# *TENDER FORM FOR A SUPPLY CONTRACT*

Publication reference: IPA ADRION 53 CITYMOVE (B.L. 5.1.; 5.2 and 5.3.), Tender no 1

Title of contract: Improving infrastructure through installation of the equipment for urban bus stop facilities powered on sun power 2 units (D1.1.3), Installing bicycle and electric scooter stations whit solar power chargers and 5 units (D1.1.3) and supply bicycle seats for children 15 units (D1.1.3).

**<Place and date>**

**A: <Name and address of contracting authority >.**

**[How to complete this tender submission form**

Tenders submitted by **consortia** (i.e. either a permanent, legally-established grouping or a grouping constituted informally for a specific tender procedure) must follow the instructions applicable to the consortium leader and its members. In case of consortia, the tenderer’s declaration should be submitted by the leader and by all members of the consortium.

In case the instructions to tenderers (see section 10) state that the tender should be submitted by **post** or **courier** or **hand delivered**: the attachments to this submission form (i.e. declarations, statements, proofs) may be in original or copy. For economical and ecological reasons, it is recommend that paper files are used and that plastic folders or dividers are avoided. It is also recommended to use double-sided printing as much as possible.

Originals documents that have not been submitted must be kept by the tenderer. If requested, these originals documents must be dispatched to the contracting authority.

**Delete this section highlighted in yellow after having completed all instructions.]**

**One signed** form must be supplied (for each lot, if the tender procedure is divided into lots), together with the number of copies specified in the instructions to tenderers**.** The form must include a signed declaration using the annexed format from each legal entity submitting this tender. Any additional documentation (brochure, letter, etc.) sent with the form will not be taken into consideration.Tenders being submitted by a consortium (i.e. either a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure) must follow the instructions applicable to the consortium leader and its members. The attachments to this submission form (i.e. declarations, statements, proofs) may be in original or copy. If copies are submitted, the originals must be dispatched to the contracting authority upon request. For economical and ecological reasons, we strongly recommend that you submit your files on paper-based materials (no plastic folder or divider). We also suggest you use double-sided print-outs as much as possible.

**Capacity-providing entities**

An economic operator (i.e. tenderer) may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. If the economic operator relies on other entities it must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment by those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality as the economic operator relying on them and must comply with the selection criteria for which the economic operator relies on them. **For the purpose of the present tender, the data for this third entity for the relevant selection criterion should be included in a separate document**. Proof of the capacity will also have to be provided when requested by the contracting authority.

With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the economic operator relies, become jointly and severally liable for the performance of the contract.

**1 SUBMITTED BY (i.e the identity of the tenderer and bank account details)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Name(s) of tenderer(s)** | **Official address, postcode, P.O box, city, country** | **Legal form** | **VAT number and/or Registration number (if applicable)** | **Place of main registration[[1]](#footnote-1) (city and country) and date of registration** | **PIC number[[2]](#footnote-2)**  |
| **Leader[[3]](#footnote-3)** |  |  |  |  |  |  |
| **Member**  |  |  |  |  |  |  |
| **Etc …**  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Account name and account holder name** | **IBAN/Account number** | **Currency** | **BIC/Swift code** | **Bank name and branch code** | **Address of bank, P.O box, city, country** |
| **Leader[[4]](#footnote-4)** |  |  |  |  |  |  |

**2 CONTACT PERSON (for this tender)**

|  |  |
| --- | --- |
| **Name** |  |
| **Address** |  |
| **Telephone** |  |
| **E-mail** |  |
|  |  |

