

GOVERNMENT DECREE
of 11 May 2016
on determining binding award criteria of public contracts
for the acquisition of road vehicles

Pursuant to Section 37 (7) a) and Section 118 (3) of Act No. 134/2016 Coll., on Public Procurement, the government hereby decrees the following:

Section 1

Introductory provisions

(1) This decree implements the relevant legislation of the European Union¹ and regulates the determination of binding award criteria during the award of public supply contracts having as their subject-matter the acquisition of road vehicles of categories N1, N2, N3, M1, M2 or M3, specified in the law regulating the conditions of operation of vehicles on roads.²

(2) When setting the award criteria of a public contract having as its subject-matter the acquisition of road vehicles of categories N1, N2, N3, M1, M2 or M3, the contracting authority shall take into account the energy and environmental impacts of the operation of such vehicles during their life cycle under the conditions stipulated in this Decree. For the purposes of this Decree, such impacts mean energy consumption and emissions of carbon dioxide (CO₂), nitrogen oxides (NO_x), non-methane hydrocarbons (NMHC) and particulate matter.

Section 2

Regard to energy and environmental impacts

(1) When awarding a public contract for supplies of vehicles of categories N2, N3, M2 and M3, the contracting authority shall make a reference, in the procurement documents, to the Euro emission standards specified in Annex No. 1 to this Decree, unless it sets a requirement for meeting higher Euro emission standards.

(2) When awarding a public contract for supplies of vehicles of categories N1 and M1, the contracting authority shall establish, in the procurement documents,

a) a reference to the Euro emission standards specified in Annex No. 1 to this Decree, unless it sets a requirement for meeting higher Euro emission standards, as well as the maximum fuel consumption in combined operation³, which shall not exceed the values specified in Annex No. 2 to this Decree, or

b) a joint method of determining the life-cycle costing, as specified in Section 4, for the evaluation of life-cycle costing.

Section 3

Special purpose vehicles or alternative fuel vehicles

The contracting authority is not obliged to establish the maximum consumption of fuel as set out in Section 2 (2) a) when awarding public contracts for supplies of vehicles of categories N1 and M1, procuring

a) special purpose vehicles pursuant to the regulation concerning the approval of roadworthiness and technical conditions of operation of vehicles on roads⁴, or

b) alternative fuel vehicles having Liquefied Petroleum Gas (LPG), Compressed Natural Gas (CNG), Liquefied

Natural Gas (LNG), blended fuel with at least 50% of organic compound, pure biofuel, hydrogen or electricity as at least one alternative type of fuel or source of energy.

Section 4

Joint method of determining the life-cycle costing of vehicles of categories N1 and M1

The contracting authority shall determine the life-cycle costing in respect of vehicles of categories M1 or N1 as a sum of

- a) the tender price, or, where applicable, other acquisition costs determined by the contracting authority,
- b) the pecuniary value of operating costs of energy consumption specified in Section 5, and
- c) the pecuniary value of operating costs of emissions of CO₂, NO_x, NMHC and particulate matter specified in Section 6.

Section 5

Determination of the pecuniary value of operating costs of energy consumption

(1) The contracting authority shall determine the operating costs of energy consumption by multiplying the energy costs per kilometre and the number of kilometres in a life cycle pursuant to Annex No. 3 to this Decree.

(2) Where the amount of energy per kilometre is not established directly, it shall be calculated on the basis of data on the energy content of fuels pursuant to Annex No. 4 to this Decree.

(3) To calculate the energy costs per kilometre, where these fuels are used for the purposes of transport, the lower of the values of costs per energy unit of petrol or diesel oil before taxes pursuant to the law regulating the value-added tax or the law regulating excise duties shall be applied.

Section 6

Determination of the pecuniary value of operating costs of emissions of CO₂, NO_x, NMHC and particulate matter

(1) The contracting authority shall determine the operating costs of emissions of CO₂, NO_x, NMHC and particulate matter by multiplying

- a) the number of kilometres during a life cycle pursuant to Annex No. 3 to this Decree,
- b) the data on emissions of CO₂, NO_x, NMHC and particulate matter per kilometre, acquired for the approval of the type of vehicle², and
- c) the value of costs of emissions from road transport pursuant to Annex 5 to this Decree.

(2) The contracting authority may determine the value of the costs of emissions from road transport higher than that set out in paragraph c) of subsection (1), unless it exceeds twice the relevant value specified in Annex No. 5 to this Decree.

Section 7

Effect

This Decree comes into effect on 1 October 2016.

Prime Minister:
Mgr. Sobotka, manu propria

Minister of Regional Development
Ing. Šlechtová, manu propria

Annex No. 1

Minimum Euro emission limits determined for categories N and M

I

Vehicle category N - motor vehicles having at least four wheels and being used for the cargo transport	
N1 - vehicle having maximum permissible weight not exceeding 3,500 kg	Euro 6
N2 – vehicle having maximum permissible weight exceeding 3,500 kg but not exceeding 12,000 kg	Euro V
N3 - vehicle having maximum permissible weight exceeding 12,000 kg	Euro V

II

Vehicle category M - motor vehicles having at least four wheels and being used for the passenger transport	
M1 - vehicles having a maximum of 8 seats for passenger transport, except for the driver's seat, or multipurpose vehicles	Euro 6
M2 - vehicles having more than 8 seats for passenger transport in addition to the driver's seat, and having a maximum permissible weight not exceeding 5,000 kg	Euro V
M3 - vehicles having more than 8 seats for passenger transport in addition to the driver's seat, and having a maximum permissible weight exceeding 5,000 kg	Euro V

