

VS20210904 Commercial Public Tender

Supply of goods - Delivery of ball valves for the following investment project: Replacement of ball valves at UNGS - 2021

Called pursuant to provision of Art. 281 et seq. Act No. 513/1991 Coll. of the Business Code as amended Art. 29 par. 3, 5 and 6 of Act No. 250/2012 Coll. on Regulation in Network Industries for the most suitable proposal for contract conclusion under the following conditions:

1. Contracting authority:

Business name: **NAFTA a.s.**
Registered office: Votrubova 1, 821 09 Bratislava
Registered in: the Commercial Register of the District Court Bratislava I, Section Sa, File No.: 4837/B
Company ID No.: 36 286 192
VAT ID No.: SK2022146599

2. Contact person of the Contracting authority:

Name: Antonia Cavalli
Purchasing portal NAFTA a.s.: <https://nafta.1803sw.com>
Web sites: www.nafta.sk

3. Subject of the Tender: Supply of goods - Delivery of ball valves for the following investment project: Replacement of ball valves at UNGS - 2021

3.1 For ZPS Gajary Bádén

- One (1) NPS 10", class 600 TAG: FOSD01
- One (1) NPS 10", class 600 TAG: CSVV01
- One (1) NPS 8", class 1500 TAG: CDVV01

3.2 For CA Gajary Bádén

- One (1) NPS 8", class 1500 TAG: CAVV11
- One (1) NPS 16", class 600 TAG: FOEV01
- One (1) NPS 6", class 1500 TAG: HASD01
- One (1) NPS 16", class 1500 TAG: HPVV01

3.3 For CS Plavecký Štvrtok

- One (1) NPS 16", class 600 TAG: MTVB08
- One (1) NPS 8", class 600 TAG: CEMV06
- One (1) NPS 12", class 400 TAG: 16
- One (1) NPS 14", class 600 TAG: SSCV09
- One (1) NPS 14", class 600 TAG: 23
- One (1) NPS 16", class 600 TAG: K03
- One (1) NPS 12", class 600 TAG: MMVV05
- One (1) NPS 12", class 600 TAG: M5
- One (1) NPS 10", class 600 TAG: K1
- One (1) NPS 10", class 600 TAG: K3
- One (1) NPS 12", class 600 TAG: K72

3.4 For UGS Structure 3

- One (1) NPS 28", class 600 TAG: GU 03/1
2. Technician's focus on operations (verifying facts and connection dimensions) for supplying ball valves without drives for section 1.2 and FOSD01
 3. Delivery and installation of shaft couplings and connecting bridges - optional for section 1.2 and FOSD01
 4. Interoperability of drives with ball valves (end stops in particular) for section 1.2 and FOSD01
 5. Participation in functional tests, training of operators and delivery of complete ball valve documentation (2 paper versions and 2 electronic versions on USB media)

NOTE:

To 2

The awarding authority will have the drive dismantled and retrofitted to verify facts with the selected tenderer

To 4

The awarding authority will have the ball valve outside the piping dismantled and retrofitted with the drive, with the ball valve not able to be put back into production - this applies to ball valves delivered without drives (section 1.2) and FOSD01

The tenderer bears full responsibility for setting the drive up with the ball valve and setting the stops.

3.5 Place and date of supply

Place of delivery: CA Gajary, c.d. Gajary and CS Plavecký Štvrtok, c.d. Plavecký Štvrtok, District of Malacky

Date of delivery:

FOSD01, CSVV01, CDVV01, CAVV11, K1, K3 and K72

10 November 2021

FOEV01, HASD01, HPVV01, GU 03/1, MTVB08, CEMV06, 16, SSCV09, 23, K03, MMVV05, M5

10 December 2021

Date for interoperability of end drives, participation in functional testing, training

to be set according to the awarding authority's operations for 2021-22

The awarding authority reserves the right to change deadlines depending on current operational capacity.

4. Type of contract to be concluded and further business conditions:

The Purchase contract / Order.

Further business conditions related to the subject of this tender including the technical specification are provided in the Tender Documents.

5. Course of the Tender:

The commercial public tender shall be executed in two rounds:

1st round - Based on publishing this notice of the commercial public tender call on the web sites of NAFTA a.s. (www.nafta.sk) the bidders shall demonstrate the interest in the participation in the Tender via delivery of e-mail to the Contracting authority by **8th March, 2021** using the address of the purchasing portal NAFTA a.s. <https://nafta.1803sw.com/>.

2nd round - The bidders who demonstrated the interest in the participation in the Tender shall be invited by the Contracting authority to submit the bid. The Contracting authority shall send the call for bid's submission electronically by the purchasing portal NAFTA a.s. : <https://nafta.1803sw.com>.

The quotation may be submitted only by the bidder which was sent a request for the quotation submission by the Contracting authority applying the method provided in Point 6 of this declaration. For the purposes of fulfillment of the obligations against the Regulatory Office for Network Industries pursuant to Art. 29 par. 5 subpar. b) of Act No. 250/2012 Coll. on Regulation in Network Industries, the bidders which submitted the quotation shall be deemed to be the bidders applying for the Tender.

The Contracting authority reserves the right to restrict the number of bidders after submission of quotations and to invite the bidders determined in this way to individual negotiations about the contract terms and conditions.

The Contracting authority reserves the right to negotiate the proposal with the bidder in several consecutive rounds with the possibility to invite bidders to submit the updated quotation after each round of negotiations.

The Contracting authority reserves the right to invite the bidders to update the final quotation in the form of electronic auction.

Detailed information on the course and conditions of electronic auction shall be provided in the Tender Documents or they shall be notified to the bidders in a different manner.