**3 ECONOMIC AND FINANCIAL CAPACITY[[5]](#footnote-5)**

Please complete the following table of financial data[[6]](#footnote-6) based on your annual accounts and your latest projections. If annual closed accounts are not yet available for the current year or past year, please provide your amounts based on appropriate statements from banks in the columns marked with \*\*. Figures in all columns must be calculated on the same basis to allow a direct, year-on-year comparison to be made (or, if the basis has changed, an explanation of the change must be provided as a footnote to the table). Any clarification or explanation which is judged necessary may also be provided.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Financial data**Data requested in this table must be consistent with the selection criteria set in the additional information about the contract notice document | **2 years before last year[[7]](#footnote-7)****<**specify**>****€** | **Year before last year****<**specify**>****€** | **Last year****<**specify**>****€** | **Average[[8]](#footnote-8)** **€** | **[Past year****€ ]\*\*** | **[Current year****€]\*\*** |
| Annual turnover[[9]](#footnote-9), excluding this contract |  |  |  |  |  |  |
| Current assets[[10]](#footnote-10)  |  |  |  |  |  |  |
| Current liabilities[[11]](#footnote-11)  |  |  |  |  |  |  |
| [Current ratio (current assets/current liabilities) | Not applicable | Not applicable |  | Not applicable | Not applicable | Not applicable] |

**4 PERSONNEL**

Please provide the following personnel statistics for the current year and the two previous years[[12]](#footnote-12).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Annual manpower** | **Year before past year** | **Past year** | **Current year** | **Period average** |
|  | **Overall** | **Relevant fields[[13]](#footnote-13)** | **Overall** | **Relevant fields 11** | **Overall** | **Relevant fields11** | **Overall** | **Relevant fields11** |
| Permanent personnel[[14]](#footnote-14) |  |  |  |  |  |  |  |
| Other personnel [[15]](#footnote-15) |  |  |  |  |  |  |  |
| Total |  |  |  |  |  |  |  |
| Permanent personnel as a proportion of total personnel (%) | % | % | % | % | % | % | % % |
|  |  |  |  |  |  |  |  |

**5 FIELDS OF SPECIALISATION**

Please fill in the table below to indicate any areas of specialist knowledge related to this contract of each legal entity making this tender, by using the names of these specialisation as the row headings and the name of the legal entity as the column headings. Indicate the areas of specialist knowledge each legal entity has by placing a tick (✓) in the box corresponding to the specialisation in which the legal entity has significant experience. **Maximum 10 specialisations**.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Leader** | **Member 2** | **Member 3** | **Etc …** |
| Relevant specialisation 1 |  |  |  |  |
| Relevant specialisation 2 |  |  |  |  |
| Etc …[[16]](#footnote-16) |  |  |  |  |

**6 EXPERIENCE**

Please complete a table using the format below to summarise the **major** **relevant supplies** carried out over the past 3 years[[17]](#footnote-17) by the legal entity or entities making this tender. The number of references to be provided must not exceed **15** for the entire tender.

Candidates are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. Only the part completed during the reference period will be taken into consideration. This part will have to be supported by documentary evidence (approval of report or deliverable, proof of payment, statement or certificate from the entity which awarded the contract) also detailing its value. If a candidate has implemented the project in a consortium, the part that the candidate has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

|  |  |  |
| --- | --- | --- |
| **Ref #** (maximum 15) | **Project title** | … |
| **Name of legal entity** | **Country** | **Overall supply value (EUR)[[18]](#footnote-18)** | **Part supplied by legal entity EUR** | **No of personnel provided** | **Name of client** | **Origin of funding** | **Dates**  | **Name of members if any** |
| … | … | … | … | … | … | … | … | … |
| **Detailed description of supply** | **Related services provided** |
| … | … |
|  |  |

**7 TENDERER’S DECLARATION(S)**

**As part of their tender, each legal entity identified under point 1 of this form, including every consortium member, must submit a signed tenderer’s declaration using this format.**

**Additionally, each legal entity identified under point 1 of this form, including every consortium member, as well as each capacity providing entity and subcontractor, must submit the declaration on honour on exclusion and selection criteria (Annex 1) (insert Form a14a).**

In response to your letter of invitation to tender for the above contract,

we, the undersigned, hereby declare that:

**1** We have examined and accept in full the content of the dossier for invitation to tender No <……………………………….> of <date>. We hereby accept its provisions in their entirety, without reservation or restriction.

**2** We offer to deliver, in accordance with the terms of the tender dossier and the conditions and time limits laid down, without reserve or restriction:

**<**description of supplies with indication of quantities**>**

**3** The price of our tender **excluding** spare parts and consumables, if applicable (excluding the discounts described under point 4) is:

<insert price and currency>

**4** We will grant a discount of [<…>%], or [<…………..>] [in the event of our being awarded lot … and lot … ………].

**5** This tender is valid for a period of 90 days from the final date for submission of tenders.

**6** If our tender is accepted, we undertake to provide a performance guarantee as required by Article 11 of the special conditions.

