**Public tender**

pursuant to Act No. 343/2015 Coll. on public procurement and on the amendment to certain acts, as amended (hereinafter referred to as the “Act”), with the application of Article 66(7)(b) of the Act

**TENDER DOCUMENTATION (TD)**

**Helicopter technology – heavy helicopters**

In Bratislava, January 2026

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**Part I**

**INFORMATION ON THE CONTRACTING AUTHORITY**

# Identification of the contracting authority

**Contracting authority:**

Name of the organisation: Ministry of Interior of the Slovak Republic

Public Procurement Department

Public Procurement Section

Address of the organisation: Pribinova 2, 812 72 Bratislava

Country: Slovak Republic

NUTS code: SK01

Comp. ID No.: 00151866

Contact person: Mgr. Matej Gál

Main address (URL): <http://www.minv.sk>

Address of the contracting authority profile page (URL): <https://www.uvo.gov.sk/vyhladavanie-profilov/zakazky/239>

**Part II**

**COMMUNICATION AND EXPLANATION**

# Communication between the contracting authority and candidates/tenderers

* 1. Delivery/notification of submissions, submission of documents and communication (hereinafter referred to as “communication”) between the contracting authority/candidates and tenderers will be carried out in the Slovak or Czech language and in a manner that ensures the completeness and content of this data specified in the tender, the conditions of participation and guarantees the protection of confidential and personal data specified in these documents.
  2. The contracting authority will, when communicating with tenderers or candidates, proceed in accordance with Article 20 of the Act via the communication interface of the electronic means JOSEPHINE. This method of communication applies to any communication and submissions between the contracting authority and candidates or tenderers.
  3. For the purposes of this public procurement, JOSEPHINE is software for the electronic award of public contracts. JOSEPHINE is a web application on the domain <https://josephine.proebiz.com>.
  4. To use the electronic means JOSEPHINE without any problems, it is necessary to use one of the supported internet browsers:

- Mozilla Firefox version 13.0 and higher or

- Google Chrome

- Microsoft Edge.

* 1. Delivery rules - a mail is considered delivered to the candidate/tenderer if the addressee has an objective opportunity to familiarise themselves with its content, i.e. as soon as the mail reaches the sphere of their disposal. The moment of delivery in the electronic means JOSEPHINE shall mean the moment of its sending in the electronic means JOSEPHINE, in accordance with the functionality of the electronic means, because at the moment of sending the mail reaches the sphere of the addressee’s disposal.
  2. If the sender of the mail is the contracting authority, then the candidate or tenderer will be immediately sent information to the contact e-mail(s) specified by them that there is a new mail/message for the contract in question. The candidate or tenderer will log in to the electronic means and the content of the communication - the mail, the message will be displayed in the communication interface of the contract. The candidate or tenderer can view the entire history of their communication with the contracting authority in the communication interface.
  3. If the sender of the mail is the candidate or tenderer, after logging in to the electronic means and for the procurement in question, they can send messages and necessary attachments to the contracting authority via the communication interface. Such a mail is considered delivered to the contracting authority at the moment of its sending in the electronic means JOSEPHINE in accordance with the functionality of the electronic means.
  4. The contracting authority allows unrestricted and direct access by electronic means to the tender documentation and to any additional documents. The contracting authority will publish all these documents as electronic documents in the electronic means JOSEPHINE in the part related to this contract.
  5. The candidate may ask the contracting authority for explanation. The question must be delivered to the contracting authority in sufficient time so that the contracting authority can provide explanation in accordance with Article 48 of the Act. **The contracting authority will provide explanation of the information within the meaning of Article 48 in the form of publication in the electronic means JOSEPHINE and requires that the candidates incorporate it into their tenders.**
  6. The contracting authority recommends that candidates who wish to be informed of any updates regarding the contract via notification e-mails click on the “I’M INTERESTED IN” button in the given contract (in the upper right part of the screen). Notification e-mails are also delivered to candidates who are registered on the electronic list of candidates for the given contract and have expressed their interest by communicating with the contracting authority in connection with this contract via the electronic means JOSEPHINE.
  7. In order to ensure smooth communication, it is appropriate for the candidate/tenderer to provide the following information in their submissions:
* business name
* registered office/place of business
* identification number
* correspondence address (if this differs from the registered office/place of business)
* name and surname of the contact person
  1. Objections are delivered to:

1. the inspected party:

* in electronic form via the functionality of the electronic means JOSEPHINE, through which the public procurement is carried out.

