

Information Memorandum

“The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holic sections of the R7 expressway, a PPP Project”

Dear candidate,

This Information Memorandum is a preliminary informative document which introduces the project „The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holicice sections of the R7 expressway, a PPP Project” (hereinafter referred to as the “**Project**”). The information contained herein is provided to candidates in good faith to be of assistance when drawing up an eventual request to participate.

This informative document does not replace the Tender Notice published in Public Procurement Journal no. 2514/KOP on 30.01.2015, and in the Supplement to Official Journal of the European Union on 30.01.2015, (hereinafter referred to as the “**Tender Notice**”). In the event of any possible conflict, the information contained in the Tender Notice shall prevail over the information contained in this Information Memorandum.

The contracting authority is not bound by this document and reserves the right to alter this Information Memorandum and/or the information contained herein.

Introduction

The Slovak Republic (hereinafter referred to as the “**SR**”) announced a public procurement in order to select a concessionaire to successfully undertake the Project.

The chief goals of the Project are to reduce traffic on the transport system in the capital, Bratislava, speed up access to motorway networks (D4, D1, D2) and partially reduce traffic in the road network of the catchment areas in Bratislava. Part of the traffic which overburdens roads in Bratislava, especially in the areas leading into the city, will be shifted to the proposed D4 motorway.

The Project also includes sections of the R7 expressway, whose construction is expected to contribute to transport links between the D4 and D1 motorways and the creation of a basic communication system based on a motorway circuit with the addition of radial roads to relieve the drive-through sections of the existing radial roads in highly urbanized areas. As a result, the traffic heading to and from Austria and Hungary will be diversified. Moreover, the Project will contribute importantly to the operation of the affected area of the Bratislava Region and resolve the traffic issues of other municipalities.

1. Identification of the contracting authority

Name: The Slovak Republic - the Ministry of Transport, Construction and Regional Development of the Slovak Republic

Postal address/ Seat: Námestie slobody 6

City/local district: Bratislava

Postal Code: 810 05

State: Slovak Republic

ID no.: 30 416 094

Contact Point: The Ministry of Transport, Construction and Regional Development of the Slovak Republic

Postal address/Seat: Námestie slobody 6

City/local district: Bratislava

Postal Code: 810 05

State: Slovak Republic

Contact person: Nina Kurtulíková

Telephone number: 00421 2 5949 4785

email: nina.kurtulikova@mindop.sk

(hereinafter referred to as the “**Contracting Authority**” or the “**MDVaRR SR**”)

2. Project description

The public procurement announced by the SR represented by the MDVaRR SR relates to the design, construction, financing, operation and maintenance of the section of the zero bypass of the D4 motorway, in the Jarovce – Ivanka sever and Ivanka sever – Rača sections and the R7 expressway, in the Prievoz – Ketelec, Ketelec – Dunajská Lužná and Dunajská Lužná – Holice sections (hereinafter referred to as the “**Sections**”), in a total length of approximately 59.1 km.

The Project will be performed as a PPP Project (Public-Private Partnership Project) in the form of a DBFOM contract.

The chief goals of the Project are to:

- improve traffic access,
- reduce the number of accidents,
- reduce travel time and thus improve the quality of life and the environment, and
- comprehensively modernise transport links in the area concerned.

The additional goals of the Project are to:

- achieve high quality technical and safety standards in the Project’s Sections,
- provide better services for road users through proper operation and maintenance,
- implement the Project within the planned time period,
- optimize the allocation and management of risk, and
- achieve “value for money” for the Contracting Authority.

The responsibility of the successful tenderer (concessionaire) will be to:

- design, construct, finance, operate and maintain the motorway and expressway Sections of the Project with a focus on achieving and maintaining the required quality, as well as providing additional high quality services during the concession contract,
- ensure the best value for money for the Sections concerned,
- ensure the financing of the Project,
- ensure the high quality construction of the Sections within the time period provided by the Contracting Authority,
- ensure the high quality operation and maintenance of the D4 motorway and R7 expressway sections according to safety standards, including routine operation and maintenance, winter maintenance, repairs and modernization,
- transfer the subject of the Project to the Contracting Authority's use at the end of the concession period or at the end of another termination of the concession contract in a high quality and as agreed to in the concession contract, and
- perform other tasks pursuant to the concession contract.

Payments of the Contracting Authority to the concessionaire will be based on the availability principle of the Project motorway and expressway to end users pursuant to the agreed standards and quality, except for eventual payments pursuant to the concession documentation. Deductions from the availability payments shall be automatically applied in the event of the concessionaire's non-compliance with the performance and quality parameters.

3. Brief description of the relevant Sections

3.1 D4 motorway

Completion of the D4 motorway Sections is proposed in two Sections. Each may be separately integrated into the transport system.

3.1.1 Jarovce – Ivanka sever section of the D4 motorway

The total length of the planned D4 Highway Section is approximately 22.59 km. The Section starts at the two-level "Jarovce" crossing which connects with the D2 motorway and continues by a bridge over the Danube to the two-level "Ketelec" crossing where the D4 motorway connects to the R7 expressway. The Section ends at the two-level "Ivanka sever" crossing where it connects to the D1 motorway. The II/572 relocations in the Galváni Street extension in this Section and the Most pri Bratislave D4 Section are included for further evaluation.

Jarovce – Ivanka sever section of the D4 motorway

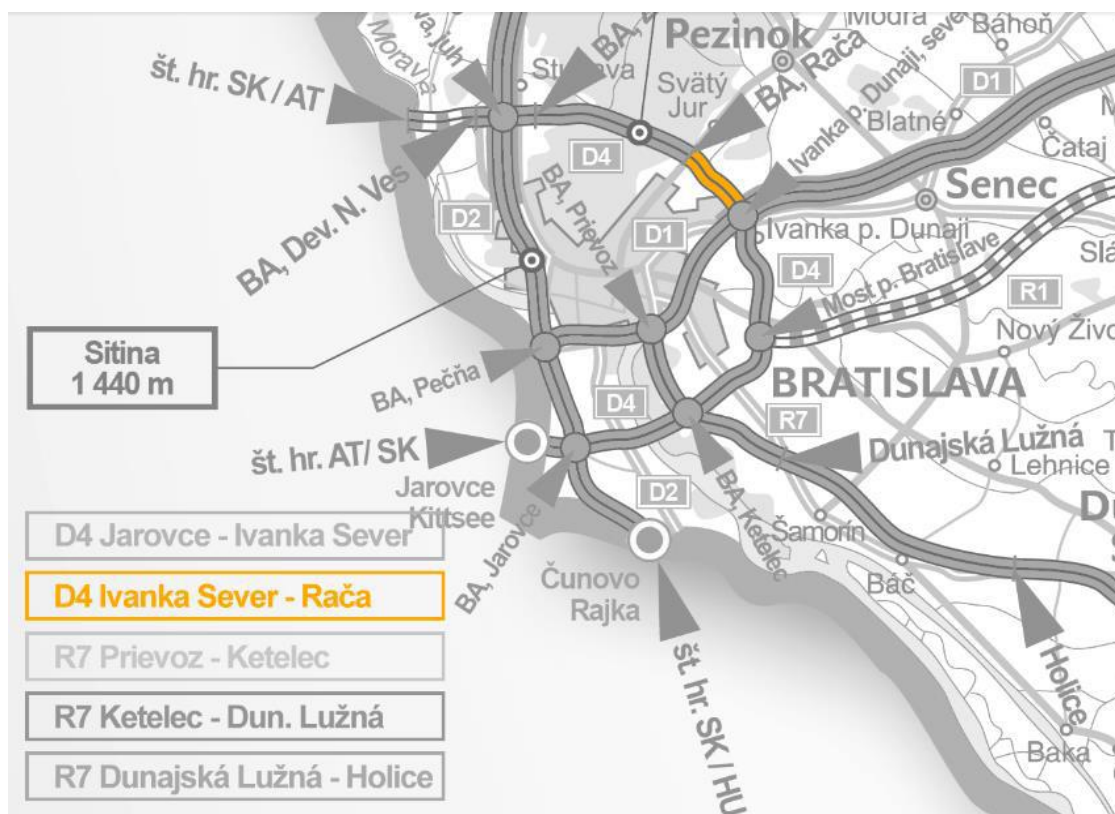


Planned length	22.59 km
Planned width	26.5 m in the Jarovce – Ivanka západ Section 26.5 m + collectors in Ivanka západ – Ivanka sever Section 33.5 m in the remaining parts of the Section
Planned speed	120 km/h
Planned bridges/ bridge structures	45
Junctions	7

3.1.2 Ivanka sever – Rača section of the D4 motorway

The total length of the D4 motorway Section is 4.40 km. This Section starts at the intersection of the existing D1 motorway with the two-level “Ivanka – sever” crossing. The Section ends at the two-level “Rača” crossing, where it connects to the II/502 road and where in the future it will proceed by the northern part of the D4 bypass and the “Karpáty” tunnel as part of the Rača – Záhorská Bystrica section of the D4 motorway.

Ivanka sever – Rača section of the D4 motorway



Planned length	4.40 km
Planned width	33.5 m in the Ivanka sever – Čierna voda Section 26.5 m in the Čierna voda – Rača Section
Planned speed	120 km/h
Planned bridges/ bridge structures	12
Junctions	2

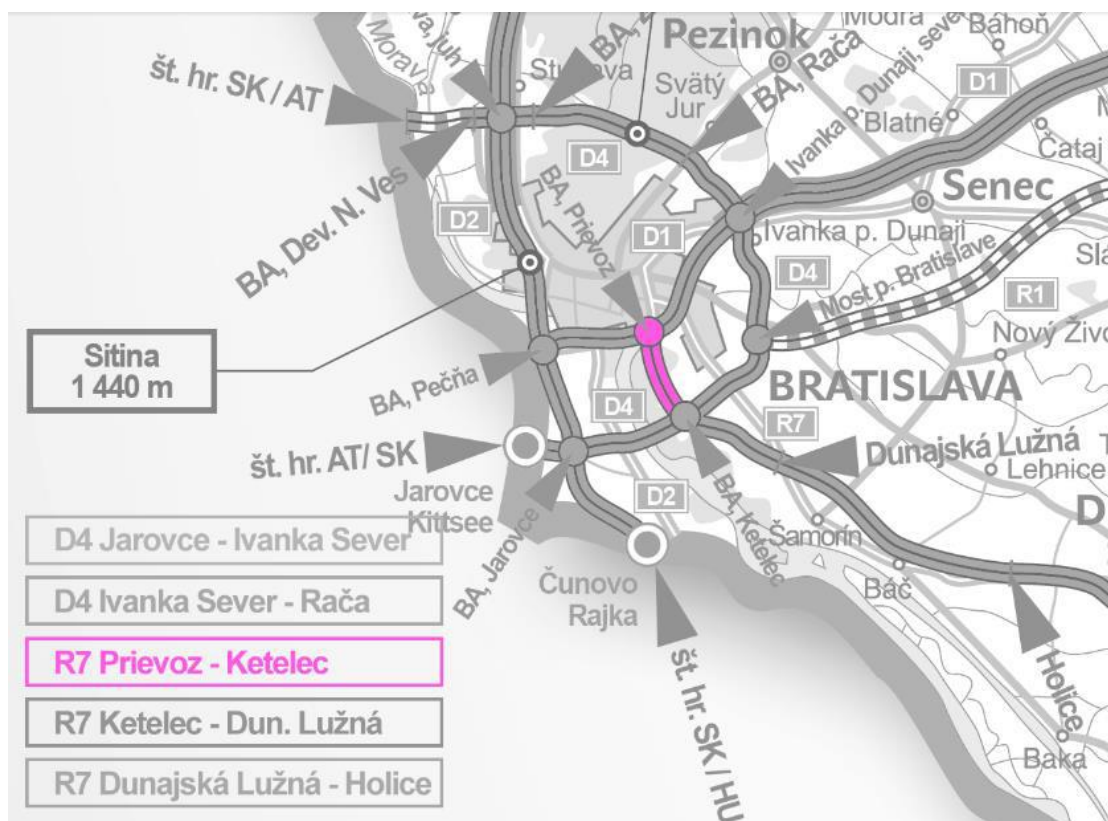
3.2 R7 expressway

Completion of the R7 expressway is proposed in three Sections.

3.2.1 Prievoz – Ketelec section of the R7 expressway

The total length of the Prievoz – Ketelec Section of the R7 expressway is 6.318 km. The Prievoz – Ketelec Section starts with the existing two-level “Prievoz” crossing on the route of the D1 Motorway. It then crosses the “Malý Dunaj” near the SLOVNAFT, a.s. complex. The Section ends at the two-level “Ketelec” crossing.

