualification in the case of foreign persons**

A foreign economic operator shall prove the fulfillment of qualification pursuant to Section 81 of the Public Procurement Act with documents issued under the legal order of the country in which they were obtained, to the extent required by the Contracting Authority.

Extracts from the Criminal Register in the Czech Republic are issued by the Criminal Register Authority. Certificates regarding tax arrears of foreign economic operators in the Czech Republic are issued by the Financial Office for Prague 1, and certificates regarding arrears in insurance and penalties on social security and contributions to the state employment policy for foreign economic operators in the Czech Republic are issued by the Prague Social Security Administration.

### **5.2.4 Proof of part of the qualification via other persons**

The economic operator may prove the economic qualification, technical qualification, or professional qualification (except for the criterion under Section 77(1) of the Public Procurement Act) required by the Contracting Authority through other persons. In such a case, the economic operator is obliged to submit to the Contracting Authority:

- documents proving the fulfillment of professional qualification under Section 77(1) of the Public Procurement Act by another person,
- documents proving the fulfillment of the missing part of the qualification through another person,
- documents proving the fulfillment of basic qualification under Section 74 of the Public Procurement Act by another person, and
- a contract or confirmation of its existence signed by that other person, the content of which is the commitment of that person to provide the performance intended for the performance of the public contract, or to provide things or rights which the economic operator will be entitled to use during the performance of the public contract, at least to the extent to which the other person has proved the qualification for the economic operator.

If the economic operator proves qualification through another person and submits documents pursuant to Section 79(2)(a), (b), or (d) of the Public Procurement Act relating to such person, the contract or confirmation

of its existence must contain the commitment that the other person will carry out the construction works or services to which the qualification criterion relates.

#### **5.2.5 Extract from the list of approved economic operators**

Submitting a document proving the economic operator's registration in the list of approved economic operators maintained by the Ministry of Regional Development pursuant to Sections 226–232 of the Public Procurement Act replaces, in accordance with Section 228 of the Public Procurement Act, the document proving professional qualification under Section 77 of the Public Procurement Act, to the extent to which the data in the extract prove the fulfillment of the criteria of professional qualification and basic qualification under Section 74 of the Public Procurement Act. The extract from the list must not be older than 3 months as of the last day on which basic or professional qualification is to be proved.

#### **5.2.6 Submission of a certificate**

A valid certificate issued within an approved system of certified economic operators may be used to prove qualification in the procurement procedure. An economic operator holding such a certificate is deemed qualified to the extent stated in the certificate. For further details, see Section 233 et seq. of the Public Procurement Act.

#### **5.2.7 Reference**

The economic operator may also fulfil the obligation to submit a document pursuant to Section 45(4) of the Public Procurement Act by providing a reference to the relevant information contained in a public administration information system (or a similar system operated in another Member State) that allows unrestricted remote access. Such a reference must contain the internet address and, where necessary, the login credentials or search parameters required to retrieve the information. The economic operator may in this manner refer e.g. to the Commercial Register, the Trade Licensing Register, or the List of Approved Economic operators.

#### **5.2.8 Consequence of failure to meet qualification requirements**

An economic operator who fails to meet the qualification requirements to the extent required by the Public Procurement Act and by this PD may be excluded from participation in the procurement procedure by the Contracting Authority.

#### **5.2.9 Other**

The Contracting Authority may request from the selected economic operator, prior to signing the Agreement, documents or a affirmation pursuant to Section 122(4) of the Public Procurement Act.

Additional conditions for proving qualification arise from the Public Procurement Act.

### **5.3 Additional Requirements of the Contracting Authority**

**5.3.1** In accordance with Section 104(a) of the Public Procurement Act, the Contracting Authority will require the selected economic operator, as a condition for concluding the Agreement, to submit a copy of an insurance policy (insurance certificate) covering liability for damage caused by the economic operator to a third party, with the insured amount not lower than CZK 1,000,000. If the selected economic operator fails to submit the required document, the Contracting Authority shall exclude the selected economic operator and subsequently invite the next economic operator in the ranking to conclude the Agreement.

