***Circulation restricted*** *to the contracting authority and to the author of the document to protect the individual and to protect privacy, commercial and industrial secrecy*

SERVICE TENDER SUBMISSION FORM

Ref: < as per letter of invitation to tender>

<Contract title>  
<Lot number & lot title, if applicable>

**Please supply one signed** tender (including signed statements of exclusivity and availability from all key experts proposed, if applicable, a completed financial identification form and a completed legal entity file (only for the leader) and declarations from the Leader and all members (if you are in a consortium), together with three copies.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 economic and ecological reasons, we strongly recommend that you submit your files on paper (no plastic folder or divider). We also suggest you use double-sided printing wherever possible. **All data included in this application must concern only the legal entity or entities making the tender.**

Any additional documentation (brochures, letters etc.) sent with your tender will not be taken into consideration.Applications submitted by a **consortium** (i.e. either a permanent, legally-established grouping or a grouping set up informally for a specific tender procedure) must follow the instructions applicable to the consortium leader and its members.

An economic operator 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 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 on the part of 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 - notably that of nationality – and must comply with the selection criteria for which the economic operator relies on them. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender 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 services for which these capacities are required. With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies become jointly and severally liable for the performance of the contract.

**1 SUBMITTED by (i.e. the identity of the tenderer)**

|  |  |  |
| --- | --- | --- |
|  | **Name(s) of legal entity or entities making this application** | **Nationality[[1]](#endnote-2)** |
| **Leader[[2]](#endnote-3)** |  |  |
| **Member** |  |  |
| **Etc.** |  |  |

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

|  |  |
| --- | --- |
| **Name** |  |
| **Organisation** |  |
| **Address** |  |
| **Telephone** |  |
| **Fax** |  |
| **e-mail** |  |

**3 ECONOMIC AND FINANCIAL CAPACITY[[3]](#endnote-4)**

Please complete the following table of financial data[[4]](#endnote-5) based on your annual closed accounts and your latest projections. If annual accounts are not yet available for the current year or past year, please provide your latest estimates 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, please provide an explanation of the change as a footnote to the table). When the current ratio is set as selection criterion, for non-for-profit organisations the ratio has to be calculated without taking into account within the current liabilities the pre-financing received from donors for ongoing projects. Any other clarification or explanation which is judged necessary may also be provided. If the tenderer is a public body, please provide equivalent information.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Financial data**  Data requested in this table must be consistent with the selection criteria set in the contract notice | **2 years before last year[[5]](#endnote-6)**  **<**specify**>**  **EUR** | **Year before last year5**  **<**specify**> EUR** | **Last year5 <**specify**>**  **EUR** | **Average [[6]](#endnote-7)**  **EUR** | **[Pastyear**  **EUR]\*\*** | **[Current**  **year**  **EUR]\*\*** |
| Annual turnover[[7]](#endnote-8), excluding this contract |  |  |  |  |  |  |
| Current assets[[8]](#endnote-9) |  |  |  |  |  |  |
| Current liabilities[[9]](#endnote-10) |  |  |  |  |  |  |
| [Current ratio (current assets/current liabilities) | Not applicable | Not applicable |  | Not applicable | Not applicable | Not applicable] |

**4 STAFF**

Please provide the following statistics on staff for the current year and the two previous years[[10]](#endnote-11).

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

**5 AREAS OF SPECIALISATION**

Please fill in the table below to indicate any areas of specialist knowledge related to this contract for each legal entity making this tender. State the type of area of specialisation as the row heading and use 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 it has significant experience. **Maximum 10 specialisations**.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Leader | Member 2 | Member 3 | Etc. |
| Relevant specialisation 1 |  |  |  |  |
| Relevant specialisation 2 |  |  |  |  |
| Etc.[[11]](#endnote-12) |  |  |  |  |

**6 EXPERIENCE**

Please fill in the table below to summarise the main projects related to this contract carried out over the past 3 years[[12]](#endnote-13) by the legal entity or entities making this tender. The number of references to be provided must not exceed 15 for the entire tender.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Ref no (maximum 15)** | **Project title** | |  | | | | | |
| **Name of legal entity** | **Country** | **Overall contract value (EUR)[[13]](#endnote-14)** | **Proportion carried out by legal entity (%)18** | **No of staff provided** | **Name of client** | **Origin of funding** | **Dates (start/end)[[14]](#endnote-15)** | **Name of consortium members, if any** |
| … | … | … | … | … | … | … | … | … |
| **Detailed description of project** | | | | | | **Type and scope of services provided[[15]](#endnote-16)** | | |
| … | | | | | | … | | |

**7 DECLARATIONS**

As part of their tender, each legal entity identified under point 1 of this tender, including every consortium member, must submit a signed declaration using the attached format. The declaration may be in original or in copy. If copies are submitted, the originals must be sent to the contracting authority upon request.

