



# QUALIFICATION DOCUMENTATION (hereinafter referred to as the “QD”)

to public contract

## “WELL WORKOVERS 2015 - 2017“

awarded pursuant to Section 29 of Act No. 137/2006 Col., on Public Procurement, as amended (hereinafter referred to as the “PPA” by negotiated procedure with publication

This Qualification Documentation has been prepared in the Czech and English languages. In the event of a discrepancy between the Czech and English versions, the Czech version prevails.

## 1. CONTRACTING ENTITY

### **RWE Gas Storage, s.r.o.**

is part of the biggest energy group in Europe. It is the biggest underground gas storage operator in the Czech Republic. The company operates a total of 6 underground gas storage facilities on the basis of a virtual gas storage principle with a total working gas volume of over 2.6 bcm which corresponds to approximately two-month gas consumption of the Czech Republic in winter season.

### **RWE Gas Storage, s.r.o.**

Prosecká 855/68, 190 00 Prague 9, Czech Republic

Registered in the Commercial Register maintained by the Municipal Court in Prague, Part C, Insert No. 124711

Company Identification No. (IČ): 27892077

Tax Identification No. (DIČ): CZ27892077

No. of CZK bank account: 17805243/0300 with ČSOB a.s., Prague 5

IBAN: CZ900300000000017805243

Swift Code: CEKOCZPP

No. of EUR account: 2142281/0300 (cash transactions only) with ČSOB a.s., Prague 5

IBAN EUR: CZ6303001752810017805243

(hereinafter referred to as the "Contracting Entity")

## 2. CONTACT ADDRESS (authorised representative of the Contracting Entity)

### **RWE Česká republika a.s.**

Limuzská 12/3135, 100 98 Prague 10 – Strašnice

Identification No. (IČ): 24275051

Registered in the Commercial Register maintained by the Municipal Court in Prague, Part B, Insert 18556

Workplace: Prosecká 855/68, 190 00 Prague 9

Contact Person: Ing. Vít Hanák, Manager, Strategic Procurement

Telephone: +420 739 535 985

E-mail: [vit.hanak@rwe.cz](mailto:vit.hanak@rwe.cz)

The above Contracting Entity's Contact Person intermediates the contact between candidates/tenderers and the Contracting Entity. Contacting other Contracting Entity's persons is not permitted in the award procedure.

## 3. SUBJECT MATTER OF THE PUBLIC CONTRACT

3.1 The subject matter of the public contract is the performance of well workovers on the underground gas storage facilities (hereinafter referred to as the "UGS").

3.2 The subject matter of the contract performance is divided into (18) eighteen separate parts of the public contract as per Appendix No. 1 to this Qualification Documentation (hereinafter referred to as the "QD") – Contract Parts.

Each candidate may submit an application for an arbitrary number of the parts of the subject matter of the public contract.

3.3 The detailed description of the subject matter of the public contract is stated in Appendix No. 2 to this QD – "Tender Documentation " (hereinafter referred to as the "TD").

3.4 The Contracting Entity assumes that a framework contract with one winning candidate will be concluded for each part of the contract separately.

#### 4. COMMUNICATION

Should a candidate encounter any discrepancy, vagueness or contradiction in this Qualification Documentation and its Appendices, he is obliged to forthwith inform the Contracting Entity of such fact in writing.

Any communication in the course of the award procedure must take place in writing.

Any queries must be sent only to the Contact Person named in Article 2 of this Qualification Documentation. The candidates may communicate only with the above Contact Person.

Any and all detailed information will be distributed by the Contracting Entity to all candidates being at the same published in compliance with law.

#### 5. CLASSIFICATION OF THE SUPPLIED GOODS ACCORDING TO THE IMPLEMENTING LEGISLATION

76460000-5 Support services pertaining to wells

#### 6. TIME AND PLACE OF THE PERFORMANCE OF THE INDIVIDUAL PARTS OF THE PUBLIC CONTRACT

Tvrdonice UGS, South Moravian Region	from 15 April until 31 July of the relevant year
Dolní Dunajovice UGS, South Moravian Region	from 15 April until 31 July of the relevant year
Lobodice UGS, Moravian-Silesian Region	from 1 April until 15 June of the relevant year
Štramberk UGS, Moravian-Silesian Region	from 1 August until 30 November of the relevant year
Třanovice UGS, Moravian-Silesian Region	from 1 August until 30 November of the relevant year

The estimated duration of the contract performance corresponds to the knowledge and assumptions of the development of pressure values in the storage facilities, and the Contracting Entity reserve the right to change the duration accordingly.