Prievoz – Ketelec section of the R7 expressway



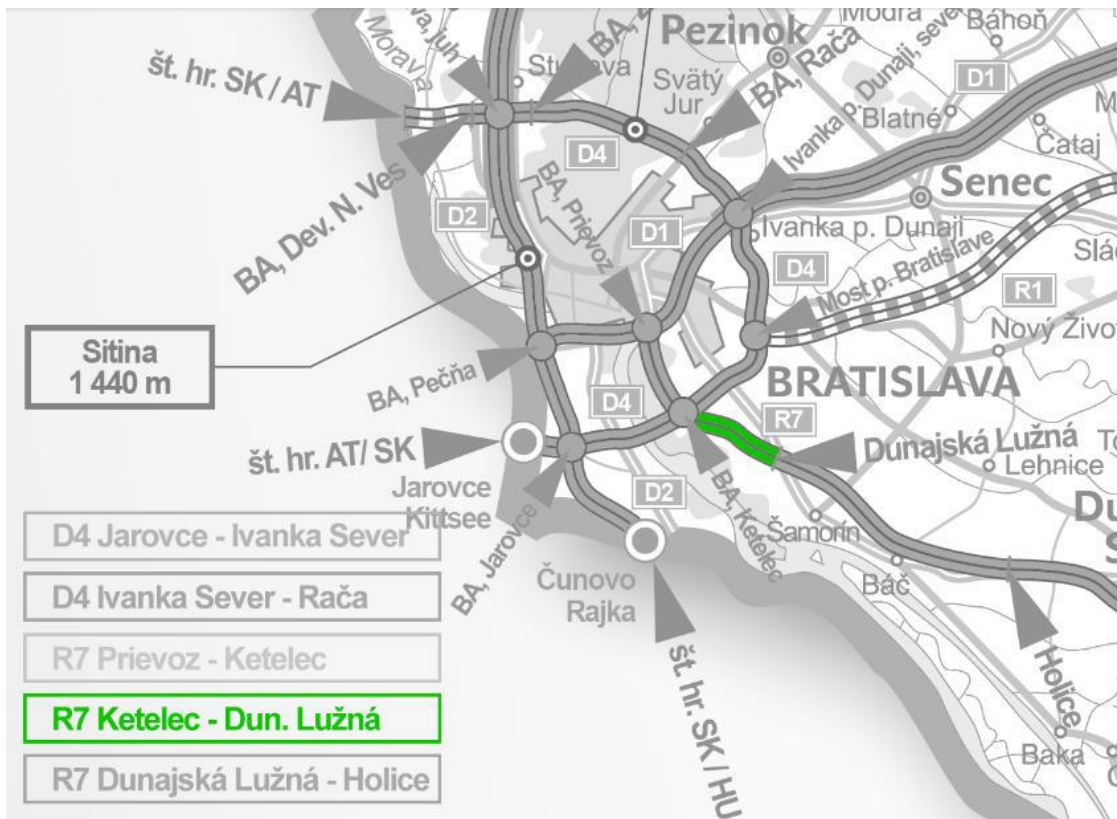
Planned length	6.318 km
Planned width	24.5 m from the beginning of the Section to the 0.9 km marker 31.5 m from 0.9 km marker to the end of the Section
Planned speed	120 km/h 80 km/h from the beginning of the Section to the 2.0 km marker
Planned bridges/ bridge structures	15
Junctions	2

3.2.2 Ketelec – Dunajská Lužná section of the R7 expressway

The total length of the R7 expressway Section is 8.425 km. The Ketelec – Dunajská Lužná Section starts at the planned two-level “Ketelec” crossing (R7 with the D4 Motorway).

The R7 expressway Section ends at the two-level “Dunajská Lužná” crossing (with the R7 and I/63 road) between Dunajská Lužná and Šamorín, where it connects to the planned “Dunajská Lužná – Holice” Section of the R7 expressway.

Ketelec – Dunajská Lužná section of the R7 expressway

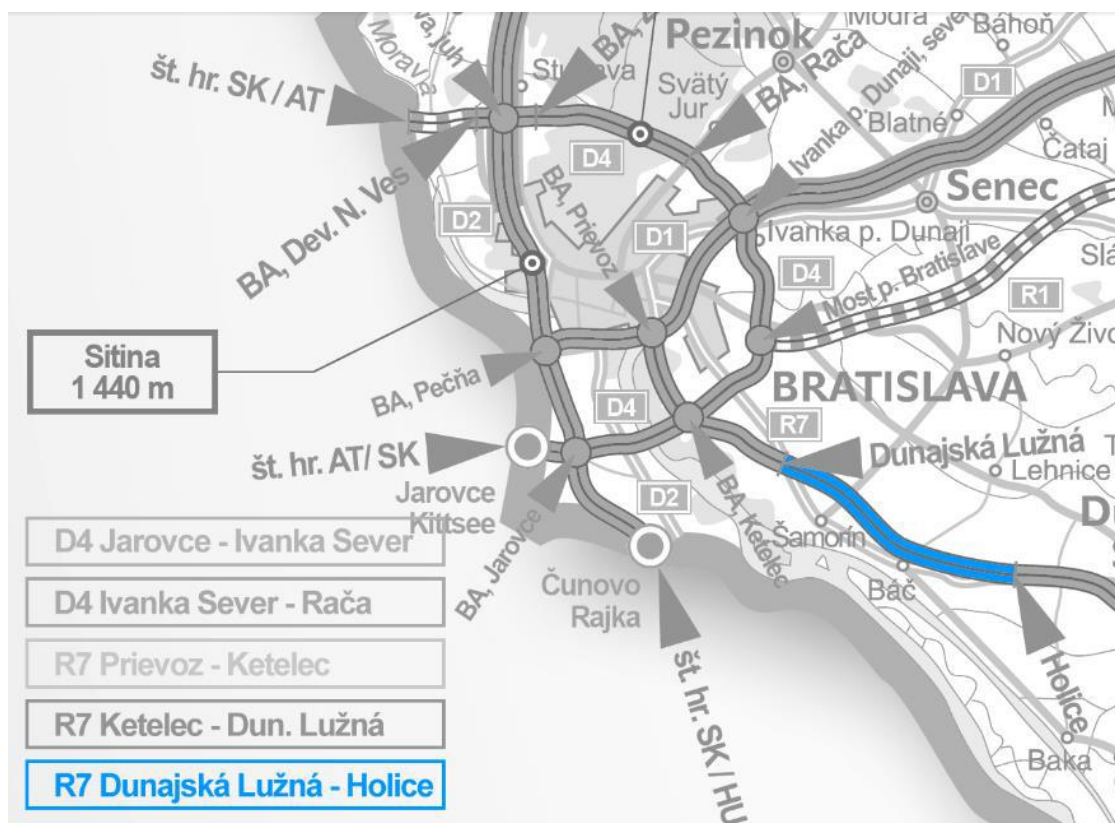


Planned length	8.425 km
Planned width	31.5 m in the entire length
Planned speed	120 km/h
Planned bridges/ bridge structures	10
Junctions	1

3.2.3 Dunajská Lužná – Holice section of the R7 expressway

The total length of the R7 Section is 17.38 km. The Dunajská Lužná – Holice Section starts between the municipality of Dunajská Lužná and the town of Šamorín at the two-level “Dunajská Lužná” crossing. The entire Section runs along the left side of the I/63 road and ends at the two-level “Holic” crossing where it connects to the “Holic – Dunajská Streda” section of the R7 expressway.

Dunajská Lužná – Holice section of the R7 expressway



Planned length	17.38 km
Planned width	31.5 m from the 0.0 km marker for 0.585 km 24.5 m in the remaining part of the Section
Planned speed	120 km/h
Planned bridges/ bridge structures	12
Junctions	2

The contracting authority is allowed to extend the Project about structures or reduce the Project about structures and/or sections as a result of the competitive dialogue.

4. Concession period

- 4.1 The length of the concession period will be determined pursuant to section 66 of Act no. 25/2006 Coll. on Public Procurement, as amended (hereinafter referred to as the “**Public Procurement Act**”). However the maximum length is 30 years.
- 4.2 The length of the concession period and the length of construction period regarding the Sections will be the subject of a competitive dialogue with the candidates who demonstrate their fulfilment of the conditions for participation and who will be invited to participate in the dialogue.

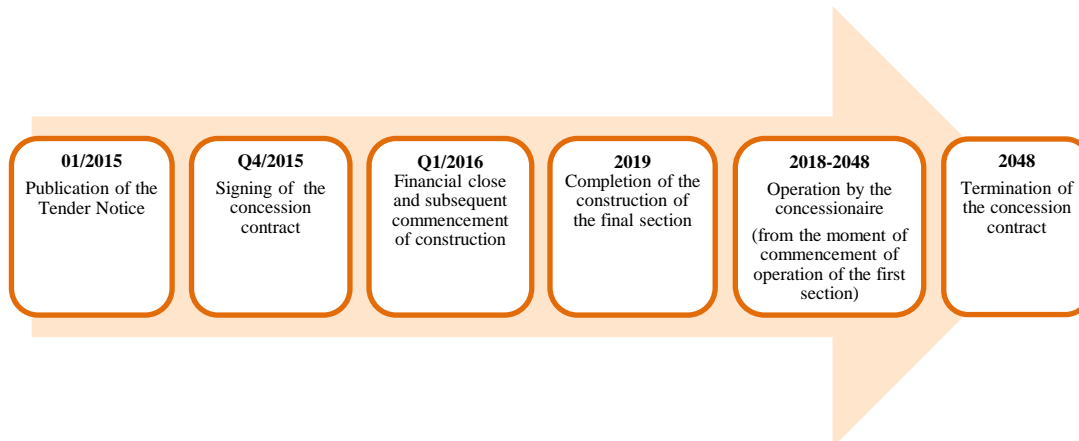
5. Public Procurement

- 5.1 The selection of the concessionaire will be made through a competitive dialogue.
- 5.2 The Contracting Authority will invite no more than 4 candidates who fulfilled and demonstrated the conditions of participation for the competitive dialogue pursuant to the Tender Notice. The Contracting Authority may invite fewer candidates, who fulfilled the conditions of participation, if the conditions of participation were fulfilled by less than 4 candidates. If more than 4 candidates fulfil the conditions of participation, the Contracting Authority will use the criteria referred to in VI.2.14 and VI.2.15 of the Tender Notice to reduce the number of candidates. For this purpose, it is recommended that candidates submit all relevant references fulfilling the criteria specified in the Tender Notice by means of detailed sworn affidavits according to annex no. 5 of this Information Memorandum, and/or confirmations by customers of any relevant services/works.
- 5.3 The successful tenderer will be selected according to the most economically advantageous tender. The selection criteria for the successful tenderer will form a part of the invitation to participate in the dialogue.
- 5.4 The Contracting Authority will enter into the concession agreement with the successful tenderer.

6. Expected timetable

- 6.1 The Contracting Authority presents herein under an indicative timetable for the Project. Some phases, milestones and periods may be changed during the public procurement process.

Expected indicative timetable



7. Language of the Project

- 7.1 Communication during the public procurement process will be held in Slovak unless the Contracting Authority specifies otherwise.
- 7.2 The request to participate and individual documents forming a part thereof must be submitted in Slovak or translated into Slovak. Documents which refer to the fulfilment of the conditions of a candidate's participation with a registered address or registered seat outside the SR must be submitted in the original language and accompanied by official translations into the national language (Slovak) except for documents submitted in Czech. In the event of any discrepancies between the Slovak and other language versions of the documents, the Slovak version shall prevail.

8. Communication and explanation

- 8.1 Communication will be effected in a manner which ensures the completeness and content of the data identified and provides the protection of confidential information and personal data contained in the request to participate. Its content may not be reviewed by anyone prior to the expiration of the submission period.
- 8.2 Communication between the Contracting Authority and candidates may be effected in written form by means of mail, fax, electronically, by phone or any combination thereof. In the event of communication in a manner that does not register the content and where the authenticity is not guaranteed - by fax, electronically without an advanced electronic signature according to the special law, by phone or any combination thereof, the candidate must also deliver such information in paper form to the address of the Contracting Authority pursuant to Section 1 of this Information Memorandum, or personally to the register of the Contracting Authority at the address pursuant to Section 1 of this Information Memorandum, no later than three working days from the delivery of such information by fax, electronically without an advanced electronic signature, by phone or combination thereof, unless otherwise specified in the Tender Notice.
- 8.3 In the event of discrepancies between the content of data sent to candidates in a manner which cannot register their content and where their authenticity (by fax, electronically without an advanced electronic signature according to the special law, by phone or by combination thereof) is not guaranteed, the information provided and delivered by candidates in paper form or electronic written form with an advanced electronic signature shall prevail.
- 8.4 As regards the moment of delivery of important documents between the Contracting Authority and the candidate, in particular, the delivery of documents which are connected with the time period, the provisions of the general act on administrative procedure, i.e., Act no. 71/1967 Coll. on Administrative Proceedings (Administrative Code) as amended, will apply regarding the moment of delivery by hand. If a dispatched item is returned to the Contracting Authority as undelivered or undeliverable due to the fact that the addressee of such document or the person who is empowered to receive deliveries was unavailable, despite the fact that the addressee is a resident of the place of delivery and the fact that it was notified regarding the deposit of dispatched items at the post office, the item shall be considered as delivered upon the expiration of a 7-day period from the date of its deposit at the post office, even in the event that the addressee was unaware of such notification. If the addressee unreasonably refuses to accept the delivery, it shall be considered as delivered on the day when its acceptance was refused.
- 8.5 In the event of any discrepancies or the need for a clarification of any requirements or conditions of participation in the public procurement referred to in the Tender Notice and/or other documents provided by the Contracting Authority, a candidate may apply for an explanation in written form and in Slovak, directly to the contact person at the address referred to in the Tender Notice, in Section 1 of this Information Memorandum and/or the contact person:
- Contact Person: Nina Kurtulíková
Telephone number: 00421 2 5949 4785
email: nina.kurtulikova@mindop.sk
- 8.6 The period for the request for an explanation according to the Tender Notice will expire on: 27/02/2015 at 14.00hour.