Moreover, each legal entity identified under point 1 of this application, including every consortium member, and each capacity-providing entity (if any) must submit a signed declaration on honour on exclusion and selection criteria (form A14 available at the following link: <http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A> ).

**8 STATEMENT**

I, the undersigned, being the authorised signatory of the above tenderer (for a consortium, this must include all consortium members), hereby declare that we have examined and accept without reserve or restriction the entire contents of the tender dossier for the tender procedure referred to above. We offer to provide the services requested in the tender dossier on the basis of the following documents, which comprise our technical offer, and our financial offer, which is submitted in a separate, sealed envelope:

* Organisation & methodology
* Key experts (comprising a list of the key experts and their CVs), if required
* Tenderer’s declarations (for a consortium, two from each consortium member)
* Statements of exclusivity and availability signed by each of the key experts, if required
* Completed financial identification form (see Annex VI to the draft contract) providing details of the bank account into which payments under the proposed contract should be made in the event that we are awarded the contract (or the financial identification number or a copy of the financial identification form provided to the contracting authority on an earlier occasion, unless it has changed in the meantime)
* Completed legal entity file (or the legal entity number allocated. Alternatively a copy of the legal entity file provided to the contracting authority on an earlier occasion, unless the legal status has changed in the meantime)
* Duly authorised signature: an official document (statutes, power of attorney, notary statement, etc.) proving that the person who signs on behalf of the company/joint venture/consortium is duly authorised to do so.
* Documentary proof or statements required under the law of the country where we are effectively established (or each of the companies in case of a consortium), to show that we do not fall into any of the exclusion situations listed in Section 2.6.10.1 of the practical guide. This evidence or these documents or statements must carry a date, which is not more than one year before the date of submission of the tender. In addition, a statement is furnished stating that the situations described in these documents have not changed since then.
* Documentary evidence of the financial and economic capacity as well as the technical and professional capacity according to the selection criteria specified in the contract notice.

[We undertake to guarantee the eligibility of the subcontractor(s) for the parts of the services for which we have stated our intention to subcontract in the organisation and methodology.] (delete this sentence if not applicable)

This tender is subject to acceptance within the validity period stipulated in clause 6 of the instructions to tenderers.

We understand that our tender may be rejected if we propose key experts who have been involved in preparing this project or employ them as advisers in the preparation of our tender. We also understand that this may mean exclusion from other tender procedures and contracts funded by the EU/EDF.

We are fully aware that, for a consortium, the composition of the consortium cannot be changed in the course of the tender procedure, unless the contracting authority has given its prior approval in writing. We are also aware that the consortium members have joint and several liability towards the contracting authority concerning participation in the above tender procedure and any contract awarded to us as a result of it.

We understand that entities upon whose capacity we rely with regard to economic and financial criteria, become jointly and severally liable for the performance of the contract.

Signed on behalf of the tenderer

|  |  |
| --- | --- |
| **Name** |  |
| **Signature** |  |
| **Date** |  |

FORMAT FOR THE DECLARATION REFERRED TO IN POINT 7  
OF THE TENDER SUBMISSION FORM  
To be submitted on the headed notepaper of the legal entity concerned

<Date>

<Name and address of the contracting authority — see points 8 of the instructions to tenderers >

**Your ref: < reference >**

**TENDERER’S DECLARATION**

Dear Sir/Madam

In response to your letter of invitation for the above contract we, < name(s) of legal entity or entities>, hereby declare that we:

1. are submitting this tender [ on an individual basis ]\* [ as member of the consortium led by < name of the leader> [ourselves ]]\* for this contract. We confirm that we are not participating in any other tender for the same contract in any form (as a member, leader, in a consortium or as an individual candidate);
2. agree to abide by the ethics clauses in Section 13 of the instructions to tenderers, have not been involved in the preparation of the project which is the subject of this tender procedure unless it is proved that the involvement in previous stages of the project does not constitute unfair competition, and have no professional conflicting interests and/or any relation with other tenderers or other parties in the tender procedure or behaviour which may distort competition at the time of submission of this tender according to Section 2.5.4. of the practical guide;
3. [have attached a current list of the enterprises in the same group or network as ourselves ] [are not part of a group or network ]\* and have only included data in the tender form concerning the resources and experience of [our legal entity] [our legal entity and the entities for which we attach a written undertaking]\*;
4. will inform the contracting authority immediately if there is any change in the above circumstances at any stage during the implementation of the tasks;
5. fully recognise and accept that if the above-mentioned persons participate in spite of being in any of the situations listed in Section 2.6.10.1.1. 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 administrative sanctions in the form of exclusion and financial penalties up to 10 % of the total estimated value of the contract being awarded and that this information may be published on the Commission website in accordance with the Financial Regulation in force;
6. are aware that, for the purposes of safeguarding the EU’s financial interests, our personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel or to the European Anti-Fraud Office.

We understand that our tender and the expert may be excluded if we propose the same key expert as another tenderer or if we propose a key expert who is engaged in an EU/EDF financed project if the input from his/her position in that contract could be required on the same dates as his/her work under this contract.

We understand that if we fail to respond within the delay after receiving the notification of award, or if the information provided is proved false, the award may be considered null and void.

**DECLARATION ON HONOUR ON EXCLUSION 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’) |

The person is not required to submit the declaration on exclusion criteria if the same declaration has already been submitted for the purposes of another award procedure of the same contracting authority[[16]](#footnote-2), 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** |
|  |  |

[FOR grants:

[[which has been authorised to sign the present declaration on behalf of the following other persons[[17]](#footnote-3):

[*insert names of other entities on behalf of which the declaration is being signed*]]

declares that [the] [each] person:

|  |
| --- |
| 1. is eligible in accordance with the criteria set out in the specific call for proposals; |
| 1. has the required financial and operational capacity as set out in the specific call for proposals[[18]](#footnote-4); |
| 1. has not received any other Union funding to carry out the [action] [work programme] subject of this grant application and commits to declare immediately to the Commission/ the Agency any other such Union funding it would receive until the end of the [action][work programme]. |

***If any of the above requirements is not satisfied, please indicate*** *in annex to this declaration which and*  ***the name of the concerned person with a brief explanation.*]**

I – Situation of exclusion concerning the person

|  |  |  |
| --- | --- | --- |
| 1. declares that the above-mentioned person is in one of the following situations:   FOR GRANTS: [***If yes, please indicate in annex to this declaration which situation and the name(s) of the concerned person with a brief explanation*.**] | 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 EU or national legislation or regulations; |  |  |
| 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 credibity 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 or an agreement; |  |  |
| (ii) entering into agreement with other persons 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 award procedure; |  |  |
| (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure***;*** |  |  |
| 1. it has been established by a final judgement that the person is guilty of the following: |  | |
| (i) 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; |  |  |
| (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 and 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, and conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the applicable law. |  |  |
| (iii) conduct related to a criminal organisation, referred to in Article 2 of Council Framework Decision 2008/841/JHA; |  |  |
| (iv) 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; |  |  |
| (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; |  |  |
| (vi) 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 an contracting authority, OLAF or the Court of Auditors; |  |  |
| 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 under a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations of mandatory application in the jurisdiction of its registered office, central administration or principal place of business |  |  |
| 1. it has been established by a final judgment or final administrative decision that an entity has been created with the intent provided for in point (g). |  |  |
| 1. for the situations under points (c) to (h) the person is subject to: 2. facts established in the context of audits or investigations carried out by the European Public Prosecutor’s Office after its establishment, the Court of Auditors, the European Anti-Fraud Office 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; 3. 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; 4. facts referred to in decisions of entities and persons being entrusted with EU budget implementation tasks; 5. information transmitted by Member States implementing Union Funds; 6. 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; or 7. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body. |  |  |

[for grants) II: situations of exclusion concerning a natural person who is essential for the award or the implementation of the action or work programme subject to the grant application]

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 to natural persons, Member States and local authorities***

|  |  |  |  |
| --- | --- | --- | --- |
| 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) N°2015/849) is in one of the following situations:   [FOR GRANTS: ***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 (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) |  |  |  |
| Situation (g) above (creation of an entity with the intent to circumvent legal obligations) |  |  |  |
| Situation (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

[FOR GRANTS: ***This section applies only to declarations that include a person for which a natural or legal person assumes unlimited liability for debts***]

|  |  |  |  |
| --- | --- | --- | --- |
| 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 – Grounds for rejection from this procedure

|  |  |  |  |
| --- | --- | --- | --- |
| 1. declares that the [above-mentioned] [[the] [each] ] person: | YES | NO | N/A |
| 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 |  |  |  |

[FOR GRANTS:

V – Grounds for rejection from this procedure

|  |
| --- |
| 1. declares that the [the] [each] person: |
| was **not** previously involved in the preparation of 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. ***If yes, please indicate in annex to this declaration the name(s) of the concerned person(s) with a brief explanation .*** |

**]**

[V] [VI] – 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 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 (d) of this declaration.