#### 7. MANNER, TIME LIMIT AND PLACE OF THE SUBMISSION OF APPLICATIONS

7.1 Time limit for the submission of applications and requirements regarding envelope marking and securing

The candidates may submit their applications via registered mail **by no later than September 4, 2014** to the address of **RWE Česká republika a.s., Prosecká 855/68, 190 00 Prague 9**, or in person to the same address to the reception or the Contact Person in business days from 09:00 to 11:00 a.m. and from 01:00 to 03:00 p.m.. **On the last day for the submission of the applications, the applications may be submitted by 10:00 a.m. at the latest.** The decisive is deemed to be moment of delivery or receipt of the application. The application must be submitted in writing, in a single sealed envelope equipped with a stamp on the sealed edges and with a

signature of the candidate and noticeably labelled:

**“TENDER – WWO 2015 - 2017 – DO NOT OPEN!”**

- 7.2 The applications must be prepared in 3 counterparts (1 original + 2 copies) in writing in the Czech or Slovak language. The original application must be labelled “Original”.
- 7.3 The applications must adequately be safeguarded from handing with individual sheets including Appendices (best if the sheets is numbered in an uninterrupted numerical order and each sheet is signed by the candidate).
- 7.4 The text part of the application (all documents except those issued by a third party) will at the same time be submitted in electronic form (e.g. on a CD, DVD or a flash disc).

## **8. LANGUAGE**

- 8.1 The applications must be prepared in the Czech or Slovak language.
- 8.2 The documents which are not in the Czech or Slovak language must be presented in the original language together with the translation into the Czech or Slovak language. In the event of any difference between the original language and the translation into the Czech or Slovak language, the Czech or Slovak language version prevails. Responsibility for discrepancies between the language versions lies exclusively with the candidate.
- 8.3 The Contracting Entity does not require that the above translations be officially certified.

## **9. MANNER OF EVALUATION OF APPLICATIONS**

- 9.1 The Contracting Entity will each time assess and evaluate the applications for each part of the contract separately.
- 9.2 If a candidate meets the qualification requirements defined by the Contracting Entity for the particular part of the public contract, he will be invited to submit his bid for the relevant part of the public contract.

## **10. TERMS OF CONTRACT PERFORMANCE**

- 10.1 The subject matter of the contract performance is divided into parts – contract parts (see section 1 of this Qualification Documentation). Each candidate may submit an application for one part or more parts.
- 10.2 The Contracting Entity will not organise any mass visit to the place of the public contract performance. Each candidate shall to familiarise himself individually with the places of the public contract performance and evaluate all possible effects which might occur during the accomplishment of the public contract. The candidates will arrange the visit to the place of contract performance with the Contact Person stated in section 2 of this QD. The visit of location is essential for the realization of the contract.
- 10.3 The candidate who has submitted an application in this award procedure may not at the same time be a sub-contractor through whom another supplier proves his qualification in one and the same award procedure.
- 10.4 The candidates are not entitled to claim any compensation for the preparation and submission of their applications.
- 10.5 The applications which will be delivered beyond the time limit for the submission of applications will not be evaluated.
- 10.6 Any application failing to meet the requirements specified herein or to contain requested documents, information or statements will be excluded by the commission,

and the candidate will thereafter be excluded by the Contracting Entity. The Contracting Entity's right to ask for further documents or information in terms of Section 59 Subsection 4 of the PPA is not affected by such fact.

## **11. QUALIFICATION REQUIREMENTS**

- 11.1 The candidates prove fulfilment of professional qualification in their applications by a plain copy of an entry in the Commercial Register or another register if the candidate is registered therein, and a copy/copies of the licence to carry out business in the scope corresponding to the subject-matter of the contract. The copy of an entry from the Commercial Register may not be older than 90 days.
- 11.2 If an application is submitted by several candidates jointly, the candidates are obliged to enclose to the application a contract showing that all these candidates will be jointly and severally bound towards the Contracting Entity and any third parties in regard to any obligations arisen in connection with the performance of the subject matter of the public contract or as a result of a delay or any other violation of the contractual or other duties in connection with the performance of the public contract.
- 11.3 Foreign candidates prove fulfilment of professional qualification in their applications in accordance with the legal order applicable in the country of such candidates' registered office, place of business or residence within the scope requested by the Contracting Entity. If certain documents are not issued under the legal order applicable in the country of foreign candidates' registered office, place of business or residence, the foreign candidates are obliged to prove fulfilment of such part of qualifications by way of an Affidavit. If the duty whose fulfilment is to be proved within the qualifications is not set in the country of the candidates' registered office, place of business or residence, the candidates will make an Affidavit of such fact. Foreign candidates submit the documents proving fulfilment of their professional qualification in the original language together with the translation into the Czech language, unless otherwise provided by law or an international treaty. Official certification of the translations of the above documents is not required.
- 11.4 The Contracting Entity requires that candidates prove their financial and economic capacity in their applications by presenting a document on contractor's third party indemnity insurance (a copy of their insurance policy) worth no less than CZK 100,000,000.00 or, correspondingly, EUR 3,570,000.00. If a candidate has no such document, he may enclose an Affidavit to his application in which he undertakes to conclude such policy in the event his bid is selected as the best one and to submit the document thereof to the Contracting Entity before the conclusion of the public contract. Failure to submit the document will be considered by the Contracting Entity as the candidate's rejection to provide collaboration in the contract conclusion within the meaning of Section 82 Subsection 4 of the PPA.
- If any candidate submits an application for more than one parts, the amounts are not added up.
- 11.5 The candidates prove their technical capacity in their applications by a list of significant similar contracts (references) completed in the last 3 years as per Appendix No. 3. Significant similar contract is deemed to be a well workover of a scope and parameters comparable to the workovers as per Appendix No. 2 to this QD – Tender Documentation. To meet such criterion, proving of at least 10 such workovers completed is required.
- 11.6 If a candidate is unable to prove some qualification requirements set by the Contracting Entity, he may prove them through his sub-contractor. In such case, the candidate submits, besides the qualification documents of his sub-contractors by means of which he proves his missing qualification, a copy of an entry in the Commercial

