# CHAPTER III – ANNEXES, SAMPLE DECLARATIONS, STANDARD FORMS

*List of certificates, declarations; recommended sample certificates and declarations.*

1. ***List of declarations / certifications to be attached to the offer pursuant to subsection (1) of Article 67 of the PPA***

Annex No. 1

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**“Purchase of 2K x 2K monitors”**

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| Declaration under paragraph a) – b) of subsection (6) of section 66 of the PPA, signed by a person with appropriate representation powers. (Annex No. 5) |  |
| Optional – Cooperation Agreement, signed by a person with appropriate representation powers. (Annex 6) |  |
| The declaration of Tenderer – incorporated into the European Single Procurement Document – (**ESPD Document – separate annex**) and also as part of Annex No. 7 whether it qualifies as a micro, small or medium-sized enterprise according to the Act on Small and Medium-sized Enterprises. |  |
| **Declarations, certificates related to the grounds for exclusion** |
| Single European Document completed by the Tenderer(s) and – if applicable – economic operators participating in the attestation of competence, signed by a person with appropriate representation powers (**ESPD Document – separate annex**) |  |
| Declaration of Tenderer(s) with regard to subsection (4) of section 67 of the PPA, signed by a person with appropriate representation powers. (Annex No. 8) |  |
| Optional: The application submitted to the Court of Registration regarding the amendment of the company register and the receipt of the Court of Registration confirming the submission thereof – in event the certificate of incorporation shows that the company has pending application to amend its registered data |  |
| **Declarations, certificates prescribed with regard to the technical and professional eligibility** |
| Single European Document completed by the Tenderer(s) and – if applicable – economic operators participating in the attestation of competence, signed by a person with appropriate representation powers (**ESPD Document – separate annex**) |  |
| **Further certificates of Tenderer(s) and subcontractor(s) as well as other organization(s) participating in the attestation of competence** |
| With regard to the economic operators signed (any part of) the application, shall attach the specimen of signature or sample of signature according to Section 9 of Act V of 2006 of the persons entitled to sign on behalf of the economic operator. In case of non-Hungarian economic operators, if the law or the country of the economic operator does not recognize the specimen, or it is an economic operator who operates in a non-company form, the original or simple copy of the specimen of signature certified by public notary shall be attached to the tender document. |  |
| Optional: With proxy incorporated at least into a fully conclusive private deed signed by the representative of the economic operator with authority to sign on behalf of the economic operator and also by the proxy if the tender document or the necessary declarations are signed by other person than the one entitled to sign on behalf of the economic operator upon the proxy given by the representative of the economic operator with authority to sign on behalf of the economic operator. |  |
| Optional: In event in verifying their compliance with requirements Tenderer or the organization participating in the attestation of competence wish to rely on data that the economic operator would be entitled to use in consequence of succession, within the predecessor’s involvement, then the tender document shall be completed with the company documents attesting the legal succession in simple copy, such as demerger, separation agreements, other documents on the transformation |  |
| **In event the Tenderer complies with the prescribed eligibility criteria only by relying on the capacities of other organizations (entities):** |
| Tenderer’s declaration on relying on the capacities of other entities, signed by a person with appropriate representation powers. (Annex No. 9) |  |
| Optional – Declaration of the organization providing its capacities signed by a person with appropriate representation powers.[[2]](#footnote-3) |  |
| **Other declarations, certificates prescribed in the Contract Notice** |  |
| Registration form signed by a person with appropriate representation powers. (Annex No. 10) |  |
| **Attached separately next to the request to the tender document:** |
| 1 copy of digital data carrier (CD/DVD) containing:copy of the tender document in readable without a password but non-amendable pdf format |
| **List of documents to be submitted in case of a notification pursuant to subsection (4) of Article 69 of the PPA**(to be submitted only upon separate notification) |
|  |
| **Detailed declarations and certificates prescribed related to the grounds for exclusion**  |
| **Certification with respect to the grounds for exclusion of Tenderer(s) established in Hungary**  |
| Tenderer(s)’ declaration on the absence of grounds for exclusion (certified by public notary or chamber of commerce, trade association.) (Annex No. 11) |  |
| Optional: Certification of subsection (b) of Article 62 of the PPA, if the economic operator is not listed in the register of taxpayers free of tax debt obligations under Act XCII of 2003 on the Rules of Taxation (hereinafter referred to as "RTA")The certification of the competent tax- and customs authority (simple copy) or the combined tax certificate (simple copy) under the RTA shall be attached.  |  |
| **Certification with respect to the grounds for exclusion of Tenderer(s) not established in Hungary** |
| Certification with respect to the grounds for exclusion of Tenderer(s) not established in Hungary (Annex No. 12) |  |
| **Other certifications with respect to the grounds for exclusion of Tenderer(s) either established or not in Hungary**  |
| Declaration of Tenderer(s) with regard to subparagraph kb) of paragraph k) of subsection (1) of Article 62 of the PPA / I., signed by the person with appropriate representation authority to sign on behalf of the Tenderer(s). (Annex No. 13) |  |
| Declaration of Tenderer(s) with regard to subparagraph kb) of paragraph k) of subsection (1) of Article 62 of the PPA / II., signed by the person with appropriate representation authority to sign on behalf of the Tenderer(s). (Annex No. 14) |  |
| Declaration of Tenderer(s) with regard to subparagraph kc) of paragraph k) of subsection (1) of Article 62 of the PPA / I., signed by the person with appropriate representation authority to sign on behalf of the Tenderer(s). (Annex No. 15) |  |
| Declaration of Tenderer(s) with regard to subparagraph kc) of paragraph k) of subsection (1) of Article 62 of the PPA / II., signed by the person with appropriate representation authority to sign on behalf of the Tenderer(s). (Annex No. 16) |  |
| **Sample certifications / declarations for the detailed verification of the eligibility criteria** |
| Declaration on net turnover (Annex No. 17) |  |
| Sample attestation of reference (Annex No. 18) |  |

The offer has …… continuously numbered pages.