9. Preparation of the request to participate

- 9.1 The request to participate shall be provided in an original paper form which ensures a permanent record of its content. The request to participate must be completed in indelible ink on paper, by a typewriter or by a printing output device which uses computing technology, the content of which is readable for a natural person.
- 9.2 Pursuant to Section 18a of the Public Procurement Act, if the candidate submits documents in a paper form to the Contracting Authority, they must be accompanied by copies in an electronic form on a storage medium, and if the documents contain signatures or seals, they must be submitted in an anonymized version without signatures or seals. The candidate must submit three copies of the electronic version of the request to participate.
- 9.3 A request to participate must be signed by the candidate or by the person/s empowered to act on behalf of the candidate. The Contracting Authority recommends firmly binding the request to participate in order to prevent any unsolicited substitution of individual parts, for example by means of bookbinding, coil binding or a quick-binder supplemented by a seal against unsolicited exchange or opening without prejudice to provision 9.6 of this Information Memorandum.
- 9.4 The certificates, documents and other documents forming the request to participate required by the Tender Notice must be originals or their certified copies unless specified otherwise.
- 9.5 Pursuant to the Tender Notice, the request to participate must include:
- (a) the content – list of confirmations, papers and documents with listed numbers,
 - (b) identification data of the candidate (in the case of a group of suppliers, the identification data of each member of the group of suppliers) indicating information pursuant to Annex no. 1 of the Information Memorandum. The document must be signed by the person empowered to act on behalf of the candidate or the member of the group of suppliers,
 - (c) a sworn affidavit that the candidate understood the Tender Notice and regarding truthfulness and completeness of all data referred to in the request to participate, the sworn affidavit must be signed by the candidate or the person empowered to act on its behalf, or in the case of the group of suppliers, it must be signed by each member of this group or the person/s empowered to act on behalf of them or the empowered leader of the group of suppliers, the template forms are part of Annex no. 2 of this Information Memorandum,
 - (d) declarations, confirmations, papers, documents by which the candidate demonstrates the fulfilment of the conditions of participation required in the Tender Notice, templates of sworn affidavits, an agreement in the event of the fulfilment of the conditions of participation by a third person are contained in Annex no. 3 to 11 of this Information Memorandum,
 - (e) in the case of a group of suppliers, the power of attorney for one member of the group of suppliers (the leader of the group), who will be empowered to receive instructions in the public procurement and act on behalf of the group of suppliers in the event of the acceptance of the tender and in the case of communication/responsibility in the process of fulfilment of the contract. The power of attorney must be signed by all members of the group of suppliers or by the person/s empowered to act on behalf of each member of the group; the template is a part of Annex no. 12 of this Information Memorandum.
 - (f) if the candidate or the group of suppliers consider it appropriate, a power of attorney for a natural person who will be empowered to receive instructions regarding this

public procurement and act on behalf of the candidate or group of suppliers; the template is a part of Annex no. 13 of this Information Memorandum.

- 9.6 The request to participate may be divided into several bound files or bound books. Additionally, each part must be clearly labelled with the identification data of the candidate or the group of suppliers, and the number of the file or bound book, and protected against any unsolicited replacement of individual parts.
- 9.7 The candidate must insert documents into a non-transparent envelope or packaging as stipulated in the Tender Notice. The envelope or packaging must be closed and sealed against any unsolicited opening, and marked with the following data:
- (a) official name and seat of the Contracting Authority;
 - (b) official name and seat or place of business of the candidate (members of the group of suppliers);
 - (c) labelled as, *Koncesia PPP - žiadost' o účasť - neotvárať!*;
 - (d) code: PPP - D4 R7.

10. Costs for preparing the request to participate

- 10.1 Costs for preparing the request to participate shall be borne by the candidate without being entitled to claim any expenses or costs from the Contracting Authority.

11. Submission of the request to participate

- 11.1 Requests to participate must be delivered to the address specified in the Tender Notice, or in section 1 of this Information Memorandum.
- 11.2 The time period for the submission of requests to participate is set out by the Contracting Authority as 13/03/2015 to 10.00 hour of the local time.
- 11.3 In the event of personal delivery, candidates should obtain confirmation regarding the delivery of the request to participate.
- 11.4 A request to participate submitted after the expiration date for the submission of requests to participate as set out in the Tender Notice shall be returned to the candidate unopened.
- 11.5 Requests to participate delivered to the address of the Contracting Authority before the end of the time period for the submission of requests to participate will not be returned to candidates. They will remain as part of the documentation on the public procurement.

12. Evaluation of the fulfilment of the conditions of participation

- 12.1 A candidate's conditions of participation will be considered in accordance with the Tender Notice and pursuant to section 33 of the Public Procurement Act, as fulfilment of:
- (a) the conditions related to Personal Status according to section 26 of the Public Procurement Act,
 - (b) Economic and Financial Standing according to section 27 of the Public Procurement Act,
 - (c) Technical Capacity or Professional Suitability of candidates according to section 28 of the Public Procurement Act.

- 12.2 During the evaluation of the fulfilment of the conditions of participation of candidates and members of the group of suppliers who are companies in the public procurement process the Contracting Authority will require the submission of the list of all shareholders and known shareholders owning at least 30% of the shares of the abovementioned companies, if the shareholder or known shareholder is a legal person also all shareholders and known shareholders owning at least 30% of the shares of this legal person, not older than 60 days with a specification of their names and surnames, business name or name, permanent residence or seat, ID no. or date of birth if the ID no. has not been assigned.
- 12.3 A candidate who is a member of a group of suppliers in public procurement must demonstrate the fulfilment of the conditions of participation:
- (a) which relate to the Personal Status for each member of the group separately,
 - (b) which relate to the Economic and Financial Standing for all members of the group jointly,
 - (c) which relate to the Technical Capacity or Professional Suitability for all members of the group jointly.
- 12.4 Pursuant to section 33, subsection 6 of the Public Procurement Act, the Contracting Authority, shall request that a candidate clarify or complete submitted documents in written form if it is not possible to evaluate the validity of documents or the fulfilment of the conditions of participation.
- 12.5 The Contracting Authority will exclude a candidate from public procurement in the event that the candidate:
- (a) fails to fulfil the conditions of participation,
 - (b) submits invalid documents,
 - (c) fails to submit an explanation or completion of documents following a written request in the specified time period or
 - (d) provides false information or incorrect statements.

13. Confidentiality of the processes of public procurement

- 13.1 Members of the commission for the evaluation of requests to participate will not provide or disclose information regarding the process to candidates or any other third parties during the ongoing process of public procurement.
- 13.2 The Contracting Authority is obliged to not disclose information which was provided by the candidate and classified as confidential or as trade secrets; for this same purpose, the candidate should classify which information constitutes trade secrets. Pursuant to the Public Procurement Act, only technical solutions and designs, instructions, drawings, project documentation, models, methods of calculation of unit prices and in the case of the price, the method of its calculation and designs may be classified as confidential.
- 13.3 The candidate agrees that information provided by them may be made available to consultants, employees of the Contracting Authority, its members, agents, consultants, companies and/or contractors.

14. Conclusion

- 14.1 Candidates are responsible for carefully scrutinizing the Tender Notice including any amendments that may be published during the period for explanation or completion.

- 14.2 Additional information related to the Project will be provided to the candidates who fulfil of the conditions of participation and who will be invited to take part in the subsequent process - the "Invitation to participate in the dialogue".
- 14.3 In case of any discrepancies the Slovak version of this Information memorandum shall prevail.

Attachments

- Schedule 1 General information regarding the candidate/member of the group of suppliers
- Schedule 2 Declaration of the candidate/group of suppliers about the veracity of data
- Schedule 3 Sworn affidavit – Personal status
- Schedule 4 Sworn affidavit – Economic and financial ability
- Schedule 5 Sworn affidavit – Technical capacity
- Schedule 6 Sworn affidavit – imposed ban/payment of remunerations/payment of wages
- Schedule 7 Sworn affidavit – subcontractors
- Schedule 8 Agreement on securing of financial resources/expert capacity
- Schedule 9 Customer confirmation (3.1.1.1 – 3.1.1.4, 3.1.2.1. – 3.1.2.2)
- Schedule 10 Customer confirmation (3.1.1.5)
- Schedule 11 Customer confirmation (3.1.2.3)
- Schedule 12 Power of attorney for a member of the group of suppliers
- Schedule 13 Power of attorney for the person acting on behalf of the candidate/leader of the group of suppliers

Príloha 1 /Schedule 1

Všeobecné informácie o záujemcovi/členovi skupiny dodávateľov/ General information regarding the candidate/member of the group of suppliers

Obchodné meno/ názov záujemcu/člena skupiny dodávateľov
(obchodné meno alebo názov záujemcu/člena skupiny dodávateľov)

--

Názov skupiny dodávateľov

(vyplní sa iba v prípade, ak je záujemca členom skupiny dodávateľov, ktorá predkladá žiadosť o účasť)

--

Sídlo/miesto podnikania záujemcu/člena skupiny dodávateľov

(adresa sídla alebo miesta podnikania záujemcu/člena skupiny dodávateľov)

--

IČO

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Právna forma

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Zápis záujemcu/člena skupiny dodávateľov v obchodnom registri

(označenie obchodného registra/ inej evidencie, do ktorej je záujemca/člen skupiny dodávateľov zapísaný podľa právneho poriadku štátu, ktorým sa spravuje, číslo zápisu alebo údaj o zápise do registra/evidencie)

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Štát

(názov štátu, podľa ktorého právneho poriadku bol záujemca/člen skupiny dodávateľov založený)

--

Zoznam osôb oprávnených konať v mene záujemcu/člena skupiny dodávateľov

--

Kontaktné údaje záujemcu/člena skupiny dodávateľov

(údaje na kontaktnú osobu, ktorej verejný obstarávateľ doručuje dokumenty v rámci verejného obstarávania)

Meno a priezvisko:	
Telefónne číslo:	
FAX:	
E-mail:	

V [●] dňa [●]

.....
podpis

General information regarding the candidate/member of the group of suppliers**Business name of the candidate/member of the group of suppliers***(business name of the candidate/member of the group of suppliers)*

--

Name of the group of suppliers*(applicable if the candidate is a member of a group of suppliers submitting the request to participate)*

--

Seat/place of business of the candidate/member of the group of suppliers*(seat or place of business of the candidate/member of the group of suppliers)*

--

ID no.

--

Legal status

--

Information regarding the registration of the candidate/member of the group of suppliers*(business register/ other register in which the candidate/member of the group of suppliers is registered according to the laws of the country of establishment, registration number or information regarding registration)*

--

Country*(name of the country, according to the laws of the country in which the candidate/member of the group of suppliers is registered)*

--

List of persons authorized to act on behalf of the candidate/member of the group of suppliers

--

Contact details of the candidate/member of the group of suppliers*(details of the contact person empowered to receive documents related to the public procurement)*

Name and surname:	
Telephone number:	
FAX:	
Email:	

In [●] on [●]

.....
signature

Príloha 2 /Schedule 2**Vyhlásenia záujemcu / skupiny dodávateľov/ Declaration of the candidate/ group of suppliers about the veracity data**

vyhlásenia záujemcu / skupiny dodávateľov	DECLARATION OF THE CANDIDATE / GROUP OF SUPPLIERS
<p><i>Záujemca/ skupina dodávateľov (obchodné meno, sídlo, údaj o zápise, IČO, zastúpený meno/mená a priezvisko/priezviská, trvalý pobyt štatutárneho orgánu/členov štatutárneho orgánu (ak ide o právnickú osobu), meno, priezvisko, miesto podnikania, údaj o zápise, IČO (ak ide o fyzickú osobu - podnikateľa)</i></p> <p style="text-align: center;">týmto vyhlasuje/ú, že</p> <ul style="list-style-type: none"> • záujemca/skupina dodávateľov porozumel/porozumela oznámeniu zverejnenému v Dodatku k Úradnému vestníku Európskej únie [●] zo dňa [●] a vo Vestníku verejného obstarávania č. [●] zo dňa [●], • všetky vyhlásenia, potvrdenia, doklady, dokumenty a údaje uvedené v žiadosti o účasť na predmet zákazky „<i>Koncesia na projektovanie, výstavbu, financovanie, prevádzku a údržbu úsekov diaľnice D4 Jarovce – Rača a rýchlostnej cesty R7 Bratislava Prievoz – Holice, projekt PPP</i>“ sú pravdivé a úplné. <p>V [●] dňa [●]</p>	<p><i>The candidate/group of suppliers (business name, seat, information regarding registration, ID no., represented by: name (s) and surname (s), permanent residence of the statutory body/members of the statutory body (in the case of a legal person), name, surname, place of business, information regarding registration, ID no. (in the case of a natural person - entrepreneur)</i></p> <p style="text-align: center;">declare/s that</p> <ul style="list-style-type: none"> • the candidate/group of suppliers understood the tender notice published in the Supplement to the Official Journal of the European Union no. [●] on [●] and in the Public Procurement Journal no. [●] on [●], and • all declarations, confirmations, papers, documents and information provided in the request to participate regarding the subject of the contract „<i>The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holice sections of the R7 expressway, a PPP Project</i>“ are truthful and complete. <p>In [●] on [●]</p>
<p>..... Podpis záujemcu/ členov skupiny dodávateľov signature of the candidate/members of the group of suppliers</p> <p>(DOPLNIŤ PODĽA POTREBY/ SUPPLEMENTED AS APPROPRIATE)</p>	

