



The Greens/EFA Group in the European Parliament

INVITATION TO TENDER

Negotiated procedure

Greens/EFA EU Funding Tool

1. SUBJECT OF THE CONTRACT

In accordance with the provisions of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the European Union, the Greens/EFA in the European Parliament has decided to issue this invitation to tender for the development of a digital EU funding tool for the Greens/EFA.

2. DESCRIPTION, PURPOSE AND ESTIMATED VALUE OF THE CONTRACT

The goal of this tool is for the Greens/EFA to attain two overarching goals. On the one hand, the tool can help to support our partners in the member states (eg. CSOs, local councillors,...) in an effective manner in their search for funding opportunities. As Greens, we are natural allies of grassroots organisations and progressive communities that might benefit from many programmes but lack capacity for proper orientation.

On the other hand, through the design of the tool, we can highlight ecological, social and progressive project opportunities (branding) and incentivise project development towards this direction.

A budget of up to EUR **89.500** will be made available. The budget available for the project includes all elements of its conception and execution.

3. NEGOTIATION

The Greens/EFA in the European Parliament reserves the right to award the contract on the basis of the initial tender without entering into negotiations.

4. PRICES

Prices shall be firm and not open to revision.

Pursuant to Article 3 of the Protocol on the privileges and immunities of the European Union, the price quotation shall be submitted excluding VAT and other equivalent indirect taxes.

We would like to receive an itemised quote for the cost per item to be developed or refreshed. The quote should also take into consideration the costs of the creative process, including all rights and feedback rounds and iterations before finalising the deliverable.

The price quoted must be all-inclusive and expressed in euros, including for countries which are not part of the euro zone. For tenderers in those countries, the amount of the tender may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and accept the risks or the benefits deriving from any variation.

We reserve the right to invite tenderers to the Greens/EFA offices within the European Parliament in Brussels to discuss the bid and proposals for the project. In case this is required, we will cover the costs of travel to and from Brussels (date and time to be confirmed).

5. CONFIDENTIALITY

Provider will treat any data made available to him/her in connection to the execution of the project as confidential. None of the data may be used or disclosed publicly for any other objective than the ones stated in this present document.

6. GENERAL TERMS AND CONDITIONS FOR PARTICIPATING IN THE INVITATION TO TENDER

1. Submission of a tender implies acceptance by the tenderer of the terms and conditions laid down in the procurement documents for this invitation to tender: the specifications, the draft contract. The above documents lay down the terms and conditions governing this invitation to tender and complement each other.
2. In submitting a tender, tenderers waive their own conditions of sale or work. Submission of a tender shall bind the tenderer during performance of the contract, should it be awarded to him/her.
3. Before submitting a tender, tenderers must take all the steps required to gain a proper understanding of the scale and nature of the subject of the invitation to tender and of any potential difficulties. In submitting a tender, tenderers acknowledge that they are aware of the risks and problems in connection with performance of the contract.
4. The period of validity of tenders, during which tenderers are required to maintain all the terms and conditions in their tenders, is 12 months from the closing date for submission of tenders.
5. The specifications relating to the contract and the draft contract are appended to this invitation. The specifications lay down all the documents to accompany the tender submission, including documents substantiating economic, financial, technical and professional capacity.
6. This invitation to tender does not entail any obligation on the part of the Greens/EFA Group in the European Parliament; that will arise only when the contract is signed with the successful tenderer. Likewise, submission of a tender in no way entitles a tenderer to be awarded the contract or a part thereof. Until the contract is signed, the Greens/EFA Group in the European Parliament may cancel the procurement procedure without candidates or tenderers being able to claim any compensation for any expenses incurred, including any travel costs. Where applicable, the reasons for that decision will be stated and communicated to all the tenderers.
7. Tenderers will be informed in writing of the decision taken on their tender.
8. Tenders will remain the property of the Greens/EFA Group in the European Parliament.
9. The follow-up to responses to the invitation to submit a tender will entail the registration and processing of personal data (e.g. name, address, CV). Such data will be processed in accordance with Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the