Annex No. 2

**TENDER FORM**

**(fiche)**

**“Purchase of 2K x 2K monitors”**

In case of individual tender[[3]](#footnote-4):

|  |  |
| --- | --- |
| Name of Tenderer: |  |
| Registered seat of Tenderer: |  |
| Name of contact person: |  |
| Mailing address of contact person: |  |
| Telephone number of contact person: |  |
| Telefax number of contact person: |  |
| E-mail address of contact person: |  |

In case of grouping of Tenderers[[4]](#footnote-5):

|  |  |
| --- | --- |
| Name of the grouping of Tenderers: |  |
| Name of the 1st member of the grouping of Tenderers |  |
| Registered seat of the 1st member of the grouping of Tenderers: |  |
| Name of the 2nd member of the grouping of Tenderers: |  |
| Registered seat of the 2nd member of the grouping of e Tenderers: |  |
| …[[5]](#footnote-6) |  |
| name of company acting on behalf of the grouping of Tenderers (according to subsection 2 of Article 35 of the PPA): |  |
| Authorized contact person of the Grouping of Tenderers: |  |
| Mailing address of the authorized contact person of the Grouping of Tenderers: |  |
| Telephone number of the authorized contact person of the Grouping of Tenderers: |  |
| Fax number of the authorized contact person of the Grouping of Tenderers: |  |
| E-mail address of the authorized contact person of the Grouping of Tenderers: |  |

**Quantified data of the offer:[[6]](#footnote-7)**

|  |  |
| --- | --- |
| Criteria | Data |
| **Price** |
| 1. Offer price (net EUR)
 | (net)EUR ……………… |
| **Quality criteria** |
| 1. Does the device have LED or ordinary backlight (the correct statement about the device shall be underlined)
 | b.1) has LED backlightb.2) has ordinary backlight |
| 1. Does the device have cooling fan (the correct statement about the device shall be underlined)
 | c.1) yesc.2) no |
| 1. Warranty period (the additional offer provided in months beyond the mandatory 24 months warranty)
 | 24 months + ……….. month |
| 1. Maximum power consumption (W)
 | ………… W |
| 1. Power consumption in stand-by mode (W)
 | ………… W |

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

|  |
| --- |
| Annex No. 3 |
|  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
| **Technical description** | **Compliance (yes/no)** | **Real value** | **Description of the offer (…page)** |  |
|  |
| **1. General** | Color TFT LCD monitor |   |   |   |  |
|  |   |   |   |   |  |
| **1.1 Bezel (cabinet) color** | Dark gray or black (RAL 7021) |   |   |   |  |
|  |   |   |   |   |  |
| **1.2 Front glass**  |   |   |   |   |  |
| protective glass, no fully flat clear glass, flicker-free anti-reflective anti glare treatment with high-quality anti-reflective treatment-specular reflection less | + + + +  |   |   |   |  |
|   |   |   |   |   |  |
| **2. Panel** |   |   |   |   |  |
|  |   |   |   |   |  |
| **2.1 Active screen area** | 503,808(H)x 503,808(V) mm 19,83x19,83 inch  |   |   |   |  |
|   |   |   |   |   |  |
| **2.2 Active screen diagonal** | 712,4mm 28,05" |   |   |   |  |
|   |   |   |   |   |  |
| **2.3 Resolution** | 2048 x 2048 pixels |   |   |   |  |
|   |   |   |   |   |  |
| **2.4 Viewable image Size** | 503,808(H)x 503,808(V) mm 19,83(H) x 19,83(V) inch |   |   |   |  |
|   |   |   |   |   |  |
| **2.5 Pixel size /Pitch** | </=0,246 x 0,246mm |   |   |   |  |
|   |   |   |   |   |  |
| **2.6 Dot defect** | white: 0, black: 0 |   | - |   |  |
|   |   |   |   |   |  |
| **2.7 Display color** | 16,7 Mio (24bit) |   |   |   |  |
|   |   |   |   |   |  |
| **2.5 Color temperature** | adjustable between native, D65 and custom |   | - |   |  |
|   |   |   |   |   |  |
| **2.6 Viewing angle (H/V)** | >/= 1700 (H,V) |   |   |   |  |
|   |   |   |   |   |  |
| **2.7 Contrast ratio** | typically 1000:1 - 2000:1  |   |   |   |  |
|   |   |   |   |   |  |
| **2.8 Brightness** | >/=150cd/m2 calibrated and stabilized 500cd/m2 max.  |   |   |   |  |
|   |   |   |   |   |  |
| **2.9 Response time** | </= 25ms Tr (black to whitetransition) ms Tf (white to black transition) ms  |   |   |   |  |
|   |   |   |   |   |  |
| **2.10 Backlight system** | LED | The commitment is included in the reading sheet (tender form) |  |
|  Lifetime  | >/= 100 000 hours |   |   |   |  |
|   |   |   |   |   |  |
| **3.Interfacing** |   |   |   |   |  |
| Video signals  | 2 x DVI-D Dual link 2 x DisplayPort |   |   |   |  |
| Cable length 5m | + |   |   |   |  |
|   |   |   |   |   |  |
| **4. Controls** |  |   |   |   |  |
|  | OSD |   |   |   |  |
| 4.1 Front control  | + |   |   |   |  |
| 4.2 Maintenance keypad  | + |   |   |   |  |
| 4.3 Remote control távvez.  | + |   |   |   |  |
| etc. | … |   |   |   |  |
|   |   |   |   |   |  |
| **5. Automatic function** |  |   |   |   |  |
| Automatic Phase Adjust | + |   |   |   |  |
| backlight aging compensation | + |   |   |   |  |
| backlight optical stabilization | + |   |   |   |  |
| Auto mains voltage adapt | + |   |   |   |  |
| Auto stand by | + |   |   |   |  |
| etc. | … |   |   |   |  |
|   |   |   |   |   |  |
| **5.1 Remote control function** |   |   |   |   |  |
| display adjustment, | + |   |   |   |  |
| settings, | + |   |   |   |  |
| control, | + |   |   |   |  |
| firmware updates | + |   |   |   |  |
| etc. | … |   |   |   |  |
|   |   |   |   |   |  |
| **5.2 Features and functions** |   |   |   |   |  |
| OSD languages | English |   |   |   |  |
| Communication Protocol | RS232, RS422,USB, TCP/IP (SNMP) |   |   |   |  |
| Others | interface: RS232, RS422, TCP/IP, … |   |   |   |  |
|   |   |   |   |   |  |
| **6. Electrical** |  |   |   |   |  |
|   | 110Vac-230Vac 50-60Hz |   |   |   |  |
| 6.1 IEC type connector (length 5m) | + |   |   |   |  |
| built-in power supply | yes |   |   |   |  |
| **6.2 Power consumption** |  |   |   |   |  |
|   | Pacc < 35W 70cd/m2  |   |   |   |  |
|   | Pnom < 45W stabilized 150cd/m2  |   |   |   |  |
|   | Pmax < 70W  | The commitment is included in the reading sheet (tender form) |  |
|   | Psoftoff < 1W | The commitment is included in the reading sheet (tender form) |  |
| Dual power supply | yes |   |   |   |  |
|   |   |   |   |   |  |
| **7. Environmental** |  |   |   |   |  |
| 7.1 Operating temperature | 100C - 400C |   |   |   |  |
|   |   |   |   |   |  |
| 7.2 Operating humidity | 30%-80% |   |   |   |  |
|   |   |   |   |   |  |
| **8. EMI/EMC** |  |   |   |   |  |
|   | EU/IEC/Canada/FCC: limit B, FCC15b classA |   |   |   |  |
|   |   |   |   |   |  |
| **9.Safety** |   |   |   |   |  |
|   | IEC60950-1, EN60950-1, UL 60950-1cUL60950-1, cUL, CE, IEC320  |   |   |   |  |
|   |   |   |   |   |  |
| **10. Physical specification** |   |   |   |   |  |
| Outer dimension | < 630mm H < 670mm W |   |   |   |  |
| Bezel (frame) | <80mm |   |   |   |  |
|   |   |   |   |   |  |
| **9. Mechanical** |  |   |   |   |  |
| desktop without leg | + |   |   |   |  |
|   |   |   |   |   |  |
| **10. Warranty** |   |   |   |   |  |
| Full warranty | >2 year | The commitment is included in the reading sheet (tender form) |  |
|   |   |   |   |   |  |
| **11. Other products supported** |  |   |   |   |  |
| Materials and tools for installation and maintenance | + |   |   |   |  |
| Power cord: length 5 m 1 pc / monitor | + |   |   |   |  |
| DVI cable: length 5 m (total wired connection) 2 pieces / monitor | + |   |   |   |  |
| DisplayPort cable: length 5 m 2 pieces / monitor | + |   |   |   |  |
| Functional description, Operating instructions: 1 piece / monitor | + |   |   |   |  |
|   |   |   |   |   |  |
| **12. Mounting** |   |   |   |   |  |
| current design | VESA 100 x 100  |   |   |   |  |
| Possible design with converter (Manufactured by the manufacturer) | VESA 200 x 100 to VESA 100 x 100  |   |   |   |  |
|   |   |   |   |   |  |
| **13. FAN** | without | The commitment is included in the reading sheet (tender form) |  |
|  |  |  |  |  |  |