Príloha 3 / Schedule 3

Čestné vyhlásenie – osobné postavenie/ Sworn affidavit – Personal status

ČESTNÉ VYHLÁSENIE	SWORN AFFIDAVIT
<p>Záujemca [obchodné meno, sídlo, údaj o zápise, IČO, zastúpený meno/mená a priezvisko/priezviská, trvalý pobyt štatutárneho orgánu/členov štatutárneho orgánu (ak ide o právnickú osobu), meno, priezvisko, miesto podnikania, údaj o zápise, IČO (ak ide o fyzickú osobu - podnikateľa)] (ďalej len „Záujemca“), v rámci verejného obstarávania na predmet zákazky „Koncesia na projektovanie, výstavbu, financovanie, prevádzku a údržbu úsekov diaľnice D4 Jarovce – Rača a rýchlostnej cesty R7 Bratislava Prievoz – Holice, projekt PPP“ vyhlásenej verejným obstarávateľom Slovenskou republikou zastúpenou Ministerstvom dopravy, výstavby a regionálneho rozvoja Slovenskej republiky, so sídlom Námestie slobody č. 6, P.O.BOX 100, 810 05 Bratislava, Slovenská republika (ďalej len „Verejný obstarávateľ“) v zmysle § 32 ods. 11 zákona č. 25/2006 Z. z. o verejnom obstarávaní a o zmene a doplnení niektorých zákonov v znení neskorších predpisov (ďalej len „ZVO“),</p>	<p>The candidate [business name, seat, information regarding registration, ID no., represented by: name (s) and surname (s), permanent residence of the statutory body/members of the statutory body (in the case of a legal person), name, surname, place of business, information regarding registration, ID no. (in the case of a natural person - entrepreneur)] (hereinafter referred to as the „Candidate“), in the process for a tender for the subject of the contract „The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holice sections of the R7 expressway, a PPP Project“ as announced by the contracting authority which is the Slovak Republic represented by the Ministry of Transport, Construction and Regional Development of the Slovak Republic, Námestie slobody 6, P.O.BOX 100, 810 05 Bratislava, Slovak Republic (hereinafter referred to as the „Contracting Authority“), and as referred to in section 32, subsection 11 of Act no. 25/2006 Coll. on Public Procurement, as amended (hereinafter referred to as the „Public Procurement Act“),</p>
<p style="text-align: center;">týmto čestne vyhlasuje,</p> <p>že v súlade s bodom III.1.1 podmienok účasti – „Osobné postavenie hospodárskych subjektov vrátane požiadaviek týkajúcich sa zápisu do profesijných alebo obchodných registrov“ oznámenia zverejneného v Dodatku k Úradnému vestníku Európskej únie [●] zo dňa [●] a vo Vestníku verejného obstarávania č. [●] zo dňa [●],(ďalej len „Oznámenie“) a ustanovením § 26 ZVO</p>	<p style="text-align: center;">hereby declares</p> <p>that in accordance with point III.1.1 the conditions of participation – „Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers“ of the tender notice published in the Supplement to the Official Journal of the European Union no. [●] on [●] and in the Public Procurement Journal no. [●] on [●], (hereinafter referred to as the „Tender Notice“) and pursuant to section 26 of the Public Procurement Act, it</p>

<p>spĺňa nasledovné podmienky účasti:</p> <ul style="list-style-type: none"> • <i>nebol Záujemca, ani jeho štatutárny orgán ani člen štatutárneho orgánu¹ právoplatne odsúdený za trestný čin korupcie, za trestný čin poškodzovania finančných záujmov Európskej únie, za trestný čin legalizácie príjmu z trestnej činnosti, za trestný čin založenia, zosnovania a podporovania zločineckej skupiny, alebo za trestný čin založenia, zosnovania alebo podporovania teroristickej skupiny alebo za trestný čin terorizmu a niektorých foriem účasti na terorizme,</i> • <i>nebol Záujemca, ani jeho štatutárny orgán ani člen štatutárneho orgánu³ právoplatne odsúdený za trestný čin, ktorého skutková podstata súvisí s podnikaním,</i> • <i>nebol na neho vyhlásený konkurz, nie je v likvidácii, ani nebolo proti nemu zastavené konkurzné konanie pre nedostatok majetku alebo zrušený konkurz pre nedostatok majetku, podľa zákonov a predpisov platných v krajine jeho sídla,</i> • <i>nemá v krajine svojho sídla evidované nedoplatky poisťného na zdravotné poistenie, sociálne poistenie a príspevkov na starobné dôchodkové sporenie, ktoré sa vymáhajú výkonom rozhodnutia (v SR potvrdenie Sociálnej poisťovne, zdravotných poisťovní),</i> • <i>nemá v krajine svojho sídla evidované daňové nedoplatky, ktoré sa vymáhajú výkonom rozhodnutia,</i> • <i>je oprávnený dodávať tovar, poskytovať</i> 	<p>fulfils the following conditions of participation:</p> <ul style="list-style-type: none"> • <i>neither the Candidate nor its statutory body nor a member of its statutory body² has been convicted of the offence of corruption, the offence of damaging the financial interests of the European Union, the offence of money laundering, the offence of establishing, aiding and abetting a criminal group or the offence of establishing, aiding and abetting a terrorist group or the offence of terrorism or involvement in terrorism; neither</i> • <i>the Candidate neither its statutory body or a member of its statutory body⁴ has been convicted of an offence concerning the performance of business activities;</i> • <i>the Candidate is not subject to proceedings for the declaration of bankruptcy, is not bankrupt or in the process of being wound up, nor has a bankruptcy petition against it been rejected due to a lack of assets according to the laws of the country of its seat;</i> • <i>the Candidate has not been in arrears in the payment of health insurance, social insurance or pension savings contributions that are being recovered through the enforcement of a decision (in the Slovak Republic, the confirmation of the Social Insurance Agency and the Health Insurance Agencies) in the country of its seat,</i> • <i>the Candidate does not have a history of tax arrears that are being recovered through the enforcement of a decision in the country of its seat,</i> • <i>the Candidate has the competence to</i>
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¹ Preferované je aj uvedenie identifikačných údajov v rozsahu meno a priezvisko, trvalý pobyt členov štatutárneho orgánu. / The specification of the names and surnames and permanent residences of the members of the statutory body is also preferred.

² Preferované je aj uvedenie identifikačných údajov v rozsahu meno a priezvisko, trvalý pobyt členov štatutárneho orgánu. / The specification of the names and surnames and permanent residences of the members of the statutory body is also preferred.

³ Preferované je aj uvedenie identifikačných údajov v rozsahu meno a priezvisko, trvalý pobyt členov štatutárneho orgánu. / The specification of the names and surnames and permanent residences of the members of the statutory body is also preferred.

⁴ Preferované je aj uvedenie identifikačných údajov v rozsahu meno a priezvisko, trvalý pobyt členov štatutárneho orgánu. / The specification of the names and surnames and permanent residences of the members of the statutory body is also preferred.

<p><i>službu, uskutočňovať stavebné práce vo vzťahu aspoň k jednému predmetu zákazky, na ktorú predkladá žiadosť o účasť.</i></p> <p>V súlade s Oznámením Záujemca predloží na výzvu Verejného obstarávateľa doklady preukazujúce splnenie podmienok účasti v čase a spôsobom určeným Verejným obstarávateľom podľa § 44 ods. 1 ZVO.</p> <p>Slovenská jazyková verzia tohto čestného vyhlásenia má prednosť.</p> <p>V [●] dňa [●]</p>	<p><i>deliver supplies, provide services and perform work related to at least one of the subjects of the contract for which the Candidate submits its request to participate.</i></p> <p>In accordance with the Tender Notice, at the request of the Contracting Authority, the Candidate shall submit such documents which prove the fulfilment of the conditions of participation at a time and in the manner, specified by the Contracting Authority pursuant to section 44, subsection 1 of the Public Procurement Act.</p> <p>The Slovak version of this sworn affidavit shall prevail.</p> <p>In [●] on [●]</p>
<p>..... [Záujemca/Candidate]</p>	

Príloha 4 / Schedule 4

Čestné vyhlásenie – ekonomická a finančná spôsobilosť/ Sworn affidavit – Economic and financial ability

ČESTNÉ VYHLÁSENIE	SWORN AFFIDAVIT
<p>Záujemca [obchodné meno, sídlo, údaj o zápise, IČO, zastúpený meno/mená a priezvisko/priezviská, trvalý pobyt štatutárneho orgánu/členov štatutárneho orgánu (ak ide o právnickú osobu), meno, priezvisko, miesto podnikania, údaj o zápise, IČO (ak ide o fyzickú osobu - podnikateľa)] (ďalej len „Záujemca“), v rámci verejného obstarávania na predmet zákazky „Koncesia na projektovanie, výstavbu, financovanie, prevádzku a údržbu úsekov diaľnice D4 Jarovce – Rača a rýchlostnej cesty R7 Bratislava Prievoz – Holice, projekt PPP“ vyhlásenej verejným obstarávateľom Slovenskou republikou zastúpenou Ministerstvom dopravy, výstavby a regionálneho rozvoja Slovenskej republiky, so sídlom Námestie slobody č. 6, P.O.BOX 100, 810 05 Bratislava, Slovenská republika (ďalej len „Verejný obstarávateľ“) v zmysle § 32 ods. 11 zákona č. 25/2006 Z. z. o verejnom obstarávaní a o zmene a doplnení niektorých zákonov v znení neskorších predpisov (ďalej len „ZVO“),</p>	<p>The candidate [business name, seat, information regarding registration, ID no., represented by: name (s) and surname (s), permanent residence of the statutory body/members of the statutory body (in the case of a legal person), name, surname, place of business, information regarding registration, ID no. (in the case of a natural person - entrepreneur)] (hereinafter referred to as the „Candidate“), in the process for a tender for the subject of the contract „The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holice sections of the R7 expressway, a PPP Project“ as announced by the contracting authority which is the Slovak Republic represented by the Ministry of Transport, Construction and Regional Development of the Slovak Republic, Námestie slobody 6, P.O.BOX 100, 810 05 Bratislava, the Slovak Republic (hereinafter referred to as the „Contracting Authority“), and as referred to in section 32 subsection 11 of Act no. 25/2006 Coll. on Public Procurement, as amended (hereinafter referred to as the „Public Procurement Act“),</p>
<p>týmto čestne vyhlasuje,</p>	<p>hereby declares</p>
<p>že v súlade s bodom III.1.2 podmienok účasti – „Ekonomická a finančná spôsobilosť“ oznámenia zverejneného v Dodatku k Úradnému vestníku Európskej únie [●] zo dňa [●] a vo Vestníku verejného obstarávania č. [●] zo dňa [●], (ďalej len „Oznámenie“) a ustanovením § 27 ZVO</p>	<p>that in accordance with point III.1.2 the conditions of participation – „Economic and financial ability“ of the tender notice published in the Supplement to the Official Journal of the European Union no. [●] on [●] and in the Public Procurement Journal no. [●] on [●], (hereinafter referred to as „Tender Notice“) and pursuant to section 27 of the Public Procurement Act, it</p>
<p>spĺňa nasledovné podmienky účasti:</p>	<p>fulfils the following conditions of participation:</p>
<ul style="list-style-type: none">• má minimálnu výšku vlastného imania ku koncu hospodárskeho roka, t.j. minimálne 100 000 000 EUR (slovom: sto miliónov eur),	<ul style="list-style-type: none">• as at the end of the preceding financial year, it has equity of at least 100 000 000 EUR (in words: one hundred million euro),

<ul style="list-style-type: none"> celkový obrat za predchádzajúce tri hospodárske roky presahuje hodnotu 150 000 000 EUR bez DPH (slovom: stopäťdesiat miliónov eur bez DPH). <p>V súlade s Oznámením Záujemca predloží na výzvu Verejného obstarávateľa doklady preukazujúce splnenie podmienok účasti v čase a spôsobom určeným Verejným obstarávateľom podľa § 44 ods. 1 ZVO.</p> <p>Slovenská jazyková verzia tohto čestného vyhlásenia má prednosť.</p> <p>V [●] dňa [●]</p>	<ul style="list-style-type: none"> its total turnover for the preceding three financial years was greater than 150 000 000 EUR without VAT (in words: one hundred and fifty million euro without VAT). <p>In accordance with the Tender Notice, at the request of the Contracting Authority, the Candidate shall submit such documents which prove the fulfilment of the conditions of participation at a time and in the manner, specified by the Contracting Authority pursuant to section 44, subsection 1 of the Public Procurement Act.</p> <p>The Slovak version of this sworn affidavit shall prevail.</p> <p>In [●] on [●]</p>
<p>..... [Záujemca/Candidate]</p>	

