**Annex 3 to the tender documentation**

**Draft of the Affidavits of the supplier (participant of the procurement procedure)**

**Affidavits of the supplier (participant of the procurement procedure)**

**Supplier:**

|  |  |
| --- | --- |
| **Company** | [TO BE COMPLETED BY THE SUPPLIER] |
| **Registered seat** | [TO BE COMPLETED BY THE SUPPLIER] |
| **ID No.** | [TO BE COMPLETED BY THE SUPPLIER] |
| **Authorized representative (signatory)** | [TO BE COMPLETED BY THE SUPPLIER  ...NAME AND SURNAME..., director / CEO / OTHER FUNCTION / POWER OF ATTORNEY / OTHER AUTHORISATION |

(hereinafter referred to as "supplier")

**Public contract:**

|  |  |
| --- | --- |
| **Name** | CESNET – Precision time distribution elements |
| **Address of the public contract on the contracting authority's profile** | https://zakazky.cesnet.cz/contract\_display\_377.html |

(hereinafter referred to as "public contract”)

1. **Affidavit on the fulfilment of the basic and professional eligibility in the public contract**

I, the undersigned authorized representative of the supplier hereby declare on oath, in accordance with the tender documentation and Act No. 134/2016 Coll., on Public Procurement, as amended (hereinafter referred to as the "Act"), that the supplier meets

1. all the conditions for basic eligibility in the public contract, i.e. that:
2. neither the supplier as a legal entity nor any member of its statutory body has been convicted in the country of its registered seat in the last 5 years prior to the commencement of the procurement procedure for a criminal offence listed in Annex 3 to the Act, or a similar criminal offence under the law of the country of the suppliers' registered seat; obliterated convictions shall not be taken into account
3. does not have any tax arrears due in the Czech Republic nor in the country of its registered seat, even in relation to excise duty;
4. has no arrears due of insurance premiums or penalties for public health insurance payable in the Czech Republic nor in the country of its registered seat;
5. has no arrears due of insurance premiums or penalties for social security and state employment policy contributions payable, in the Czech Republic nor in the country of its registered seat;
6. is not in liquidation, has not had a bankruptcy decision issued against it, has not had a compulsory administration / receivership ordered against it under another legal, nor is it in any similar situation under the law of the country of the suppliers´ registered seat.
7. the condition of professional eligibility, i.e. is registered in the Commercial Register (Register of Companies, other evidence etc.) as follows:

(PLEASE COMPLETE THE DETAILS OF REGISTRATION OR REFERENCE TO THE PUBLIC REGISTER)

1. **Affidavit of no conflict of interest**

**pursuant to § 4b of Act No. 159/2006 Coll., on Conflict of Interest, as amended**

I, the undersigned authorized representative of the supplier hereby declare on oath, that

* the supplier is not a company in which a public officer referred to in § 2 par. 1 letter c) of Act No. 159/2006 Coll., on Conflict of Interest, as amended (a member of the Government or the head of another central administrative authority not headed by a member of the Government) or a person controlled by him/her owns a share representing at least 25% of the shareholder's participation in the company;
* the subcontractor through which the supplier demonstrates qualification (if any) is not a company in which a public officer referred to in § 2 par. 1 letter c) of Act No. 159/2006 Coll., on Conflict of Interest, as amended (a member of the Government or head of another central administrative authority not headed by a member of the Government) or a person controlled by him/her owns a share representing at least 25% of the shareholder's participation in the company.

1. **Affidavit on international sanctions**

I, the undersigned authorized representative of the supplier hereby declare on oath, that

* neither the supplier nor his subcontractors are persons subject to international sanctions pursuant to Act No. 69/2006 Coll., on the implementation of international sanctions, as amended, on the basis of which the contracting authority may not award a public contract to a participant in the procurement procedure pursuant to § 48a of Act No. 134/2016 Coll., on public procurement, as amended;
* neither the supplier nor his subcontractors are persons subject to international sanctions pursuant to Act No. 69/2006 Coll., on the implementation of international sanctions, as amended, on the basis of which the contracting authority may not make funds available for the performance of the public contract;
* subcontractors or other persons pursuant to § 83 of Act No. 134/2016 Coll., on Public Procurement, as amended, who will participate in the performance of the public contract to the extent of more than 10% of the tender price, are the following persons[[1]](#footnote-1):

|  |  |  |
| --- | --- | --- |
| Business name / Name and surname | Registered seat | ID number |
|  |  |  |

On behalf of the supplier

Date:

Place:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

signature of the authorized person

1. The supplier shall complete the table according to the actual number of relevant subcontractors. The supplier shall submit a separate affidavit in relation to these subcontractors as required by the tender documentation (draft of the affidavit - see Annex 4 of the tender documentation). [↑](#footnote-ref-1)