Community institutions and bodies and on the free movement of such data. Unless otherwise indicated, the replies to questions and the personal data requested are necessary for the evaluation of tenders, in accordance with the specifications in the invitation to submit a tender, and will be processed solely by the department of the authorising officer for that purpose. Upon request, tenderers may obtain details of their personal data and they may rectify any personal data which are inaccurate or incomplete. They may contact the department of the authorising officer in respect of any matter relating to the processing of their personal data. Tenderers are entitled to have recourse at any time to the European Data Protection Supervisor with regard to the processing of their personal data.

11. The Greens/EFA group reserves the right to invite tenderers to the Greens/EFA offices within the European Parliament in Brussels to discuss the bid and proposals for the project. In case this is required, we will cover the costs of travel to and from Brussels (date and time to be confirmed).

7. ADDITIONAL INFORMATION

1. Tenderers who wish to obtain additional information about the procurement documents should submit their questions **in writing** by the deadline for receipt of questions referred to in point 3 below:

- by e-mail to the following address:

Greens-EFA.Procurements@europarl.europa.eu

Requests for additional information must bear the following:

Greens/EFA EU Funding Tool

The contracting authority will not respond to oral questions, questions submitted after the deadline or questions which are incorrectly worded or addressed.

Any questions received, together with the relevant replies, will be sent by the contracting authority to all candidates prior to the deadline for sending replies given in point 3 below.

2. Tenderers should acknowledge receipt of the invitation and preferably inform the Greens/EFA group of whether they intend to submit an offer:

- by e-mail to the following address:

Greens-EFA.Procurements@europarl.europa.eu

8. PROBABLE TIMETABLE FOR THE INVITATION TO TENDER

Deadline for receiving questions: July the 24th, 2023

Deadline for sending replies: July the 31st, 2023

Closing date and time for the submission of tenders: August the 14th at 23:59 GMT+1

Probable date of award of contract: Third week of August

Once selected, the provider will deliver a general planning including the major milestones for the execution and the expected deliverables in accordance with the Greens/EFA.

9. CONTENT AND PRESENTATION OF TENDERS

Tenders may only be submitted in writing and in one of the official languages of the European Union, where possible in English.

However, it is hereby specified that the working language will be English.

Your tender must comprise a **signed scanned document** with each page duly completed and perfectly legible so as to preclude any doubt whatsoever as to the wording and figures.

Tenders must:

- be drawn up on the tenderer's headed paper;
- be signed by the tenderer or by his duly authorised representative;
- be submitted for the contract in its entirety
- be expressed in euros;
- be submitted in electronic format (sent by e-mail)
- The Greens/EFA Group in the European Parliament will ask tenderers to complete any tender which is incomplete or illegible or which is not formatted as requested¹.

About the company

Companies submitting tenders should provide:

- a short presentation of their company (core business, portfolio including similar projects, human resources and international experience...).

Agencies should submit their response to the call for tender with samples of:

- A narrative depicting the data collection plan, the front end and back end development steps, and as an option communication strategy, for the

¹ Under Article 96(2) of the Financial Regulation, where, due to a clerical error on the part of the tenderer, the tenderer omits to submit evidence or to make statements, the evaluation committee or, where appropriate, the authorising officer responsible must ask the tenderer to provide the missing information or clarify supporting documents. Such information or clarifications must not substantially change the proposal or alter the terms of the tender. The authorising officer or the evaluation committee may depart from this rule in duly justified cases.

application development.

- A detailed financial proposition / quote, financially interpreting the elements depicted in the narrative.

The first part of the tender must be entitled:

'I – Administrative Part'

- **Provide the VAT number and/or the fiscal registration number of the company.**

The second part of the tender must be entitled:

'II – Content part'

and must be subdivided into the following sections:

- **Section 1, entitled 'Methodology', must contain:**

- all samples requested as part of the tender.
- all the documents relating to the technical aspects of the tender which the tenderer considers appropriate to produce, such as plan to create wireframes, functional specifications, plan to create graphic design, app development steps, content integration plan, testing and handover. It does not include a maintenance plan as this phase is not required.