Annex No. 4

Declaration on the acceptance the conditions of the Contract Notice and documents[[7]](#footnote-8)

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers,

**h e r e b y r e p r e s e n t**

that we have learnt, understood, and by signing the present declaration, accepted every condition of the Contract Notice and the Procurement Document,

We also represent that in the above mentioned public procurement procedure the request for participation document submitted in an electronic format (readable without password but non-amendable pdf file) is fully identical with the original hard copy the request for participation document.

We furthermore represent that I have taken all additional information issued in the course of the procedure into consideration when drafting the present tender document.[[8]](#footnote-9)

We also represent that the contents of the translation(s) submitted in our tender document and later in the remedy for deficiencies are fully identical with the original text, for the contents thereof I bear responsibility.[[9]](#footnote-10)

We represent that there **is[[10]](#footnote-11)**  / **is no[[11]](#footnote-12)** pending application for the amendment of the company register.

We hereby represent that the contents of all documents forming part of the present tender are true and accurate, the contents thereof I bear responsibility.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

Annex No. 5

**Declaration with respect to paragraphs a) – b) of subsection (6) of section 66 of the PPA[[12]](#footnote-13)**

*(Every detail to be filled out on the basis of the information provided in the European Single Procurement Document,)*

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers, pursuant to subsection (6) of section 66 of the PPA hereby represent**:**

1. We hereby declare that according to subsection (6) of section 66 of the PPA, in relation to the subject of the public procurement, for parts specified below **we will employ / not employ** subcontractor for the purpose of delivery of the contract**[[13]](#footnote-14):**

| **The part(s) of the public procurement for the performance of which Applicant to participate will employ subcontractor [[14]](#footnote-15)** |
| --- |
|  |
|  |
|  |

1. We hereby declare that according to paragraph b) of subsection (6) of section 66 of the PPA, in relation to the parts specified above, the known subcontractor at the time of the submission of the tender document are the following[[15]](#footnote-16)[[16]](#footnote-17):

| **Names of subcontractors known at the time of the submission of the tender document wished to be employed by the Tenderer with respect to the part(s) above**  | **Mailing address of subcontractors known at the time of the submission of the tender document wished to be employed by the Tenderer with respect to the part(s) above** | **The part(s) of the public procurement with respect to which the Tenderer wishes to employ the already identified subcontractor as per this paragraph** |
| --- | --- | --- |
| name: | postal address: | … |
| name:  | postal address: | … |

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

Annex No. 6

**Cooperation Agreement[[17]](#footnote-18)
(sample)**

*/ According to the information provided in section “A” of Part II of the Single European Procurement Document /*

**“Purchase of 2K x 2K monitors”**

concluded between

……………………………………………………………….… (name, registered seat) Tenderer and

…………………………………………………………….…… (name, registered seat) Tenderer

(hereinafter: Parties) t,

In event we will be selected as winners by the Contracting Authority in the subject public procurement procedure, we hereby conclude the present agreement in the subject matter of the material provisions of the cooperation agreement to be concluded later, with regard to the awarded contract to be fulfilled later:

**1. Representation:**

The fully authorized representation of the grouping of Tenderers in the subject public procurement procedure – according to subsection (2) of section 35 of the PPA hereby represent that …………………. (name) (postal address: …, telephone: ..., fax: ..., e-mail address: … on behalf of ……………… (company name) is entitled to make all representations related to the tender document and the bidding, to represent the grouping of Tenderers with full force and power, to act as contact person, to sign the Tender.

**2. Management of the fulfilment of the contract:**

The following persons are appointed to manage the fulfilment of the contract:

on behalf of …………………………………………...…. (company name): ………………………………

on behalf of …………………………………………...…. (company name): ………………………………

**3. Responsibility**

Parties declare that they have learnt, understood all conditions incorporated into the Procurement Document and accept them.

Parties declare that they undertake joint and several liability *vis-á-vis* the Contracting Authority to be able to comply with their contractual obligations in event they become successful tenderers.

Parties acknowledge that no changes may occur in the person of the economic operators submitting a joint tender after the expiry of the deadline to participate.

**4. Sharing responsibilities**

The split of responsibilities among the Parties in the course of the fulfilment of the contract is the following:

| **Responsibility** | **Company** |
| --- | --- |
|  |  |
|  |  |
|  |  |

Parties conciliate their standpoints through the designated representatives.