1. Public Procurement Office:

* in paper form
* in electronic form according to a special regulation (Act No. 305/2013 Coll. on the electronic form of governance conducted by public authorities and on the amendment to certain acts (Act on e-Government) as amended)
  1. Further information on the use of the electronic means JOSEPHINE is provided on the website of the electronic means <https://josephine.proebiz.com> in the item “Library of manuals and links”.

# Identification and authentication

* 1. Tenderers and candidates have the option of registering in the electronic means JOSEPHINE using a password or using an identity card with an electronic chip and a security personal code (eID).
  2. According to the provisions of Article 20(4) of the Act: “The electronic means ensures access control through identification and authentication of the accessing person,
  3. Submission of tenders is allowed only to authenticated tenderers.
  4. Authentication can be performed in the following ways:

a) in the electronic means JOSEPHINE by registering and logging in using an identity card with an electronic chip and a security personal code (eID). In the case of a legal entity, the legal entity is authenticated in the electronic means, which is registered by its statutory officer using eID. Authentication is performed by the provider of the electronic means JOSEPHINE on working days from 8:00 a.m. to 4:00 p.m. The tenderer is informed about the completion of the authentication by e-mail.

b) by uploading a qualified electronic signature (for example, an eID signature) of the statutory officer of the given company to the user card after registration and logging in to the electronic means JOSEPHINE. Authentication is performed by the provider of the electronic means JOSEPHINE on working days from 8:00 a.m. to 4:00 p.m. The tenderer is informed about the completion of the authentication by e-mail.

c) by inserting a document proving the identity of the statutory officer into the user card after registration, which is signed with the electronic signature of the statutory officer, or has undergone guaranteed conversion. Authentication is performed by the provider of the electronic means JOSEPHINE on working days from 8:00 a.m. to 4:00 p.m. The tenderer is informed about the completion of the authentication by e-mail.

d) by inserting a power of attorney into the user card after registration, which is signed with the electronic signature of the statutory officer and an authorised person, or has undergone guaranteed conversion. Authentication is performed by the provider of the electronic means JOSEPHINE on working days from 8:00 a.m. to 4:00 p.m. The tenderer is informed about the completion of the authentication by e-mail.

* 1. After logging in to the electronic means JOSEPHINE, the authenticated tenderer selects the procurement in question in the overview - list of procurements and can insert their tender into the designated form for receiving tenders, which can be found in the “Tenders and Applications” tab.
  2. Details on registration, identification and authentication of tenderers are provided in the manuals of the electronic means JOSEPHINE published in the Library of Manuals and Links at the website <https://josephine.proebiz.com/sk/>.

**Part III**

**INFORMATION ON THE SUBJECT-MATTER OF THE CONTRACT**

# Subject-matter of the contract

* 1. Name of the contract: “Helicopter technology – heavy helicopters”
  2. Detailed specification of the subject-matter of the contract, technical requirements:

The detailed specification of the subject-matter of the contract including technical requirements is/are provided in Annex No.1 to this TD.

# Division of the subject-matter of the contract

* 1. The subject-matter of the contract is not divided into parts. The candidate must submit a tender for the entire subject-matter of the contract.

# Place of delivery/provision of the subject-matter of the contract

* 1. Place of delivery of the subject-matter of the contract: Places of performance are specified in the document Annex 3.1.2 Places and Deadlines of Performance.

# Inspection of the place of delivery/provision of the subject-matter of the contract

* 1. Inspection of the place of delivery of the subject-matter of the contract will not take place.

# Deadline for the delivery of the subject-matter of the contract

* 1. The deadline for the delivery is specified in Annex 3.1.2 Places and Deadlines of Performance. The details of contractual terms and conditions are provided in Annex No. 3 to the TD.

# Source of funds

* 1. The subject-matter of the contract will be partly financed from the contracting authority’s funds, and partly from the European Commission’s RescEU grant.
  2. The estimated value of the contract is: EUR **133,007,960.80** exclusive of VAT.

The framework agreement foresees an increase in accordance with the provisions of point 7.5 of the draft framework agreement.