Section 2, entitled 'References', must contain:

- all samples considered appropriate to demonstrate capability to participate in this tender.

Section 3, entitled 'Origins of products - Standards - Suppliers', must contain:

- any information about the standard(s) with which the products/content created comply;

Section 4 – Other samples

- potential added value propositions

The third part of the tender must be entitled:

'III – Financial part'

and must be made up of a single section containing all documents relating to the financial aspect of the tender, quoting the total amount, along with a breakdown of all individual unit prices.

Financial offers should be detailed and differentiate between:

- each of the items to be refreshed or developed

The order and numbering of the sections must be followed.

10. TIME LIMITS AND PROCEDURES FOR THE SUBMISSION OF TENDERS

The closing date and time for the submission of tenders is August the 14th at 23:59 GMT+1

1. Tenders may be submitted by e-mail to Greens-EFA.Procurements@europarl.europa.eu with title "Tender Greens/EFA EU Funding Tool".
2. Tenders which do not comply with the time limits for submission given in point 1 above will be deemed inadmissible.

11. EXCLUSION CRITERIA

The full texts of Articles 106, 107 and 108 of the Financial Regulation on exclusion criteria and their application are available in the Official Journal of the European Union, No L 286, published on 30 October 2015, pages 1-29. Tenderers/candidates must declare that they are not in any of the exclusion situations described in these articles.

Article 106 of the Financial Regulation (extracts): only paragraphs 1, 4, 7 and 8 of Article 106 have been reproduced.

1. The contracting authority shall exclude an economic operator from participating in procurement procedures governed by this Regulation where:

a) the economic operator is bankrupt, subject to insolvency or winding-up procedures, where its assets are being administered by a liquidator or by a court, where it is in an arrangement with creditors, where its business activities are suspended, or where it is in any analogous situation arising from a similar procedure provided for under national laws or regulations;

b) it has been established by a final judgment or a final administrative decision that the economic operator is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;

c) it has been established by a final judgment or a final administrative decision that the economic operator is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the economic operator 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:

i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;

ii) entering into agreement with other economic operators with the aim of distorting competition;

iii) violating intellectual property rights;

iv) attempting to influence the decision-making process of the contracting authority during the procurement procedure;

v) attempting to obtain confidential information that may confer upon it undue advantages in the procurement procedure;

d) it has been established by a final judgment that the economic operator is guilty of any of the following:

i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995²;

ii) corruption, as defined in 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 1997³, and in Article 2(1) of Council Framework Decision 2003/568/JHA⁴, as well as corruption as defined in the law of the country where the contracting authority is located, the country in which the economic operator is established or the country of the performance of the contract;

iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA⁵;

² OJ C 316, 27.11.1995, p. 48.

³ OJ C 195, 25.6.1997, p. 1.

⁴ Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54).

⁵ Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

- iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council⁶;
- v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA⁷, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
- vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council⁸;

e) the economic operator has shown significant deficiencies in complying with main obligations in the performance of a contract financed by the 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 an authorising officer, OLAF or the Court of Auditors;

f) it has been established by a final judgment or final administrative decision that the economic operator has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95⁹.

2. The contracting authority shall exclude the economic operator where a person who is a member of the administrative, management or supervisory body of that economic operator, or who has powers of representation, decision or control with regard to that economic operator, is in one or more of the situations referred to in points (c) to (f) of paragraph 1. The contracting authority shall also exclude the economic operator where a natural or legal person that assumes unlimited liability for the debts of that economic operator is in one or more of the situations referred to in point (a) or (b) of paragraph 1.