**7** Our firm/company [and our subcontractors] has/have the following nationality:

**<**……………………………………………………………………**>**

**8** We are making this tender in our own right [as member in the consortium led by [< name of the leader >] [ourselves]\*. We confirm that we are not tendering for the same contract in any other form. [We confirm, as a member in the consortium, that all members are jointly and severally liable by law for the execution of the contract, that the lead member is authorised to bind, and receive instructions for and on behalf of, each member, that the execution of the contract, including payments, is the responsibility of the lead member, and that all members in the joint venture/consortium are bound to remain in the joint venture/consortium for the entire period of the contract’s execution]. [We, the tenderer, confirm that where we rely on the capacities of other entities with regard to the criteria relating to economic and financial capacity, we have the written commitment made by the capacity providing entities that they are jointly liable for the performance of the contract.]

**9** We undertake, if required, to provide the proof usual under the law of the country in which we are effectively established that we do not fall into any of the exclusion situations. The date on the evidence or documents provided will be no earlier than 1 year before the date of submission of the tender and, in addition, we will provide a statement that our situation has not altered in the period which has elapsed since the evidence in question was drawn up.

We also undertake, if required, to provide evidence of financial and economic standing and technical and professional capacity according to the selection criteria for this call for tender specified in the additional information about the contract notice. The documentary proofs required are listed in Section 2.6.11. of the practical guide.

**10** We agree to abide by the ethics clauses in Clause 24 of the instructions to tenderers and, in particular, have no conflict of interests or any equivalent relation which may distort competition with other tenderers or other parties in the tender procedure at the time of the submission of this form.

We confirm that we, including all consortium members, if any, capacity providing entities and subcontractors are not in the lists of EU restrictive measures[[19]](#footnote-19) ([www.sanctionsmap.eu](http://www.sanctionsmap.eu)) and we understand that our tender may be rejected, if proved the contrary.

**11** We will inform the contracting authority immediately if there is any change in the above circumstances at any stage during the implementation of the tasks. We also fully recognise and accept that any inaccurate or incomplete information deliberately provided in this tender may result in our exclusion from this and other contracts funded by the EU/EDF.

**12** We note that the contracting authority is not bound to proceed with this invitation to tender and that it reserves the right to award only part of the contract. It will incur no liability towards us should it do so.

**13** We fully recognise and accept that if the above-mentioned persons participate despite being in any of the situations listed in Section 2.4.2.1 and Section 2.4.1 of the practical guide or if the declarations or information provided prove to be false they may be subject to rejection from this procedure and to exclusion decisions and/or financial penalties up to 10 % of the total estimated value of the contract being awarded and that this information may be published on the European Commission website in accordance with the Financial Regulation in force.

**14** We are aware that, for the purposes of safeguarding the EU's financial interests, our personal data and those of all entities involved in the performance of the contract may be transferred to internal audit services, to the early detection and exclusion system, to the European Court of Auditors, to the Financial Irregularities Panel, to the European Anti-Fraud Office or to the European Public Prosecutor’s Office.

**15** We agree that any arbitral award resulting from this tender will be published on the European Commission’s website after anonymisation.

[\* Delete as applicable]

[If this declaration is being completed by a consortium member:

The following table contains our financial data as included in the consortium’s tender form. These data are based on our annual closed accounts and our latest projections. Estimated figures (i.e. those not included in annual closed accounts) are given in italics. Figures in all columns have been provided on the same basis to allow a direct, year-on-year comparison to be made <except as explained in the footnote to the table>.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Financial data**Data requested in this table must be consistent with the selection criteria set in the additional information about the contract notice document | **2 years before last5****<**specify**>****EUR** | **Year before last year****<**specify**>****EUR** | **Last year****<**specify**>****EUR** | **Average6** **EUR** | **Past year****EUR]** | **[Current year****EUR]** |
| Annual turnover 7, excluding this contract |  |  |  |  |  |  |
| Current assets8  |  |  |  |  |  |  |
| Current liabilities9  |  |  |  |  |  |  |
| [Current ratio (current assets/current liabilities) | Not applicable | Not applicable |  | Not applicable | Not applicable | Not applicable] |

