



DECISION ON THE SELECTION OF THE SUPPLIER

Name of public contract:	S&M Develop – Žipotín Wind Power Plant – Deliveries II
Type of procurement procedure:	Public contract outside of the regime governed by Act No. 134/2016 Coll., on Public Procurement (hereinafter referred to only as the “APP”)
Type of public contract:	Deliveries
Address of contracting authority's profile:	https://ezak.tendera.cz/profile_display_1129.html
Identification of project:	“S&M Develop – Žipotín Wind Power Plant”, Project registration number: CZ.01.3.09/0.0/0.0/19_302/0019938

Name of contracting authority:	S&M Develop s. r. o.
Registered office of contracting authority:	Makovského náměstí 3147/2, Žabovřesky, 616 00 Brno
Represented by:	Martin Valter, Executive Director Jiří Svoboda, Executive Director Karel Pospíšil, Executive Director
Company ID No.:	27534511
VAT No.:	CZ27534511

Party representing the contracting authority ¹ :	TENDERA partners, s.r.o.
Registered office:	Syrovice 424, 664 67 Syrovice
Contact point:	Česká 161/1, 602 00 Brno
Company ID No.:	08668477
VAT No.:	CZ08668477
Contact person:	Ing. Radek Hlaváček
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¹ In accordance with Section 43(1) of Act No. 134/2016 Coll., on Public Procurement, as amended (hereinafter referred to only as the “APP”) on the basis of a contract of mandate. The party representing the contracting authority is not in conflict of interest, which they have evidenced by provision of an affidavit regarding this fact.

In the case of a tender procedure for the public contract indicated above, the contracting authority within the meaning of Section 122, Paragraph 1 of the Public Procurement Act

decided to choose the most suitable offer

with serial number 1 of the participant **ENERCON GmbH**, with its registered office at Dreekamp 5, 26605 Aurich, Germany, ID number: HRB 411, whose offer price was 102,084,999.68 CZK without VAT (ie 4,197,574 EUR without VAT) and whose offer has met the conditions for participation in the tender procedure and does not contain an extremely low tender price.

Justification:

I.

On March 4, 2022, the publication of the call for tenders, incl. tender documentation on the contracting authority's profile, the tender procedure for the above-mentioned public contract has been initiated.

Tenders were to be delivered to the address of the contact point of the person representing the contracting authority, ie to the address of **TENDERA partners, s.r.o., Česká 161/1, 602 00 Brno, no later than 5 April 2022 by 10:00 am.**

The persons authorized to open tenders stated that the contracting authority received a **total of 1 offer** within the set deadline.

For the purposes of assessing the fulfillment of the conditions for participation in the tender procedure and evaluation of tenders, the Contracting Authority appointed an evaluation committee (hereinafter referred to as the "Commission"), which performed the assessment of the fulfillment of the conditions for participation in the tender procedure and the evaluation of offers.

II.

The Commission should have carried out a tender evaluation in accordance with the tender evaluation rules set out in Article 5 of the tender dossier. The rules for the evaluation of bids stipulated that the received bids will be evaluated according to economic profitability on the basis of the **lowest bid price.**

Due to the fact that the contracting authority received only one bid of the participant ENERCON GmbH, the commission did not evaluate the bid according to economic advantage in accordance with § 122 para. 2 ZZVZ, only stated acceptable and recommended that the contracting authority decide on the selection of this tender

The contracting authority agreed with the conclusions of the evaluation committee and decided, as mentioned above.

III.

In Article 14 of the tender documentation, the contracting authority reserved the right to publish a notice of selection of the supplier on the contracting authority's profile.

In such a case, the notices shall be deemed to have been delivered to all tenderers at the time of their publication.

In Jevicko on 19 April 2022,



Jiří Svoboda
Managing director