Príloha 5 / Schedule 5

Čestné vyhlásenie – technická spôsobilosť/ Sworn affidavit – Technical capacity

ČESTNÉ VYHLÁSENIE	SWORN AFFIDAVIT
<p>Záujemca [obchodné meno, sídlo, údaj o zápise, IČO, zastúpený meno/mená a priezvisko/priezviská, trvalý pobyt štatutárneho orgánu/členov štatutárneho orgánu (ak ide o právnickú osobu), meno, priezvisko, miesto podnikania, údaj o zápise, IČO (ak ide o fyzickú osobu - podnikateľa)] (ďalej len „Záujemca“), v rámci verejného obstarávania na predmet zákazky „Koncesia na projektovanie, výstavbu, financovanie, prevádzku a údržbu úsekov diaľnice D4 Jarovce – Rača a rýchlostnej cesty R7 Bratislava Prievoz – Holice, projekt PPP“ vyhlásenej verejným obstarávateľom Slovenskou republikou zastúpenou Ministerstvom dopravy, výstavby a regionálneho rozvoja Slovenskej republiky, so sídlom Námestie slobody č. 6, P.O.BOX 100, 810 05 Bratislava, Slovenská republika (ďalej len „Verejný obstarávateľ“) v zmysle § 32 ods. 11 zákona č. 25/2006 Z. z. o verejnom obstarávaní a o zmene a doplnení niektorých zákonov v znení neskorších predpisov (ďalej len „ZVO“),</p>	<p>The candidate [business name, seat, information regarding registration, ID no., represented by: name (s) and surname (s), permanent residence of the statutory body/members of the statutory body (in the case of a legal person), name, surname, place of business, information regarding registration, ID no. (in the case of a natural person - entrepreneur)] (hereinafter referred to as the „Candidate“), in the process for a tender for the subject of the contract „The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holice sections of the R7 expressway, a PPP Project“ announced by the contracting authority which is the Slovak Republic represented by the Ministry of Transport, Construction and Regional Development of the Slovak Republic, Námestie slobody 6, P.O.BOX 100, 810 05 Bratislava, the Slovak Republic (hereinafter referred to as the „Contracting Authority“) as referred to in section 32 subsection 11 of Act no. 25/2006 Coll. on Public Procurement, as amended (hereinafter referred to as the „Public Procurement Act“),</p>
<p>týmto čestne vyhlasuje,</p>	<p>hereby declares</p>
<p>že v súlade s bodom III.1.3, podmienok účasti – „Technická spôsobilosť“ oznámenia zverejneného v Dodatku k Úradnému vestníku Európskej únie [●] zo dňa [●] a vo Vestníku verejného obstarávania č. [●] zo dňa [●], (ďalej len „Oznámenie“) a ustanovením § 28 ZVO</p>	<p>that in accordance with point III.1.3 the conditions of participation – „Technical capacity“ of the tender notice published in the Supplement to the Official Journal of the European Union no. [●] on [●] and in the Public Procurement Journal no. [●] on [●], (hereinafter referred to as the „Tender Notice“) and pursuant to section 28 of the Public Procurement Act, it</p>
<p>spĺňa nasledovné podmienky účasti⁵:</p>	<p>fulfils the following conditions of participation⁶:</p>
<p>Poskytol v oblasti špecifikovanej v bode 3.1.1.1 Oznámenia nasledovné služby: [Uviesť všetky referencie, ktoré sú relevantné pre daný bod Oznámenia za účelom výberu záujemcov.]</p>	<p>The Candidate has provided the following services in the area specified in point 3.1.1.1 of the Tender Notice: [Specify all relevant references according to the point of the Tender Notice, for the purpose of candidate selection.]</p>

⁵ Vybrať podľa predkladaných dokladov./Select according to submitted documents.

⁶ Vybrať podľa predkladaných dokladov./Select according to submitted documents.

<ul style="list-style-type: none"> • PREDMET ZÁKAZKY: stručný popis plnenia vrátane uvedenia rozsahu pre aký počet <i>km</i> vypracoval projektovú dokumentáciu • ODBERATEĽ: obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa • KONTAKT NA ODBERATEĽA: meno, priezvisko, funkcia, e-mail, telefónny kontakt • LEHOTA PLNENIA: od DD/MM/RRRR do DD/MM/RRRR <p>Poskytol v oblasti špecifikovanej v bode 3.1.1.2 Oznámenia nasledovné služby: [<i>Uviest všetky referencie, ktoré sú relevantné pre daný bod Oznámenia za účelom výberu záujemcov.</i>]</p> <ul style="list-style-type: none"> • PREDMET ZÁKAZKY: stručný popis plnenia vrátane uvedenia rozsahu pre aký počet <i>km</i> vypracoval realizačnú dokumentáciu • ODBERATEĽ: obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa • KONTAKT NA ODBERATEĽA: meno, priezvisko, funkcia, e-mail, telefónny kontakt • LEHOTA PLNENIA: od DD/MM/RRRR do DD/MM/RRRR <p>Poskytol v oblasti špecifikovanej v bode 3.1.1.3 Oznámenia nasledovné služby: [<i>Uviest všetky referencie, ktoré sú relevantné pre daný bod Oznámenia za účelom výberu záujemcov.</i>]</p> <ul style="list-style-type: none"> • PREDMET ZÁKAZKY: stručný popis plnenia vrátane uvedenia dĺžky mostného objektu v <i>m</i> • ODBERATEĽ: obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa 	<ul style="list-style-type: none"> • SUBJECT OF THE CONTRACT: brief description of its completion including the length in <i>kilometers</i>, for which the Candidate prepared the relevant project documentation • CUSTOMER: business name or name of the customer and address of its seat or place of business • CUSTOMER CONTACT DETAILS: name, surname, function, email, telephone number • PERIOD OF PERFORMANCE: from DD/MM/YYYY to DD/MM/YYYY <p>The Candidate has provided the following services in the area specified in point 3.1.1.2 of the Tender Notice: [<i>Specify all relevant references according to the point of the Tender Notice for the purpose of candidate selection.</i>]</p> <ul style="list-style-type: none"> • SUBJECT OF THE CONTRACT: brief description of its completion including the length in <i>kilometers</i>, for which the Candidate prepared the relevant realization project documentation • CUSTOMER: business name or name of the customer and address of its seat or place of business • CUSTOMER CONTACT DETAILS: name, surname, function, email, telephone number • PERIOD OF PERFORMANCE: from DD/MM/YYYY to DD/MM/YYYY <p>The Candidate has provided the following services in the area specified in point 3.1.1.3 of the Tender Notice: [<i>Specify all relevant references according to the point of the Tender Notice for purpose of candidate selection.</i>]</p> <ul style="list-style-type: none"> • SUBJECT OF THE CONTRACT: brief description of its completion including the bridge length in <i>meters</i> • CUSTOMER: business name or name of the customer and address of its seat or place of business
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<ul style="list-style-type: none"> • KONTAKT NA ODBERATEĽA: meno, priezvisko, funkcia, e-mail, telefónny kontakt • LEHOTA PLNENIA: od DD/MM/RRRR do DD/MM/RRRR <p>Poskytol v oblasti špecifikovanej v bode 3.1.1.4 Oznámenia nasledovné služby: [<i>Uviest všetky referencie, ktoré sú relevantné pre daný bod Oznámenia za účelom výberu záujemcov.</i>]</p> <ul style="list-style-type: none"> • PREDMET ZÁKAZKY: stručný popis plnenia vrátane uvedenia rozsahu pre aký počet km diaľnic alebo rýchlостných ciest a mostných objektov vykonával komplexnú prevádzku a údržbu vrátane uvedenia dĺžky súvislého obdobia v mesiacoch • ODBERATEĽ: obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa • KONTAKT NA ODBERATEĽA: meno, priezvisko, funkcia, e-mail, telefónny kontakt • LEHOTA PLNENIA: od DD/MM/RRRR do DD/MM/RRRR <p>Poskytol v oblasti špecifikovanej v bode 3.1.1.5 Oznámenia nasledovné služby: [<i>Uviest všetky referencie, ktoré sú relevantné pre daný bod Oznámenia za účelom výberu záujemcov.</i>]</p> <ul style="list-style-type: none"> • PREDMET ZÁKAZKY: stručný popis plnenia vrátane uvedenia hodnoty projektového financovania a výšku percentuálnej účasti na hlasovacích právach projektovej spoločnosti, pre ktorú sa zabezpečilo získanie projektového financovania • ODBERATEĽ: obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa • KONTAKT NA ODBERATEĽA: meno, priezvisko, funkcia, e-mail, telefónny kontakt 	<ul style="list-style-type: none"> • CUSTOMER CONTACT DETAILS: name, surname, function, email, telephone number • PERIOD OF PERFORMANCE: from DD/MM/YYYY to DD/MM/YYYY <p>The Candidate has provided the following services in the area specified in point 3.1.1.4 of the Tender Notice: [<i>Specify all relevant references according to the point of the Tender Notice for the purpose of candidate selection.</i>]</p> <ul style="list-style-type: none"> • SUBJECT OF THE CONTRACT: a brief description of its completion including the length in <i>kilometers</i> for the motorway or expressway or bridge constructions for which the Candidate provided complex operations and maintenance, including the duration in terms of months of uninterrupted service • CUSTOMER: business name or name of the customer and address of its seat or place of business • CUSTOMER CONTACT DETAILS: name, surname, function, email, telephone number • PERIOD OF PERFORMANCE: from DD/MM/YYYY to DD/MM/YYYY <p>The Candidate has provided the following services in the area specified in point 3.1.1.5 of the Tender Notice: [<i>Specify all relevant references according to the point of the Tender Notice for the purpose of candidate selection.</i>]</p> <ul style="list-style-type: none"> • SUBJECT OF THE CONTRACT: brief description of its completion including the identification of the project financing and percentage of voting rights in the project company for which the project financing was obtained • CUSTOMER: business name or name of the customer and address of its seat or place of business • CUSTOMER CONTACT DETAILS: name, surname, function, email, telephone number
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<ul style="list-style-type: none"> • LEHOTA PLNENIA: od DD/MM/RRRR do DD/MM/RRRR <p>Uskutočnil v oblasti špecifikovanej v bode 3.1.2.1 Oznámenia nasledovné stavebné práce: [Uviest' všetky referencie, ktoré sú relevantné pre daný bod Oznámenia za účelom výberu záujemcov.]</p> <ul style="list-style-type: none"> • PREDMET ZÁKAZKY: stručný popis plnenia vrátane uvedenia rozsahu stavebných prác v <i>km</i> s rozlíšením častí, ktoré boli súvislé • ODBERATEĽ: obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa • KONTAKT NA ODBERATEĽA: meno, priezvisko, funkcia, e-mail, telefónny kontakt • LEHOTA PLNENIA: od DD/MM/RRRR do DD/MM/RRRR <p>Uskutočnil v oblasti špecifikovanej v bode 3.1.2.2 Oznámenia nasledovné stavebné práce: [Uviest' všetky referencie, ktoré sú relevantné pre daný bod Oznámenia za účelom výberu záujemcov.]</p> <ul style="list-style-type: none"> • PREDMET ZÁKAZKY: stručný popis plnenia vrátane uvedenia dĺžky a rozponu mostného objektu v <i>m</i> • ODBERATEĽ: obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa • KONTAKT NA ODBERATEĽA: meno, priezvisko, funkcia, e-mail, telefónny kontakt • LEHOTA PLNENIA: od DD/MM/RRRR do DD/MM/RRRR <p>Uskutočnil v oblasti špecifikovanej v bode 3.1.2.3 Oznámenia nasledovné stavebné práce: [Uviest' všetky referencie, ktoré sú relevantné pre daný bod Oznámenia za účelom výberu záujemcov.]</p>	<ul style="list-style-type: none"> • PERIOD OF PERFORMANCE: from DD/MM/YYYY to DD/MM/YYYY <p>The Candidate has provided the following works in the area specified in point 3.1.2.1 of the Tender Notice: [Specify all relevant references according to the point of the Tender Notice for the purpose of candidate selection.]</p> <ul style="list-style-type: none"> • SUBJECT OF THE CONTRACT: a brief description of its completion including the length of the construction in <i>kilometers</i> and identification of uninterrupted sections • CUSTOMER: business name or name of the customer and address of its seat or place of business • CUSTOMER CONTACT DETAILS: name, surname, function, email, telephone number • PERIOD OF PERFORMANCE: from DD/MM/YYYY to DD/MM/YYYY <p>The Candidate has provided the following works in the area specified in point 3.1.2.2 of the Tender Notice: [Specify all relevant references according to the point of the Tender Notice for the purpose of candidate selection.]</p> <ul style="list-style-type: none"> • SUBJECT OF THE CONTRACT: brief description of its completion including dimensions in <i>meters</i> of the bridge construction and spans • CUSTOMER: business name or name of the customer and address of its seat or place of business • CUSTOMER CONTACT DETAILS: name, surname, function, email, telephone number • PERIOD OF PERFORMANCE: from DD/MM/YYYY to DD/MM/YYYY <p>The Candidate has provided the following works in the area specified in point 3.1.2.3 of the Tender Notice: [Specify all relevant references according to the point of the Tender Notice for the purpose of candidate selection.]</p>
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<ul style="list-style-type: none"> • PREDMET ZÁKAZKY: stručný popis plnenia vrátane uvedenia percentuálnej účasti na hlasovacích právach v projektových spoločnostiach realizujúcich PPP projekty, uvedenia celkových stavebných nákladov PPP projektu, formy PPP projektu a fázy projektu • ODBERATEĽ: obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa • KONTAKT NA ODBERATEĽA: meno, priezvisko, funkcia, e-mail, telefónny kontakt • LEHOTA PLNENIA: od DD/MM/RRRR do DD/MM/RRRR <p>V súlade s Oznámením Záujemca predloží na výzvu Verejného obstarávateľa doklady preukazujúce splnenie podmienok účasti v čase a spôsobom určeným Verejným obstarávateľom podľa § 44 ods. 1 ZVO.</p> <p>Slovenská jazyková verzia tohto čestného vyhlásenia má prednosť.</p> <p>V [●] dňa [●]</p>	<ul style="list-style-type: none"> • SUBJECT OF THE CONTRACT: brief description of its completion including the identification of the percentage of voting rights in the project companies which carried out the PPP projects, total construction costs, form of PPP project and phase of the project • CUSTOMER: business name or name of the customer and address of its seat or place of business • CUSTOMER CONTACT DETAILS: name, surname, function, email, telephone number • PERIOD OF PERFORMANCE: from DD/MM/YYYY to DD/MM/YYYY <p>In accordance with the Tender Notice, at the request of the Contracting Authority, the Candidate shall submit such documents which prove the fulfilment of the conditions of participation at a time and in the manner, specified by the Contracting Authority pursuant to section 44, subsection 1 of the Public Procurement Act.</p> <p>The Slovak version of this sworn affidavit shall prevail.</p> <p>In [●] on [●]</p>
<p>.....</p> <p>[Záujemca/Candidate]</p>	

