**TENDERER’S DECLARATION**

*To be submitted on the entity’s letterhead by each entity identified in section 1 of the Tender* *Submission Form, as mentioned in section 6.1.2.a of the Instructions to Tenderers.*

<Date>

European Investment Bank

Att: Head of Division GLO/CFGA/ADV

100, Boulevard Konrad Adenauer

Luxembourg, L-2950

Luxembourg

**Your ref: AA-012158-001 - JASPERS on-site consultancy for institutional strengthening in Ukraine.**

Dear Sir/Madam,

In response to your invitation to tender for the above-mentioned contract, we, < **full name of the legal entity making this Declaration**>, hereby declare that we:

1. are submitting this tender <*please select as appropriate*> [Option 1] [on an individual basis] / [Option 2][as member of the consortium led by < **name of the leader / ourselves** >] for this contract, and authorize the leader of the consortium to submit the tender on our behalf and to sign the contract should our tender be successful.
2. confirm that we are not participating in any other tender for the same contract, whatever the form of participation (as a member - including leader - in a consortium or as an individual tenderer);
3. are not in any of the situations excluding us from participating in contracts which are stipulated under Article 57 of Council Directive 2014/24/EC;
4. <*please select as appropriate between Option 1 and 2*> [Option 1 ]we have not been involved in the preparation of the project which is the subject of this tender procedure [Option 2] our involvement in previous stages of the project as <*please specify*> does not constitute unfair competition and we undertake to prove this should we be required to do so by the Contracting Authority. [*please add for both Options*] Furthermore, we declare that we have no conflict of interests or any equivalent relation in that respect with other tenderers or parties involved in this technical assistance operation and/or the underlying project at the time of the submission of this tender;
5. <*please select as appropriate between Option 1 and 2*> [Option 1] [have attached a current list of the enterprises in the same group or network as ourselves ] / [Option 2] [ are not part of a group or network ] [*please add for both Options*]and have only included data in the Tender Submission Form concerning the resources and experience of <*please select as appropriate*> [our legal entity] / [our legal entity and the entities for which we attach a written undertaking];
6. [*if applicable*]wish to rely on the <*please specify type: financial, professional etc*> capacities of <*name of the economic operator on whose capacities the tenderer relies*> and have attached in this respect an undertaking from this company;
7. will inform the Contracting Authority immediately if there is any change in the above circumstances at any stage during the tender procedure and/or during the implementation of the tasks; and
8. fully recognise and accept that if we participate in spite of being in any of the situations stipulated under Article 57 of Council Directive 2014/24/EC or if the declarations or information provided prove to be false, we may be subject to rejection from this procedure;
9. are aware that, for the purposes of safeguarding the EU’s and/or EIB’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.
10. are aware that our key experts may have signed Statements of Exclusivity and Availability for other tender procedures and that the expert will notify us and the Contracting Authority should he/she receive a confirmed engagement[[1]](#footnote-1) in another tender, according to the Statement of Exclusivity and Availability.
11. recognise that our tender may be excluded should we propose any same key expert as another tenderer under this procedure.
12. recognise that our tender may be excluded, should we propose a key expert who is engaged on another project where his/her inputs are not compatible with the inputs required for his/her activities under this contract.

In the event that our tender is successful, we undertake, to provide the additional documentation indicated in the Instructions to tenderers. This includes evidence of the financial and economic standing and the technical and professional capacity data included in our submission form for this tender, according to the selection criteria specified in the Instructions to Tenderers, as well as the documentary evidences that we do not fall into the exclusion situations stipulated under Article 57 of European Parliament and Council Directive 2014/24/EU. The date on the evidence or documents provided in this respect will be no earlier than 1 year before the submission of the tender. In addition, we will provide a statement that our situation has not altered in the period, which has elapsed since the evidence in question, was drawn up.

We also understand that if we fail to provide this proof within 15 calendar days after receiving the notification of award, or if the information provided is proved false, the award may be considered null and void.

[*If this declaration is being completed by a consortium member (either as leader or as consortium member), please add the following*:

The following table contains our financial data[[2]](#footnote-2) as included in the consortium’s Tender Submission Form. These data are based on our annual audited accounts and our latest projections. Estimated figures (i.e., those not included in annual audited accounts) are given in italics. Figures in all columns have been provided on the same basis to allow a direct, year-on-year comparison to be made <except as explained in the footnote to the table>.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Financial data** | **Year n-2**  <*specify*>  **€** | **Year n-1**  <*specify*> **€** | **Year n**  <*specify*> **€** | **Year n+1**  <*specify*> **€** |
| Annual turnover, excluding this contract |  |  |  |  |

The following table contains our personnel statistics[[3]](#footnote-3) as included in the consortium’s Tender Submission Form:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Annual manpower** | **2 Years before last year**  <*specify*> | | **Years before last year**  <specify> | | **Last year**  <*specify*> | | **Current year**  <specify> | |
|  | Overall | Total for fields related to this contract | Overall | Total for fields related to this contract | Overall | Total for fields related to this contract | Overall | Total for fields related to this contract |
| Permanent staff |  |  |  |  |  |  |  |  |
| Other staff |  |  |  |  |  |  |  |  |

Yours faithfully,

<Signature of authorised representative>

Name and position of authorised representative

1. [↑](#footnote-ref-1)
2. The data provided in the table must belong to the legal entity providing the Declaration or, if the case, to this legal entity and to the entities from which a written undertaking is attached to the Tender submission form. In the latter case, care should be taken to ensure that the data belonging to the legal entity and that belonging to other entities can be easily identified, *e.g.* by including separate lines for the data belonging to each legal entity. [↑](#footnote-ref-2)
3. The data provided in the table must belong to the legal entity providing the Declaration or, if the case, to this legal entity and to the entities from which a written undertaking is attached to the Tender submission form. In the latter case, care should be taken to ensure that the data belonging to the legal entity and that belonging to other entities can be easily identified, *e.g.* by including separate lines for the data belonging to each legal entity. [↑](#footnote-ref-3)