**SLOVAKIA RING AGENCY, SRO**

statements

**CALL**

for the submission of proposals for the conclusion of a contract to a commercial public tender in accordance with Sections 281 to 288 of Act no. 513/1991 Coll. Commercial Code.

SUBJECT OF THE TENDER:

**Outdoor karts**

**CONDITIONS OF THE TENDER**

for the submission of proposals for the conclusion of a contract to a commercial public tender in accordance with Sections 281 to 288 of Act no. 513/1991 Coll. Commercial Code.

SUBJECT OF THE TENDER:

**Outdoor karts**

Prepared by:

**.................................................. .........**

**Tomáš Karasňanský**

SLOVAKIA RING AGENCY, s. r. o.

Approved by:

**.................................................. ........**

**Ing. Pavel Čulík**

executive manager

SLOVAKIA RING AGENCY, SRO

Name , surname , signature of the person

**.................................................. ........**

**Ladislav Csóka**

executive manager

SLOVAKIA RING AGENCY, SRO

Name , surname , signature of the person

1. GENERAL INFORMATION
   1. IDENTIFICATION OF HE CONTRACTING AUTHORITY

**SLOVAKIA RING AGENCY, sro**800, 930 02 Orechová Potôň

ID: 44 407 793

Registered in the Commercial Register of the District Court TrnavaI, section : Sro , file no. 50310/T (hereinafter referred to as the " **announcer"** )

**Contact person for the tender:**

Tomáš Krasňanský

**SLOVAKIA RING AGENCY, s. r. o.**

800, 930 02 Orechová Potôň

Telephone Nr.: 0918 502 116

Email: krasnansky@slovakiaring.sk

* 1. SUBJECT OF THE TENDER

##### Subject of the tender:

Outdoor karts .

##### Description of the subject of the tender :

* + 1. The subject of this commercial tender ( hereinafter referred to as the “tender”) is the selection of the most suitable company / proposal ( hereinafter also referred to as the “ offer ”), which will ensure the subject of the tender defined in point 2.1.
    2. A detailed definition of the subject of the tender and the scope of work is in Appendix no. 1 of these tender conditions .
  1. Business terms and conditions of performance
  2. The Purchase Agreement pursuant to § 409 et seq . Of the Commercial Code as amended ( hereinafter referred to as the "Commercial Code "), will be concluded for the subject of the tender specified in point 2.
  3. Place of delivery of the subject of the tender: **SLOVAKIA RING complex, 800, 930 02 Orechová Potôň.**
  4. Delivery date of the subject of the tender : **within 8 months from the entry into force of the contractual relationship .**
  5. The contract will be financed from the resources of the Fund for the Support of Sports (hereinafter referred to as "FNPŠ") and the announcer's own resources in the following breakdown ::
* Contribution from FNPŠ 45%
* Own funds 55%
  1. The announcer reserves the right to sign a purchase contract with the successful tenderer before the project is approved by FNPŠ, and the work contract will take effect at the earliest the day after the signing of the FNPŠ sports grant project contract, of which the successful tenderer will be informed in writing.
  2. Delivery of the subject of the tender is realized only after the total payment of the invoice by the announcer.
  3. CONDITIONS OF PARTICIPATION FOR tenderers
  4. The tenderer must meet all of the following conditions regarding personal status:
     1. the tenderer ( neither his statutory body nor a member of the statutory body, nor a member of the supervisory body nor the procurator ) has not been convicted of a corruption offense , an offense to harm the financial interests of the European Communities , an offense of money laundering , an offense of establishment , conspiracy and support for a criminal group , the crime of setting up , conspiring for or supporting a terrorist group , the crime of terrorism and certain forms of participation in terrorism , the crime of trafficking in human beings , the crime of a business- related nature or the crime of machinations ,
     2. the tenderer has no registered arrears on social insurance premiums and the health insurance company does not record overdue receivables from him according to special regulations in the Slovak Republic or in the state of residence , place of business or usual residence ,
     3. the tenderer does not have registered tax arrears against the tax office and the customs office according to special regulations in the Slovak Republic or in the state of the registered office , place of business or usual residence ,
     4. the tenderer has not been declared bankrupt for his property , is not in restructuring , is not in liquidation , nor has bankruptcy proceedings been stopped against him due to lack of assets or bankruptcy due to lack of assets has been canceled ,
     5. the tenderer is entitled to deliver the goods , carry out construction work or provide a service ,
     6. the tenderer has not committed a serious breach of environmental , social or labor law obligations under the specific regulations for which he or she has been legally sanctioned by the announcer in the previous three years since the announcement of this tender,
     7. the tenderer has not committed a serious breach of professional obligations in the three years since the announcement of this tender, which the announcer can prove

The condition of participation according to point 4.1.5 shall be verified by the announcer from publicly available registers ( commercial register, trade register, and other publicly available registers ).

