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To all candidates for participation in the  
Competition

Your ref./Dated  
o o o o o / o o o o o

Our ref.  
6026/2019

Contact  
Mikula/+421 (0)2 6250 7161

Date  
October 22, 2019

## **Negotiated Procedure with prior Publication no. 19-0149-RKSZ: “Replacement of Hydraulic Assemblies of Turbo-compressors ES CS01” – Explanation no. 1**

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*Note: This is a translation of the original document into the English language and it is just of informative purpose only. The original document, which is of binding wording, is issued in the Slovak language.*

Dear Applicant,

Within the negotiated procedure with prior publication no. 19-0149-RKSZ notified by publishing a notification in the Official Journal of the European Union no. S194 under the number 2019/S 194-472726 on October 08, 2019 and in the Journal of Public Procurement no. 204/2019 under the number 26052-MRT on October 09, 2019 (hereinafter referred to as the “Tender Procedure”), we provide you the following explanation:

### **Question 1:**

With regard to the requirements for the personnel status we would like to ensure that you require submitting only those documents (by the tenderer and its subcontractors by means of which the technical and professional competences as per section 1.1.2 a) of the Procurement Documents are demonstrated) that are specified in the Procurement Documents section 1.1.1, i.e.:

- presenting a certificate of a competent court not older than three months;
- by presenting a certificate of its authorisation to supply goods or perform construction works or provide services which correspond to the subject of the Contract;
- by presenting a Declaration of Honour; the specimen of this Declaration of Honour constitutes Annex 2 to these Procurement Documents.

### **Answer 1:**

Yes, for demonstrating the compliance with participation conditions regarded to the personnel status of candidates or tenderers, the Contracting Entity requires submission only of those documents that are specified in Article II, paragraph 1.1.1 of the Procurement Documents, i.e.:

- a certificate of a competent court not older than 3 months that the candidate or tenderer is not subject to any bankruptcy, restructuring or liquidation proceedings, or to the suspension or dismissal of bankruptcy proceeding on the grounds of insufficiency of assets;
- a certificate of candidate's or tenderer's authorisation to supply goods or perform construction works or provide services which correspond to the subject of the Contract (e.g. extract of the Commercial/Business register);
- a candidate's or tenderer's Declaration of Honour that it is not subject to a prohibition on participation in public procurement confirmed by a final order in the Slovak Republic or in the state of residence, place of business or habitual residence, whereas the specimen is set out in Annex 2 to the Procurement Documents.

Pursuant to Article 34, paragraph 3 of the act no. 343/2015 Coll. on public procurement in the wording of later regulations, also the persons, by means of whom a candidate or tenderer demonstrates its compliance with participation conditions regarded to technical and professional competences as per Article II paragraph 1.1.2 of the Procurement Documents in this Tender Procedure, are obliged to demonstrate their compliance with the participation conditions regarding the personnel status to the same extent as presented herein above.

Best regards,

**eustream, a.s.**

**Ing. Viliam Križan**

Head of Procurement and Logistics, Bratislava