**Part IV**

**INSTRUCTIONS FOR PREPARING A TENDER**

# Execution of the tender

* 1. The tender shall be made in writing in electronic form and inserted into the electronic means JOSEPHINE located at the website address <https://josephine.proebiz.com/> in the contract in question, using the relevant functionality of the electronic means used for submitting tenders in order to ensure the possibility of making it available to the contracting authority only when opening tenders after the deadline for submitting tenders has expired.
  2. The **documents and papers** that make up the tender of the tenderer shall be **submitted in electronic form** or as electronic copies (scans) of paper documents (the .pdf format is recommended, unless a different format is explicitly required in the TD or other documents provided to the candidates before the deadline for submitting tenders).
  3. If the tenderer did not prepare the tender themselves, they shall indicate in the tender the person whose services or materials they used in preparing it. The tenderer shall provide the data according to the first sentence in the following scope: name and surname, business name or name, address of residence, registered office or place of business and identification number, if assigned.
  4. The tenderer is responsible for marking and securing the submitted documents/files in the tender in accordance with the applicable legal regulations of the Slovak Republic and the European Union.

# Language of the tender

* 1. The tender and other papers and documents in the public procurement shall be submitted in the Slovak language or English language.
  2. If a paper or document is drawn up in a foreign language, it shall be submitted together with its official translation into the Slovak language; this does not apply to tenders, papers and documents drawn up in the Czech language and English language. If a difference in their content is found, the official translation into the Slovak language shall be decisive.

# Variants

* 1. Tenderers are not allowed to submit variants of solution in relation to the required subject-matter of the contract.
  2. If the tender also includes a variant of solution, the variant shall not be included in the evaluation and shall be regarded as if it had not been submitted.

# Currency and prices stated in the tender, currency of financial performance

* 1. The proposed price for the subject-matter of the contract will be expressed in EUR, mathematically rounded to two decimal places.
  2. If the tenderer is a payer of value added tax (hereinafter referred to as “VAT”), the proposed price in Annex No. 2 Template of Structured Budget of the Price to this TD shall be stated in particular as follows:
* the proposed unit price stated in EUR exclusive of VAT,
* the percentage rate and amount of VAT,
* the total price stated in EUR exclusive of VAT and inclusive of VAT.
  1. If the tenderer is not a payer of VAT, they shall state VAT at a rate and amount of 0. They shall draw attention to the fact that they are not a payer of VAT in the tender.
  2. In the event that the tenderer in the position of a supplier, in accordance with law of the Slovak Republic, is not obliged to pay VAT upon delivery of the subject-matter of the contract, but the contracting authority in the position of the customer is obliged to pay it, the tenderer shall state in the tender the price inclusive of VAT, which the contracting authority will be obliged to pay.
  3. If a tenderer who is not a VAT payer becomes a successful tenderer and becomes a VAT payer before concluding a contract with the contracting authority, the total price stated by the tenderer in the tender shall become the price inclusive of VAT.

# Tender security

* 1. A tender security is required in the amount of **EUR 500,000.00.** The security secures the tenderer’s tender during the tender validity period.
  2. Methods of submitting a tender security:

1. by providing a bank guarantee for the tenderer
2. by depositing funds into the bank account of the contracting authority
3. by insuring the guarantee

**The tenderer shall choose the method of submitting the security.**

* 1. Procedure for individual methods of submitting the security:

1. **Providing a bank guarantee for the tenderer** - conditions:

Providing a bank guarantee must not be in conflict with the provisions of Article 313 to Article 322 of Act No. 513/1991 Coll., Commercial Code, as amended (hereinafter referred to as the “Commercial Code”) or other legal regulations of a Member State of the European Union.

A bank guarantee may be issued by a bank with its registered office in the Slovak Republic, a branch of a foreign bank in the Slovak Republic or a foreign bank with its registered office in a Member State of the European Union (hereinafter referred to as the “bank”).

The bank guarantee issued by the bank must state that:

The bank will satisfy the creditor (the contracting authority pursuant to point 1 of the tender documentation) for the debtor (tenderer) in the event of forfeiture of their tender security in favour of the contracting authority. The bank guarantee will be used to pay the tender security in the amount pursuant to point 14.1. of the tender documentation. The bank undertakes to pay the resulting claim no later than 30 days after delivery of the contracting authority’s call for payment, to the account of the contracting authority. The bank guarantee shall enter into force on the date of its issue by the bank and shall be established upon its delivery to the contracting authority. The validity of the bank guarantee shall expire upon the expiry of the tender validity period.