The following table contains our personnel statistics as included in the consortium’s tender form:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Annual manpower** | **Year before past year** | **Past year** | **Current year** | **Period average** |
|  | **Overall** | **Relevant fields**11 | **Overall** | **Relevant fields11** | **Overall** | **Relevant fields** 11 | **Overall** | **Relevant fields** 11 |
| Permanent personnel 12 |  |  |  |  |  |  |  |  |
| Other personnel 13 |  |  |  |  |  |  |  |  |
| Total |  |  |  |  |  |  |  |  |
| Permanent personnel as a proportion of total personnel (%) | % | % | % | % | % | % | % | % |

Yours faithfully

Name and first name: <…………………………………………………………………>

Duly authorised to sign this tender on behalf of:

**<**……………………………………………………………………………………**>**

Place and date: <…………………………………………………………….………….>

Stamp of the firm/company:

This tender includes the following annexes:

<Numbered list of annexes with titles>

**ANNEX 1**

**DECLARATION ON HONOUR ON EXCLUSION AND SELECTION CRITERIA**

**[How to submit the Declaration on Honour:**

Insert here form a14a, available at the following link: <https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA(Ch.2):General>

For the Declaration on Honour, different steps are applicable depending on the type of procedure. The applicable procedure can be verified in your letter of invitation.

**Paper submission:**

For supply tenders where the instructions to tenderers (see section 10) state that the tender should be submitted by **post or courier or hand delivered**:

* each legal entity identified under point 1, including every consortium member, and capacity-providing entities or subcontractor (if any) signs and dates the Declaration on Honour;
* when submitting the tender, the signed and dated original Declaration(s) on Honour shall be included;
* in case the Qualified Electronic Signature (QES) is used for the signing of the Declaration(s) on honour, submit the QES-signed Declaration on Honour by email.

**Delete this section highlighted in yellow after having completed all instructions.]**

**Declaration on honour on
exclusion criteria and selection criteria**

The undersigned [*insert name of the signatory of this form*], representing:

|  |  |
| --- | --- |
| (*only for natural persons*) himself or herself | (*only for legal persons*) the following legal person:  |
| ID or passport number: (‘the person’) | Full official name:Official legal form: Statutory registration number**:** Full official address: VAT registration number: (‘the person’) |

1. **Declaration on honour on exclusion criteria**

The person is not required to fill in this Part A of the declaration (Declaration on honour on exclusion criteria) if the same declaration has already been submitted for the purposes of another award procedure of the same contracting authority, provided the situation has not changed, and that the time that has elapsed since the issuing date of the declaration does not exceed one year.

In this case, the signatory declares that the person has already provided the same declaration on exclusion criteria for a previous procedure and confirms that there has been no change in its situation:

|  |  |
| --- | --- |
| **Date of the declaration** | **Full reference to previous procedure** |
|  |  |