[VI] [VII] – Evidence upon request

Upon request and within the time limit set by the contracting authority, the person must provide information on the natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control, including legal and natural persons within the ownership and control structure and beneficial owners. It must also provide the following evidence concerning the person itself and the natural or legal persons on whose capacity the person intends to rely, or the subcontractor, and concerning the natural or legal persons which assume unlimited liability for the debts of the person:

For situations described in (a), (c), (d) (f), (g) and (h) 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 ( (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 award procedure of the same contracting authority[[19]](#footnote-5). 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.

[FOR GRANTS:

If selected to be awarded a grant, the person subject to this declaration accept(s) the terms and conditions laid down in the grant contract.

**The person subject to this declaration 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]

[FOR PROCUREMENT: 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.* |  |

[VII] [VIII] – Selection criteria

|  |  |  |  |
| --- | --- | --- | --- |
| [(8)] [(9)] declares that the above-mentioned person complies with the selection criteria applicable to it individually as provided in the tender documents: | YES | NO | N/A |
| 1. It has the legal and regulatory capacity to pursue the professional activity needed for performing the contract as required in section [*insert*] of the contract notice/Instructions to tenderers/Guidelines for grant applicants; |  |  |  |
| 1. It fulfills the applicable economic and financial criteria indicated in section [*insert*] of the contract notice/Instructions to tenderers/Guidelines for grant applicants; |  |  |  |
| 1. It fulfills the applicable technical and professional criteria indicated in section [*insert*] of the contract notice/Instructions to tenderers/Guidelines for grant applicants. |  |  |  |

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| [(9)] [(10)] the above-mentioned person is the **sole tenderer** or the **leader in case of a consortium**, declares that: | YES | NO | N/A | |
| 1. the tenderer, including all members of the group in case of consortium and including subcontractors if applicable, complies with all the selection criteria for which a consolidated assessment will be made as provided in the tender documents. |  |  | |  |

[VIII] [IX] – 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 documents 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 of the same contracting authority[[20]](#footnote-6). 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 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

\* Delete as applicable

If this declaration is completed by a consortium member:

The following table contains our financial data as included in the consortium’s application 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 the columns marked with \*\*. Figures in all columns are 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). When the current ratio is set as selection criterion, for non-for-profit organisations the ratio has to be calculated without taking into account within the current liabilities the pre-financing received from donors for ongoing projects. 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 contract notice | **2 years before last5**  **<**specify**>**  **EUR** | **Year before last year5**  **<**specify**>**  **EUR** | **Last year5**  **<**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 statistics on our staff, as included in the consortium’s tender form:

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Average manpower** | **Year before past year** | | **Past year** | | **Current year** | | **Period average** | | |
|  | **Overall** | **Relevant fields** 11 | **Overall** | **Relevant fields** 11 | **Overall** | **Relevant fields** 11 | **Overall** | **Relevant fields** 11 | |
| Permanent staff 12 |  |  |  |  |  |  |  | |  |
| Other staff 13 |  |  |  |  |  |  |  | |  |

Yours faithfully,

<Signature of authorised representative>

<Name and position of authorised representative>

Statement of exclusivity and availability[[21]](#endnote-17)  
  
Publication ref:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I, the undersigned, hereby declare that I agree to participate exclusively with the tenderer < tenderer name > in the above-mentioned service tender procedure. This includes that I will not be proposed as a replacement expert in this tender procedure. I declare that I am able and willing to work for the period(s) set for the position for which my CV has been included if this tender is successful, namely:

|  |  |  |
| --- | --- | --- |
| **From** | **To** | **Availability** |
| < start of period 1 > | < end of period 1 > | [full time] [part time] |
| < start of period 2 > | < end of period 2 > | [full time] [part time] |
| < etc. > |  |  |

I confirm that I do not have a confirmed engagement[[22]](#endnote-18) as key expert in another EU/EDF-funded project, or any other professional activity, incompatible in terms of capacity and timing with the above engagements.