Príloha 6 / Schedule 6

Čestné vyhlásenie – zákaz účasti/vyplatenie odmeny/vyplatenie mzdy/ Sworn affidavit - imposed ban/payment of remunerations/payment of wages

ČESTNÉ VYHLÁSENIE	SWORN AFFIDAVIT
<p>Záujemca [obchodné meno, sídlo, údaj o zápise, IČO, zastúpený meno/mená a priezvisko/priezviská, trvalý pobyt štatutárneho orgánu/členov štatutárneho orgánu (ak ide o právnickú osobu), meno, priezvisko, miesto podnikania, údaj o zápise, IČO (ak ide o fyzickú osobu - podnikateľa)] (ďalej len „Záujemca“), v rámci verejného obstarávania na predmet zákazky „Koncesia na projektovanie, výstavbu, financovanie, prevádzku a údržbu úsekov diaľnice D4 Jarovce – Rača a rýchlostnej cesty R7 Bratislava Prievoz – Holice, projekt PPP“ vyhlásenej verejným obstarávateľom Slovenskou republikou zastúpenou Ministerstvom dopravy, výstavby a regionálneho rozvoja Slovenskej republiky, so sídlom Námestie slobody č. 6, P.O.BOX 100, 810 05 Bratislava, Slovenská republika (ďalej len „Verejný obstarávateľ“) v zmysle § 26 ods. 1 písm. h) zákona č. 25/2006 Z. z. o verejnom obstarávaní a o zmene a doplnení niektorých zákonov v znení neskorších predpisov (ďalej len „ZVO“),</p> <p style="text-align: center;">týmto čestne vyhlasuje,</p> <p>že v súlade s bodom III.1.1 podmienok účasti – „Osobné postavenie hospodárskych subjektov vrátane požiadaviek týkajúcich sa zápisu do profesijných alebo obchodných registrov“ oznámenia zverejneného v Dodatku k Úradnému vestníku Európskej únie [●] zo dňa [●] a vo Vestníku verejného obstarávania č. [●] zo dňa [●], [●] (ďalej len „Oznámenie“) a ustanovením § 26 ZVO,</p> <p>nemá právoplatne uložený zákaz účasti vo verejnom obstarávaní a ani nie je osobou,</p>	<p>The candidate [business name, seat, information regarding registration, ID no., represented by: name (s) and surname (s), permanent residence of the statutory body/members of the statutory body (in the case of a legal person), name, surname, place of business, information regarding registration, ID no. (in the case of a natural person - entrepreneur)] (hereinafter referred to as the „Candidate“), in the process for a tender for the subject of the contract „The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holice sections of the R7 expressway, a PPP Project“ announced by the contracting authority which is the Slovak Republic represented by the Ministry of Transport, Construction and Regional Development of the Slovak Republic, Námestie slobody 6, P.O.BOX 100, 810 05 Bratislava, the Slovak Republic (hereinafter referred to as the „Contracting Authority“) as referred to in section 26 subsection 1 letter h) Act no. 25/2006 Coll. on Public Procurement, as amended (hereinafter referred to as the „Public Procurement Act“),</p> <p style="text-align: center;">hereby declares</p> <p>that, in accordance with point III.1.1 conditions of participation – „Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers“ of the tender notice published in the Supplement to the Official Journal of the European Union no. [●] on [●] and in the Public Procurement Journal no. [●] on [●], (hereinafter referred to as the „Tender Notice“), and pursuant to section 26 of the Public Procurement Act,</p> <p>the Candidate has not been legally banned from participation in public procurement and it is not an entity</p>

<p>1. ktorej spoločníkom, známym akcionárom, ktorý vlastní najmenej 34 % akcií tejto spoločnosti alebo členom, alebo ktorej štatutárnym orgánom, členom štatutárneho orgánu, prokuristom alebo ovládajúcou osobou je osoba, ktorá má právoplatne uložený zákaz účasti vo verejnom obstarávaní,</p> <p>2. ktorej spoločníkom, známym akcionárom, ktorý vlastní najmenej 34 % akcií tejto spoločnosti alebo členom, alebo ktorej štatutárnym orgánom, členom štatutárneho orgánu, prokuristom alebo ovládajúcou osobou je osoba, ktorá je alebo v čase, keď prebiehalo verejné obstarávanie vo vzťahu ku ktorému bol právoplatne uložený zákaz účasti vo verejnom obstarávaní, bola</p> <p>(a) spoločníkom, známym akcionárom, ktorý vlastní najmenej 34 % akcií tejto spoločnosti alebo členom, alebo ktorej štatutárnym orgánom, členom štatutárneho orgánu, prokuristom alebo ovládajúcou osobou osoby, ktorá má právoplatne uložený zákaz účasti vo verejnom obstarávaní,</p> <p>(b) právnym nástupcom osoby, ktorá mala v čase, keď k nástupníctvu došlo, právoplatne uložený zákaz účasti vo verejnom obstarávaní,</p> <p>3. ktorá sa stala právnym nástupcom osoby, ktorá mala v čase, keď k nástupníctvu došlo, právoplatne uložený zákaz účasti vo verejnom obstarávaní.</p> <p>nemá nesplnenú povinnosť vyplatenia odmeny alebo odplaty zo zmluvy s osobou, ktorá je alebo bola subdodávateľom vo vzťahu k zákazke, zadanej podľa ZVO, ktorá sa vymáha výkonom rozhodnutia,</p>	<p>1. whose shareholder, a known shareholder holding at least 34 % of the shares of such company or member, or its statutory body, a member of the statutory body, a proxy or controlling person was lawfully banned from participation in public procurement;</p> <p>2. whose shareholder, a known shareholder holding at least 34 % of the shares of a company or member, or its statutory body, a member of the statutory body, a proxy or controlling person is a person which during the public procurement process was lawfully banned from participation in public procurement, or is or was:</p> <p>(a) a shareholder, a known shareholder holding at least 34 % of the shares of a company or member, or its statutory body, a member of the statutory body, a proxy or controlling person of a person who was lawfully banned from participation in public procurement;</p> <p>(b) the legal successor of the person which was lawfully banned from participation in public procurement at the time of succession;</p> <p>3. who became the legal successor of the person who was lawfully banned from participation in public procurement at the time of succession.</p> <p>the Candidate does not have any unfulfilled obligations regarding the payment of remunerations pursuant to a contract with a person who is or was a subcontractor in relation to a public contract which was awarded on the basis of the Public Procurement Act, and which is subject to enforcement proceedings;</p>
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<p>nemá nesplnenú povinnosť vyplatenia mzdy, platu alebo inej odmeny za prácu, náhrady mzdy alebo odstupného, na ktorých vyplatenie má zamestnanec nárok, ktoré sa vymáhajú výkonom rozhodnutia.</p>	<p>the Candidate does not have any unfulfilled obligations regarding the payment of wages, salaries or other remuneration for work, salary compensation or severance payments to which an employee is entitled, and which is recovered through the enforcement of a decision.</p>
<p>Slovenská jazyková verzia tohto čestného vyhlásenia má prednosť.</p>	<p>The Slovak version of this sworn affidavit shall prevail.</p>
<p>V [●] dňa [●]</p>	<p>In [●] on [●]</p>
<p>..... [Záujemca/Candidate]</p>	

Príloha 7 / Schedule 7

Čestné vyhlásenie – subdodávateľa/ Sworn affidavit – subcontractors

ČESTNÉ VYHLÁSENIE	SWORN AFFIDAVIT
<p>Záujemca [obchodné meno, sídlo, údaj o zápise, IČO, zastúpený meno/mená a priezvisko/priezviská, trvalý pobyt štatutárneho orgánu/členov štatutárneho orgánu (ak ide o právnickú osobu), meno, priezvisko, miesto podnikania, údaj o zápise, IČO (ak ide o fyzickú osobu - podnikateľa)] (ďalej len „Záujemca“), v rámci verejného obstarávania na predmet zákazky „Koncesia na projektovanie, výstavbu, financovanie, prevádzku a údržbu úsekov diaľnice D4 Jarovce – Rača a rýchlostnej cesty R7 Bratislava Prievoz – Holice, projekt PPP“ vyhlásenej verejným obstarávateľom Slovenskou republikou zastúpenou Ministerstvom dopravy, výstavby a regionálneho rozvoja Slovenskej republiky, so sídlom Námestie slobody č. 6, P.O.BOX 100, 810 05 Bratislava, Slovenská republika (ďalej len „Verejný obstarávateľ“) v zmysle § 28 ods. 1 písm. k) zákona č. 25/2006 Z. z. o verejnom obstarávaní a o zmene a doplnení niektorých zákonov v znení neskorších predpisov (ďalej len „ZVO“),</p>	<p>The candidate [business name, seat, information regarding registration, ID no., represented by: name (s) and surname (s), permanent residence of the statutory body/members of the statutory body (in the case of a legal person), name, surname, place of business, information regarding registration, ID no. (in the case of a natural person - entrepreneur)] (hereinafter referred to as the „Candidate“), in the process for a tender for the subject of the contract „The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holice sections of the R7 expressway, a PPP Project” announced by the contracting authority which is the Slovak Republic represented by the Ministry of Transport, Construction and Regional Development of the Slovak Republic, Námestie slobody 6, P.O.BOX 100, 810 05 Bratislava, the Slovak Republic (hereinafter referred to as the „Contracting Authority”) as referred to in section 28 subsection 1 letter k) Act no. 25/2006 Coll. on Public Procurement, as amended (hereinafter referred to as the „Public Procurement Act”),</p>
<p>týmto predkladá/čestne vyhlasuje⁷,</p>	<p>hereby submits/declares⁸</p>
<p>v súlade s bodom III.1.3, podmienok účasti – „Technická spôsobilosť“ oznámenia zverejneného v Dodatku k Úradnému vestníku Európskej únie [●] zo dňa [●] a vo Vestníku verejného obstarávania č. [●] zo dňa [●], (ďalej len „Oznámenie“) a ustanovením § 28 ZVO</p>	<p>in accordance with point III.1.3 the conditions of participation – „Technical capacity” of the tender notice published in the Supplement to the Official Journal of the European Union no. [●] on [●] and in the Public Procurement Journal no. [●] on [●], (hereinafter referred to as the „Tender Notice”) and pursuant to section 28 of the Public Procurement Act</p>
<p>zoznam subdodávateľov (meno a priezvisko, obchodné meno alebo názov, adresa trvalého pobytu alebo sídlo, IČO alebo dátum narodenia, ak nebolo pridelené IČO), ktorí sa majú podieľať na dodaní plnenia v sume najmenej 30% z hodnoty plnenia./Nie sú mi známi subdodávateľa, ktorí sa majú podieľať na dodaní plnenia v sume najmenej 30% z hodnoty plnenia.⁹</p>	<p>a list of subcontractors (name and surname, business name or name, permanent residence or seat, ID no. or date of birth, if ID no. was not established) who shall participate in the delivery of at least 30% of the value of the contract./ I am not aware of any subcontractors who shall participate in the delivery of at least 30% of the value of the contract.¹⁰</p>

⁷ Vybrať podľa predkladaných dokladov./Select according to submitted documents.

⁸ Vybrať podľa predkladaných dokladov./Select according to submitted documents.

⁹ Vybrať podľa predkladaných dokladov./Select according to submitted documents.

Slovenská jazyková verzia tohto čestného vyhlásenia má prednosť. V [●] dňa [●]	The Slovak version of this sworn affidavit shall prevail. In [●] on [●]
..... [Záujemca/Candidate]	

¹⁰ Vybrať podľa predkladaných dokladov./Select according to submitted documents.

