



Tender Documents

REQUEST FOR PRICE PROPOSAL

Name of the Commercial Public Tender (hereinafter referred to as "Tender"):

"Legal Advisor"

TABLE OF CONTENTS

REQUEST FOR PRICE PROPOSAL	1
A. INSTRUCTIONS FOR BIDDERS	3
A.1 General instructions	3
A.1.1 Identification of the Tender promulgator:	3
A.1.2 Subject of the Tender:	3
A.1.3 Evaluation of proposals:	3
A.1.4 Explanation and communication:	3
A.1.5 Content of the proposal:	3
A.1.6 Execution of the proposal:	4
A.2 Submission of proposal	4
A.2.1 Designation of covers with proposals:	4
A.2.2 Date of the proposal submission:	4
B. PRICE PROPOSAL, INVOICING	4
B.1 PRICE proposal	4
B.2 Invoicing	5
C. SUPPLEMENTARY CONDITIONS AND PROVISIONS	5
D. LIST OF ANNEXES	5

A. INSTRUCTIONS FOR BIDDERS

A.1 GENERAL INSTRUCTIONS

A.1.1 Identification of the Tender promulgator:

Name of the organization: NAFTA a.s.
COMPANY ID No.: 36 286 192
VAT ID No.: SK2022146599
Company registered office: Votrubova 1, 821 09 Bratislava
Registered in: Commercial Register of the District Court Bratislava I,
Section Sa, File No. 4837/B
Country: the Slovak Republic

Contact person: Ms. Alexandra Nováková
Telephone: +421 2 4024 2540
Web sites: www.nafta.sk
NAFTA's purchasing portal: <http://nafta.1803sw.com>

A.1.2 Subject of the Tender:

The subject of the Tender is selection of Legal advisor to support NAFTA a.s. in ongoing price revision renegotiation and subsequently in potential arbitration case.

A.1.3 Evaluation of proposals:

Only proposals from bidders submitted in the manner and by the date pursuant to the tender call shall be evaluated.

The promulgator reserves the right to restrict the number of bidders after proposals are submitted and to invite the bidders determined in this way to individual negotiations about the terms and conditions.

The promulgator 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.

In case of several rounds of negotiations, the promulgator shall notify bidders in advance that the quotation they are going to submit shall be the final quotation.

A.1.4 Explanation and communication:

Any communication and provision of information among the promulgator and bidders shall be carried out electronically via NAFTA's purchasing portal:

<https://nafta.1803sw.com>

A.1.5 Content of the proposal:

The submitted proposal shall contain the documents in the following order:

1. Name and precise address of the bidder, Company ID and contact data of the person authorized to act on behalf of the bidder in contractual relationships for further negotiation about the terms and conditions.
2. Introduction of your law firm and members of the team who will participate in the storage price review negotiation, team structure with relevant references of each team member
3. References of your experience in client representations in similar contract price review negotiations
4. References of your experience in client representation in the international arbitration especially at International Arbitral Centre of the Austrian Federal Economic Chamber in Vienna and its result with focus on arbitrations related to gas business
5. Cover letter with declaration of the prices (Annex No.1), describing price calculation methods for counselling and representation services in negotiations and potential arbitration
6. Written confirmation of ability to act and represent NAFTA in potential arbitration against Shell Energy Europe Ltd and SHELL Slovakia s.r.o.
7. Declaration of the bidder on veracity and completeness of all papers, documents, and data mentioned in the proposal.

A.1.6 Execution of the proposal:

The bidder may submit only one proposal.

The proposal shall be executed in writing using, computer printer, a pen with indelible ink etc.

The proposal shall be bound in one piece without a possibility of arbitrary replacement of individual parts.

The proposal shall be signed by the statutory body of the bidder in compliance with the extract from the Commercial Register or the person authorized for such acting. The original of the document proving authorization of the person to sign the proposal shall be a part of the proposal in such case.

A.2 SUBMISSION OF PROPOSAL PROPOSAL

A.2.1 Designation of covers with proposals:

Bidders submit proposal in electronic form via:

<https://nafta.1803sw.com>

A.2.2 Date of the proposal submission:

By 11th of June, 2019 till 02:00 p.m.

The proposal delivered after this hour shall be returned unopened to the bidder.

B. PRICE PROPOSAL, INVOICING

B.1 PRICE PROPOSAL

1. The price for the subject of the Tender shall be set pursuant to Act of the National Council of the Slovak Republic No.18/1996 Coll. on Prices as amended.
2. The prices provided by the bidder shall be in EUR,

3. The bidder shall propose the price for the subject of the Tender in the following composition:

Hourly fee rate

Price shall be stated in Annex No. 1

4. The bidder shall include all and any costs incurred in regard to the delivery of the subject of the Tender in the price.
5. The price mentioned in the proposal shall cover all costs related to the subject of the Tender – Annex No. 1 shall contain the total price for the subject of the Tender, i.e. the summary of all items including all other costs of the bidder.
6. The committee for the proposal evaluation may ask the bidder for clarification and justification of appropriateness of the proposed price.

B.2 INVOICING

The promulgator shall not provide advance payments.

The invoice maturity is within 60 days from the date of the invoice delivery to the registered office of the promulgator.

C. SUPPLEMENTARY CONDITIONS AND PROVISIONS

1. The tender documents shall be provided by the promulgator free of charge.
2. The promulgator shall reserve the right to change the Tender conditions or to cancel the Tender anytime. It shall inform the bidders on these facts.
3. The bidder shall not be entitled to compensation of costs related to the participation in the Tender.
4. Within the proposal evaluation the promulgator shall reserve the right to ask the bidders for explanation of the proposal or to verify some data and facts mentioned in the proposal.
5. No contractual relationship shall arise by the Tender closing and announcement of the Tender result.
6. The proposals shall not be returned to the bidders but they remain archived by the promulgator as a part of the tender documentation.
7. All documents and deeds submitted by the bidder to the promulgator shall be signed by the bidder, statutory body of the bidder or a member of the statutory body of the bidder or his/her representative who shall be authorized to act on behalf of the bidder in contractual relations. Authorization of this person shall be in compliance with the submitted documents on authorization to run business or a proxy.
8. The promulgator shall be entitled to select a proposal which is the most suitable while it shall not be obliged to inform on reasons of its decision. It shall also be entitled to refuse all submitted proposals.
9. The tender documents shall be subject to the trade secret without any time restriction.

D. LIST OF ANNEXES

Annex No. 1

Cover letter for bidders

Annex No. 1)

COVER LETTER FOR BIDDER

Title: Legal advisor

Bidder:	
Address:	
COMPANY ID No.:	
Tax ID No.:	
Authorized representative of the bidder:	
Tel.:	
Fax.:	

Item No.:	Description of the Service:	price in EUR excl. VAT:	VAT rate and VAT amount,	price VAT incl.
1.	Hourly fee rate			

We concurrently hereby confirm that the data provided in the remaining annexes to the proposal shall serve as binding documents for evaluation of our proposal.

.....

Stamp, name and signature of the bidder's representative