3. The contracting authority (...) shall not exclude an economic operator from participating in a procurement procedure where:

a) the economic operator has taken remedial measures specified in paragraph 8 of this Article, thus demonstrating its reliability. This point shall not apply in the case referred to in point (d) of paragraph 1 of this Article;

b) it is indispensable to ensure the continuity of service, for a limited duration and pending the adoption of remedial measures specified in paragraph 8 of this Article;

c) such an exclusion would be disproportionate (...).

⁶ Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

⁷ Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3).

⁸ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

⁹ Council Regulation (EC, Euratom) No2988/95 of 18 December 1995 on the protection of the European Communities' financial interests (OJ L 312, 23.12.1995, p. 1).

In addition, point (a) of paragraph 1 of this Article shall not apply in the case of the purchase of supplies on particularly advantageous terms from either a supplier which is definitively winding up its business activities or the liquidators in an insolvency procedure, an arrangement with creditors, or a similar procedure under national law.

(...)

4. The measures referred to in paragraph 7, which remedy the exclusion situation, may include, in particular:

a) measures to identify the origin of the situations giving rise to exclusion and concrete technical, organisational and personnel measures within the relevant business area of the economic operator, appropriate to correct the conduct and prevent its further occurrence;

b) proof that the economic operator has undertaken measures to compensate or redress the damage or harm caused to the Union's financial interests by the underlying facts giving rise to the exclusion situation;

c) proof that the economic operator has paid or secured the payment of any fine imposed by the competent authority or of any taxes or social security contributions referred to in point (b) of paragraph 1.

Article 107 of the Financial Regulation (extracts): only paragraphs 1 and 2 of Article 107 have been reproduced.

Rejection from a given procurement procedure

1. The contracting authority shall not award a contract for a given procurement procedure to an economic operator who:

a) is in an exclusion situation established in accordance with Article 106;

b) has misrepresented the information required as a condition for participating in the procedure or has failed to supply that information;

c) was previously involved in the preparation of procurement documents where this entails a distortion of competition that cannot be remedied otherwise.

2. Before taking a decision to reject an economic operator from a given procurement procedure, the contracting authority shall give the economic operator the opportunity to submit its observations, unless the rejection has been justified in accordance with point (a) of paragraph 1 by an exclusion decision taken with regard to the economic operator, following an examination of its observations.

The candidate/tenderer is invited to complete Annex II, which lists the exclusion criteria.

Evaluation of the exclusion criteria

1. Tenderers must submit the declaration on the tenderer's honour, duly dated and signed, which is set out in Annex II.
2. In the case of a consortium of economic operators, the declaration on honour shall be provided by all the members of the consortium.
3. The European Parliament reserves the right to ask the candidate/tenderer to whom the contract is to be awarded to submit the documentary evidence, wherein he will be required to supply within 10 calendar days of the date of notification of the provisional award of the contract and before the contract is signed, to supply the following documentary evidence:
 - a recent extract from the judicial record or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country in which it is established showing that the economic operator to whom the contract is to be awarded is not in one of the situations referred to in Article 106(1)(a), (c), (d) or (f) of the Financial Regulation. The same applies to the persons referred to in Article 106(4);
 - a recent certificate issued by the competent authority of the State concerned proving that the tenderer is not in the situation referred to in Article 106(1)(a) and (b) of the Financial Regulation;
 - where the documents or certificates referred to above are not issued in the country concerned, and in respect of the other exclusion situations referred to in Article 106 of the Financial Regulation, they may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in the country in which it is established.
4. The tenderer shall be exempted from the obligation to submit the documentary evidence referred to in paragraph 1 if the tenderer is an international organisation, if it can be accessed free of charge through a national database or if such evidence has already been submitted for the purpose of another European Parliament tender procurement procedure and provided that the documents in question were not issued more than one year prior to the award of this contract and are still valid. In such cases, the tenderer will attest on its honour that the supporting documents have already been provided in a previous procurement procedure, which it will identify, and that there have been no changes in its situation.

12. SELECTION CRITERIA

The candidate/tenderer is invited to complete the selection criteria section of Annex II.

12.1. Legal and regulatory capacity

Not applicable.