Annex No. 2

I. Maximum fuel consumption in combined operation of vehicles category M1 with the exception of off-road vehicles⁴, priority emergency vehicles pursuant to Road Traffic Act⁵ or pursuant to the government decree establishing additional vehicles that can be equipped with a special audible warning device supplemented with special warning blue colour light⁶ and vehicles of intelligence services of the Czech Republic⁷

Engine power	Technically permissible/ allowed maximum weight	Petrol consumption (l/100 km)	Diesel consumption (l/100 km)
Vehicles engine power up to 60 kW inclusive		5,0	4,2
Vehicles engine power from 61 kW up to 80 kW inclusive	Up to 1 800 kg inclusive	5,3	4,7
	From 1 801 kg up to 3 000 kg inclusive	6,4	5,2
	Over 3 001 kg	6,7	6,0
Vehicles engine power from 81 kW up to 120 kW inclusive	Up to 1 800 kg inclusive	6,5	5,8
	From 1 801 kg up to 3 000 kg inclusive	6,8	6,2
	Over 3 001 kg	7,1	6,7
Vehicles engine power over 121 kW		7,3	6,8

II. Maximum fuel consumption in combined operation of vehicles category NI with the exception of off-road

vehicles⁴, priority emergency vehicles pursuant to Road Traffic Act⁵ or pursuant to the government decree establishing additional vehicles that can be equipped with a special audible warning device supplemented with special warning blue colour light⁶ and vehicles of intelligence services of the Czech Republic⁷

Engine power	Technically permissible / allowed maximum weight	Petrol consumption (l/100 km)	Diesel consumption (l/100 km)
Vehicles engine power up to 60 kW inclusive		5,0	4,2
Vehicles engine power from 61 kW up to 80 kW inclusive	Up to 1 800 kg inclusive	6,2	4,8
	From 1 801 kg up to 3 000 kg inclusive	6,2	5,3
	Over 3 001 kg	6,7	6,8
Vehicles engine power from 81 kW up to 120 kW inclusive	Up to 1 800 kg inclusive	6,5	7,2
	From 1 801 kg up to 3 000 kg inclusive	7,5	7,8
	Over 3 001 kg	8,8	8,0
Vehicles engine power over 121 kW		9,0	8,5

III. Maximum fuel consumption in combined operation of vehicles category NI and M1 regarding off-road vehicles⁴, priority emergency vehicles pursuant to Road Traffic Act⁵ or pursuant to government decree establishing additional vehicles that can be equipped with a special audible warning device supplemented with special warning blue colour light⁶ and vehicles of intelligence services of the Czech Republic⁷

Engine power	Gross vehicle weight	Petrol consumption (l/100 km)	Diesel consumption (l/100 km)
Vehicles engine power up to 60 kW inclusive		6	4,5
Vehicles engine power from 61 kW up to 80 kW inclusive	Up to 1 800 kg inclusive	7	5
	From 1 801 kg up to 3 000 kg inclusive	10	8
	Over 3 001 kg	11	9
Vehicles engine power from 81 kW up to 120 kW inclusive	Up to 1 800 kg inclusive	7,5	6
	From 1 801 kg up to 3 000 kg inclusive	10,5	9
	Over 3 001 kg	11,5	10
Vehicles engine power over 121 kW		12	11

Annex No. 3

Lifetime mileage of road transport vehicles for the purposes of joint method of determining the life-cycle costing of a road vehicle

Vehicle category	Lifetime mileage
Passenger cars (M1)	200,000 km
Light commercial vehicles (N1)	250,000 km

Annex No. 4

Energy content of motor fuels for the purposes of joint method of determining the life-cycle costing of a road vehicle

Fuel	Energy content
Diesel	36 MJ/l
Petrol	32 MJ/l
Natural gas / biogas	33 MJ/Nm ³
Liquefied Petroleum Gas (LPG)	24 MJ/l
Ethanol	21 MJ/l
Biodiesel	33 MJ/l
Emulsified fuels	32 MJ/l
Hydrogen	11 MJ/Nm ³

Annex No. 5

Costs for emissions in road transport for the purposes of joint method of determining the life-cycle costing of a road vehicle

CO ₂	NO _x	NMHC	Particulate matter
1,0922 CZK/kg	0,120142 CZK/g	0,027305 CZK/g	2,375535 CZK/g

- 1) Directive 2009/33/EC of the European Parliament and the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles.
- 2) Act No. 56/2001 Coll., on the conditions of operation of vehicles on roads and amending Act No. 168/1999 Coll., on liability insurance for damage caused by vehicles and on amendments to certain other acts (Act on Insurance vehicle liability), as amended by Act No. 307/1999 Coll., as amended. Decree No. 341/2002 Coll., on approval of roadworthiness and technical conditions of operation of vehicles on roads, as amended.
- 3) Regulation (EC) No. 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, as amended
- 4) Annex No. 2 to Regulation No. 341/2014 Coll.
- 5) Act No. 361/2000 Coll. on road traffic and on amendments to certain other acts (the Act on Road Traffic), as amended.
- 6) Government Decree No. 110/ 2001 Coll. on establishing additional vehicles that can be equipped with a special audible warning device supplemented with special warning blue colour light, as amended by Government Decree No. 144/2013 Coll.
- 7) Act No. 153/1994 Coll., on the intelligence services of the Czech Republic, as amended.