

Clarification Document 3

Links to previous clarification documents

<https://www.eib.org/files/procurement/ceoi-2512-qa-29012026.pdf>

<https://www.eib.org/files/procurement/ceoi-2512-clarification-26022025.pdf>

QUESTION 43

With reference to Annex 4 V – *Exclusion Effect*, where the US Nexus is mentioned, we kindly request your support in clarifying the eligibility in cases where the Ultimate Beneficial Owner (UBO) includes a US citizen and/or indirect shareholders from the United States.

V – Exclusion Effect

The contracting authority shall exclude the economic operator from participation in a procurement

procedure if:

- the contracting authority has established by verification, or is otherwise aware, that the economic operator is in one of the situations listed in sections I to II of this Declaration,

and

- in the case of sub-sections iii. [US Sanctions] or iv. [UK Sanctions] of point I.D(b) [Other Grounds], or the proposed contract for which the economic operator is applying has a US Nexus¹¹ or a UK Nexus¹², or the sanction or restrictive measure in question is not in conflict with EU Regulation (EC) 2271/96 (“Blocking Regulation”) as amended from time to time,

and

- if any remedial measures are proposed in accordance with section III of this Declaration, such measures are not, to the satisfaction of the contracting authority, sufficient to demonstrate the economic operator’s reliability.



**Call for Expression of Interest to select
financial intermediaries to implement
financial instruments under the
Multiregional Investment Platform for Romania
Ref.: CEOI 2512**

Answer 43

The presence of US citizens, or the existence of indirect shareholders located in the US, as the Ultimate Beneficial Owners, does indeed constitute a “US Nexus” under the definitions applied in the Call for Expression of Interest. However, the existence of a US Nexus does not in itself render an applicant ineligible. The conditions provided for in section V of Annex 4 to the Call need to be applied cumulatively, i.e. the relevance of a US Nexus would arise only where US sanctions would apply in a given case.