The announcer requires the tenderers , **in the event of any changes made to the entry / register which have not yet been published and are therefore not publicly available** , to inform the announcer of this fact / change in their offer .

The tenderer shall prove the conditions specified in points 4.1.1 to 4.1.7 by submitting the **Affidavit on the fulfillment of the conditions of participation concerning the personal status** , which is specified in Annex no. 3. of these tender conditions . If the offer is submitted by a group of tenderers , the fulfillment of the conditions of personal status is perform by each member of the group separately .

The tenderer may prov all the conditions specified in points 4.1.1 to 4.1.7 by sending information on a valid entry in the list of economic operators maintained by the Public Procurement Office.

* 1. COMMUNICATION
  2. Communication between the Announcer and the tenderers takes place in the state (Slovak language ) or in Czech or English language electronically , in a manner and by means which ensure the completeness of the data stated in the offer and guarantee the protection of confidential and personal data stated in these documents .
  3. When delivering a document by e-mail, the document is considered delivered on the day of its sending .
  4. In case of differences in the content of the communication , the translation in the Slovak language is decisive .
  5. INSPECTION OF THE PLACE OF DELIVERY OF THE SUBJECT OF THE CONTRACT
  6. Not applicable
  7. CONTENT OF THE OFFER
  8. The offer must be prepared and submitted in electronic form in a format that guaranteed the permanent capture of the content of the information delivered . The tender documents must be scanned and signed by the person / persons authorized to act on behalf of the tenderer, or a person authorized to do so.
  9. The tender submitted by the tenderer will include:
  + **documents proving the fulfillment of the conditions for the participation of the tenderer according to Article 4 of the following conditions of the tender:**
    - **Affidavit on fulfillment of the conditions of participation, concerning the personal position of the petitioner,or submit information that it is entered in the list of economic operators,**
  + **completed and signed by the authorized person Form - Proposal for meeting the criteria according to Annex no. 4 of this call ,**
  + **consent to the processing of personal data according to the model set out in Annex no. 3 of these tender conditions,**
  + **affidavit of agreement with the conditions of the tender, the content of which the applicant declares that he agrees with all the conditions of the tender according to the model given in Annex no. 3 of these tender conditions,**
  1. If the tender is submitted by a group of tenderers, the tender will contain:
  + affidavit on the creation of a group of tenderers,
  + power of attorney in which the petitioner proves a power of attorney to act on behalf of the group of petitioners.
  1. In the case of signing the offer or documents by an authorized person of the tenderer, with the exception of the statutory body, the announcer requires a document (power of attorney) proving the authority of this person to act on behalf of the tenderer.
  2. The offer is submitted in Slovak resp. Czech or English language. In the case of documents submitted in a language other than Slovak resp. Czech or English, the tenderer shall also submit an officially certified translation into Slovak, resp. Czech or English language.
  3. If there are differences in the content of the documents, the translation into Slovak is decisive.
  4. Place, deadline and method of submitting the tender , deadline for binding
  5. The tenderer shall deliver the offer **electronically** to the following e-mail address: [krasnansky@slovakiaring.sk](mailto:krasnansky@slovakiaring.sk%20) . The subject of the report shall state: “ **Outdoor karts** '.
  6. The deadline for submission of offers is **28.01.2022 to 18:00.**
  7. The tenderer is bound by his offer until **30.08.2022.**
  8. Opening and reviewing offers
  9. All tenders submitted within the deadline for submission of tenders will be opened at once, after the deadline for submission of tenders. The opening of tenders will be private.
  10. The announcer will evaluate the offer, which will be placed first according to the offer evaluation criteria.
  11. A valid offer is an offer that does not contain any restrictions or reservations that are in conflict with the requirements and conditions stated in this call and does not contain such facts that are in conflict with generally binding legal regulations. Other offers of tenderers will be excluded from the tender.
  12. In case of ambiguities and the need to clarify the offers, or the need to supplement them by the announcer, the tenderer will be asked electronically for an explanation, resp. supplementing his tender within the time limit set by the announcer.
  13. If the tenderer does not submit an explanation of the offer, resp. if he does not complete it within the time limit set by the announcer, or if the explanation provided is not sufficient, his tender will be excluded from the tender. In this case, the announcer will evaluate the tender, which will be placed second according to the tender evaluation criteria.
  14. By submitting an offer, the tenderer unconditionally accepts all the conditions of the tender.
  15. The tenderer does not have the right to claim from the announcer any costs incurred in connection with the cancellation of the tender, change of the conditions of the tender or any decision of the announcer.
  16. Criteria for the evaluation of tenders
  17. The evaluation criterion is:

|  |  |
| --- | --- |
| **Criterion** | **Weight** |
| Total price for the subject of the contract in EUR without VAT | 100% |

