

CALL FOR TENDERS BY OPEN PROCEDURE

CCIN° 2010CE16BAT006

ANNEX I - TENDER SPECIFICATIONS

1. TITLE OF THE CONTRACT

The Impact of the Single Market on Cohesion – Implications for Cohesion Policy, Growth and Competitiveness

2. PURPOSE AND CONTEXT OF THE CONTRACT

European economic, social and territorial cohesion policy, backed by the EU Structural Funds, connects and empowers citizens and businesses, helping to unleash the Single Market's full potential. This policy has helped to spread the benefits of the internal market to all regions of the Union, making sure the benefits of opening are widely shared and cushioning possible adverse effects of adjustment' (Single Market Review, November 2007).

Article 174 of the Treaty on the functioning of the European Union stipulates that "In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion. In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions."

In meeting the objectives of the Treaty, Article 3 of the Council Regulation (EC) No 1083/2006 stipulates that the actions taken by the Funds shall incorporate, at national and regional level, the Community's priorities in favour of sustainable development, by strengthening growth, competitiveness, employment and social inclusion and by protecting and improving the quality of the environment.

Since its inception, European Cohesion Policy aimed at facilitating the integration of European regions into the Single Market and accompanying restructuring processes of important industrial sectors, such as coal, steel and textiles. In recent years, external challenges have shifted the focus of Cohesion Policy to supporting adaptations induced by the rapid integration and interdependence of the global economy and by the integration of the new Member States in the Single Market. Cohesion Policy has undergone a fundamental paradigm shift, moving gradually away from the correction of structural weaknesses to focusing on growth-enhancing investments and unlocking untapped development potentials.

The renewal of the Lisbon strategy in 2005 has given increased attention to the role of European Cohesion Policy in delivering growth and jobs, in order to improve the overall consistency of the EU economic policy framework. In the 2007-2013 period European Cohesion Policy has been strategically aligned with the Lisbon process through various mechanisms (programming, monitoring, reporting).

A recent study¹ concluded that regional policy instruments in the 2007-2013 period have a significant potential to contribute to Lisbon objectives. The potential however varies greatly between Member States/regions. The main explanatory factors include strategic orientations as well as the stage of development of the Member States/regions, economic potential, political priorities and the scale of Cohesion Policy relative to domestic policy. Experiences of implementation increasingly suggest that the potential linkages between Cohesion Policy and the Lisbon process are not being fully realised.

Reflections have started on the Europe2020 strategy for the period after 2010. Europe 2020 will build on the achievements of the Lisbon Strategy, while learning lessons from it. According to the Commission's consultation paper of 24 November 2009, the strategy will focus on three thematic objectives: (a) creating value by basing growth on knowledge; (b) empowering people in inclusive societies; and (c) creating a competitive, connected and greener economy. The three thematic objectives will guide EU policy making in the years to come. They will require a broad range of policy instruments to be deployed at EU, national and sub-national levels. The study will explore the role of cohesion policy in the delivery of Europe2020 priorities.

Objectives

The purpose of the study is threefold:

First, the study should assess the impact of the Single Market on growth, competitiveness and employment at national and regional levels in EU27, in particular as regards its role in generating disparities and convergence.

Second, it should assess the appropriateness of the strategies and intervention logics developed in Cohesion Policy programmes in the 2007-2013 programming period to achieve growth, competitiveness and employment at national and regional levels.

Third, the study should analyse the policy linkages and institutional relationship between the Lisbon process and European Cohesion policy.

The study will draw conclusions for the future cohesion policy for the period post-2013. The study should explore possible ways to resolve the principle-agent problem in the context of the Europe2020 strategy.

3. SUBJECT OF THE CONTRACT

The overall subject of the study is an overview of Cohesion Policy and its interrelationship with other EU policies promoting the single market and competitiveness.

¹ "The Potential of Regional Policy Instruments 2007-2013 to Contribute to the Lisbon and Göteborg Objectives for Growth, Jobs and Sustainable Development", Nordregio, Final Report, 13 February 2009

3.1. Task 1: Inception report

The contractor will provide a short report (15 pages) outlining the methodology to be employed for all tasks.

3.2. Task 2: Literature review

The contractor shall provide a synthetic report covering the relevant literature, debates and empirical results on the following issues:

- What are the driving forces of growth, competitiveness and employment in the EU (neo-classical, endogenous, agglomeration and knowledge externalities etc.)?
- To what extent has the Single Market impacted on growth, competitiveness and employment in national and regional economies? To what extent have economic and monetary integration generated divergence and convergence processes? To what extent have institutions affected growth potentials? How to measure institutional effectiveness?
- What types of growth strategies, intervention logics have been applied by Member States and regions in the context of Cohesion Policy? To what extent have European Cohesion Policy programmes focused on fostering growth, competitiveness and employment in the past and current programming periods?
- To what extent have the Lisbon process and European Cohesion policy been interlinked?
- To what extent have governance systems contributed to the success of the Lisbon strategy

The literature review will take a historical perspective of European economic integration. The synthetic report will take the form of a report of no more than 30 pages excluding annexes.