**I – Situations of exclusion concerning the person**

***(to be filled in by all involved entities******[[20]](#footnote-20))***

|  |  |  |
| --- | --- | --- |
| 1. declares that the person is in one of the following situations:
 | YES | NO |
| 1. it is bankrupt, subject to insolvency or winding-up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under Union or national law;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:
 |  |
| 1. fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the performance of a contract or an agreement;
 | [ ]  | [ ]  |
| 1. entering into agreement with other persons with the aim of distorting competition;
 | [ ]  | [ ]  |
| 1. violating intellectual property rights;
 | [ ]  | [ ]  |
| 1. unduly influence or attempting to unduly influence the decision-making process to obtain Union funds by taking advantage, through misrepresentation, of a conflict of interest involving any financial actors or other persons referred to in Article 61(1) of the EU Financial Regulation;
 | [ ]  | [ ]  |
| 1. attempting to obtain confidential information that may confer upon it undue advantages in the award procedure***;***
 | [ ]  | [ ]  |
| 1. incitement to discrimination, hatred or violence against a group of persons or a member of a group or similar activities that are contrary to the values on which the Union is founded enshrined in Article 2 TEU, where such misconduct has an impact on the person or entity’s integrity which negatively affects or concretely risks affecting the performance of the legal commitment;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgement that the person is guilty of any of the following:
 |  |
| 1. fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
 | [ ]  | [ ]  |
| 1. corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in other applicable laws;
 | [ ]  | [ ]  |
| 1. conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;
 | [ ]  | [ ]  |
| 1. money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;
 | [ ]  | [ ]  |
| 1. terrorist offences or offences related to terrorist activities, as defined in Articles 3 to 12 of Directive 2017/541 of the European Parliament and of the Council, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 14 of that Directive;
 | [ ]  | [ ]  |
| 1. child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
 | [ ]  | [ ]  |
| 1. it has shown significant deficiencies in complying with the main obligations in the performance of a contract or an agreement financed by the Union’s budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF), the Court of Auditors or the EPPO;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgment or final administrative decision that the person or entity has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations including those related to working rights, employment and labour conditions, in the jurisdiction of its registered office, central administration or principal place of business;.
 | [ ]  | [ ]  |
| 1. (*only for legal persons*) it has been established by a final judgment or final administrative decision that the person has been created with the intent provided for in point (g).
 | [ ]  | [ ]  |
| 1. the entity or person has intentionally and without proper justification resisted an investigation, check or audit carried out by an authorising officer or its representative or auditor, OLAF, the EPPO, or the Court of Auditors. It shall be considered that the person or entity resists an investigation, check or audit when it carries out actions with the goal or effect of preventing, hindering or delaying the conduct of any of the activities needed to perform the investigation, check or audit. Such actions shall include, in particular, refusing to grant the necessary access to its premises or any other areas used for business purposes, concealing or refusing to disclose information or providing false information.
 | [ ]  | [ ]  |
| 1. declares that, for the situations referred to in points (1) (c) to (1) (i) above, in the absence of a final judgement or a final administrative decision, the person is[[21]](#footnote-21):
 | YES | NO |
| 1. subject to facts established in the context of audits or investigations carried out by the European Public Prosecutor's Office, the Court of Auditors, or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
 | [ ]  | [ ]  |
| 1. subject to non-final judgments or non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
 | [ ]  | [ ]  |
| 1. subject to facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks;
 | [ ]  | [ ]  |
| 1. subject to information transmitted by Member States implementing Union funds;
 | [ ]  | [ ]  |
| 1. subject to decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law;
 | [ ]  | [ ]  |
| 1. informed, by any means, that it is subject to an investigation by the European Anti-Fraud office (OLAF): either because it has been given the opportunity to comment on facts concerning it by OLAF, or it has been subject to on-the-spot checks by OLAF in the course of an investigation, or it has been notified of the opening, the closure or of any circumstance related to an investigation of the OLAF concerning it.
 | [ ]  | [ ]  |

**II – Situations of exclusion concerning natural or legal persons with power of representation, decision-making or control over the legal person and beneficial owners**

***Not applicable when ‘the person’ is a natural person, a Member State or a local authority. In all other cases to be filled in by all involved entities1.***

|  |  |  |  |
| --- | --- | --- | --- |
| 1. declares that a natural or legal person who is a member of the administrative, management or supervisory body of the above-mentioned legal person, or who has powers of representation, decision or control with regard to the above-mentioned legal person (this covers e.g. company directors, members of management or supervisory bodies, and cases where one natural or legal person holds a majority of shares), or a beneficial owner of the person (as referred to in point 6 of article 3 of Directive (EU) No 2015/849) is in one of the following situations:
 | YES | NO | N/A |
| Situation (1)(c) above (grave professional misconduct) | [ ]  | [ ]  | [ ]  |
| Situation (1)(d) above (fraud, corruption or other criminal offence) | [ ]  | [ ]  | [ ]  |
| Situation (1)(e) above (significant deficiencies in performance of a contract ) | [ ]  | [ ]  | [ ]  |
| Situation (1)(f) above (irregularity) | [ ]  | [ ]  | [ ]  |
| Situation (1)(g) above (creation of an entity with the intent to circumvent legal obligations) | [ ]  | [ ]  | [ ]  |
| Situation (1)(h) above (person created with the intent to circumvent legal obligations) | [ ]  | [ ]  | [ ]  |