* 1. The tenderer who submits the lowest price for the subject of the contract in EUR without VAT will be successful. The order of the other tenderers is compiled according to the amount of the offer price in ascending order from 2 to x, where x is the number of tenderers.
  2. The tenderer shall state the offered price in the Proposal for the Fulfillment of Criteria, which is a part of these conditions of the tender as Annex no. 4.
  3. **Pricing method:**
     + The proposed price must be broken down - total price excluding VAT, VAT in euros and price including VAT.
     + If the tenderer is not a VAT payer, he will draw attention to this fact and state the final total price.
     + The price must be set in EUR, rounded to 2 decimal places.
     + The price stated in the tenderer's offer will be the final price.
  4. Exclusive rights of the announcer
  5. The announcer reserves the right to reject all submitted offers.
  6. The announcer reserves the right to change the conditions of the tender, while the change of the conditions of the tender will be published in the same way as the conditions of the tender were announced.
  7. The announcer reserves the right to extend the deadline for submission of offers.
  8. The announcer reserves the right to negotiate with the successful tenderer on the specific provisions of the contract submitted by the tenderer in his proposal after the announcement of the acceptance of his offer.
  9. The announcer reserves the right, in the event of formal deficiencies that do not change the content of the offer, to invite the tenderer to supplement it in the period from the opening of the offer to the time of the evaluation of the offers.
  10. The announcer reserves the right to exclude from the commercial tender a offer that was submitted after the deadline specified in these conditions of the commercial tender.
  11. After the opening and evaluation of the offers, the announcer reserves the right to negotiate with the tenderers whose offers were placed in the 1st, 2nd and 3rd place.
  12. The announcer reserves the right to cancel the tender, even without giving a reason.
  13. The announcer reserves the right not to enter into a contract with any of the tenderers.
  14. Conclusion of the contract
  15. The tenderer will be informed of the procedure for concluding the contractual relationship by the announcer within the period of binding of tenders.
  16. Announcement of the result of the tender / Cancellation of the tender
  17. The announcer will send a notice of the result of the tender to the tenderers who have submitted tenders within the deadline for submission of tenders within the deadline for submission of tenders.
  18. In case of cancellation of the tender, the Cancellation Information will be provided / published in the same way as the tender was announced. In accordance with point 11.8, the announcer may cancel the tender without giving a reason.
  19. Confidentiality and personal data protection
  20. During the course of this tender, the Advertiser will not provide or publish information on the content of the tenders to either the tenderers or any other third parties until the tenders have been evaluated.
  21. Information which the tenderer indicates in the tender as confidential will not be disclosed or otherwise used without the prior consent of the tenderer.
  22. The declarant undertakes that the personal data provided by the claimant will be processed and protected under Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95 / 46 / EC (General Data Protection Regulation) and pursuant to Act no. 18/2018 Coll. on Personal Data Protection and on Amendments to Certain Acts, as amended.

1. Annexes

Annex 1 Description of the subject of the tender

1. **The name of the subject of the tender**

Outdoor karts

1. **Basic data description of the subject**

**Type** : outdoor kart to max power 15 PS

**Engine** : 4stroke, max 400 ccm with dry clutch

**Other plus Specification :**

Anti gas -break system

Stickers kit

Hour meter

Electric starter

Weight box

**Quantity** : 20pcs.

Annex 2 essential elements of the contract

Below are the essentials of the contract on which the announcer insists and will be part of the Purchase Contract concluded with the successful tenderer.

**Subject of the contract**

* The subject of the contract must be defined in the contract in accordance with Annex no. 1 of these conditions of the commercial public tender. The tenderer expressly undertakes to supply and put into operation new unused and non-refurbished equipment within the scope of the subject of the contract.

**Warranty period**

* The warranty period of the device, which is the subject of the contract, as well as its parts, begins to run from the date of signing the acceptance protocol, which will be issued after testing and commissioning of the device in question.

