

## Supplement to the Call for Tenders

(a contract outside the Public Procurement Act for the supply of goods)

**HSH spoločnosť s ručením obmedzeným**, as a subsidised entity in accordance with the Section 8 (1) of Act No. 343/2015 Coll. on Public Procurement and on Amendments and Supplements to Certain Acts, as amended (hereinafter referred to as the "ZVO"), the recipient, which is a so-called "subsidised entity", i.e. it is neither a contracting authority nor a contracting entity, and the contracting authority has not provided it with more than 50% of the funds, asks you to submit a tender for the subject matter of the contract with the following title:

### “Automatic poultry processing line”

#### 1. Identification of the applicant (beneficiary):

Name: HSH spoločnosť s ručením obmedzeným  
Registered office: Majer 236, 951 35 Veľké Zálužie  
Statutory Representative: Ing. Timotej Husár, CSc. – Managing Director  
Company Registration Number: 31409890  
Tax Identification Number: 2020408984  
VAT Identification Number: SK 2020408984  
Telephone: +421 902 719 900  
E-mail: hsh@hsh.sk  
Contact person:  
In matters related to the Tenders submission: Ing. Timotej Husár  
Telephone: +421 902 719 900  
E-mail: hsh@hsh.sk

#### 2. Place of the tender submission/delivery:

The tenderer shall submit a tender prepared in accordance with clause 12 hereof via Josephine portal.

#### Contact person to receive the tender:

Ing. Timotej Husár

#### 3. Subject of the contract:

The subject of the call "Automatic poultry processing line" is the supply of goods within the framework of a project financed from the Rural Development Programme.

The contract is NOT divided into parts, it contains the technology named:

- Automatic poultry processing line

#### The detailed specification is given in a separate annex.

Common Procurement Vocabulary (CPV):

42200000-8 Food, beverage and tobacco processing equipment and related parts

#### 4. Type of Agreement that will be the result of public procurement:

A Purchase Agreement will be concluded with the successful tenderer, whose tender has met the requirements specified by the subsidised entity in the Call for Tenders, the conditions of participation and,

based on the result, according to the criterion for evaluating tenders, which is the lowest price in EUR including VAT. An electronic auction will not be used in the process of selecting the winning tenderer.

**5. Detailed description of the subject of the Contract (subject of procurement):**

The subject of the purchase is equipment and goods, specified in more detail in the attached files. This item is:

- Automatic poultry processing line

**The subsidised entity allows the submission of a tender with an equivalent solution. When using an equivalent solution, the proposed solution must have properties (parameters) equal to or higher than the properties (parameters) of the products (materials, technologies, etc.) that are listed in the detailed specification.**

**6. Estimated value of the Contract:**

The estimated value of the contract is EUR 1 894 862,67

**7. Place and date of delivery of the subject of the Contract:**

The subsidised entity requests to implement the subject of the contract in Velké Zálužie municipality, Majer street no. 236 within 30 weeks after receipt by Seller of the down payment, the correct and confirmed LC and other payment securities to be provided by or on behalf of Customer, an approved layout signed by the Customer, contract confirmed by Agricultural Paying Agency, and all information necessary to begin manufacture. Delays in payment or providing payment securities or delay(s) in Customer fulfilling its other obligations under this Contract can delay the Delivery time. (see Purchase Agreement).

**8. Financing of the subject of the contract, payment terms and conditions:**

The contract will be financed from the EU funds (Rural Development Programme), the state budget and from the funds of the subsidised entity. The payment terms and conditions are specified in more detail in the agreement attached -

1. Down Payment 30% of the total order value to be paid to the account of Seller 7 calendar days after Seller has issued an invoice for the Down Payment.

2. Delivery Payment 60% of the total order value to be paid to the account of Seller against presentation by Seller of i) an invoice and a CMR document (or similar shipping document if another mode of transport is being used) signed for receipt by the carrier, or ii) after presentation by Seller of warehouse receipt.

3. Take over protocol payment 10% of the total order value is to be paid by the Customer the account of Seller against a signed installation protocol or 30 days after shipment date (or warehousing as the case may be) without presentation of any document, whichever comes first.

The second and third instalments are to be paid out of an irrevocable Letter of Credit, to be opened by a first class bank and to be confirmed by a first class bank of Seller. This L/C should be in Seller's possession latest 4 weeks after downpayment should have been made.

**9. Deadline for submitting a tender:**

The tenderer shall submit their tender no later than on **13 March 2024 until 23:59**. The date of delivery of the tender to the tenderer via the JOSEPHINE portal is decisive. The tenders submitted after this deadline or submitted in a different way will not be included in the evaluation and will remain unopened.