12.2. Financial and economic capacity

Tenderers shall have sufficient economic and financial resources to enable them to perform the contract in compliance with the contractual provisions, given the value and scope thereof. If, on the basis of the information supplied by the tenderer, the Greens/EFA in the European Parliament has doubts about a tenderer's financial resources, or if these are insufficient for performance of the contract, the tender may be rejected without the tenderer being entitled to claim any financial compensation.

Tenderers will not be required to submit documentary evidence of their economic and financial capacity. However, submission of a tender amounts to a declaration on their part that they have the capacity required to perform the contract.

The Greens/EFA in the European Parliament reserves the right to seek information at any time to prove the real capacity of candidates/tenderers. If their capacity falls short of the requirements laid down in these specifications or they fail to furnish proof, the European Parliament will exclude the candidates/tenderers concerned from participation in the contract and impose such penalties as it might deem appropriate in the light of the financial rules applicable (see point 3, 'Subject of the contract').

12.3. Technical and professional capacity

The tenderer should have sufficient technical and professional resources to perform the contract in accordance with the contractual provisions, taking into account the contract's value and scale. If, on the basis of the information provided by the tenderer, the European Parliament has any doubts about its technical and professional resources or if these prove insufficient for the performance of the contract, the tender may be rejected without the tenderer being entitled to any financial compensation.

Tenderers will not be required to submit documentary evidence of their technical and professional capacity. However, submission of a tender amounts to a declaration on their part that they have the capacity required to perform the contract.

The European Parliament reserves the right to seek information at any time to prove the real capacity of candidates/tenderers. If their capacity falls short of the requirements laid down in these specifications or they fail to furnish proof, the European Parliament will exclude the candidates/tenderers concerned from

participation in the contract and impose such penalties as it might deem appropriate in the light of the financial rules applicable (see point 1, 'Subject of the contract').

If it establishes that a tenderer faces a conflict of interest which could adversely affect the performance of the contract, the European Parliament may conclude that the tenderer is not of the calibre required to perform the contract.

13. AWARD CRITERIA

The contract will be awarded to the tender offering best value for money.

We shall select the most economically advantageous tender in terms of the assessment criteria stated below:

	Price	20 /
	Understanding of the project	/20
	Timeline proposed for project completion	/30
	Methodology proposed	30 /
		Total /

14. NOTIFICATION OF RESULTS

The Greens/EFA Group in the European Parliament will inform all unsuccessful tenderers, simultaneously and individually, by electronic means, that their tender has

not been accepted. In each case the Greens/EFA Group in the European Parliament will indicate the reasons for the rejection of the tender.

Simultaneously with the notifications of rejection, the Greens/EFA Group in the European Parliament will communicate the award decision to the successful tenderer, stating that this does not constitute an obligation on the part of the institution.

Upon written request - by letter or e-mail - any unsuccessful tenderer may obtain additional information about the grounds for the rejection of his tender. Only tenderers who have submitted an admissible tender may obtain information about the characteristics and relative advantages of the tender chosen, together with the name of the tenderer awarded the contract. Tenders from tenderers who have not been excluded and who comply with the selection criteria are deemed admissible. However, some information will not be communicated if doing so would hinder application of the law, would be contrary to the public interest or would harm the legitimate business interests of public or private undertakings or could distort fair competition between them.

15. SUSPENSION OF THE PROCEDURE

If necessary, after the results have been notified and before the contract is signed, the Greens/EFA Group in the European Parliament may suspend the signing of the contract for additional examination if this is justified by the requests or comments made by unsuccessful or aggrieved tenderers or by any other relevant information received. The requests, comments or information concerned must be received during the 15 calendar days commencing the day after the date of simultaneous notification of the rejection and award decisions or, where applicable, the publication of a contract award notice. All tenderers must be informed of any suspension decision within three working days thereof.

Following the additional examination arising from suspension of the procedure, the Greens/EFA Group in the European Parliament may confirm its award decision, modify it or, if necessary, cancel the procedure. The reasons for any further decision must be stated and communicated in writing to all tenderers in contention.