Parties accept and duly sign through their authorized representatives the present cooperation agreement as one that complies with their contracting will, without any disagreement.

Done at:

|  |
| --- |
| ……………………………… |
| Authorized signature / signature of proxy |

|  |
| --- |
| ……………………………… |
| Authorized signature / signature of proxy |

Annex No. 7

Declaration on the classification of the Tenderer according to “Small and Medium-sized enterprises and the Support provided to such Enterprises” (Kkvt)

 *(Every detail to be filled out on the basis of the information provided in the European Single Procurement Document,*

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers, pursuant to subsection (6) of Article 66 of the PPA hereby representthat according to Article 3 of Act XXXIV of 2004 on small and medium-sized enterprises (Kkvt)[[18]](#footnote-19) the classification of our enterprise is the following:

*(mark with X)*

medium-sized enterprise [ ]

small enterprise [ ]

micro enterprise [ ]

we do not fall under Kkvt [ ]

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

 Annex No. 8

#

# Declaration of Tenderer with respect to subsection (4) of Article 67 of the PPA

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderer

**h e r e b y r e p r e s e n t t h a t**

we shall not employ subcontractor(s) falling under the grounds for exclusion pursuant to subsections (1) – (2) of Article (1) of the PPA for the fulfilment of the contract.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

Annex No. 9

**Declaration of Tenderer regarding the necessity to rely on other organization(s) or entity/entities capacities**

*/Every detail to be filled out on the basis of the information provided in section “C” of Part II of the European Single Procurement Document /*

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderer– pursuant to subsection (7) of section 65 of the PPA – represent that we **rely / do not rely** on the capacities of other organization(s) or entity/entities to meet the prescribed eligibility criteria**[[19]](#footnote-20).**

| **Relevant paragraph of the Contract Notice, the indication of those eligibility criteria for the compliance of which the Tenderer relies on the resources of this organization (partly)** | **Name and registered seat of the organization providing its capacities[[20]](#footnote-21)** |
| --- | --- |
| **p1) Eligibility criteria****reference** |  |
| **M1) Eligibility criteria****reference** |  |

*\* The document evidencing the contractual commitment of the entity making available its capacities, or agreed upon by way of a preliminary contract, as shown in the offer, verifying that it will have at its disposal the resources necessary for the execution of the contract, throughout the entire life of the contract shall be attached to the tender document.*

*\** With regard to criteria prescribed under specific other legislation relating to the educational and professional qualifications of experts, or to verifying compliance with the requirement relating to references in proof of the relevant professional experience, economic operators may only rely on the capacities of other entities where the latter will perform the works or services, or the supplies for which these capacities are required. *The commitment to be attached shall confirm this.*

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

Annex No. 10

# Registration form[[21]](#footnote-22)

**“Purchase of 2K x 2K monitors”**

By sending the present confirmation, I, the undersigned ………………………………………, represent that I have downloaded the Procurement Document in the public procurement procedure initiated in the **above** subject matter, from the homepage of the Contracting Authority on ………………. 2017.

I hereby acknowledge that the downloaded documentation shall be treated as business secret, and shall be used only for the preparation of the tender document of the announced procedure, any other use is considered as unauthorized use and it is expressly forbidden by the Contracting Authority.

Data of the economic operator:

|  |  |
| --- | --- |
| Company name: |  |
| Registered seat: |  |
| name of the competent person in the procedure: |  |
| His/her postal address: |  |
| Telephone number: |  |
| Telefax Number: |  |
| E-mail Address: |  |

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

#

# Annex No. 11

# Declaration of Tenderer established in Hungary regarding the absence of the grounds for exclusion[[22]](#footnote-23)

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers

**h e r e b y r e p r e s e n t**

that the following grounds for exclusion **do not apply** to our company, according to which, the entity, who falls under the following paragraphs cannot be Tenderer / Grouping of Tenderers[[23]](#footnote-24):

**Subsection (1) of Article 62 of the PPA:**

a) who or which committed any of the following crimes and this fact has been established by final court ruling over the last five years, as long as he is not relieved from the detrimental consequences attached to prior conviction:

1. participation in a criminal organisation, including crimes committed by participating in a criminal organisation, under the Act IV of 1978 on the Criminal Code (hereinafter referred to as the ‘Act IV of 1978’) and the Act C of 2012 on the Criminal Code (hereinafter referred to as the ‘Criminal Code’);
2. active corruption, abuse of a function, indirect bribery, bribery in international relations, indirect bribery in international relations, misappropriation, defalcation and the crimes of corruption specified in Chapter XXII of the Criminal Code, as well as the misappropriation and defalcation under the Criminal Code;
3. budget fraud under the Act IV of 1978, infringement of the financial interests of the European Communities, budget fraud under the Criminal Code;
4. terrorist offences under the Act IV of 1978 and the Criminal Code, and the incitement, aiding and abetting or attempt connected thereto;
5. money laundering under the Act IV of 1978 and the Criminal Code, as well as terrorist financing under the Criminal Code;
6. trafficking in human beings under the Act IV of 1978 and the Criminal Code, as well as forced labour under the Criminal Code;
7. agreement in restraint of competition in public procurement and concession procedures under the Act IV of 1978 and the Criminal Code;
8. (ah) a crime which is similar to those listed in points (a)-(g), according to personal law of the economic operator[[24]](#footnote-25)
9. who or which is subject of winding-up proceedings, who were subject to the publication of a decree in bankruptcy, the liquidation proceedings launched against whom were legally imposed, or against whom a similar process is in progress according to personal law, or who are in any analogous situation according to personal law;
10. who or which have suspended business activities or whose business activities have been suspended;[[25]](#footnote-26);
11. who or which have been convicted by final court ruling of an offence related to their business activities or professional conduct, over the past three years; [[26]](#footnote-27)
12. whose activity was restricted by final court ruling under Article 5(2)(b) - or (c) or (g) as appropriate in the given procurement procedure - of the Act CIV of 2001 on Measures Applicable to Legal Entities in Criminal Law, during the period of prohibition; or the tenderer’s activities have been restricted by final court ruling for a similar reason and in a similar manner by another court;[[27]](#footnote-28)

