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Vaša št.:
Datum:

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1. We would like to request the Contracting Authority to publish appropriate corrections and missing documents, as well as extend (i) the deadline for asking questions, and (ii) the deadline for submission of tenders.

As no corrections or missing documents have been published up to this moment, it is clear that these were not published timely and in real time and thus the tenderers were not able to ask additional questions about possible new ambiguities or missing documents, and that due to the missing documents it is prevented for tenderers (especially foreign companies, which shall provide appropriate translations etc.) to submit an admissible and timely tender by the currently set deadline for submission of tenders (i.e. 27 January 2021).

Answer: In accordance with the provisions of public procurement, the Contracting Authority will update the documents in line with its answers provided in the Q&A before submitting the contract to the selected tenderer.

The deadline for submitting tenders shall be extended to **26 February 2021** (by 12:00 noon) and the deadline for submitting questions shall be extended to 1 February 2021 (.by 12:00 noon).

2. Due critical staff being out over the holidays, we kindly request an extension for submission of Phase 1 of the tender of 3-weeks after receipt of responses to questions.

(Topic: The offer submission date)

Answer: The answer is provided in responses to previous questions.

3. What provisions are made for a site visit prior to tender submission (date/time/location)?
The site inspection is necessary to define the adequacy of the existing services infrastructure and to plan and execute the required work?

(Topic: Site Visit, Tender Documentation, Section 4)

Answer: The Contracting Authority also provided the plans of the building in PDF format in previous answers. Due to the current epidemic situation, the Contracting Authority waives the requirement of an inspection of the site.

4. Where can we access the test decks?

(Topic: Test decks for OCR measurement, Tender Documentation 1.12, M2)

Answer: To receive the "test deck", write to the contact person for this public contract, Mrs. Alenka Horvat, and ask for it. In doing so, submit a completed and signed DPA (appendix to the tender documentation) and specify the email of the recipient of the "test deck". Based on the DPA signed by both parties, the Contracting Authority will send the "test deck" to the tenderer.



5. TD, 4.1. II. 3 Page 34

The required time of 10 month from contract signature to SAT is contradicting to the stated signature in February 2021 and earliest access to the new building in Jan 2022. Please advise proper time table.

Answer: The Contracting Authority is changing the wording as follows: The selected tenderer will receive a written "order for the commencement" of the contractual activities from the Contracting Authority no later than 10 months before access to the facility of the LISM system installation is provided. The Contracting Authority expects that access to the site will be provided on 1 March 2022.

The implementation of the SAT test is expected no later than 3 months after the deadline when the tenderer was given access to the site or 13 months after receiving the "order for the commencement" of the activities.

6. We kindly ask you to confirm that the references referred to in C 8 (p. 15 of the tender documentation) can be demonstrated not only by the tenderer but also by the tenderer's subcontractors.

Answer: References may also be provided by subcontractors.

7. We kindly ask you to extend the deadline for the submission of applications, specifically by an additional 30 days (i.e. until 12 noon 26 February 2021), in particular because of the complex subject of the public contract, which requires more time to prepare the application and relevant evidence, and because of limited communication during the COVID-19 emergency.

Answer: The answer is provided in responses to previous questions.

8. Does this mean that Posta Slovenije will accept technical documentation for the tender in UK language? "The tenderer may use the already established technical terms in a foreign language, but only in the technical part of the tender."

Answer: The offer must be submitted in Slovene or English. The technical part of the offer (e.g. the solution description) may be in **English** or Slovene.

9. In section 3 Timetable you write "The period of implementation from the signing of the contract to the SAT test can be a maximum of 10 months". In section 8 you write "the tenderer shall manufacture parts of the device in the factory by the end of 2021, i.e. in 10 months"-Please confirm that 'Implementation' in section 3 means 'manufacture parts', as the building is not ready within 10 months of contract signing and therefore installation preceding SAT cannot be carried out?

Answer: We confirm the above and are changing the wording at same time. New deadlines are indicated in previous responses.

10. The tenderer undertakes to achieve at least a 90% / 95% read rate on Domestic/Asian postal items. Can you please provide us images of the stated "test deck" for the two categories together with the corresponding tables with correct results for the postal items in the test-decks?

Answer: The Contracting Authority has already sent the "test deck" to the tenderers that requested it and signed a DPA with the Contracting Authority.

11. Analyzing art. 5, 20, 21 and 22 in the FRAMEWORK AGREEMENT No 660000, we have the impression that there is no limit to the Contractors liability.

Such a potential risk needs to be covered in the pricing. To secure a fair balance between risk, liability and pricing we suggest a overall maximum of 100% unless damage is caused by gross negligence by the Contractor. We believe this is more in line with market standard on such project.

Answer: The answer is provided in responses to previous questions.

12. In the Contract, article 5 Project Design, the below paragraph are found:

Through the delivery of the project, the Contractor shall transfer exclusively to the Contracting Authority the material copyrights, namely the right to reproduce and distribute copyrighted work with regard to the needs of the facility construction, and the right to modification, with the Contracting Authority permitted to transfer these rights to third parties without the Contractors consent.

We understand this as Slovenia Post requests the right to transfer the rights to a third party in case the selected supplier is not capable of fulfilling their obligations. We expect such transfer of right will be limited for Slovenia Post and the receiving third party to be used only for fulfilling the purpose of the contract.

Can you confirm this please?

Answer: The Contracting Authority confirms this.

13. Under Contract implementation schedule: of Section 8. LISM documentation of 0026-2020-0026-JNB-6_TENDER DOCUMENTATION.docx, it is stated that Upon the planned signing of the contract (February 2021), the tenderer shall manufacture parts of the device in the factory by the end of 2021, i.e. in 10 months. The Contracting Authority briefs the tenderer that the newly built hall (in which the device will be installed) will be available to tenderers in January 2022 at the earliest. Installation and SAT test: in the first and second quarters of 2022, 3-month trial operation and completion of the project following the handover and final report: in the second quarter of 2022., but as the schedule of installation and SAT test fully depends on whether the newly built hall will be available on schedule, which the Contractor has no control over, could you please confirm that if this schedule is delayed and any additional costs occur including storage fees, the Contracting Authority will bear these costs.

Answer: The Contracting Authority will cover any costs of delay that may arise due to the fact that the Contracting Authority is not able to provide tenderers with access to the site within the planned deadline.

14. Under 1.11 Price of 0026-2020-0026-JNB-6_TENDER DOCUMENTATION.docx, it is stated that Individual items shall contain all the costs of services and goods. The Contracting Authority shall not accept any additional costs. However, in case additional construction works are needed, we request that the Contracting Authority confirm that this will be the scope and responsibility of the Contracting Authority, and not of the Contractors. Furthermore, we also request that the Contracting Authority confirm that in case there is a

delay on the readiness of the building, and additional costs, such as storage costs occur on the Contractors side, that the Contracting Authority will bear these costs.

Answer: The answer is provided in responses to previous questions.

15. Under **3. Timetable and commencement of work**, it is stated that *"The period of implementation from the signing of the contract to the SAT test can be a maximum of 10 months."*, but could you please confirm that this period is meant as until the start of the SAT test, and the SAT test, 3-months trial operation, completion of the project following the handover, and final report, are to happen after the 10 months period, and not included in the 10 months period stated above?

Answer: The answer is provided in responses to previous questions.