**5.3.2** In accordance with Section 104(a) of the Public Procurement Act, the Contracting Authority will require the selected economic operator, as a condition for concluding the Agreement, to submit a sample of the Platform that meets the parameters specified in article 2, section 2, and article 4, sections 4 to 7 of Annex 1 of the Agreement (Technical Specification), including the implemented test data. For the purpose of assessing compliance with the specified parameters, the economic operator shall provide the sample via a link to a website (including login details, if applicable). If the selected economic operator fails to demonstrate compliance with the specified parameters, the Contracting Authority shall exclude the

selected economic operator and subsequently invite the next economic operator in line to conclude the Agreement.

## 6. METHOD OF DETERMINING THE TENDER PRICE

The tender prices shall be stated in the Table for processing the tender price pursuant to Annex No. 4 to this PD. The economic operator is obliged to indicate the tender prices in the structure specified in the Table for processing the tender price. The economic operator is not entitled to make any changes in the Table for processing the tender price other than to fill in the cells marked in green.

The tender prices and all their components are final and non-exceedable, i.e. they include any potential additional costs of the selected economic operator.

## 7. METHOD OF EVALUATING TENDERS

**The evaluation of tenders shall be carried out pursuant to Section 114 of the Public Procurement Act based on the award criterion of economic advantageousness of tenders. The sole and exclusive criterion for awarding the public contract is the lowest total tender price.**

The most advantageous tender shall be the tender submitted by the economic operator who offers the lowest total tender price in CZK excluding VAT. If two or more tenders contain the same total tender price, the more advantageous tender shall be the one delivered to the Contracting Authority earlier.

The economic operator is not entitled to make conditional any of the data proposed by the economic operator that are subject to evaluation. Conditioning or indicating several different values shall constitute grounds for excluding the participant from the procurement procedure. The Contracting Authority shall proceed in the same manner if a value subject to evaluation is submitted in a different unit or form than that specified by the Contracting Authority.

## 8. PROVISION OF EXPLANATIONS

Although this PD defines the subject of the public contract in the level of detail necessary for the preparation of a tender, economic operators may request explanation of the procurement conditions. A written request must be delivered to the Contracting Authority in the manner specified in Section 211 of the Public Procurement Act and within the time limits set out in Section 98(1)(a) and Section 98(3) of the Public Procurement Act, taking into account the shortened period for submitting objections against the PD pursuant to Article 11.6 of this PD.

Requests for explanation of the PD may be submitted by economic operators in written form via the electronic tool E-ZAK, in the section of this public contract on the Contracting Authority's profile.

## 9. METHOD, PERIOD AND PLACE FOR SUBMISSION OF TENDERS

**Tenders may be submitted exclusively in electronic form, via the electronic tool E-ZAK, in the section of this public contract on the Contracting Authority's profile.** Tenders must be submitted no later than **on 4th March 2026 at 12:00 p.m.** A tender submitted after this point shall be considered as not submitted.

The Contracting Authority sets the deadline for submission of tenders in accordance with Section 57(2)(a) of the Public Procurement Act in a shortened form, so that it is at least 15 days. The prior information notice was sent for publication at least 35 days and no more than 12 months prior to the date of publication of the contract notice.

Registration is required to submit a tender. Detailed information on submitting a tender is available at:

[https://zakazky.operatorict.cz/manual\\_2/ezak-manual-dodavatele-pdf](https://zakazky.operatorict.cz/manual_2/ezak-manual-dodavatele-pdf)

## 10. REQUIREMENTS AND CONDITIONS FOR PREPARATION OF TENDERS

### 10.1. Contracting Authority's requirements for the content structure and format of tenders

**The economic operator shall prepare the tender in accordance with the requirements specified below.**

The Contracting Authority recommends that the economic operator follow the requirements described hereinafter in the interest of ensuring a transparent procurement procedure.