3.3. Task 3: Analysis of policy linkages and institutional arrangements for the Europe 2020 strategy and Cohesion Policy

The task will involve two components:

- (i) A desk survey analysing the policy linkages and institutional arrangements between the Lisbon process and Cohesion Policy programmes implemented in the 2007-2013 period. The desk survey should cover all 27 Member States taking into account their specific institutional arrangements. It will also examine the extent to which the application of the Lisbon earmarking mechanism has contributed to delivering Lisbon priorities.

(ii) Examination of how cohesion policy can contribute to the integrated delivery of the Europe 2020 strategy. Exploration of the added value of the integrated approach versus sectoral approaches in the delivery of Europe 2020 priorities. This component will propose and assess options for the role of cohesion policy in the delivery of Europe2020.

3.4. Task 4: Methodological report

On the basis of literature review, the study will develop a methodology for:

- Assessing the impact of the Single Market on growth, competitiveness and employment (on the basis of a literature survey of macro-economic, econometric and New Economic Geography models and econometric analysis);
- Developing a typology of intervention logics aimed at fostering growth, competitiveness and employment through cohesion policy; and
- Developing a questionnaire for analysing Cohesion Policy interventions linked to Lisbon priorities.

3.5. Task 5: Assessment of the impact of the Single Market

The study will assess the impact of the Single Market on growth, competitiveness and employment at regional and national levels. It will be based on desk research, quantitative analysis and a representative sample of 20 case studies.

The study will also look into the influence of market forces (e.g. foreign direct investments) in the single market. The study will factor in the impact of the current financial and economic crisis on strategic priorities as well.

3.6. Task 6: Assessment of the appropriateness of Cohesion Policy interventions in support of growth, competitiveness and employment

On the basis of the typology of interventions developed in the methodological report, the study will assess the appropriateness of Cohesion Policy interventions to achieve growth, competitiveness and employment in the 2007-2013 programming period.

For this purpose, the study will analyse the intervention logics aimed at fostering growth, competitiveness and employment of the 2007-2013 Cohesion Policy programmes. It will analyse all national and regional programmes implemented in the 2007-2013 period (including ERDF, ESF and Cohesion Fund) as well as a sample of territorial cooperation programmes. It will analyse both 'soft' interventions such as entrepreneurship, innovation, human capital investments as well as 'hard' infrastructure, including Trans-European Networks. The analysis will be carried out on the basis of programming documents, such as NSRFs, OPs, ex-ante evaluations, annual reports and other relevant national documents.

3.7. Task 7: Policy implications

The contractor will provide a report of no more than 20 pages addressing the following questions:

- In what ways can public policy intervene to enable European regions to fully benefit from the Single Market?
- In what ways can European Cohesion Policy focus more strongly on growth enhancing investments in the less-developed regions of the Union?
- In what ways could the quality of public expenditure in support of Lisbon priorities/structural reforms be enhanced?
- What types of institutional governance mechanisms could ensure the most effective delivery of public goods in support of the Europe 2020 strategy?

3.8. Task 8: Draft final report

The contractor will provide a draft final report of no more than 120 pages, excluding annexes. The report shall consist of an executive summary (no more than 10 pages), the report itself, annexes and self-explaining power-points summarizing the results and recommendations in a policy relevant and readable manner.

Task 9: Final report

The contractor will provide a final report of no more than 120 pages, excluding annexes.

3.9. Task 10: Meetings with the Steering Group and workshops

A number of meetings will be held on the Commission premises for kicking off the project and discussing the deliverables with the Steering Group. These meetings will be organized by the Commission. The number of meetings will not exceed 8.

The purpose of the workshops is to work closely with the Commission services as well as peers. The number of workshops will not exceed 3. The peers shall give independent review and validation to the different steps of the study and will give an important input into the work. A maximum number of 8 experts will be nominated in close cooperation with the Commission services and paid by the contractor.

For each task, the contractor should specify: (1) the literature and sources that have been consulted and (2) how the information has been selected and obtained.

After the approval by the European Commission, the contractor is expected to give an oral presentation of its final report at DG REGIO, highlighting its main results and conclusions.

All reports will be submitted in English.

4. DURATION

The study will be executed within 12 months starting from the signature of the contract by the last party. The deliverables and their timing are specified below.