Annex [I]: Declaration on honour on exclusion and selection criteria

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

<i>(only for natural persons)</i> himself or herself	<i>(only for legal persons)</i> 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’)

I – Situation of exclusion concerning the person

1) declares that the above-mentioned person is in one of the following	YES	NO
a) 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 national		
b) it has been established by a final judgment 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 law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;		
c) 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:		
i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;		
ii) entering into agreement with other persons with the aim of distorting		
iii) violating intellectual property rights;		
iv) attempting to influence the decision-making process of the contracting authority during the award procedure;		
v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;		
d) it has been established by a final judgment that the person is guilty of the		
i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July		

<p>ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of</p>		
<p>iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;</p>		
<p>iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;</p>		
<p>v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA , respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;</p>		
<p>vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;</p>		
<p>e) the person has shown significant deficiencies in complying with the main obligations in the performance of a contract 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 an Authorising Officer, OLAF or the</p>		
<p>f) 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;</p>		
<p>g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, the applicant is subject to:</p> <ul style="list-style-type: none"> i. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, 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; ii. 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; iii. decisions of the ECB, the EIB, the European Investment Fund or international organisations; iv. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law; or v. decisions of exclusion by an authorising officer of an EU institution, of a 		

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

Not applicable to natural persons, Member States and local authorities

2) 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 company directors, members of management or supervisory bodies, and cases where one natural person holds a majority of shares) is in one of	YES	NO	N/A
Situation (c) above (grave professional misconduct)			
Situation (d) above (fraud, corruption or other criminal offence)			
Situation (e) above (significant deficiencies in performance of a contract)			
Situation (f) above (irregularity)			

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

3) 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	YES	NO	N/A
Situation (a) above (bankruptcy)			
Situation (b) above (breach in payment of taxes or social security)			

IV – Grounds for rejection from this procedure

4) declares that the above-mentioned person:	YES	NO
h) has distorted competition by being previously involved in the preparation of procurement documents for this procurement procedure.		

V – Remedial measures

If the person declares one of the situations of exclusion listed above, it must indicate measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. This may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. 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 (d) of this declaration.

VI – Evidence upon request

Upon request and within the time limit set by the contracting authority the person must provide information on the persons that are members of the administrative, management or supervisory body. It must also provide the following evidence concerning the person itself and concerning the natural or legal persons which assume unlimited liability for the debt of the person:

For situations described in (a), (c), (d) or (f), 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 (a) or (b), production of recent certificates issued by the competent authorities of the State concerned are required. 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 procurement procedure. 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
<i>Insert as many lines as necessary.</i>	

VII - Selection criteria

5) declares that the above-mentioned person complies with the selection criteria applicable to it individually as provided in the tender specifications:	YES	NO	N/A
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a) It has the legal and regulatory capacity to pursue the professional activity needed for performing the contract as required in section 12.1 of the tender specifications;			
b) It fulfills the applicable economic and financial criteria indicated in section 12.2 of the tender specifications;			
c) It fulfills the applicable technical and professional criteria indicated in section 12.3 of the tender specifications.			

The contracting authority must adapt the table above to the criteria indicated in the tender specifications (i.e. insert extra rows for each criterion or delete irrelevant rows).

6) if the above-mentioned person is the sole tenderer or the leader in case of joint tender , declares that:	YES	NO	N/A
d) the tenderer, including all members of the group in case of joint tender and including subcontractors if applicable, complies with all the selection criteria for which a consolidated assessment will be made as provided in the tender specifications.			

VIII – Evidence for selection

The signatory declares that the above-mentioned person is able to provide the necessary supporting documents listed in the relevant sections of the tender specifications and which are not available electronically upon request and without delay.

The person is not required to submit the evidence if it has already been submitted for another procurement procedure. 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
<i>Insert as many lines as necessary.</i>	

The above-mentioned 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