**III – Situations of exclusion concerning natural or legal persons assuming unlimited liability for the debts of the legal person**

***Not applicable when ‘the person’ is a natural person, a Member State, a local authority or legal persons with limited liability. In all other cases to be filled in by all involved entities1.***

|  |  |  |  |
| --- | --- | --- | --- |
| 1. declares that a natural or legal person that assumes unlimited liability for the debts of the above-mentioned legal person is in one of the following situations [***If yes, please indicate in annex to this declaration which situation and the name(s) of the concerned person(s) with a brief explanation***]:
 | YES | NO | N/A |
| Situation (a) above (bankruptcy) | [ ]  | [ ]  | [ ]  |
| Situation (b) above (breach in payment of taxes or social security contributions) | [ ]  | [ ]  | [ ]  |

**IV –** **Other Grounds for rejection from this procedure**

***(to be filled in individually by the sole candidate/tenderer or all members in case of a joint request to participate/tender (consortium))***

|  |  |  |
| --- | --- | --- |
| 1. declares that the above-mentioned person:
 | YES | NO |
| 1. Was previously involved in the preparation of the procurement documents used in this award procedure, where this entailed a breach of the principle of equality of treatment including distortion of competition that cannot be remedied otherwise.
 | [ ]  | [ ]  |
| 1. Has professional conflicting interests which may negatively affect the performance of the contract in accordance with point 20.6 of Annex I of the EU Financial Regulation.
 | [ ]  | [ ]  |
| 1. Is the addressee of a decision prohibiting the award of the contract for having received foreign subsidies distorting the internal market adopted by the Commission.
 | [ ]  | [ ]  |

**V – Remedial measures**

If the person declares one of the situations of exclusion listed above, it may indicate remedial measures it has taken to remedy the exclusion situation, in order to allow the authorising officer to determine whether such measures are sufficient to demonstrate its reliability. The person or entity shall submit remedial measures that have been assessed by an external independent auditor or be considered sufficient by a decision of a national or Union authority. This is without prejudice to the assessment of the panel referred to in Article 145 of the EU Financial Regulation. This may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines or of any taxes or social security contributions. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to this declaration. This does not apply for situations referred in point (1)(d) of this declaration.

**VI–evidence on exclusion criteria**

The tender documents set out in detail which involved entities must provide the appropriate evidence to prove that they are not in an exclusion situation referred to in (1) and when the evidence needs to be provided.

The following could serve as evidence:

* For situations described in (1): (a), (c), (d), (f), (g) and (h) above, production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the person showing that those requirements are satisfied.
* For the situation described in point (1) (a), (b), production of recent certificates issued by the competent authorities of the country of establishment. These documents must provide evidence covering all taxes and social security contributions for which the person is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

The person is not required to submit the evidence if it has already been submitted for another award procedure of the same contracting authority. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

|  |  |
| --- | --- |
| **Document** | **Full reference to previous procedure** |
| *Insert as many lines as necessary.* |  |

The person is not required to submit the evidence if it can be accessed on a national database free of charge.

The signatory declares that the following internet address of the database/identification data provide access to the evidence required.

|  |  |
| --- | --- |
| Internet address of the database | Identification data of the document  |
| *Insert as many lines as necessary.* |  |

1. **Declaration on honour on selection criteria**

In case of a procedure with lots the statements in this part B apply to the lot(s) for which the request to participate/tender is submitted.

**I – Selection criteria**

**Selection criteria applicable to the candidate/tenderer as a whole- Consolidated assessment**

***(to be filled in ONLY by the sole candidate/tenderer or the group leader in case of a joint request to participate/tender (consortium))***

The person, being a sole candidate/tenderer/the group leader of in case of a joint request to participate/tender (consortium), submitting a request to participate/tender for the above procedure

|  |  |  |  |
| --- | --- | --- | --- |
| 1. declares that the candidate/tenderer, including all members of the group in case of a joint request to participate/tender (consortium), subcontractors and entities on whose capacity the candidate/tenderer intends to rely if applicable:
 | YES | NO | N/A |
| 1. fulfils all the selection criteria for which a consolidated assessment will be made as provided in the tender documents.
 | [ ]  | [ ]  | [ ]  |