**Subsection (2) of Article 62 of the PPA:**

1. its executive officer or a member of its supervisory board, its manager or, in the case of a business organization its sole member or a member, according to personal law, of its similar management or supervisory body or a person vested according to personal law with the same powers of decision as the ones mentioned above is a person who was convicted by a final court judgement of a crime specified in paragraph 1 (a) of Article 62 of the PPA over the last five years, and he has not been relieved from the detrimental consequences attached to such prior conviction or
2. a person who was convicted by a final court judgement of a crime specified in paragraph 1 (a) of Article 62 of the PPA over the last five years - or, where such a period is shorter, within the period needed for the person convicted to be relieved from the detrimental consequences attached to the conviction for the given crime - was, in the economic operator concerned, the executive officer or a member of the supervisory board, the manager or, in the case of a business organization, the sole member or a member, according to personal law, of the similar management or supervisory body or a person vested according to personal law with the same powers of decision as the ones mentioned above, when committing the crime in question.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy[[28]](#footnote-29) |

(Annex No. 12)

## **Declaration of Tenderer established outside of Hungary regarding the absence of the grounds for exclusion pursuant to Subsections (1)-(2) of Article 62 of the PPA**[[29]](#footnote-30)

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers [[30]](#footnote-31) hereby represent that I shall verify the absence of the grounds for exclusion pursuant to Subsections (1)-(2) of Article 62 of the PPA with the following declarations attached hereto[[31]](#footnote-32):

| **Grounds for exclusion as specified in subsections (1) – (2) of Article 62 of the PPA**  | **Name of registrar organization or authority** (\*denomination of the issuing organization, authority that issues the certification regarding the absence of the concerned ground for exclusion; in the absence of such, own sworn declaration made in front of and certified by a public notary regarding the compliance with the grounds for exclusion)  |
| --- | --- |
| Paragraph a) of subsection (1) of Article 62 |  |
| Paragraph b) of subsection (1) of Article 62who or which is in breach of its obligations relating to the payment of their tax, customs duty or social security contribution for more than a year, unless they have paid the debt, including, where applicable, any interest accrued or fines by the time of the submission of the tender or the request to participate, or they were granted a permission for deferred payment of the debt; |  |
| Paragraph c) of subsection (1) of Article 62who or which is subject of winding-up proceedings, who were subject to the publication of a decree in bankruptcy, the liquidation proceedings launched against whom were legally imposed, or against whom a similar process is in progress according to personal law, or who are in any analogous situation according to personal law; |  |
| Paragraph d) of subsection (1) of Article 62who or which have suspended business activities or whose business activities have been suspended; |  |
| Paragraph e) of subsection (1) of Article 62who or which have been convicted by final court ruling of an offence related to their business activities or professional conduct, over the past three years; |  |
| Paragraph f) of subsection (1) of Article 62whose activity was restricted by final court ruling under Article 5(2)(b) - or (c) or (g) as appropriate in the given procurement procedure - of the Act CIV of 2001 on Measures Applicable to Legal Entities in Criminal Law, during the period of prohibition; or the tenderer’s activities have been restricted by final court ruling for a similar reason and in a similar manner by another court; |  |
| Paragraph g) of subsection (1) of Article 62who or which have been prohibited from participating in procurement procedures by final decision based on Article 165(2)(f), until the end of the period established by the final decision of the Public Procurement Arbitration Board or, in case of review of the decision of the Public Procurement Arbitration Board, by final court ruling; |  |
| Paragraph h) of subsection (1) of Article 62who or which supplied false data or made false declarations in an earlier procurement procedure or concession award procedure and was therefore excluded from that procedure and, in a period of three years after the completion of the procurement procedure in question, no judicial remedy was provided for the prohibition or a judicial remedy has been provided for the prohibition and the decision of the Public Procurement Arbitration Board or, in case of a judicial review thereof, the court’s final and binding ruling - issued within the previous three years - stated that the contracting authority’s decision on the prohibition was lawful and confirmed that false data had been supplied; | *The Contracting Authority shall examine it based on the European Single Procurement Document*  |
| Paragraph i) of subsection (1) of Article 62who or which, in the course of the fulfilment of the obligation concerning data provision stipulated in the given procedure, provides incorrect data (hereinafter referred to as ‘false data’) or makes a declaration which contains false data or is unable to supply the information required for the fulfilment of the selection criteria, the verification of the absence of the grounds for exclusion or the criteria specified in Article 82(5), despite the declaration he submitted as a preliminary certification in the procurement procedure, if **(ia)** the false data or declaration substantially influences the decision taken by the contracting authority on the exclusion, the eligibility, compliance of the tender with the technical specifications or the evaluation of tenders and **(ib)** the economic operator has intentionally supplied false data, made false declaration or acting with due care could have clearly recognised that the data supplied by him are incorrect and the declaration made by him does not comply with the contents of the certifications;  | *The Contracting Authority shall examine it* |
| Paragraph j) of subsection (1) of Article 62in his case, the contracting authority can prove that he has undertaken to unduly influence the decision making process of the contracting authority in the given procedure or attempted to obtain any confidential information that may confer upon it undue advantages in the procurement procedure or was excluded from an earlier procurement procedure or concession award procedure for the same reason and no judicial remedy was provided for the exclusion, for a period of three years after completion of the procurement procedure in question; | *The Contracting Authority shall examine it* |
| Paragraph k) of subsection (1) of Article 62 |  |
| Paragraph ka) of subsection (1) of Article 62(ka) which have their fiscal domicile in a country outside the European Union, the European Economic Area or the Organisation for Economic Cooperation and Development or in a non WTO/GPA country or outside the overseas countries and territories specified in Article 198 of the TFEU or in a country which has not signed any agreement with Hungary on avoiding double taxation or which has not signed a bilateral agreement with the European Union concerning public procurement,  |  |
| Paragraph kb) of subsection (1) of Article 62companies which are not listed on any official stock exchange, which cannot identify their actual owner pursuant to Article 3(ra)-(rb) or (rc)-(rd) of the Act CXXXVI of 2007 on the Prevention and Combating of Money Laundering and Terrorist Financing; | *Tenderer’s declaration according to Annexes No. 13-14*  |
| Paragraph kc) of subsection (1) of Article 62economic operators in which any legal person or any entity - having legal capacity according to personal law - who is subject to the conditions set out in point (kb) owns directly or indirectly a share exceeding 25% or has the right to vote; | *Tenderer’s declaration according to Annexes No. 15-16* |
| Paragraph l) of subsection (1) of Article 62if a third-country national, whose employment is subject to an authorisation in Hungary, committed an infringement of the law established by the employment authority, on the basis of Article 7/A of the Act LXXV of 1996 on Labour Inspection, and was ordered to pay a given amount into the central budget or was ordered by the immigration authority to pay a fine for the protection of public policy pursuant to the Act on the Entry and Stay of Third-Country Nationals; | *The Contracting Authority shall examine it* |
| Paragraph m) of subsection (1) of Article 62in his case, the only way to remedy the distortion of competition arising from any conflict of interest under Article 25 or his prior involvement in the preparation of the procurement procedure is to exclude that economic operator from the given procedure; | *The Contracting Authority shall examine it* |
| Paragraph n) of subsection (1) of Article 62who or which have committed an infringement of law established in a final and enforceable decision of the Hungarian Competition Authority, delivered within the previous three years or, in the event of a review of the decision of the Hungarian Competition Authority, by final court ruling according to Article 11 of the CA or Article 101 of the TFEU, and was ordered to pay a fine; or if such infringement of law committed by the tenderer was established by another competition authority or court within the previous three years and at the same time the tenderer was ordered to pay a fine;  | *European Single Procurement Document* |
| Paragraph o) of subsection (1) of Article 62in his case, the contracting authority can prove that the tenderer has committed an infringement of law under Article 11 of the CA or Article 101 of the TFEU in the given procurement procedure, except where the economic operator exposes the conduct which is liable to infringe Article 11 of the CA or Article 101 of the TFEU to the Hungarian Competition Authority before submitting the tender, in the case of a negotiated procedure or a competitive dialogue the final tender, and the Hungarian Competition Authority establishes in its decision under Article 78/C(2) of the CA that the conditions for non-imposition of the fine, specified in Article 78/A(2) of the CA, are satisfied.  | *European Single Procurement Document* |
| Paragraph p) of subsection (1) of Article 62who failed to use the advance granted him in the contract concluded as a result of the procurement procedure or concession award procedure in compliance with the contract and such failure was established by a final and binding judicial decision, administrative decision or, in case of a review of the latter, a final and binding judicial decision issued within the previous three years; | *European Single Procurement Document* |
| Paragraph q) of subsection (1) of Article 62who seriously infringed the provisions of this Act concerning the fulfilment of the contract concluded as a result of the procurement procedure or concession award procedure and such infringement was established by the final and binding decision of the Public Procurement Arbitration Board or, in case of a review thereof, by the final and binding court decision issued not earlier than 90 days; |  |
| Paragraph a) of subsection (2) of Article 62whose executive officer or a member of its supervisory board, its manager or, in the case of a business organization its sole member or a member, according to personal law, of its similar management or supervisory body or a person vested according to personal law with the same powers of decision as the ones mentioned above is a person who was convicted by a final court judgement of a crime specified in paragraph 1 (a) over the last five years, and he has not been relieved from the detrimental consequences attached to such prior conviction |  |
| Paragraph b) of subsection (2) of Article 62a person who was convicted by a final court judgement of a crime specified in paragraph 1 (a) over the last five years - or, where such a period is shorter, within the period needed for the person convicted to be relieved from the detrimental consequences attached to the conviction for the given crime - was, in the economic operator concerned, the executive officer or a member of the supervisory board, the manager or, in the case of a business organization, the sole member or a member, according to personal law, of the similar management or supervisory body or a person vested according to personal law with the same powers of decision as the ones mentioned above, when committing the crime in question. |  |