6. Conditions of participation in the Tender:

The bidder shall be obliged to submit the documents and deeds in order to prove competence to fulfil the subject-matter of the contract provided in the Tender Documents.

The Contracting authority reserves the right to restrict the number of bidders after submission of bids and to invite the bidders determined in this way to individual negotiations about the price and other contractual terms and conditions.

The Contracting authority reserves the right to disqualify a bidder who in any contractual relation with the Contracting authority or in regard to any contractual relation with the Contracting authority breached the obligations:

- (i) Resulting from the contract concluded with the Contracting authority and/or
- (ii) Resulting from the generally binding legal regulation especially, including but not limited to, if it failed to eliminate the claimed defects of the works executed under the contract with the Contracting authority duly and on time.

If the bidder fails to submit any of the documents proving fulfillment of the participation conditions or provides untrue or otherwise misrepresenting data, the Contracting authority reserves the right not to invite such bidder to submit a bid.

In case of failure to submit all documents by the bidder or if the submitted documents fail to contain all appurtenances or deviate from the conditions set in this declaration or in the Tender Documents or if the submitted documents are non-eligible or incomplete, the Contracting authority shall be entitled to ask the bidder to supplement these documents or to ask for their change or correction. In order to exclude doubts, the procedure according to the previous sentence is a right not the obligation of the Contracting authority.

The Contracting authority reserves the right to ask the bidder for submission of supplementary information or documents.

7. Method for submission of the document part for proving fulfillment of the participation conditions:

Bidders submit documents required by the Contracting authority in order to prove fulfillment of the participation conditions in the electronic form (in .pdf format) via the purchasing portal NAFTA a.s.

The document part for proving fulfillment of the participation conditions shall contain the following:

- a) Cover letter which shall contain:

- i) Identification data of the bidder - business name, registered office, Company ID;
 - ii) Name, surname and function of the contact person, his/her telephone number, fax number, e-mail;
 - iii) A list of documents and other deeds submitted in the document part of the bid;
- b) Documents proving fulfillment of the participation conditions pursuant to the Tender Documents.

The Contracting authority reserves the right to change the period for quotation submission. The change of the period shall be notified to all known bidders electronically by email and it shall also be published on the web sites of the Contracting authority www.nafta.sk.

8. Method of bid's submission – under the call sent by the Contracting authority:

Bidders submit its bid in the electronic form (in .pdf, .xlsx or .docx format) to the address of the Contracting authority's purchasing portal NAFTA a.s. The bid delivered to another address of the Contracting authority shall be deemed to be undelivered.

9. Period for bid's submission:

The period shall expire: **29th March, 2021 at 10:00 a.m. CET.**

The Contracting authority reserves the right to change the period for bid's submission. The change of the period shall be notified to all known bidders electronically by email and it shall also be published on the web sites of the Contracting authority www.nafta.sk.

10. Period for announcement of the selected bid:

The period shall expire **31st July, 2021 at 10:00 a.m. CET.**

The Contracting authority reserves the right to change the period for announcement of the selected bid. Change of the period shall be notified to all known bidders who fulfilled the participation conditions and requirements of the Contracting authority and under the call sent by the Contracting authority submitted the bid and it shall also be concurrently published on the web sites of the Contracting authority www.nafta.sk.

11. Additional information:

1. The Contracting authority shall conclude the contract with the bidder only after approval of the results of the commercial public tender pursuant to the internal rules of the Contracting authority. The remaining bidders shall be notified by the Contracting authority in writing that their proposals for the contract conclusion

were refused. The Contracting authority shall not provide any further information.

2. The language (languages), in which the documents proving fulfillment of the participation conditions may be submitted are: Slovak, Czech, and English.
3. Pursuant to Art. 283 of the Commercial Code the Contracting authority reserve the right to change the published conditions of the Tender or to cancel the Tender even without stating the reason. The change of the published conditions of the Tender or the Tender cancellation shall be published on the web sites of the Contracting authority www.nafta.sk.
4. The Contracting authority reserves the right not to select any bidder or to conclude the contract with several bidders.
5. The Contracting authority reserves the right to refuse all submitted bids.
6. The documents sent by the bidder in electronic form (in the .pdf format) attached to e-mail shall be sent in the form of a scanned copy which has to be unambiguously legible and comprehensible in minimum quality of 200 dpi.
7. All expenses related to the preparation (as well as eventual inspection), submission of the bid and the related communication between the Contracting authority and the bidder shall be fully borne by the bidder. Eventual failure in the Tender shall not entitle the bidder to claim compensation of costs related to the participation in the Tender from the Contracting authority. The bidder shall not be entitled to the compensation of costs related to its participation in the Tender not even if its bid was the winning one.
8. The explanation of the tender documents is possible only based on a written request delivered electronically by email to the contact person of the Contracting authority no later than **16th March, 2021 at 10:00 a.m. CET.**
9. Working hours of the Contracting authority during working days from Monday to Friday are from 9:00 a.m. to 2:00 p.m.
10. The tender documents shall be subject to the trade secret without any time restriction.
11. The bidder takes notice of the fact that refusal of the bid, not inclusion of the bidder bid in the evaluation, not acceptance of the bidder's bid or cancellation of the commercial public tender fails to establish the right for submission of any remedies or other revision procedures.
12. Via submission of the bid for the Tender the bidder takes notice of the fact that pursuant to the provision of Art. 29 par. 5 of Act No. 250/2012 Coll. on Regulation in Network Industries the Contracting authority shall be obliged to notify certain data related to this Tender to the Regulatory Office for Network

Industries with which the bidder expresses its consent by submission of the bid for the Tender.