**II - Selection Criteria –professional conflicting interests**

***(to be filled in by all involved entities)***

The person, being a sole candidate/tenderer/ a member of a joint request to participate/tender (consortium)/a subcontractor/ an entity on whose capacity a candidate/tenderer relies to fulfil the selection criteria, submitting/participating in a request to participate/tender for the above procedure:

|  |  |  |
| --- | --- | --- |
| 1. declares that the person
 | YES | NO |
| 1. is subject to conflicting interests which may negatively affect the contract performance.
 | [ ]  | [ ]  |

**VIII – Evidence on selection criteria**

The tender documents set out in detail the evidence and the time frame within which involved entities must provide it in order to prove that the candidate/tenderer fulfils the selection criteria.

Where the evidence is not required to be provided with the request to participate/tender, the person is invited to prepare in advance the documents related to the evidence, since the contracting authority will request the presumed successful tenderer to provide such evidence within a short deadline.

The person is not required to submit the evidence if it has already been submitted for another procurement procedure of the same contracting authority and the documents are still up-to-date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

|  |  |
| --- | --- |
| **Document** | **Full reference to previous procedure** |
| *Insert as many lines as necessary.* |  |

The person is not required to submit the evidence if it can be accessed on a national database free of charge.

The signatory declares that the following internet address of the database/identification data provide access to the evidence required.

|  |  |
| --- | --- |
| Internet address of the database | Identification data of the document  |
| *Insert as many lines as necessary.* |  |

**C - Declaration on honour on established debt to the union**

***(to be filled in by the sole candidate/tenderer or each group member in case of a joint request to participate/tender (consortium))***

The person, being a sole candidate/tenderer/a member in case of a joint request to participate/tender (consortium), submitting a request to participate/tender for the above procedure:

|  |  |  |
| --- | --- | --- |
| 1. declares that the person,
 | YES | NO |
| 1. has an established debt to the Union, European Atomic Energy Community or an executive agency when the latter implements the Union budget.
 | [ ]  | [ ]  |

1. **Declaration on honour on submitted tender**

***(to be filled in individually by the sole candidate/ tenderer, or the group leader in case of a joint request to participate/tender (consortium))***

In case of a procedure with lots the statements in this part D apply to the lot(s) for which the request to participate/tender is submitted.

|  |  |  |
| --- | --- | --- |
| 1. declares that the person:
 | YES | NO |
| 1. [has prepared the submitted tender] [undertakes to prepare the tender (if invited to submit a tender)] in complete independence and autonomously from the other tenders submitted within the same procurement procedure.
 | [ ]  | [ ]  |

***The person must immediately inform the contracting authority of any changes in the situations as declared.***

***The person may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false.***

Full name Date Signature[[22]](#footnote-22)