### 10.2. Method and form of tender preparation

The tender shall be submitted electronically in written form. With regard to the limitation on the size of a single file, it is not necessary for all documents forming the tender to be combined into one file.

The tender and all correspondence and documents related to the tender exchanged between the economic operator and the Contracting Authority shall be written in the Czech or English. If the Public Procurement Act or the Contracting Authority requires submission of a document issued under the legal order of the Czech Republic, the economic operator may submit an equivalent document issued under the legal order of the state in which the document is issued; such a document must be submitted together with its translation into the Czech or English. If the Contracting Authority has doubts as to the accuracy of the translation, it is entitled to request submission of an officially certified translation into Czech made by an interpreter registered in the list of experts and interpreters pursuant to Act No. 36/1967 Coll., on Experts and Interpreters, as amended, and regulation No. 37/1967 Coll., as amended. The obligation to attach a translation into Czech does not apply to documents in the Slovak language. Documents relating to education, such as university diplomas, may also be submitted in Latin.

All documents or affirmations that require the signature of the economic operator (a legal entity) must be signed by the statutory body of the economic operator. If signed by another person, the authorisation must be attached to the tender. All documents must be printed in good quality to ensure legibility. No document may contain alterations or overwriting that could mislead the Contracting Authority.

### 10.3. Requirements for the uniform arrangement of tenders

The Contracting Authority requires that the tender be arranged in the following order:

1. **Cover sheet of the tender** – the economic operator shall use Annex No. 1 to this PD – Cover Sheet of the Tender;
2. **Table for processing the tender price** – the economic operator shall use Annex No. 4 to this PD – Table for processing the tender price;
3. **Documents proving fulfillment of qualification** – the economic operator shall submit the documents pursuant to Section 5 of this PD;
4. Other documents at the discretion of the economic operator.

## 11. OTHER CONDITIONS OF THE PROCUREMENT PROCEDURE

- 11.1 Each participant shall bear their own costs associated with participation in the procurement procedure.
- 11.2 The Contracting Authority reserves the right to modify the procurement conditions in accordance with the Public Procurement Act.

- 11.3 The Contracting Authority does not admit variants of tenders.
- 11.4 The Contracting Authority reserves the right to verify the information contained in a participant's tender with third parties, and the participant shall be obliged to provide all necessary cooperation in this regard.
- 11.5 The Contracting Authority is entitled to use any information or documents submitted by participants if necessary for the procedure under the Public Procurement Act or if such use arises from its purpose.
- 11.6 In accordance with Section 242(5) of the Public Procurement Act, the Contracting Authority determines that objections under Section 242(3) or Section 242(4) of the Public Procurement Act may be submitted no later than 72 hours before the expiry of the relevant time limits under Section 242(3) or Section 242(4) of the Public Procurement Act.
- 11.7 The Contracting Authority expressly notifies economic operators that each selected economic operator is, pursuant to Section 2(e) of Act No. 320/2001 Coll., on Financial Control, as amended, a person obliged to cooperate in the performance of financial control.
- 11.8 The Contracting Authority further notifies participants that this PD is a summary of the Contracting Authority's requirements and not a complete summary of all obligations arising from generally binding legal regulations. Therefore, when preparing their tenders, economic operators must always comply not only with the requirements set out in this PD but also with the provisions of the relevant generally binding legal regulations, in particular Act No. 89/2012 Coll., the Civil Code, as amended.
- 11.9 By submitting a tender in this procurement procedure, the economic operator fully and unconditionally accepts the conditions of this PD, including all its annexes.

## 12. ANNEXES TO THE PD

- Annex No. 1 – Cover sheet of the tender
- Annex No. 2 – Affirmations on basic, professional and technical qualification
- Annex No. 3 – Draft agreement proposal
- Annex No. 4 – Table for processing the tender price

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### Operátor ICT, a.s.

Ing. Luboš Kratochvíl, MBA

Chairman of the Board of Directors

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### Operátor ICT, a.s.

Petr Suška, MSc.

Vice-Chairman of the Board of Directors