**10. Method of submitting a tender:**

The tenderer submits a tender via the Josephine portal and in accordance with the rules of this portal.

Tenderers submit an electronic tender by filling in the tender form and inserting required documents and documents in the JOSEPHINE system located at

<https://josephine.proebiz.com/sk/tender/53754/summary>

**11. Criterion for evaluation of tenders:**

Total price in EUR including VAT for the subject of the Contract.

**12. Instructions for making a tender:**

A tenderer is a natural person, a legal entity or a group of such persons that provides a service, supplies goods and has submitted a tender. The tenderer's tender must contain at least the following documents and data:

**a. Contact form:**

Minimum required data: business name and registered office of the tenderer, Company Registration Number, Tax Identification Number, VAT number, telephone number, e-mail, website, bank, bank account number and affidavits. The subsidised entity recommends that the tenderer submits the completed form with contact details, which forms Annex 1 hereof.

**b. Contractor's quotation** - completed and signed attachment no. 2 of this call, the tenderer either fills in specific values, or justifies the filled interval and lists specific solutions of the quotation so that the subsidised entity can evaluate a specific solution.

**c. Completed and signed draft of the Purchase Agreement, including relevant attachments**

**d. Documents of fulfilment of personal conditions** - required ONLY if the documents are not publicly available. The tenderer proves the following conditions:

- proof of authorisation to deliver goods, carry out construction work or provide a service;
- proof that the property of the potential supplier has not been declared bankrupt, is not in restructuring, is not in liquidation;
- proof that he has not violated the prohibition of illegal work and illegal employment in the previous 3 years since the announcement of the Call for Tenders;
- proof that its statutory body, a member of the statutory body, a member of the supervisory board, or a proxy have not been legally convicted of the crime of fraud, the crime of corruption, the crime of damaging the financial interests of the EU, or the crime of legalising income from criminal activity, for the criminal offense of founding, organising and supporting a criminal group, or for the criminal offense of manipulation in public procurement and public auction, criminal offenses related to terrorism or

associated with terrorist activities, use of child labour or other forms of human trafficking).

The potential supplier can preliminarily replace a document of authorisation to supply goods, carry out construction work or provide a service; proof that their property is not declared bankrupt, is not in restructuring, is not in liquidation; proof that the potential supplier has not violated the prohibition of illegal work and illegal employment in the previous 3 years since the announcement of the Call for Tenders and proof that their statutory body, a member of the statutory body, a member of the supervisory board, or a proxy are not legally convicted of the above-mentioned criminal offenses by affidavit or declaration of registration in the list of economic entities together with valid registration. The potential supplier does not submit the above requested documents registered in public administration information systems that have already been published – the potential supplier will only provide the Internet address/hypertext link where the requested documents are publicly available.

**The tenderer verifies the proof of fulfilment of the conditions with all potential suppliers.**

The documents required to prove personal status are listed in the Procurement Documents, which form an appendix to the Call for Tenders. The subsidised entity does not require proof of fulfilment of the conditions of participation regarding financial and economic status and requires proof of fulfilment of the conditions regarding technical or professional competence.

The price for the delivery of the subject of the contract is the price set by the tenderer for the supply of all goods and services, as defined in this call for quotations, while the offered price includes all costs for ensuring the full implementation of the subject of the contract, without any additional claims. The tenderer submits a quotation in the following structure:

- price of the subject of the contract in EUR including VAT.

Proofs and documents containing the quotation are submitted as a matter of priority in the official language, that is, in Slovak, the tender can also be submitted in English. If the quotation contains a document in a language other than Slovak, its translation into Slovak must also be submitted in the quotation. If a difference is found in the content of the submitted documents, the translation in the official language is decisive. Documents translated in the Czech language do not have to be translated into the Slovak language. It is not allowed to present another solution.

**13. Opening of tenders:**

The tenders submitted by tenderers within the tender submission deadline specified in point 6 hereof will be opened **on 14 March 2024 at 8:00 a.m.**

The subsidised entity will evaluate the tenders and inform the tenderers via the JOSEPHINE system via the COMMUNICATION tab after the deadline for submitting tenders has expired.

The successful tenderer will be notified that their tender is accepted and the unsuccessful tenderer will be notified that they have not been accepted, stating the reasons for not accepting their tender. The tenderer whose tender was accepted will be invited to negotiate the agreement. Notifications will be sent in the JOSEPHINE system via the COMMUNICATION tab".

During the evaluation of the tenders, the subsidised entity may ask the tenderer for an explanation of the submitted documents in the JOSEPHINE system.