**Rights and obligations of the contracting parties**

* The due date of the invoice is 60 days from the date of delivery of the invoice to the announcer's registered office, unless otherwise stated in the payment terms.
* Sanctions and contractual penalties must be set in the same way for both parties so that there is no obvious disadvantage for either party.

**Annexes to the contract**

* Detailed description of the subject of the commercial public tender signed by the manager.

Annex 3 Affidavits

*Trade name of the tenderer: To be filled in by the tenderer*

*seat / place of business: To be filled in by the tenderer*

*ID: To be filled in by the tenderer*

**Affidavit**

**to the conditions of the tender**

1. We declare that **we agree** with the conditions of the tender for the subject of the tender **" Outdoor karts” determined by** the announcer in the terms of the tender.
2. We declare that all submitted documents and data stated in the offer are true and complete.
3. We declare that we are submitting only one offer and at the same time we are not a member of the group of tenderers submitting the offer, nor will we act as a subcontractor of another tenderer submitting the offer.

Place ......................... date ...............

................................................

name and surname, position

signature 1

[[1]](#footnote-1)

*Trade name of the tenderer: To be filled in by the tenderer*

*seat / place of business: To be filled in by the tenderer*

*ID: To be filled in by the tenderer*

**Affidavit of compliance with the conditions of participation, relating to the personal status of the candidate**

The tenderer declares that:

* (neither its statutory body, nor a member of the statutory body, nor a member of the supervisory body, nor the procurator) has been convicted of a criminal offense of corruption, the offense of harming the financial interests of the European Communities, the offense of money laundering, the offense of a criminal group, the offense of establishing, conceiving or supporting a terrorist group, the crime of terrorism and certain forms of participation in terrorism, the crime of trafficking in human beings, the crime of a factual nature related to business or the crime of machinations,
* has no registered arrears on social insurance premiums and the health insurance company does not record overdue receivables from it according to special regulations in the Slovak Republic or in the state of residence, place of business or usual residence,
* does not have registered tax arrears against the tax office and the customs office according to special regulations in the Slovak Republic or in the state of the registered office, place of business or usual residence,
* his assets have not been declared bankrupt, he is not in restructuring, he is not in liquidation, nor has bankruptcy proceedings been stopped against him due to lack of assets or bankruptcy due to lack of assets has been canceled,
* the tenderer is entitled to deliver the goods, carry out construction work or provide a service,
* has not, in the previous three years following the announcement of this tender, committed a serious breach of obligations in the field of environmental protection, social law or labor law under special regulations, for which he has been legally imposed a sanction, which the Advertiser can prove,
* has not committed a serious breach of the professional obligations which the Advertiser can prove in the previous three years since the announcement of this tender,

The tenderer further declares that all the facts stated in this statement are true and complete. The tenderer is aware of the legal consequences of stating false or incomplete facts stated in this statement, according to the conditions of the tender (exclusion from the tender, forfeiture of the security), including liability for damage caused to the announcer according to generally binding legal regulations in force in the Slovak Republic.

Place ......................... date ...............

...........................................

name and surname, position

signature 1

*[[2]](#footnote-2)Trade name of the tenderer: To be filled in by the tenderer*

*seat / place of business: To be filled in by the tenderer*

*ID: To be filled in by the tenderer*

**Consent to the processing of personal data**

**granted in accordance with Art. Article 7 of Regulation (EU) No 182/2011 of the European Parliament and of the Council 2016/679 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (hereinafter referred to as the “ *Regulation* ”) and pursuant to § 13 para. a) of Act no. 18/2018 Coll . on Personal Data Protection and on Amendments to Certain Acts, as amended (hereinafter referred to as “ *Act No. 18/2018 Coll* .”)**

, the undersigned .......................... ( *name, surname of the person concerned* ) (hereinafter referred to as the “ *person concerned* ”), grant to the following announcer:SLOVAKIA RING AGENCY, sro, 800, 930 02 Orechová Potôň, ID: 44 407 793,(hereinafter referred to as the *"Announcer* ")

**express, unconditional and free consent**

with the processing of personal data, which are stated in the documents / documents that form the content of the offer and which were submitted by the tenderer:

*trade name*

*registered office*

*ID number of the tenderer*

(hereinafter referred to as the “*tenderer*”)

to the announcer for the subject of the tender entitled: **“ Outdoor karts ”** in order to evaluate the tender submitted by the announcer, for the duration of the purpose of their processing. The announcer will keep the documents / documents submitted by the applicant in the tender for a period of 5 years from the date of sending the notice of the result of the tender.