By making this declaration, I understand that I am not allowed to offer my services as an expert to any other tenderer participating in this tender procedure. I am fully aware that if I do so, I will be excluded from this tender procedure, the tenders will be rejected, and I may also be subject to exclusion from other tender procedures and contracts funded by the EU/EDF.

I also declare that I am not in a situation of conflict of interest or unavailability and commit to inform the tenderer(s) of any change in my situation.

I acknowledge that I have no contractual relations with the contracting authority and in case of dispute concerning my contract with the contractor I shall address myself to the latter and/or to the competent jurisdictions.

[For information, I have signed a statement of exclusivity and availability for the following tender(s):

|  |  |  |
| --- | --- | --- |
| **Tender reference** | **Submission deadline for the tender** | **Tendered engagement** |
| < tender reference > | < date > | [full time] [part time] |
| < tender reference > | < date > | [full time] [part time] |
| < etc. > |  |  |

Should I receive a confirmed engagement I declare that I will accept the first engagement offered to me chronologically. Furthermore I will notify the tenderer immediately of my unavailability. ]

|  |  |
| --- | --- |
| **Name** |  |
| **Signature** |  |
| **Date** |  |

1. Country in which the legal entity is registered. [↑](#endnote-ref-2)
2. Add/delete additional lines for consortium members as appropriate. **Note** that a subcontractor is not considered to be a consortium member for the purposes of this application form. Subsequently, data on subcontractors must not appear in the data related to the economic, financial and professional capacity. If this application is submitted by an individual legal entity, the name of that legal entity 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 applications indicated in the Contract notice and the award of the contract is not permitted without the prior written consent of the contracting authority. [↑](#endnote-ref-3)
3. Natural persons must prove their capacity in accordance with the selection criteria and by the appropriate means. [↑](#endnote-ref-4)
4. If this application is submitted by a consortium, the data in the table must be the sum of the data in the corresponding tables in the declarations provided by the consortium members — see point 7 of this application form. Consolidated data are not requested for financial ratios. [↑](#endnote-ref-5)
5. Last year = last accounting year for which the entity's accounts have been closed. [↑](#endnote-ref-6)
6. Amounts entered in the ‘Average’ column must be the mathematical average of the amounts entered in the three preceding columns of the same row. [↑](#endnote-ref-7)
7. The gross inflow of economic benefits (cash, receivables, other assets) generated from the ordinary operating activities of the enterprise (such as sales of goods, sales of services, interest, royalties, and dividends) during the year. [↑](#endnote-ref-8)
8. 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. [↑](#endnote-ref-9)
9. 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. [↑](#endnote-ref-10)
10. If this application 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 application form. [↑](#endnote-ref-11)
11. Add / delete additional lines and/or rows as appropriate. If this application is submitted by an individual legal entity, the name of the legal entity should be entered as ‘Leader’ (and all other columns should be deleted). [↑](#endnote-ref-12)
12. For framework contracts, only specific contracts corresponding to assignments implemented under such framework contracts shall be considered. [↑](#endnote-ref-13)
13. The effect of inflation will not be taken into account. [↑](#endnote-ref-14)
14. If the reference contract is only partially completed, please quote the percentage and value which has been completed. [↑](#endnote-ref-15)
15. When supporting documents are to be issued by contracting authorities after the date of publication of PRAG 2014, please also indicate the function of key experts provided, whether belonging or not to permanent staff, and the number of months each of them worked on the project. [↑](#endnote-ref-16)
16. The same institution or agency. [↑](#footnote-ref-2)
17. Please also consult the call for proposals in case specific options are defined to sign the declaration [↑](#footnote-ref-3)
18. This does not apply to affiliated entities except if their financial capacity and operational capacity is necessary due to the fact that the beneficiary composed of these affiliated entities does not have the required capacity itself. [↑](#footnote-ref-4)
19. The same institution or agency. [↑](#footnote-ref-5)
20. The same institution or agency. [↑](#footnote-ref-6)
21. To be completed by all key experts. [↑](#endnote-ref-17)
22. The engagement of an expert is confirmed if the expert is committed to work as a key expert under a signed contract financed by the EU general budget or the EDF or if he/she is a key expert in a tender which has received a notification of award. The date of confirmation of the engagement in the latter case is that of the notification of award to the Contractor.

    18 Only the proportion carried out by the legal entity may be used as reference. [↑](#endnote-ref-18)