The bank guarantee shall expire:

* upon the bank’s performance to the extent that the bank provided performance for the benefit of the contracting authority on behalf of the tenderer,
* upon the expiry of the validity period, if the contracting authority has not asserted its claims against the bank arising from the issued bank guarantee by the expiry of the validity period.

The tenderer shall submit the “guarantee letter” in the tender as a document in electronic form if the bank or a branch of a foreign bank issued the “guarantee letter” as an electronic document, or may decide to submit the original of the “guarantee letter” in paper form to the address of the contracting authority specified in point 1 of the tender documentation by the deadline for submission of tenders; the envelope shall be marked with the word “VO” (“PP”) and the name of the subject-matter of the contract shall be indicated. The tenderer shall always submit a documentary copy of the original bank guarantee by the tender submission deadline, if necessary for the exercise of the contracting authority’s claims, the release of the bank guarantee or if the bank guarantee expires even at the moment of returning its original to the bank. If the bank guarantee is not part of the tenderer’s tender, or is not submitted in documentary form by the tender submission deadline, the tenderer’s tender will be excluded from the public procurement.

1. **Depositing funds into the bank account of the contracting authority**

The funds in the amount according to point 14.1 must be deposited into the account of the contracting authority kept at the State Treasury,

Account No.: 7000180074/8180

Constant symbol: 0558

Variable symbol: Comp. ID No. of the tenderer (in the case of a group of suppliers, the Comp. ID No. of one of the members

of the group of suppliers)

Specific symbol: 2019000551

Note: Tender security 67595

IBAN: SK5981800000007000180074

BIC/SWIFT Code: SPSRSKBA

Payee’s bank: State Treasury, Radlinského 32, 810 05 Bratislava, Slovak Republic

The account in the State Treasury is not interest-bearing.

The funds must be credited to the account of the contracting authority no later than the date of expiry of the deadline for submitting tenders; if the funds are not deposited in the account of the contracting authority, the tenderer’s tender will be excluded.

1. **Provision of guarantee insurance**

The provision of guarantee insurance must not be in conflict with Act No. 39/2015 Coll. on insurance

and on the amendment to certain acts, as amended, or other legal

regulations of a Member State of the European Union.

The tenderer shall conclude guarantee insurance with an insurance company with its registered office in the Slovak Republic, a branch of a foreign insurance company in the Slovak Republic, or a foreign insurance company with its registered office in a Member State of the European Union for the entire amount of the security for at least the tender validity period, in such a way that it includes the obligation of the insurance company to pay funds in the amount of the security to the beneficiary, which is the contracting authority, in the event that the tender security is forfeited in favour of the contracting authority in accordance with the Act. The insurance company undertakes to pay the resulting claim within 30 days after delivery of the contracting authority’s call for payment, to the account of the contracting authority. The tenderer shall submit the insurance policy in the tender as a document in electronic form if the insurance company or a branch of a foreign insurance company has issued the policy as an electronic document, or may decide to submit the original of the policy in paper form to the address of the contracting authority specified in point 1 of the tender documentation by the deadline for submission of tenders. If the insurance policy is not part of the tenderer’s tender, or is not submitted in documentary form by the tender submission deadline, the tenderer’s tender will be excluded from the public procurement.

* 1. The conditions for forfeiture of the security and the conditions for return or release of the security are set out in Article 46 of the Act.