Príloha 8 / Schedule 8

Zmluva o zabezpečení finančných zdrojov/odbornej kapacity/ Agreement on securing of financial resources/expert capacity

ZMLUVA O ZABEZPEČENÍ FINANČNÝCH ZDROJOV/ODBORNEJ KAPACITY¹¹	AGREEMENT ON SECURING OF FINANCIAL RESOURCES/EXPERT CAPACITY¹²
uzavretá podľa § 269 a nasl. zákona č. 513/1991 Zb. Obchodný zákonník v znení neskorších predpisov	entered into pursuant to Section 269 et seq. of Act no. 513/1991 Coll. (Commercial Code) as amended
medzi	between
[●] so sídlom: IČO: IČ DPH: DIČ: (ďalej len „ Poskytovateľ “)	[●] seat: ID no.: VAT ID: TAX ID: (hereinafter referred to as the „ Provider “)
a	and
[●] so sídlom: IČO: IČ DPH: DIČ: (ďalej len „ Záujemca “ alebo „ Skupina dodávateľov “) ¹³	[●] seat: ID no.: VAT ID: TAX ID: (hereinafter referred to as the „ Candidate “ or the „ Group of suppliers “) ¹⁴
Preambula	Preamble
(A) Záujemca/Skupina dodávateľov sa plánuje zúčastniť verejného obstarávania na predmet zákazky „ Koncesia na projektovanie, výstavbu, financovanie, prevádzku a údržbu úsekov diaľnice D4 Jarovce – Rača a rýchlostnej cesty R7 Bratislava Prievoz – Holice, projekt PPP “ vyhlásenej na základe oznámenia o vyhlásení verejného obstarávania zverejneného v Dodatku k Úradnému vestníku Európskej únie [●] zo dňa [●] a vo Vestníku verejného obstarávania č. [●] zo dňa [●], (ďalej len „ Oznámenie “) verejným obstarávateľom, ktorým je Slovenská republika zastúpená Ministerstvom dopravy, výstavby	(A) The candidate/The group of suppliers intend to participate in the process for a tender for the subject of the contract „ The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holice sections of the R7 expressway, a PPP Project “ according to the tender notice published in the Supplement to the Official Journal of the European Union no. [●] on [●] and in the Public Procurement Journal no. [●] on [●], (hereinafter referred to as the „ Tender Notice “) announced by the contracting authority which is the Slovak

¹¹ Vyberte vhodné/ Choose applicable

¹² Vyberte vhodné/ Choose applicable

¹³ Vyberte vhodné/ Choose applicable

¹⁴ Vyberte vhodné/ Choose applicable

<p>a regionálneho rozvoja Slovenskej republiky, so sídlom Námestie slobody č. 6 , P.O.BOX 100, 810 05 Bratislava, Slovenská republika (ďalej len „Verejnú obstarávanie“).</p> <p>(B) Záujemca/Skupina dodávateľov má záujem touto zmluvou preukázať splnenie podmienok <i>finančného a ekonomického postavenia/technickej spôsobilosti</i>¹⁵ ustanovených v časti III.1.2/III.1.3 Oznámenia – preukázanie toho, že <i>disponuje finančnými zdrojmi/potvrdeniami odberateľov/požadovanými referenciami</i>¹⁶ podľa Oznámenia prostredníctvom Poskytovateľa (ďalej len „<i>Potrebné finančné zdroje</i>“/ „<i>Potrebná referencia</i>“).</p> <p>1. Záväzok Poskytovateľa</p> <p>1.1 Poskytovateľ sa zaväzuje, že Zájemcovi/Skupine dodávateľov poskytne <i>finančné zdroje podľa § 27 ods. 2 zákona č. 25/2006 Z. z. o verejnom obstarávaní a o zmene a doplnení niektorých zákonov v znení neskorších predpisov/ technické a odborné kapacity podľa § 28 ods. 2 zákona č. 25/2006 Z. z. o verejnom obstarávaní a o zmene a doplnení niektorých zákonov v znení neskorších predpisov</i>¹⁹ pri poskytovaní služieb/stavebných prác vo Verejnom obstarávaní, a to pre účely preukázania <i>finančného a ekonomického postavenia/technickej spôsobilosti</i>²⁰ Zájemcu/Skupiny dodávateľov v rámci Verejného obstarávania prostredníctvom <i>Potrebných finančných zdrojov/Potrebné referencie</i>.²¹</p> <p>1.2 Záväzok Poskytovateľa poskytovať</p>	<p>Republic represented by Ministry of Transport, Construction and Regional Development of the Slovak Republic, Námestie slobody 6 , P.O.BOX 100, 810 05 Bratislava, Slovak Republic (hereinafter referred to as the "Public Procurement").</p> <p>(B) The candidate/The group of suppliers is interested in demonstrating by this contract the fulfilment of the conditions of <i>financial and economic standing/technical capacity</i>¹⁷ referred to in III.1.2/III.1.3 of the Tender Notice – proof of <i>financial resources/customer confirmations/required references</i>¹⁸ according to the Tender Notice by means of the Provider (hereinafter referred to as the „<i>The required financial resources</i>“/ „<i>The required reference</i>“).</p> <p>1. Obligation of the Provider</p> <p>1.1 The Provider undertakes to provide the Candidate/Group of suppliers with the <i>financial resources pursuant to section 27 subsection (2) of Act No. 25/2006 Coll. on Public Procurement, as amended/technical and expert capability pursuant to section 28 subsection (2) of Act No. 25/2006 Coll. on Public Procurement, as amended</i>²², by providing services/construction work in the Public Procurement for the purpose of demonstrating the <i>financial and economic standing/technical capacity</i>²³ of the Candidate/Group of suppliers in the process of the Public Procurement by means of the <i>Required financial resources / Required reference</i>.²⁴</p> <p>1.2 The commitment of the Provider to</p>
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¹⁵ Vyberte vhodné/ Choose applicable
¹⁶ Vyberte vhodné/ Choose applicable
¹⁷ Vyberte vhodné/ Choose applicable
¹⁸ Vyberte vhodné/ Choose applicable
¹⁹ Vyberte vhodné/ Choose applicable
²⁰ Vyberte vhodné/ Choose applicable
²¹ Vyberte vhodné/ Choose applicable
²² Vyberte vhodné/ Choose applicable
²³ Vyberte vhodné/ Choose applicable
²⁴ Vyberte vhodné/ Choose applicable

<p><i>finančné zdroje/technické a odborné kapacity</i>²⁵ podľa bodu I.I vyššie je platný pre plnenie počas celého trvania zmluvného vzťahu, ktorý bude uzatvorený medzi Záujemcom/Skupinou dodávateľov a Slovenskou republikou zastúpenou Ministerstvom dopravy, výstavby a regionálneho rozvoja Slovenskej republiky na základe Verejného obstarávania.</p> <p>2. Vyhlásenie Poskytovateľa</p> <p>2.1 Poskytovateľ čestným vyhlásením alebo dokumentom preukazujúcim <i>finančné zdroje/čestným vyhlásením/potvrdením odberateľa</i>²⁷, ktoré je neoddeliteľnou súčasťou tejto zmluvy, preukazuje zabezpečenie Potrebnej referencie.</p> <p>3. Záverečné ustanovenia</p> <p>3.1 Zmluva je vyhotovená v 3 exemplároch, z ktorých každá zmluvná strana dostane jedno vyhotovenie a jedno vyhotovenie je určené na preukázanie dostupnosti v rámci verejného obstarávania pre Zájemcu/ Skupinu dodávateľov verejnému obstarávateľovi. Závazkové vzťahy zmluvných strán sa riadia príslušnými ustanoveniami zákona č. 513/1991 Zb. Obchodný zákonník v znení neskorších predpisov. Zmluva je vyhotovená v slovenskom a anglickom jazyku. V prípade nezrovnalostí je rozhodujúca slovenská verzia.</p> <p>3.2 Zmluva nadobúda účinnosť dňom jej podpísania zmluvnými stranami.</p> <p>V [●] dňa [●]</p>	<p>provide <i>financial resources/technical and expert capability</i>²⁶ according to point I.I above is valid for the entire duration of the contractual relationship which will be concluded between the Candidate/Group of suppliers and the Slovak Republic represented by the Ministry of Transport, Construction and Regional Development of the Slovak Republic based on the Public Procurement.</p> <p>2. Declaration of the Provider</p> <p>2.1 The Provider demonstrates the securing of the Required reference by sworn affidavit or by a document of <i>financial resources/sworn affidavit/customer confirmation</i>²⁸ which is an integral part of this contract.</p> <p>3. Final provisions</p> <p>3.1 This agreement is executed in 3 counterparts, whereby each party will receive one, and one counterpart will be included in the request to participate of the Candidate/Group of suppliers to prove the availability to perform the contract for the contracting authority. The contractual obligations of the parties are governed by the relevant provisions of Act no. 513/1991 Coll. (Commercial Code) as amended. This agreement is executed in Slovak and English. In the event of any discrepancies, the Slovak version shall prevail.</p> <p>3.2 This agreement comes into effect on the date of its signing by all parties.</p> <p>In [●] on [●]</p>
<p>..... Poskytovateľ/Provider</p>	<p>..... Záujemca/ Skupina dodávateľov/ Candidate/Group of suppliers</p>

Príloha/Attachment

Čestné vyhlásenie/potvrdenie odberateľa o *finančných zdrojoch/referencii*/Sworn affidavit/confirmation of the customer of *financial resources/references*

²⁵ Vyberte vhodné/ Choose applicable

²⁶ Vyberte vhodné/ Choose applicable

²⁷ Vyberte vhodné/ Choose applicable

²⁸ Vyberte vhodné/ Choose applicable

Príloha 9 / Schedule 9
Potvrdenie odberateľa (bod 3.1.1.1 – 3.1.1.4, 3.1.2.1. – 3.1.2.2)/ Customer confirmation (3.1.1.1 – 3.1.1.4, 3.1.2.1. – 3.1.2.2)

POTVRDENIE ODBERATEĽA	
v zmysle bodu [3.1.1.1 až 3.1.1.4, 3.1.2.1 a 3.1.2.2] Oznámenia	
ÚDAJE O ODBERATEĽOVI	
Názov/obchodné meno a sídlo odberateľa <i>(obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa)</i>	
Kontakt na odberateľa <i>(meno, priezvisko, funkcia, e -mail, telefónny kontakt)</i>	
ÚDAJE O DODÁVATEĽOVI	
Názov/obchodné meno a sídlo dodávateľa <i>(obchodné meno alebo názov dodávateľa a adresa sídla alebo miesta podnikania dodávateľa)</i>	
ÚDAJE O PROJEKTE	
Názov projektu	
Dĺžka diaľnice alebo rýchlostnej cesty	
Dĺžka mostných objektov, vrátane dĺžky rozponu <i>(ak je tento údaj relevantný v zmysle Oznámenia)</i>	
ÚDAJE O POSKYTNUTEJ SLUŽBE ALEBO USKUTOČNENÝCH STAVEBNÝCH PRÁČACH	

Stručný opis poskytnutej služby alebo uskutočnených stavebných prác	
Lehota a miesto dodania <i>(poskytnutej služby alebo uskutočnených stavebných prác)</i>	
Zmluvná cena (v EUR bez DPH) <i>(za predchádzajúce 3 alebo 5 rokov podľa Oznámenia)²⁹</i>	
Potvrdenie odberateľa V [●] dňa [●] <p style="text-align: center;">..... Odberateľ</p>	

²⁹ V prípade ak bola poskytovaná služba za obdobie dlhšie ako predchádzajúce 3 roky alebo uskutočnené stavebné práce za obdobie dlhšie ako predchádzajúcich 5 rokov podľa Oznámenia, uvedie sa zmluvná cena za predchádzajúce 3 alebo 5 rokov v súlade s Oznámením.

CUSTOMER CONFIRMATION	
as regards points [3.1.1.1 to 3.1.1.4, 3.1.2.1 and 3.1.2.2] of the Tender Notice	
CUSTOMER INFORMATION	
Name/business name and seat of the customer <i>(business name or name of the customer, seat or place of business of the customer)</i>	
Customer contact details <i>(name, surname, function, email, tel. no.)</i>	
SUPPLIER INFORMATION	
Name/business name and seat of the supplier <i>(business name or name of the supplier and seat or place of business of the supplier)</i>	
PROJECT INFORMATION	
Name of the project	
Length of the motorway or expressway	
Length of the bridges including the spans <i>(if relevant as referred to in the Tender Notice)</i>	
INFORMATION ON PROVIDED SERVICES OR EXECUTED WORKS	
Brief summary of the provided services or executed works	
Delivery period and site <i>(for the provided service or executed works)</i>	

Price of the contract (in EUR not incl. VAT) <i>(for preceding 3 or 5 years according to the Tender Notice)³⁰</i>	
Confirmation by customer In [●] on [●] Customer	

³⁰ If services were provided for a period exceeding 3 years or work exceeding 5 years, the price for the period of 3 or 5 years shall be set out according to the Tender Notice.

Príloha 10 / Schedule 10
Potvrdenie odberateľa (bod 3.1.1.5)/ Customer confirmation (3.1.1.5)

POTVRDENIE ODBERATEĽA v zmysle bodu 3.1.1.5 Oznámenia	
ÚDAJE O ODBERATEĽOVI	
Názov/obchodné meno a sídlo odberateľa <i>(obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa)</i>	
Kontakt na odberateľa <i>(meno, priezvisko, funkcia, e -mail, telefónny kontakt)</i>	
ÚDAJE O DODÁVATEĽOVI	
Názov/obchodné meno a sídlo dodávateľa <i>(obchodné meno alebo názov dodávateľa a adresa sídla alebo miesta podnikania dodávateľa)</i>	
ÚDAJE O PROJEKTE	
Názov projektu	
Opis projektu vrátane fázy projektu	
Percentuálna účasť na hlasovacích právach v projektovej spoločnosti	
Hodnota projektového financovania	

ÚDAJE O POSKYTNUTEJ SLUŽBE	
Stručný opis poskytnutej služby	
Lehota a miesto dodania <i>(obdobie v ktorom bolo získané financovanie)</i>	
Zmluvná cena (v EUR bez DPH) <i>(za predchádzajúce 3 alebo 5 rokov podľa Oznámenia)³¹</i>	
Potvrdenie odberateľa V [●] dňa [●] Odberateľ	

³¹ V prípade ak bola poskytovaná služba za obdobie dlhšie ako predchádzajúce 3 roky alebo uskutočnené stavebné práce za obdobie dlhšie ako predchádzajúcich 5 rokov podľa Oznámenia, uvedie sa zmluvná cena za predchádzajúce 3 alebo 5 rokov v súlade s Oznámením.

