**PRILOG II DOKUMENTACIJE ZA NADMETANJE/ ANNEX II OF TENDER DOCUMENTATION**

IZJAVA PONUDITELJA O NEPOSTOJANJU RAZLOGA ISKLJUČENJA/

STATEMENT REGARDING ABSENCE OF EXCLUSION CRITERIA

Nabava opreme za hlađenje i ustav za depaletizaciju za projekt VALOREM / Supply of the cooling equipment and system for palletizing for project VALOREM

Radi dokazivanja nepostojanja situacija opisanih točkom 3.1. Dokumentacije za nadmetanje, a koje bi mogle dovesti do isključenja ponuditelja iz postupka javne nabave, dajem/For the purpose of proving the economic operator is not to be excluded from participation in this tender as described in the article 3.1, I give the following

**I Z J A V U/ S T A T E M E N T**

kojom ja \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ iz \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (ime i prezime) (adresa stanovanja)

OIB:\_\_\_\_\_\_\_\_\_, broj osobne iskaznice \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ izdane od \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

kao po zakonu ovlaštena osoba za zastupanje gospodarskog subjekta

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

(naziv i sjedište gospodarskog subjekta, OIB)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ pod materijalnom i kaznenom odgovornošću izjavljujem da /

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(name) (address) OIB/Identification/Registration Number)

Number of identity card \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ issued from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

as the authorised representative of the company

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

(name and seat of the economic operator, OIB/ Identification/Registration Number)

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

declare under penal and material responsibility:

1. ponuditelj niti osoba ovlaštena za zastupanje ponuditelja nisu pravomoćno osuđeni za bilo koje od sljedećih kaznenih djela odnosno za odgovarajuća kaznena djela prema propisima države sjedišta gospodarskog subjekta ili države čiji je državljanin osoba ovlaštena po zakonu za zastupanje gospodarskog subjekta/ The tenderer or the person authorised under the law to represent tenderer has not been convicted by final judgement for any of the following criminal acts or corresponding criminal acts under the legal provisions of the country in which the economic operator is established or of the country which a person authorised under the law to represent the economic operator is a citizen of:

a) prijevara (članak 236.), prijevara u gospodarskom poslovanju (članak 247.), primanje mita u gospodarskom poslovanju (članak 252.), davanje mita u gospodarskom poslovanju (članak 253.), zlouporaba u postupku nabave (članak 254.), utaja poreza ili carine (članak 256.), subvencijska prijevara (članak 258.), pranje novca (članak 265.), zlouporaba položaja i ovlasti (članak 291.), nezakonito pogodovanje (članak 292.), primanje mita (članak 293.), davanje mita (članak 294.), trgovanje utjecajem (članak 295.), davanje mita za trgovanje utjecajem (članak 296.), zločinačko udruženje (članak 328.) i počinjenje kaznenog djela u sastavu zločinačkog udruženja (članak 329.) iz Kaznenog zakona (NN 125/11, 144/12, 56/15, 61/15) / fraud (Article 236), fraud in business activities (Article 247), accepting a bribe in economic transactions (Article 252), offering a bribe in economic transactions (Article 253), abuse of the procurement procedure (Article 254) evasion of taxes or customs duties (article 256), subsidy fraud (article 258), money laundering (article 265), abuse of office and authority (article 291), illegal preferential treatment (article 292), bribery (article 293rd ), bribery (article 294), trading in influence (article 295), bribery of trading in influence (article 296), criminal association (article 328) and committing a crime within the criminal association (article 329) from Criminal code (Official Gazette 125/11, 144/12, 56/15, 61/15)

b) kaznenih djela koja uključuju dječji rad ili drugi oblik trgovanja ljudima, terorizam i financiranje terorizma. / felonies involving child labor or other forms of human trafficking, terrorism and terrorist financing.

c) odnosno ponuditelj nije osuđen zbog svog profesionalnog ponašanje prema propisima države sjedišta gospodarskog subjekta/ and tenderer has not been convicted concerning their professional conduct, based on national legal provisions of the country of establishment .

2.ponuditelj je ispunio obvezu plaćanja dospjelih poreznih obveza i obveza za mirovinsko i zdravstveno osiguranje, osim ako mu prema posebnom zakonu plaćanje tih obveza nije dopušteno ili je odobrena odgoda plaćanja (primjerice u postupku predstečajne nagodbe)/ tenderer has not failed to fulfil the obligation to pay all outstanding tax liabilities and contributions for pension and health insurance, unless the economic operator was granted delayed payment of the said obligation under special regulations.

3.ponuditelj nije dostavio lažne podatke pri dostavi dokumenata koje je naručitelj naveo kao uvjet za sudjelovanje u postupku nabave/ tenderer has not submitted false information at the time of submitting documents on the basis of which it is determined whether or not the economic operator shall be excluded from participation

4.nad ponuditeljem nije otvoren stečaj, nije u postupku likvidacije, njime ne upravlja osoba postavljena od strane nadležnog suda, nije u nagodbi s vjerovnicima[[1]](#footnote-1), nije obustavio poslovne aktivnosti, nije predmetom sudskih postupaka zbog navedenih aktivnosti i nije u analognoj situaciji koja proizlazi iz sličnog postupka predviđenog nacionalnim zakonodavstvom ili propisima zemlje u kojoj ima poslovni nastan/ tenderer is not bankrupt, it is not being wound up or is in any stage of the bankruptcy proceeding, its affairs are not being administered by a person designated by the competent court, it has not entered into arrangement with creditors[[2]](#footnote-2),it has not suspended its business activities, or is not in a similar procedure under the national regulations of the country in which the tenderer is established.

te/and

5.ponuditelj nije u posljednje tri godine od dana početka postupka javne nabave učinio težak profesionalni propust odnosno nije kriv za neprofesionalno postupanje, a što Naručitelj može dokazati na bilo koji način/ tenderer has not committed grave professional misconduct in the previous three years up to the commencement of the public procurement procedure, which the Contracting Authority can prove by any means.

U \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/20\_\_.

ZA PONUDITELJA/ ON BEHALF OF THE TENDERER :

(ime, prezime i potpis ovlaštene osobe/ name, signature of the authorised representative)

1. Sklopljena predstečajna nagodba ne predstavlja nagodbu s vjerovnicima za potrebe ove dokumentacije [↑](#footnote-ref-1)
2. Pre-bankruptcy settlement does not represent the arrangement with creditors within the meaning of this documentation [↑](#footnote-ref-2)