# Tender content

* 1. The tenderer shall submit the tender in electronic form by the deadline for submission of tenders. The tender shall be made electronically pursuant to Article 49(1)(a) of the Act and inserted into the electronic means JOSEPHINE located at the website address <https://josephine.proebiz.com/>.
  2. The electronic tender shall be inserted by completing the tender form and inserting the required papers and documents in the electronic means JOSEPHINE located at the website address <https://josephine.proebiz.com/.>
  3. The tender submitted via the electronic means JOSEPHINE must include the required documents and papers (the recommended format is “PDF”) as specified in this tender documentation and the completion of the electronic form that corresponds to the proposal for fulfilling the criteria specified in the tender documentation.
  4. The tenderer's tender must contain:
     1. **Identification data/Declarations by the tenderer according to the template in ANNEX No. 6 to this TD,**
     2. **Proof of submission of the tender security** (if the security is submitted in the form of a bank guarantee/in the form of guarantee insurance and these documents are in electronic form).
     3. **The tenderer’s proposal for fulfilling the criteria** by completing the electronic form in the electronic means JOSEPHINE. **The tenderer shall also submit the valued Annex No. 2** Structured Budget of the Price of this TD.
     4. **Completed Annexes 1.1 Description of the Subject-Matter of the Contract, 1.3 Mission Analysis and 1.4 SPO IDE.**
     5. **Documents proving compliance with the requirements for the subject-matter of the contract according to Annex No. 1.1 Description of the Subject-Matter of the Contract.**
     6. **Papers proving compliance with the conditions for participation** according to the instructions in Annex No. 5 to this TD.
  5. If the tender contains confidential information, the tenderer shall visibly mark it in the tender.
  6. After successfully submitting the tender via the electronic means JOSEPHINE, a notification information e-mail is sent to the tenderer (to the e-mail address of the tenderer’s user who uploaded the tender).

# Tender costs

All costs and expenses associated with the preparation and submission of the tender shall be borne by the candidate without any financial claim against the contracting authority, regardless of the outcome of the public procurement. Tenders delivered in the prescribed manner pursuant to this TD, i.e. electronically, in the manner determined by the functionality of the electronic means JOSEPHINE, by the deadline for submitting tenders according to this TD shall not be returned to the tenderers. They shall remain as part of the documentation of the announced public procurement.

# Authorisation to submit a tender

A candidate/tenderer may be an economic operator - a natural person, a legal person, as well as a group of such persons supplying goods, performing construction work or providing a service on the market, and acting jointly towards the contracting authority. A group of suppliers does not have to create a legal form, but must determine a leader of the group of suppliers. All members of such a group of suppliers formed for the supply of the subject-matter of the contract are obliged to grant a power of attorney to one of the members of the group of suppliers to act on behalf of all members of the group of suppliers and to accept instructions in this public procurement as well as to act on behalf of the group in the event of acceptance of their tender, signing of the contract and communication/responsibility in the process of contract performance.

In the event of acceptance of the tender of a group of suppliers, the group of suppliers is required, before signing the contract, to conclude and submit to the contracting authority a contract which will clearly set out mutual rights and obligations, who will participate in the performance of the contract in what proportion, as well as the fact that all members of the group of suppliers are jointly and severally liable for the obligations towards the contracting authority.

# Tender submission and withdrawal

* 1. Each tenderer may submit only one tender in the public procurement procedure, exclusively in written form – electronically, in a manner determined by the functionality of the electronic means JOSEPHINE. If a tenderer submits more than one tender by the deadline for submission of tenders, the contracting authority or contracting entity shall take into account only the tender that was submitted last and shall treat the other tenders in the same way as tenders submitted after the deadline for submission of tenders.
  2. The tenderer shall submit a complete tender in the specified communication formats and in a specified manner so that it is secured against changes to its content exclusively electronically, in a manner determined by the functionality of the electronic means JOSEPHINE. The tender shall be made electronically pursuant to Article 49(1)(a) of the Act and inserted into the electronic means JOSEPHINE located at the website address <https://iosephine.proebiz.com/>.
  3. The contracting authority shall exclude a tenderer:

1. if they have not observed the specified method of communication,
2. if the content of their tender cannot be made available,
3. if they have not submitted the tender in the required coding format, if it is necessary for further processing when evaluating the tenders, or
   1. the tender submitted in electronic form after the expiry of the tender submission deadline is not made available to the contracting authority.
   2. The tenderer may withdraw the submitted tender until the expiry of the tender submission deadline. When withdrawing a tender, the tenderer shall proceed in the same way as when submitting the initial tender (by clicking on the “Withdraw tender” button)

# Place and deadline for submitting a tender

* 1. The contracting authority set the deadline for submitting tenders in the contract notice.
  2. Tenderers shall submit their tenders within the tender submission deadline exclusively electronically, in a manner determined by the functionality of the JOSEPHINE electronic means.

# Tender validity period

* 1. The tenderer shall be bound by their tender during the tender validity period. The tender validity period shall run from the expiry of the tender submission deadline until the expiry of the tender validity period specified by the contracting authority in the contract notice.