*\* If the competent court or authority does not issue an excerpt or certification specified in paragraphs a) – c) and subparagraph ga) of paragraph g of Article 10 of the Government Decree No. 321/2015. (X.30.) or they do not cover all of the cases referred to in these subparagraphs, the Contracting Authority accepts the Tenderer’s sworn declaration, or if such declaration is unknown in the country concerned, a declaration on oath made by the Tenderer in front of the competent court, authority, chamber or trade association or a declaration certified by a public notary in true Hungarian translation.*

Annex No. 13

**Declaration of Tenderer with respect to subparagraph kb) of paragraph k of subsection (1) of Article 62 / I. [[32]](#footnote-33)**

**“Purchase of 2K x 2K monitors”**

1. With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... (name) as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers represent that our company is classified as a company that is not listed in regulated stock exchange.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

2. With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... (name) as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers represent that our company is classified as a company that is being listed in regulated stock exchange.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

*Tenderer (Grouping of Tenderers) shall make the representation based on the actual data of the company* ***either*** *according to paragraph 1* ***or*** *2!*

*In event Tenderer (the Grouping of Tenderers) make the representation according to paragraph 1, then it* ***shall also make the representation*** *according to Annex No. 5 as well.*

*In event Tenderer (the Grouping of Tenderers) make the representation according to paragraph 2, then it* ***shall not make the representation*** *according to Annex No. 5.*

Annex No. 14

**Declaration of Tenderer**

**with respect to subparagraph kb) of paragraph k of subsection (1) of Article 62 / II. [[33]](#footnote-34) [[34]](#footnote-35)**

**“Purchase of 2K x 2K monitors”**

1. With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... (name) as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers represent that, our company is a company that is not being listed in regulated stock exchange, whose every beneficial owner provided for in Subparagraphs *ra)-rb)* or *rc)-rd)* of Paragraph *r)* of Article 3[[35]](#footnote-36) of Act CXXXVI of 2007 on the Prevention and Combating of Money Laundering and Terrorist Financing can be identified and presented together with their names and addresses of their permanent residences according to the following[[36]](#footnote-37):

| **Name of every beneficial owner** | **Addresses of the permanent residences of every beneficial owner** |
| --- | --- |
|  |  |

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |
|  |
|  |

\*\*\*

1. With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... (name) as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers represent that, our company is a company that is not being listed in regulated stock exchange, and does not have beneficial owner provided for in Subparagraphs *ra)-rb)* or *rc)-rd)* of Paragraph *r)* of Article 3[[37]](#footnote-38) of Act CXXXVI of 2007 on the Prevention and Combating of Money Laundering and Terrorist Financing.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

Tenderer (Grouping of Tenderers) shall make the representation based on the actual data of the company either according to paragraph 1 or 2!