*To be completed by the tenderer*

Place ......................... date ...............

................................................

name and surname, position

signature[[3]](#footnote-3)

*Trade name of the tenderer: To be filled in by the tenderer*

*seat / place of business: To be filled in by the tenderer*

*ID: To be filled in by the tenderer*

**Declaration on honor of the group of tenderers \***

1. The undersigned representatives of the tenderers mentioned in this declaration hereby declare that in order to submit an offer in the "**Outdoor karts**" tender, we have created a **group of tenderers** and are submitting a joint offer. The group consists of the following separate legal entities:

*To be completed by the tenderer*

*To be completed by the tenderer*

*To be completed by the tenderer*

1. In the event that our joint offer is successful and is accepted by the announcer, we agree that the Contract will be concluded between the announcer and the authorized representative of the group, the tenderer, who is

*To be completed by the tenderer*

1. At the same time, we declare that all the facts stated in this statement are true and complete. We are aware of the legal consequences of stating false or incomplete facts stated in this statement according to the Terms and Conditions (exclusion from the tender), including liability for damage caused to the announcer according to generally binding legal regulations in force in the Slovak Republic.

*To be completed by the tenderer*

Place ......................... date ...............

|  |  |
| --- | --- |
| Business name  Registered office / place of business  ID: | ................................................  name and surname, position  signature 1 |
| [[4]](#footnote-4)Business name  Registered office / place of business  ID: | ................................................  name and surname, position  signature |

Annex 4 Proposal for meeting the criteria

**Proposal for meeting the criteria**

**Outdoor karts**

*To be completed by the tenderer*

|  |  |
| --- | --- |
| Trade name of the tenderer: | Applicant's contact person: |
| Registered office and place of business: | Name:  Tel. no .: |
| ID: | e-mail: |
| VAT: |  |
| IBAN: |  |
| VAT payer:  YES - NO *(strike out which is not applicable)* |  |

*To be completed by the tenderer*

|  |  |
| --- | --- |
| **Price for 1pc in EUR without VAT \*** | **..... EUR without VAT** |
| **Total price for the whole subject of the contract (20pcs.) in EUR without VAT \*** | **..... EUR without VAT** |
| VAT | 20% |
| Total price for the whole subject of the contract in EUR with VAT | .... EUR with VAT |

*To be completed by the tenderer*

*On ................................. on ............... .................*

***.................................................. .......................***

name and surname, position

signature 1

[[5]](#footnote-5)\* Include in the price all costs related to the implementation of the subject of the contract.

If the petitioner is not a VAT payer, he will draw attention to this fact and state the final total price.

The announcer reserves the right to change the conditions of this tender or cancel the tender.

The announcer reserves the right to reject all submitted offers and not to accept the offer of any tenderer.

By submitting a tender, the tenderer agrees to all the conditions of the announcer set out in this proposal for the fulfillment of the criteria.

**At the same time, the tenderer shall submit an itemized price breakdown (more detailed calculation), while the itemized price breakdown must be in accordance with the total price stated in this Proposal for the fulfillment of the criterion.**

1. 1 The solemn declaration must be signed by the authorized person of the petitioner, ie . its statutory body or a member of the statutory body or another representative of the tenderer who is authorized to act on behalf of the tenderer in commercial obligations. [↑](#footnote-ref-1)
2. 1 The solemn declaration must be signed by the authorized person of the petitioner, ie . its statutory body or a member of the statutory body or another representative of the tenderer who is authorized to act on behalf of the tenderer in commercial obligations. [↑](#footnote-ref-2)
3. The solemn declaration must be signed by the authorized person of the petitioner , ie its statutory body or a member of the statutory body or another representative of the tenderer who is authorized to act on behalf of the tenderer in commercial obligations. [↑](#footnote-ref-3)
4. 1 The solemn declaration must be signed by the authorized person of the petitioner, ie . its statutory body or a member of the statutory body or another representative of the tenderer who is authorized to act on behalf of the tenderer in commercial obligations

   \* If you are not creating a group of tenderers, you are not submitting this document. [↑](#footnote-ref-4)
5. 1 The solemn declaration must be signed by the authorized person of the petitioner, ie . its statutory body or a member of the statutory body or another representative of the tenderer who is authorized to act on behalf of the tenderer in commercial obligations

   \* If you are not creating a group of tenderers, you are not submitting this document. [↑](#footnote-ref-5)