



Ministerstvo životního prostředí



Explanation of the tender documentation No. 4

according to Section 98 of Act No. 134/2016 Coll.,
on the Awarding of Public Contracts, as amended (“AAPC”)

PUBLIC CONTRACT: HEAT AND POWER PLANT T600 II

TENDER PROCEDURE: Negotiated procedure with notice

CONTRACTING ENTITY:

Name: **ORLEN Unipetrol RPA s.r.o.**
Registered office: Litvínov – Záluží 1, ZIP 436 70
Registration number/IČO: 275 97 075
Profile of the contracting entity: https://nen.nipez.cz/profil/ORLEN_UNPRPA



REPRESENTATION ON THE BASIS OF A POWER OF ATTORNEY (CONTRACTING ENTITY CONTACT PERSON)

Attorney: Mgr. Radovan Kubáč, advokát
law firm Nedelka Kubáč advokáti s.r.o.
Sídlo: Olivova 2096/4, 110 00 Praha 1
Reg. no.: 14150

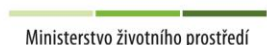
The contact person: Mgr. Radovan Kubáč
Phone: +420 210 320 260
E-mail: kubac@nka.eu
Data box: dg4g4m5

The contact person provides all communication between the contracting entity and tenderers (without prejudice to the authorization of the statutory body or any other person authorised by the contracting entity) and is according to Section 43 AAPC authorised to perform activities of the contracting entity in this award procedure to the maximum extent allowed by the Czech law.

1. QUESTION No. 4 (30 November 2023)

In Article 5.3.4 of the TD it is indicated that, the request to participate shall be duly encrypted using a public key provided for by the Contracting entity.

Could you provide us with the public key or explain where we can find it? Do we have to sign the document through this platform or is it enough to send it (Only Send button or Sign and submit button)?



2. ANSWER TO QUESTION No. 4

The encryption file with the public key is available on Contracting entity profile in NEN. To download the encryption file, please use the link provided below:

<https://nen.nipez.cz/en/verejne-zakazky/detail-zakazky/N006-23-V00026639/zadavaci-dokumentace/p:pzd:page=2/detail-dokument/1824625329>

As regards signing the request to participate through NEN, according to the Chapter 3 “Submission of Electronic Bid” of the Manual for Suppliers issued by NEN, it is **not necessary to use “Sign and submit” button unless the Contracting entity requires the Supplier to do so**. The Chapter 3 is also applicable to other kinds of submissions, for example the Preliminary offer or the Offer.

According to the Article 5.3.4 of the QD, the Request to participate shall be encrypted. The Contracting entity **does not require the Suppliers to submit request to participate signed via NEN sign and submit feature**. Therefore, the Contracting entity suggests to use the “Send” button only. For more information, please consult Chapter 3 of the Manual for Suppliers under the link below:

https://nen.nipez.cz/en/prirucky-vse/detail-provozni-informace?id=kb_article_view_en&sys_kb_id=bbd5fc871b46a1d0f62c2f02604bcbb2

The Contracting entity expects, that certain documents in the Request to participate will be signed (e.g. affidavits) by a representative of the tenderer (the signature rights). Please note, that the tenderer as an applicant has to provide a complete excerpt from the business register to verify from this excerpt that the representative is authorised to act for the applicant. Generally, the proof of authorization is for example power of attorney / internal authorization and/or a complete excerpt from the business register with an indication of who is authorised to act for the company.

In Prague, 4 December 2023