1. In case the tenderer is an individual, mention the nationality of the individual. [↑](#footnote-ref-1)
2. PIC number not applicable in indirect management where the Partner Country makes the payments. See section 10, annex c4b. [↑](#footnote-ref-2)
3. Add/delete additional lines for members as appropriate. Note that capacity providing entity/ subcontractors are not considered to be a member for the purposes of this tender procedure. Subsequently, the data on capacity providing entities/ subcontractor must not appear in the data related to the economic, financial and professional capacity but on a separate document. If this tender is being submitted by an individual tenderer, the name of the tenderer should be entered as ‘**leader**’ (and all other lines should be deleted). Any change in the identity of the leader and/or any consortium members between the deadline for receipt of requests to participate indicated in the contract notice and the award of the contract is not permitted without the prior written authorisation of the contracting authority. [↑](#footnote-ref-3)
4. Add only the bank account details of the leader to whom payments under the proposed contract should be made in the event that you are awarded the contract. [↑](#footnote-ref-4)
5. Natural persons have to prove their capacity in accordance with the selection criteria and by the appropriate means. [↑](#footnote-ref-5)
6. If this tender form is submitted by a consortium, the data in the table above must be the sum of the data in the corresponding tables in the declarations provided by the consortium members — see point 7 of this tender form. Consolidated data are not requested for financial ratios. [↑](#footnote-ref-6)
7. Last year=last accounting year for which the entity's accounts have been closed. [↑](#footnote-ref-7)
8. Amounts entered in the ‘Average’ column must be the mathematical average of the amounts entered in the three preceding columns of the same row. [↑](#footnote-ref-8)
9. The gross inflow of economic benefits (cash, receivables, other assets) arising from the ordinary operating activities of the enterprise (such as sales of goods, sales of services, interest, royalties, and dividends) during the year. [↑](#footnote-ref-9)
10. A balance sheet account that represents the value of all assets that are reasonably expected to be converted into cash within one year in the normal course of business. Current assets include cash, accounts receivable, inventory, marketable securities, prepaid expenses and other liquid assets that can be readily converted to cash.   [↑](#footnote-ref-10)
11. A company's debts or obligations that are due within one year. Current liabilities appear on the company's balance sheet and include short term debt, accounts payable, accrued liabilities and other debts. [↑](#footnote-ref-11)
12. If this tender is submitted by a consortium, the data in the table above must be the sum of the data in the corresponding tables in the declarations provided by the consortium members — see point 7 of this tender form. Consolidated data are not requested for financial ratios. [↑](#footnote-ref-12)
13. Corresponding to the relevant specialisations identified in point 5 below. [↑](#footnote-ref-13)
14. Personnel directlyemployed or otherwise legally contracted by the tenderer on a permanent basis (i.e. under indefinite contracts). [↑](#footnote-ref-14)
15. Other personnel directlyemployed or otherwise legally contracted by the tenderer on a non-permanent basis (i.e. under fixed-term contracts). [↑](#footnote-ref-15)
16. add/delete additional lines and/or rows as appropriate. If this tender is being submitted by an individual legal entity, the name of the legal entity should be entered as ‘Leader’ (and all other columns should be deleted). [↑](#footnote-ref-16)
17. References must be contracts implemented by the legal entity (or legal entities) submitting the-tender form (with the exception of documented cases of company buyout or universal succession). For framework contracts, only specific contracts corresponding to assignments implemented under such framework contracts will be considered. [↑](#footnote-ref-17)
18. Amounts actually paid, without the effect of inflation. [↑](#footnote-ref-18)
19. Please note that the EU Official Journal contains the official list of entities subject to restrictive measures and, in case of conflict, it prevails over the list of the [*EU Sanctions Map*](https://www.sanctionsmap.eu/#/main). [↑](#footnote-ref-19)
20. An **“involved entity**” is each economic operator involved in the request to participate/tender. This includes the following four categories of economic operators:

	* sole candidate/tenderer;
	* group members (including group leader) in case of a joint request to participate/tender (consortium);
	* identified subcontractors; and
	* other entities (that are not subcontractors) on whose capacity the candidate/tenderer relies to fulfil the selection criteria. [↑](#footnote-ref-20)
21. The declaration under this point (2) is voluntary and it cannot have adverse legal effect on the economic operator until the conditions of Article 143(1) (a) Financial Regulation are met. [↑](#footnote-ref-21)
22. *The declaration is to be signed with:*

	1. *Electronic signature (recommended option):**In case you have the possibility to sign the declaration using a qualified electronic signature (QES), please have it signed electronically by your authorised representative(s). Please note that only the qualified electronic signature (QES) within the meaning of Regulation (EU) No 910/2014 (eIDAS Regulation) will be accepted.*

*Before sending back your electronically signed document, please check the signature and validity of the certificate with one of the following tools:*

	* *DSS Demonstration validation tool available at* <https://ec.europa.eu/cefdigital/DSS/webapp-demo/validation>*can help you check the validity of a certificate by indicating the number and type of valid signatures in a document.*
	* *EU Trusted List Browser can be consulted in order to check whether the electronic signature provider and the trust service it provides are part of European Union Trusted List:* <https://esignature.ec.europa.eu/efda/tl-browser/#/screen/home>*To make sure you use a QES compliant to eIDAS Regulation, you need to check that both the service provider and the qualified certificate generation service used are included in the EU Trusted List Browser.*

	1. *Handwritten signature:**In case you do not have the possibility to sign the declaration using a qualified electronic signature (QES), please fill it in electronically, then print it and have it signed and dated by your authorised representative(s) using a hand-written signature.* [↑](#footnote-ref-22)