#### **14. Communication**

In case of ambiguities regarding the requirements stated in the Call or other accompanying documentation, the candidate can electronically request an explanation from the subsidised entity in the JOSEPHINE system via the "COMMUNICATION" tab.

The candidate must deliver its application to the subsidised entity well in advance before the deadline for submission of the tenders expires, so that the subsidised entity has enough time to process and deliver a response to all candidates.

The candidate will be informed about the delivery of the message via a notification e-mail.

The subsidised entity recommends tenderers who wish to be informed via notification e-mails about possible updates and information related to a specific order to click on the "I'M INTERESTED" button (in the upper right part of the screen) in the contract given.

#### **15. Additional information:**

The evaluation of tenders in terms of meeting the conditions of participation and the evaluation of tenders in terms of meeting the requirements for the subject of the contract will take place after the tenders have been evaluated based on the tender evaluation criteria, in the case of all tenderers.

If it is not possible to assess the data and validity of the submitted documents of the potential supplier, the fulfilment of the conditions of participation, or the fulfilment of the requirements for the subject of the contract, the subsidised entity will ask the tenderers in writing to explain or supplement the documents. If the requested potential supplier does not deliver the explanation/addition within the specified period, or if, despite the submitted explanation of the tender, according to the subsidised entity's conclusions, it still does not meet the conditions of participation or the requirements for the subject of the contract, the subsidised entity will exclude their tender.

The tenders of all potential suppliers who have submitted a complete tender will then be evaluated based on the tender evaluation criteria, the order of tenders will be determined and the best tender will be declared successful.

The potential supplier, which has been evaluated as successful, is obliged to submit all the documents, which the potential supplier has provisionally replaced with an affidavit, before signing the agreement. If the potential supplier does not deliver the documents within the specified period, their tender will not be accepted and the potential supplier who placed next in line will be evaluated as successful. The above does not apply to statements that are part of the mandatory documents of registered suppliers in the list of economic entities maintained by the Public Procurement Office, provided that the winning supplier is registered in it and their registration is valid.

The potential supplier, which has been evaluated as successful, is obliged to submit data on all known subcontractors before signing the agreement; data on the person authorised to act on behalf of the subcontractor in the scope of first and last name, address of permanent residence, date of birth, if it is a subcontractor who is required to be registered in the register of public sector partners (if relevant). If the potential supplier does not deliver the documents within the specified period, their tender will not be accepted and the potential supplier who placed next in line will be evaluated as successful.

The subsidised entity is obliged to conclude an agreement with a successful potential supplier exclusively in written form.

The successful potential supplier is not obliged to conclude an agreement with the subsidised entity. In such a case, the subsidised entity will conclude an agreement with the next potential supplier in the order of the tender evaluation based on the tender evaluation criteria.

Authorised employees of the provider, the Ministry of Agriculture and Rural Development of the Slovak Republic, European Union authorities and other authorised persons in accordance with the legislation of the Slovak Republic and the EU may carry out an inspection/audit of business documents and physical inspection in connection with the execution of the contract against the supplier, and the supplier is obliged to provide full cooperation

**Annex:**

Annex 1: Contact Form

## TENDERER' S IDENTIFICATION

Name:

Registered Office of the Tenderer:

Company Registration Number:

Tax Identification Number:

VAT Identification Number:

Telephone:

Fax:

E-mail:

Website:

Bank:

Bank account number:

Place and Date:

I declare on my honour that

- the tenderer is entitled to deliver goods, carry out construction work or provide a service to the extent that corresponds to the subject of the order
- bankruptcy has not been declared for our assets, we are not in restructuring, we are not in liquidation (does not apply to natural persons listed in the Section 2 (2) (b) and (d) of Act no. 513/1991 Coll. the Commercial Code), bankruptcy proceedings against us have not been stopped due to lack of assets or bankruptcy has been cancelled due to lack of assets,
- we have not violated the prohibition of illegal work and illegal employment in the previous 3 years since the announcement of the call for tenders according to Act no. 82/2005 Coll. on illegal work and illegal employment and on amendments to certain laws,
- the tenderer, nor its statutory body, nor any member of the statutory body, nor any member of the supervisory board, nor the proxy may not be legally convicted for the crime of fraud, for the crime of corruption, for the crime of harming the financial interests of the EU, for the crime of legalising income from criminal activity, for the criminal offense of founding, organising and supporting a criminal group, or for the criminal offense of machination in public procurement and public auction, criminal offenses related to terrorism or associated with terrorist activities, use of child labour or other forms of human trafficking

.....  
Signature, Stamp