CUSTOMER CONFIRMATION as regards point 3.1.1.5 of the Tender Notice	
CUSTOMER INFORMATION	
Name/business name and seat of the customer <i>(business name or name of the customer, seat or place of business of the customer)</i>	
Customer contact details <i>(name, surname, function, email, tel. no.)</i>	
SUPPLIER INFORMATION	
Name/business name and seat of the supplier <i>(business name or name of the supplier and seat or place of business of the supplier)</i>	
PROJECT INFORMATION	
Name of the project	
Brief project summary including the project phase	
Percentage of voting rights of the project company	
Value of the project financing	

INFORMATION ON PROVIDED SERVICES	
Brief summary of the provided services	
Delivery period and site <i>(the period in which the financing was obtained)</i>	
Price of the contract (in EUR not incl. VAT) <i>(for the preceding 3 or 5 years according to the Tender Notice)³²</i>	
Confirmation by the customer In [●] on [●] <div style="text-align: center;"> Customer </div>	

³² If the services were provided for a period exceeding 3 years or the work exceeded 5 years, the price for the period of 3 or 5 years shall be set out according to the Tender Notice.

Príloha 11 / Schedule 11
Potvrdenie odberateľa (bod 3.1.2.3)/ Customer confirmation (3.1.2.3)

POTVRDENIE ODBERATEĽA v zmysle bodu 3.1.2.3 Oznámenia	
ÚDAJE O ODBERATEĽOVI	
Názov/obchodné meno a sídlo odberateľa <i>(obchodné meno alebo názov odberateľa a adresa sídla alebo miesta podnikania odberateľa)</i>	
Kontakt na odberateľa <i>(meno, priezvisko, funkcia, e -mail, telefónny kontakt)</i>	
ÚDAJE O DODÁVATEĽOVI	
Názov/obchodné meno a sídlo dodávateľa <i>(obchodné meno alebo názov dodávateľa a adresa sídla alebo miesta podnikania dodávateľa)</i>	
ÚDAJE O PROJEKTE	
Názov projektu	
Opis projektu vrátane fázy projektu a označenia formy PPP projektu	
Celkové stavebné náklady projektu	

ÚDAJE O POSKYTNUTEJ SLUŽBE ALEBO USKUTOČNENÝCH STAVEBNÝCH PRÁČACH			
Stručný opis poskytnutej služby alebo uskutočnených stavebných prác			
Percentuálna účasť na plnení projektu v projektovej spoločnosti, s ktorou verejný obstarávateľ uzatvoril zmluvu			
Percentuálna účasť viac ako 20% v projektovej spoločnosti v čase odovzdania do predčasného užívania/užívania	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Áno³³</td> <td style="width: 50%; text-align: center;">Nie</td> </tr> </table>	Áno ³³	Nie
Áno ³³	Nie		
Lehota a miesto dodania			
Zmluvná cena (v EUR bez DPH) <i>(za predchádzajúce 3 alebo 5 rokov podľa Oznámenia)³⁴</i>			
Potvrdenie odberateľa V [●] dňa [●] <p style="text-align: center;">..... Odberateľ</p>			

³³ Vyberte vhodné.

³⁴ V prípade ak bola poskytovaná služba za obdobie dlhšie ako predchádzajúce 3 roky alebo uskutočnené stavebné práce za obdobie dlhšie ako predchádzajúcich 5 rokov podľa Oznámenia, uvedie sa zmluvná cena za predchádzajúce 3 alebo 5 rokov v súlade s Oznámením.

CUSTOMER CONFIRMATION	
as regards point 3.1.2.3 of the Tender Notice	
CUSTOMER INFORMATION	
Name/business name and seat of the customer <i>(business name or name of the customer, seat or place of business of the customer)</i>	
Customer contact details <i>(name, surname, function, email, tel. no.)</i>	
SUPPLIER INFORMATION	
Name/business name and seat of the supplier <i>(business name or name of the supplier and seat or place of business of the supplier)</i>	
PROJECT INFORMATION	
Name of the project	
Brief project summary including the project phase and definition of the PPP form	
Total construction costs of the project	

INFORMATION ON PROVIDED SERVICES OR EXECUTED WORKS		
Brief summary of the provided services or executed works		
Percentage of voting rights of the project company which entered into contract with the contracting authority		
Percentage of voting rights of the project company at the time of the preliminary occupation/occupation	Yes ³⁵	No
Delivery period and site		
Price of the contract (in EUR not incl. VAT) <i>(for the preceding 3 or 5 years according to the Tender Notice)³⁶</i>		
<p>Confirmation by the customer</p> <p>In [●] on [●]</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">Customer</p>		

³⁵ Choose applicable.

³⁶ If the services were provided for a period exceeding 3 years or if the work exceeded 5 years, the price for the period of 3 or 5 years shall be set out according to the Tender Notice.

Príloha 12 / Schedule 12

Plnomocenstvo pre člena skupiny dodávateľov/ Power of attorney for a member of the group of suppliers

PLNOMOCENSTVO pre člena skupiny dodávateľov	POWER OF ATTORNEY for a member of the group of suppliers
<p>Splnomocniteľ/Splnomocnitelia</p> <p>[1. <i>Obchodné meno, sídlo, údaj o zápise, IČO člena skupiny dodávateľov, zastúpený meno/mená a priezvisko/priezviská, trvalý pobyt štatutárneho orgánu/členov štatutárneho orgánu (ak ide o právnickú osobu), meno, priezvisko, miesto podnikania, údaj o zápise, IČO (ak ide o fyzickú osobu - podnikateľa)</i>]</p> <p>(DOPLNIŤ PODĽA POTREBY)</p>	<p>Principal/Principals</p> <p>[1. <i>Business name, seat, information regarding registration, ID no. of the member of the group of suppliers, represented by: name (s) and surname (s), permanent residence of the statutory body/members of the statutory body (in the case of a legal person), name, surname, place of business, information regarding registration, ID no. (in the case of a natural person - entrepreneur)</i>]</p> <p>(SUPPLEMENTED AS APPROPRIATE)</p>
<p>udeľuje/ú plnomocenstvo</p>	<p>grant/s this power of attorney to</p>
<p>Splnomocnencovi – lídrovi skupiny dodávateľov</p> <p>[<i>Obchodné meno, sídlo, údaj o zápise, IČO lídra skupiny dodávateľov, zastúpený meno/mená a priezvisko/priezviská, trvalý pobyt štatutárneho orgánu/členov štatutárneho orgánu (ak ide o právnickú osobu), meno, priezvisko, miesto podnikania, údaj o zápise, IČO (ak ide o fyzickú osobu - podnikateľa)</i>]</p> <p>na prijímanie pokynov a konanie v mene všetkých členov skupiny dodávateľov vrátane vykonávania akýchkoľvek právnych úkonov vo verejnom obstarávaní na predmet zákazky „<i>Koncesia na projektovanie, výstavbu, financovanie, prevádzku a údržbu úsekov diaľnice D4 Jarovce – Rača a rýchlostnej cesty R7 Bratislava Prievoz – Holice, projekt PPP</i>“ podľa oznámenia zverejneného v Dodatku k Úradnému vestníku Európskej únie [●] zo dňa [●] a vo Vestníku verejného obstarávania č. [●] zo dňa [●] a pre prípad prijatia ponuky verejným obstarávateľom aj na konanie v mene všetkých členov skupiny dodávateľov pri podpise zmluvy a komunikácii / zodpovednosti v procese plnenia</p>	<p>Representative – leader of the group of suppliers</p> <p>[<i>Business name, seat, information regarding registration, ID no. of the leader of the group of suppliers, represented by: name (s) and surname (s), permanent residence of the statutory body/members of the statutory body (in the case of a legal person), name, surname, place of business, information regarding registration, ID no. (in the case of a natural person - entrepreneur)</i>]</p> <p>for receiving instructions and acting on behalf of all members of the group of suppliers including the implementation of any legal acts in the process for a tender for the subject of the contract „<i>The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holice sections of the R7 expressway, a PPP Project</i>” published in the Supplement to the Official Journal of the European Union no. [●] on [●] and in the Public Procurement Journal no. [●] on [●] and in the case of acceptance of the offer by the contracting authority, also for acting on behalf of all members of the group of suppliers by signing the contract, and by communication / responsibility</p>

Priloha 12/ Schedule 12

Plnomocenstvo pre člena skupiny dodávateľov/ Power of attorney for a member of the group of suppliers

zmluvy, a to v pozícii lídra skupiny dodávateľov. Slovenská jazyková verzia tejto plnej moci má prednosť. V [●] dňa [●]	for the process of the fulfillment of the contract, as the leader of the group of suppliers. The Slovak version of this power of attorney shall prevail. In [●] on [●]
..... Meno, priezvisko/ Name, Surname podpis splnomocniteľa/signature of the principal Meno, priezvisko/ Name, Surname podpis splnomocniteľa/signature of the principal (DOPLNIŤ PODĽA POTREBY)/ (SUPPLEMENTED AS APPROPRIATE)	
Plnomocenstvo prijímam: V [●] dňa [●]	I hereby accept the above power of attorney: In [●] on [●]
..... Meno, priezvisko/ Name, Surname podpis splnomocnenca/signature of the representative	

Príloha 13 / Schedule 13**Plnomocenstvo pre FO konajúcu za záujemcu/lídra skupiny dodávateľov/ Power of attorney for the person acting on behalf of the candidate/leader of the group of suppliers**

<p style="text-align: center;">PLNOMOCENSTVO pre osobu konajúcu za záujemcu/lídra skupiny dodávateľov</p>	<p style="text-align: center;">POWER OF ATTORNEY for the person acting on behalf of the candidate/ leader of the group of suppliers</p>
<p>Splnomociteľ/Splnomocnitelia</p> <p>[1.Obchodné meno, sídlo, údaj o zápise, IČO lídra skupiny dodávateľov, zastúpený meno/mená a priezvisko/priezviská, trvalý pobyt štatutárneho orgánu/členov štatutárneho orgánu (ak ide o právnickú osobu), meno, priezvisko, miesto podnikania, údaj o zápise, IČO lídra skupiny dodávateľov (ak ide o fyzickú osobu - podnikateľa)]</p>	<p>Principal/Principals</p> <p>[1.Business name, seat, information regarding registration, ID no. of the leader of the group of suppliers, represented by: name (s) and surname (s), permanent residence of the statutory body/members of the statutory body (in the case of a legal person), name, surname, place of business, information regarding registration, ID no. of the leader of the group of suppliers (in the case of a natural person - entrepreneur)]</p>
<p>(DOPLNIŤ PODĽA POTREBY)</p>	<p>(SUPPLEMENTED AS APPROPRIATE)</p>
<p style="text-align: center;">udeľuje/ú plnomocenstvo</p>	<p style="text-align: center;">grant/s this power of attorney to</p>
<p>Splnomocencovi</p> <p>[Meno, priezvisko a trvalý pobyt osoby konajúcej za záujemcu/ lídra skupiny dodávateľov]</p> <p>na prijímanie pokynov a konanie v mene záujemcu/lídra skupiny dodávateľov vrátane vykonávania akýchkoľvek právnych úkonov vo verejnom obstarávaní na predmet zákazky „Koncesia na projektovanie, výstavbu, financovanie, prevádzku a údržbu úsekov diaľnice D4 Jarovce – Rača a rýchlostnej cesty R7 Bratislava Prievoz – Holice, projekt PPP“ podľa oznámenia zverejneného v Dodatku k Úradnému vestníku Európskej únie [●] zo dňa [●] a vo Vestníku verejného obstarávania č. [●] zo dňa [●].</p> <p>Slovenská jazyková verzia tejto plnej moci má prednosť.</p> <p>V [●] dňa [●]</p>	<p>Representative</p> <p>[Name, surname and permanent residence of the person acting on behalf of the candidate/leader of the group of suppliers]</p> <p>for receiving instructions and acting on behalf of the candidate/leader of the group of suppliers including the implementation of any legal acts in the process for a tender for the subject of the contract „The concession for the design, construction, financing, operation and maintenance of the Jarovce – Rača sections of the D4 motorway and the Bratislava Prievoz – Holice sections of the R7 expressway , a PPP Project“ published in the Supplement to the Official Journal of the European Union no. [●] on [●] and in the Public Procurement Journal no. [●] on [●].</p> <p>The Slovak version of this power of attorney shall prevail.</p> <p>In [●] on [●]</p>

Plnomocenstvo pre FO konajúcu za záujemcu/lidra skupiny dodávateľov/ Power of attorney for the person acting on behalf of the candidate/leader of the group of suppliers

<p>..... Meno, priezvisko/ Name, Surname podpis splnomocniteľa/signature of the principal</p>	
<p>(DOPLNIŤ PODĽA POTREBY/ SUPPLEMENTED AS APPROPRIATE)</p>	
<p>Plnomocenstvo prijímam: V [●] dňa [●]</p>	<p>I hereby accept the above power of attorney: In [●] on [●]</p>
<p>..... Meno, priezvisko/ Name, Surname podpis splnomocnenca/signature of the representative</p>	