Register of the sub-contractor and a contract concluded between the candidate and the sub-contractor in which the sub-contractor undertakes towards the candidate to provide performance, things or rights needed for the performance of the public contract at least within the scope in which the sub-contractor has proved fulfilment of qualification instead of the candidate. The documents may be submitted in a plain copy; the copy of an entry in the Commercial Register may not, as at the last day of the time limit for the submission of applications, be older than 90 days.

- 11.7 If a candidate is going to use a sub-contractor to perform the contract, his application must contain also a list of sub-contractors including their identification details and show those parts of the contract performance which will be ensured on a sub-contractor basis, the sub-contractor's financial participation in the subject matter of the contract and the description of his activities in the contract performance.
- 11.8 Each candidate submits in his bid an Affidavit signed by an authorised person of the candidate saying that he:
- holds a mining activity licence within the meaning of Section 2 Paragraph f) of Act No. 61/1988 Coll., on mining activity, explosives and state mining administration, as amended;
  - holds the operating documentation pertaining to the dedicated technical equipment (VTZ) to be operated in the WWO sites in compliance with Section 3, Subsection 3 of Decree o. 392/2003 Coll. The permit under Decree No. 392/2003 and fulfilment of Section 13 are not required from candidates. Note: In the case of pressure dedicated technical equipment, e.g. air pressure vessels of a machine. The candidate must present the pressure vessels (TN) book and carry out inspection in accordance with applicable inspection rules. The inspections must be recorded pursuant to Decree No. 392/2003 Coll. (e.g. record of air pressure vessel blowdown, check valve testing, etc.) This obligation is valid for the realization of the contract.
  - has secured, on a contractual basis, revisions of electric equipment on the WWO sites by a revision engineer holding the relevant Mining Authority certificate issued pursuant to Decree No. 75/2002 Coll. Section 10 for the C8 group. Note: Assembly work must be performed by technically qualified persons (OZO) holding valid electric certificate of the relevant country. The contractor must perform inspections and repair of electric equipment in accordance with the schedule of inspections and testing. The inspections must be recorded which will be checked by the relevant Mining Authority. The permit under Decree No. 74/2002 Coll. and fulfilment of Section 3 are not required from the WWO suppliers.
- 11.9 Each candidate requires in his application the CVs of chief operators and their representatives who will be responsible for work progress if he wins the contract. The Contracting Entity requires that the responsible operator and his representative have at least 5 year practice in workovers on underground gas storage facilities. Chief operators and their representatives will thereafter be included in the bid in which each candidate will present an organisation chart (see the Invitation to Submit a Bid).
- 11.10 Each candidate will submit in his application copies of IWCF certificates of the chief operators and their representatives as well as the certificates of the foremen. These documents may be substituted by a candidate's Affidavit saying that the aforementioned will have obtained the IWCF certificate before the conclusion of the contract. Failure to submit the certificate before the conclusion of the contract will be considered by the Contracting Entity as the candidate's rejection to provide collaboration in the contract conclusion within the meaning of Section 82 Subsection 4 of the PPA. Chief operators, foremen and shift foremen may not be identical individuals.
- 11.11 Each candidate will submit in his application an Affidavit of compliance with the requirements regarding the crew performing WWO:
- Shift foreman: at least 5 years of practice in WWO on UGS

- Shift foreman representative: at least 3 years of practice in WWO on UGS

## 12. OTHER CONTRACTING ENTITY'S REQUIREMENTS

- 12.1 The candidate will specify in his application which part of the contract he submits his application for.
- 12.2 The candidate will give the name and contact details of the individual responsible for the preparation of the application and of the individual authorised to discuss the application.

## 13. THE CONTRACTING ENTITY RESERVES THE FOLLOWING RIGHTS

- 13.1 to rescind the award procedure for the public tender or a part thereof
- 13.2 to check and verify the data provided by the individual candidates in their applications. Any candidate giving untrue information in his application will be excluded from the award procedure by the Contracting Entity.

Appendices:

Appendix No. 1: Contract Parts

Appendix No. 2: Tender Documentation Including Appendices

Appendix No. 3: List of Similar Contracts

On: 24.07.2014



Andreas Frohwein  
Executive



Ing. Lubor Veleba  
Executive