**Part V**

**OPENING AND EVALUATION OF TENDERS**

# Opening of tenders

* 1. The opening of tenders will be carried out electronically. Through the functionality of the electronic means JOSEPHINE, the tenders of all tenderers who submitted a tender within the deadline for submission of tenders and by the specified method of communication will be made available online, at the time specified in the contract notice.
  2. The place of “online” access to tenders is the web address <https://josephine.proebiz.com/> and the same bookmark as when submitting tenders
  3. The contracting authority, through the functionality of the electronic means JOSEPHINE designated for this purpose, will enable participation in the opening of tenders by making tenders available online to all tenderers who submitted a tender by the deadline for submission of tenders and by the specified method of communication.
  4. The course of opening tenders, the circle of authorised persons and the scope of information made available on the submitted tenders are governed by the Act.
  5. The contracting authority shall send the minutes of the opening of the tenders electronically, no later than five working days from the date of opening the tenders, to all tenderers who submitted tenders by the deadline for submission of tenders and by the specified method of communication. When using an electronic auction, the previous sentence shall not apply, because according to Article 54(3) of the Act, the opening of the tenders is not public, the committee shall not publish the data from the opening of the tenders and shall not send the minutes of the opening of the tenders to the tenderers.

# Electronic auction

Not applicable.

# Evaluation of tenders and fulfilment of participation conditions

* 1. The evaluation of tenders and fulfilment of participation conditions is carried out in accordance with the law and the TD.
  2. The contracting authority has decided, in accordance with the provisions of Article 66(7)(b) of the Act, that the evaluation of the fulfilment of the participation conditions and the evaluation of tenders in terms of meeting the requirements for the subject-matter of the contract will be carried out after the evaluation of tenders based on the tender evaluation criteria.

**Part VI**

**INFORMATION ON THE CONTRACT**

# Contract type

* 1. Contract type for the provision of the subject-matter of the contract: Framework agreement with one tenderer.
  2. A detailed specification of the contractual terms and conditions for the delivery of the requested subject-matter of the contract is contained in Annex No. 3 to this TD. The contracting authority will conclude a contract with the successful tenderer, the draft of which is contained in Annex No. 3 to this tender documentation.

# Contract conclusion

* 1. The process of concluding the contract is governed by Article 56 of the Act.
  2. The successful tenderer, before signing the contract that will be the result of this public procurement, within the framework of providing proper cooperation pursuant to Article 56(5) of the Act, shall be obliged in particular:

1. to provide the data necessary for the tenderer in the contract to be concluded and data on all known subsuppliers at least to the extent of Article 41(3) of the Act in the event that the successful tenderer/successful tenderers ensure the implementation of the subject-matter of the contract by subsuppliers,
2. in the case of a group of suppliers – to submit a contract that clearly sets out mutual rights and obligations, who will participate in the performance of the contract with what share, as well as the fact that all members of the group of suppliers are jointly and severally liable for obligations towards the contracting authority in accordance with point 17 of this TD.
   1. The contracting authority may not conclude a contract with
3. a tenderer who is obliged to register in the Register of Public Sector Partners pursuant to Act No. 315/2016 Coll. on the Register of Public Sector Partners and on the amendment to certain acts, and is not registered in the Register of Public Sector Partners,
4. a tenderer whose subsupplier or subsuppliers, pursuant to a special regulation, are obliged to register in the Register of Public Sector Partners and are not registered in the Register of Public Sector Partners
5. a tenderer referred to in Article 11(1)(c) of the Public Procurement Act
6. a tenderer whose subsupplier and subsupplier pursuant to a special regulation, who are obliged to register in the Register of Public Sector Partners, have a registered beneficial owner in the Register of Public Sector Partners that is a person pursuant to subparagraph (c).
   1. The procedure for this public procurement, which is not specifically regulated by this TD, shall be governed by the relevant provisions of the Act.

# Personal data protection

* 1. The contracting authority would like to point out that during the course of the public procurement in question, the personal data of the data subjects will be processed in accordance with the GDPR Regulation and selected provisions of the Personal Data Protection Act.
  2. The contracting authority would like to point out to the tenderers that when preparing their tenders and during the public procurement, they should pay attention to the obligations arising from the GDPR Regulation and the Personal Data Protection Act.