Annex No. 15

**Declaration of Tenderer**

# with respect to subparagraph kc) of paragraph k of subsection (1) of Article 62 / I.[[38]](#footnote-39)

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... (name) as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers

**r e p r e s e n t that**[[39]](#footnote-40)[[40]](#footnote-41)

1. There is such legal person or any entity - having legal capacity according to personal law - that owns directly or indirectly a share or voting right exceeding 25% in our company.
2. There is no such legal person or any entity - having legal capacity according to personal law - that owns directly or indirectly a share or voting right exceeding 25% in our company.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

Annex No. 16

**Declaration of Tenderer**

# with respect to subparagraph kc) of paragraph k of subsection (1) of Article 62 / II.[[41]](#footnote-42)

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... (name) as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers (registered seat of Tenderer/ grouping of Tenderers make the following

**r e p r e s e n t a t i o n :**

I shall name below those legal persons or any entity - having legal capacity according to personal law - that owns directly or indirectly a share or voting right exceeding 25% in our company:

|  |
| --- |
| **Denomination of legal persons or any entity having legal capacity according to personal law**  |
|  |
|  |
|  |
|  |

I furthermore represent that the grounds for exclusion referred to in subparagraph kc) of paragraph k) of subsection (1) of Article 62 of the PPA do not apply to the legal entity(ies) or any entity - having legal capacity according to personal law - indicated above.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

Annex No. 17

Declaration on net turnover

**“Purchase of 2K x 2K monitors”**

With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... (name) as the representative entitled to make representations on behalf of ……………………………….… Tenderer/ grouping of Tenderers, organization providing its capacities[[42]](#footnote-43) hereby represent that our turnover originating from the subject of the present public procurement procedure (Purchase of 2K x 2K LCD monitors) in the three business years preceding the date of the submission of the call for tender initiating the present procedure excl. VAT is as follows

:

|  |  |  |  |
| --- | --- | --- | --- |
| **P1) Eligibility criteria**  | **…. year** | **…. year** | **…. year** |
| Our net turnover excl. VAT originating from the subject of the present public procurement procedure (Purchase of 2K x 2K LCD monitors) (in EUR) |  |  |  |

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature  |

Annex No. 18

**Tenderer(s), or the organization(s) (or person(s)) contributing to certify the technical and professional eligibility criteria**

**Certificate of Reference
(sample)**

I the undersigned ................................................ as the authorized representative of ……………[[43]](#footnote-44) entitled to sign on behalf of the company hereby represent that our company and ……………[[44]](#footnote-45) have entered into an agreement according to the following:

* Introduction of the earlier delivery in such detailed manner that enables the assessment of the compliance with the eligibility criteria:
* performed volume (containing the number of items)
* date of performance (starting, ending, and the date of the successful technical handover/takeover, detailed in at least year/month):
* Place of performance:
* the denomination of the other contracting party, and the name and telephone number of the person providing information on its behalf:

I hereby certify that ……………………………………………………..[[45]](#footnote-46) was performed in compliance with the applicable regulations and with the contractual terms.

I issue the present certification in order to make an offer in a public procurement procedure.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature[[46]](#footnote-47) |
|  |
|  |

CHAPTER IV – CONTRACTUAL TERMS

*The Contracting Authority draws the attention of the Tenderers to that the contractual terms are attached to the procurement document as separate annex.*

1. The Table of Contents shall be updated appropriately according to the contents of the offer to be submitted! [↑](#footnote-ref-2)
2. With regard to criteria prescribed under specific other legislation relating to the educational and professional qualifications of experts, or to verifying compliance with the requirement relating to references in proof of the relevant professional experience, economic operators may only rely on the capacities of other entities where the latter will perform the works or services, or the supplies for which these capacities are required. An economic operator may rely on the capacities of other entities for verifying compliance with the requirement set out in Paragraph *c)* of Subsection (1) of Article 65 of the PPA, if the entity in question will perform the function for which enrolment in the register, membership or authorization is required. The commitment to be attached shall offer proof thereof. [↑](#footnote-ref-3)
3. Can be deleted in case of grouping of Tenderers. [↑](#footnote-ref-4)
4. Can be deleted in case of in case of individual request for participation. [↑](#footnote-ref-5)
5. Additional line can be inserted here [↑](#footnote-ref-6)
6. The Contracting Authority will establish the „Reflection level” criteria during the inspection of the sample item on the basis of the scores given by the expert committee. [↑](#footnote-ref-7)
7. In case of grouping of tenderers every member of the grouping of tenderer have to sign this declaration with identical contents. [↑](#footnote-ref-8)
8. Optional – if additional information was provided [↑](#footnote-ref-9)
9. Optional – if the request for application document contains responsible translation. [↑](#footnote-ref-10)
10. If there is an ongoing procedure to amend a registration related to the certificate of incorporation, a copy of the application to amend the registration and of the confirmation of the submission thereof issued by the court of registration shall be enclosed to the tender document [↑](#footnote-ref-11)
11. Please underline the appropriate. [↑](#footnote-ref-12)
12. The Contracting Authority draws the attention that the total performance of all subcontractors may not exceed the share performed by the successful tenderer (tenderers) of the contract. Furthermore, the subcontractor involved in the execution of the contract may not involve additional contributors in excess of 50 per cent of its own performance.

The successful tenderer shall notify the contracting authority at the latest by the time of conclusion of the contract concerning all subcontractors proposed to be involved in the performance of the contract, and - if a particular subcontractor had not been included in any previous procurement procedure - shall provide a declaration at the time of notification declaring that the subcontractor in question is not subject to any grounds for exclusion. [↑](#footnote-ref-13)
13. Delete as appropriate! [↑](#footnote-ref-14)
14. The chart is needed to be completed only if the Tenderer wishes to employ subcontractor to the fulfilment of the contract. [↑](#footnote-ref-15)
15. It is needed to be completed only if the Tenderer declared in paragraph 1 that it wishes to employ subcontractor. [↑](#footnote-ref-16)
16. The Contracting Authority prescribes that it has to be specified even in the request for participation document

*a)* the part(s) of the public procurement with respect to which the Tenderer wishes to employ subcontractor, and furthermore

*b)* with regard to such part(s) the known subcontractors at the time of the submission of the tender document. [↑](#footnote-ref-17)
17. Optional – to be completed only in case of grouping of Tenderers! [↑](#footnote-ref-18)
18. #  Article 3

# Small and medium-sized enterprise (KKV) is an enterprise where the total number of staff is less than 250, and its yearly net turnover is not more than an amount in forints equalling 50 million Euros or the balance sheet total is an amount in forints equalling 43 million Euros at best. Within the category of KKV we consider an enterprise a small enterprise that the total number of staff is less than 50, and its yearly net turnover or balance sheet total is not more than an amount in forints equalling 10 million Euros. Within the category of KKV we consider an enterprise a micro enterprise that the total number of staff is less than 10, and its yearly net turnover or balance sheet total is not more than an amount in forints equalling 2 million Euros. An enterprise is not classified KKV where the direct or indirect owner’s share of the state or the local government – based on capital or voting right – exceeds 25% separately or jointly.

