Declaration on honour on exclusion criteria, selection criteria and confirmatory statement of resources

The undersigned

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: n/a Official legal form: n/a Statutory registration number: n/a Full official address: n/a n/a VAT registration number: n/a ('the entity')

Submit the following declarations:

A. Declaration on honour on exclusion criteria

To be completed by the tenderer.
In case of a joint offer, to be completed separately for each member of the group.
To be completed by subcontractors only when requested in the tender specifications

I-SITUATION OF EXCLUSION CONCERNING THE PERSON OR ENTITY		
(1) declares whether the above-mentioned person or entity is in one or more of the following situations:	**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 Union or national law;	☐	☑

(b) it has been established by a final judgement or a final administrative decision that the person or entity is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;	☐	☑
(c) it has been established by a final judgement or a final administrative decision that the person or entity is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person or entity 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 eligibility or selection criteria or in the performance of a contract or an agreement;	☐	☑
(ii) entering into agreement with other persons or entities 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;	☐	☑
(d) it has been established by a final judgement that the person or entity is guilty of any of the following:		
(i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council 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 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;	☐	☑
(iii) conduct related to a criminal organisation, as defined 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 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;	☐	☑
(e) the person or entity has shown significant deficiencies in complying with 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) or the Court of Auditors;	☐	☑
(f) it has been established by a final judgment or final administrative decision that the person or entity has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;	☐	☑
(g) 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 in the jurisdiction of its registered office, central administration or principal place of business;	☐	☑
(h) it has been established by a final judgment or final administrative decision that an entity has been created with the intent referred to in point (g).	☐	☑
(i) for the situations referred to in points (c) to (h) above, the person or entity is subject to: i. 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 (OLAF) 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; ii. 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; iii. facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks; iv. information transmitted by Member States implementing Union funds; v. 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 vi. 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 PERSONS WITH POWER OF REPRESENTATION, DECISION-MAKING OR CONTROL OVER THE LEGAL PERSON ***Not applicable to natural persons, Member States and local authorities***			
(2) The signatory 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 (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			
(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 situations:	**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		
(4) The signatory declares that s/he or the entity s/he represents for the purpose of this declaration:	**YES**	**NO**
Was previously involved in the preparation of documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition, that cannot be remedied otherwise.	☐	☑

V – REMEDIAL MEASURES

If the person or entity declares one of the situations of exclusion listed above, it must indicate the 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 the situations referred in point (d) of this declaration.

VI – EVIDENCE TO BE REQUESTED ONLY IN CASE OF CONTRACT AWARD

Upon request and within the time limit set by the contracting authority, the above-mentioned person or entity must provide the following evidence concerning the person or entity itself and the natural or legal persons on whose capacity the person intends to rely, or a subcontractor 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), (g) and (h), a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in its country of establishment showing that those requirements are satisfied.

For the situation described in point (b), production of recent certificates issued by the competent authority 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 of establishment, 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.

In specific cases, based on a risk assessment of the authorising officer, the entity might be asked to provide information/evidence on 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.

The person or entity 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

B. Declaration on honour on selection criteria and independence on submitted tender

to be completed by the tenderer and in case of joint tender only by the leading partner

(5) if the above-mentioned person or entity is the sole tenderer or the leader in case of joint tender, declares that the tenderer, including all members of the group in case of joint tender and including subcontractors if applicable:	**YES**	**NO**
(a) complies with all the selection criteria for which a consolidated asseessment will be made as provided in the tender specifications.	☐	☐
(b) has prepared the submitted tender in complete independence and autonomously from the other tenders submitted within the same procurement procedure..	☐	☐

I – EVIDENCE FOR SELECTION

The signatory declares that the above-mentioned person or entity 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 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**

C. Confirmatory statement of resources and professional conflicting interest

To be filled in by the tenderer
In case of a joint tender or subcontracting, to be completed separately for each member of the group and/or each subcontractor.

(6)declares that the above-mentioned person or entity:	**YES**	**NO**
(a) will provide the necessary resources for the performance of the contract.	☑	☐
(b) is not subject to conflicting interests which might negatively affect the contract performance.	☑	☐

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The above-mentioned person or entity must immediately inform the contracting authority of any change in the situations as declared.

The above-mentioned person or entity 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.

Signature below refers to the three sections A, B (where applicable), C (where applicable) in this document.

Full name Date Signature