 [↑](#footnote-ref-19)
19. The appropriate shall be underlined. [↑](#footnote-ref-20)
20. The chart is only needed to be completed if the Tenderer meets the eligibility criteria only or partly using the resources of any other organization (entity). [↑](#footnote-ref-21)
21. In case you downloaded the present public procurement document by way of electronic means we kindly ask you to send the present completed and duly signed registration form without delay to the person acting on behalf of the contracting authority to the following e-mail address: hc@szilioffice.hu, or to the fax number: +36 17938121 addressed to dr. Dániel Koppándi.

***The conditions for participating in the procedure is that at least one Tenderer or the subcontractor indicated in the participation has access to and downloads the public procurement document by way of electronic means from the designated homepage (through the path specified in the notice); and proves the download by returning the comprehensively completed registration form duly signed by the person having adequate representation rights within the prescribed deadline.*** [↑](#footnote-ref-22)
22. Tenderers, Grouping of Tenderers shall fill it out separately! [↑](#footnote-ref-23)
23. Delete where not applicable. [↑](#footnote-ref-24)
24. Only natural person economic operator shall declare paragraph a) of subsection (1) of Article 62, otherwise this paragraph can be deleted. [↑](#footnote-ref-25)
25. If- pursuant to Act V of 2006 on public company information company registration and winding-up proceedings – the economic operator is not classified as company, or if the suspension of the activities of the organization in question can be lawfully ordered by other authorities as well in addition to the Court of Registration. [↑](#footnote-ref-26)
26. Only natural person economic operator shall declare paragraph e) of subsection (1) of Article 62, otherwise this paragraph can be deleted. [↑](#footnote-ref-27)
27. If the non-natural person economic operator is not classified as a company. [↑](#footnote-ref-28)
28. **Certified by Public Notary or economic, professional chamber!** [↑](#footnote-ref-29)
29. Optional, only the foreign established (official seat) Tenderer – if any - shall complete and submit this declaration. [↑](#footnote-ref-30)
30. Delete where not applicable. [↑](#footnote-ref-31)
31. Please kindly attach the referred certifications in true Hungarian translation to the declaration. [↑](#footnote-ref-32)
32. Tenderers, Grouping of Tenderers shall complete it separately. [↑](#footnote-ref-33)
33. Optional – To be applied only if the Tenderer made representation according to paragraph (1) of Annex No. 4 (Tenderer is not listed in regulated stock exchange). [↑](#footnote-ref-34)
34. Tenderers, Grouping of Tenderers shall complete it separately. [↑](#footnote-ref-35)
35. Paragraph r) of Article 3 of Act CXXXVI of 2007:

*r) ‘beneficial owner’ shall mean:*

*ra) the natural person, who directly or – in a manner specified in Subsection (3) of Section 685/B of Act IV of 1959 on the Civil Code (hereinafter referred to as „Civil Code‟) – indirectly owns or controls at least twenty-five per cent of the shares or voting rights in a legal person or in an organisation not having a legal personality, if that legal person or organisation not having a legal personality is not a registered company on the regulated market to which publication requirements consistent with Community legislation or equivalent international requirements apply;*

*rb) the natural person, who has a dominant influence in a legal person or an organisation not having a legal personality as determined in Subsection (2) of Section 685/B of the Civil Code;*

*rc) the natural person, on whose behalf a transaction order is executed;*

*rd) in the case of foundations, the natural person:*

*1. who is the beneficiary of at least twenty-five per cent of the property of the foundation, if the future beneficiaries have already been determined;*

*2. in whose main interest the foundation is established or operates, if the beneficiaries have yet to be determined; or*

*3. who is a member of the managing organisation of the foundation, or who has a dominant influence over at least twenty-five per cent of the property of the foundation, or who acts on behalf of the foundation;*

*re) in the absence of a natural person specified in Subparagraphs ra)–rb), the executive officer of the legal entity or the organisation not having a legal personality;* [↑](#footnote-ref-36)
36. **If the economic operator does not have beneficial owner as specified in Subparagraphs *ra)-rb)* or *rc)-rd)* of Paragraph *r)* of Article 3 of Act CXXXVI of 2007 on the Prevention and Combating of Money Laundering and Terrorist Financing** **then the corresponding declaration shall be attached.** [↑](#footnote-ref-37)
37. Paragraph r) of Article 3 of Act CXXXVI of 2007:

*r) ‘beneficial owner’ shall mean:*

*ra) the natural person, who directly or – in a manner specified in Subsection (3) of Section 685/B of Act IV of 1959 on the Civil Code (hereinafter referred to as „Civil Code‟) – indirectly owns or controls at least twenty-five per cent of the shares or voting rights in a legal person or in an organisation not having a legal personality, if that legal person or organisation not having a legal personality is not a registered company on the regulated market to which publication requirements consistent with Community legislation or equivalent international requirements apply;*

*rb) the natural person, who has a dominant influence in a legal person or an organisation not having a legal personality as determined in Subsection (2) of Section 685/B of the Civil Code;*

*rc) the natural person, on whose behalf a transaction order is executed;*

*rd) in the case of foundations, the natural person:*

*1. who is the beneficiary of at least twenty-five per cent of the property of the foundation, if the future beneficiaries have already been determined;*

*2. in whose main interest the foundation is established or operates, if the beneficiaries have yet to be determined; or*

*3. who is a member of the managing organisation of the foundation, or who has a dominant influence over at least twenty-five per cent of the property of the foundation, or who acts on behalf of the foundation;*

*re) in the absence of a natural person specified in Subparagraphs ra)–rb), the executive officer of the legal entity or the organisation not having a legal personality;* [↑](#footnote-ref-38)
38. Tenderers, Grouping of Tenderers shall complete it separately. [↑](#footnote-ref-39)
39. Tenderer (Grouping of Tenderers) shall make the representation based on the actual data of the company either according to paragraph a) or b)! [↑](#footnote-ref-40)
40. In event Tenderer **makes the representation according to paragraph “a)”, then it** **shall also make the representation** **according to Annex No. 7** as well. In event Tenderer **makes the representation according to paragraph “b)”, it** **shall not make the representation** **according to Annex No. 7.** [↑](#footnote-ref-41)
41. Tenderers, Grouping of Tenderers shall complete it separately. [↑](#footnote-ref-42)
42. Delete where not applicable. [↑](#footnote-ref-43)
43. Name and seat of company providing the reference [↑](#footnote-ref-44)
44. Name and official seat of Tenderer company [↑](#footnote-ref-45)
45. Name of Tenderer company [↑](#footnote-ref-46)
46. Optional certification. [↑](#footnote-ref-47)