5. REPORTS AND DOCUMENTS TO BE SUBMITTED

End Month	Deliverable/ Meeting	Output
0.5	M1	Kick-off meeting with DG REGIO
1	D1	Inception report
3	D2 & D3	Report on literature review and Analysis of policy linkages and institutional arrangements for the Europe 2020 strategy and Cohesion Policy
3.5	M2	Meeting with DG REGIO
4.5	D4	Methodological report
5	W1	Expert workshop
5	M3	Meeting with DG REGIO
7.5	D5 & D6	Assessment of the impact of the Single Market & Assessment of the appropriateness of Cohesion Policy interventions in support of growth, competitiveness and employment
8	M4	Meeting with DG REGIO
9	D7	Report on policy implications
9	W2	Expert workshop
9.5	M5	Meeting with DG REGIO
10.5	D8	Draft final report
10.5	W3	Expert workshop
11	M6	Meeting with DG REGIO
11.5	D9	Final report
12	M7	Presentation of Final report

The kick-off meeting will take place after the signature of the contract.

Each deliverable will be examined by a DG REGIO-led steering group, which may ask for additional information or propose changes in order to redirect the work if necessary. Deliverables must be approved by the steering group. The Commission shall have twenty days from receipt to approve or reject a deliverable, and the Contractor shall have twenty days in which to submit additional information or a new deliverable. Requests for payment are admissible if the previous deliverables have been approved by the Commission.

A hard copy and an electronic version of all reports (including draft / interim versions) are required. For the final versions three hard copies and an electronic version (three CDs, word format and PDF format or equivalent application compatible with MS Office) are required. The Commission will provide details for the layout of the report.

6. PARTICIPATION IN THE TENDERING PROCEDURE

The competition is open to any physical person or legal entity coming within the scope of the Treaties and any other physical person or legal entity from a third country which has concluded with the Communities a specific agreement in the area of public contracts, under the conditions provided for in that agreement.

The Multilateral Agreement on Government Procurement (GPA) concluded within the WTO applies and the contract is open to nationals of States that have ratified this Agreement, under the conditions provided for therein. The GPA does not cover all contracts awarded by the Institutions of the EC. Appendix I to the GPA sets out which contracts are covered. The full text of the GPA and its appendices can be found on:

http://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm

Consortia of economic operators are authorised to tender. As a rule, subcontracting is allowed.

7. DOCUMENTATION PROVIDED FOR TENDERERS

Not available

8. MEETING/INFORMATION SESSION

Not available

9. VARIANTS

Not authorized.

10. VOLUME OF THE CONTRACT

The indicative maximum volume for the contract is **900.000 Euro** (lump sum including fees, travel expenses and other costs).

11. PRICE

The attention of the tenderer is drawn to the following points in relation to the price:

- Prices must be fixed amounts and not subject to revision.
- The price tendered must be inclusive of all costs and expressed in euros, even for countries outside the euro zone. For tenderers from such countries, the prices may not be subsequently revised to reflect movements in the exchange rate. The choice of which exchange rate to use lies with the tendering party, who accepts both the risks and opportunities of any fluctuations in this rate.
- The tender must include a separate estimate of travel and subsistence expenses. This estimate must be based on the standard Commission rules. It includes possible travel necessary to meet Commission staff and represents, at all events, the maximum amount of travel and subsistence expenses payable for all services under the contract. These expenses are part of the price and will not be reimbursed separately.
- Under Articles 3 and 4 of the Protocol on Privileges and Immunities of the European Communities, the Community is exempt from any duties, taxes or charges, including VAT, and these should not, therefore, be taken into account when calculating the price quoted. Nevertheless, the VAT amount must be indicated separately.
- All costs incurred for the preparation and submitting of the tender are at the tenderer's expense and will not be reimbursed.

12. TERMS OF PAYMENT

The Contractor shall submit requests for all payment, expressed in euros, to the Commission.

Payments under the contract shall be made as follows:

- a. A first interim payment equal to 20% of the total amount within 30 days of the date on which a valid request for payment is registered following approval by the Commission of the literature review and methodological report (deliverable 2 & 3) and the previous deliverable - the inception report.
- b. A second interim period equal to 30% of the total amount within 30 days of the date on which a valid request for payment is registered following approval by the Commission of the report of analysis of cohesion policy interventions and the report of analysis of policy linkages, institutional arrangements (deliverable 5 & 6) and the previous deliverables
- c. A third interim payment equal to 20% of the total amount within 30 days of the date on which a valid request for payment is registered following approval by the Commission of the report on policy implications (deliverable 7).
- d. Payment of the balance equal to 30% of the total amount within 30 days of the date on which a valid request for payment is registered following the presentation of the

final report (deliverable 9) after approval by the Commission of the final report and the previous deliverables.

13. CONTRACTUAL CONDITIONS AND GUARANTEE

- For contractual conditions, see the contractual conditions in the attached draft contract.
- Guarantee: not applicable.

14. EXCLUSION CRITERIA

A. Exclusion from participation in the procedure:

Tenderers are excluded from participating in a procedure if

- a. they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b. they have been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*;
- c. they have been guilty of grave professional misconduct proven by any means which the contracting authorities can justify;
- d. they have not fulfilled their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established, or with those of the country of the contracting authority or those of the country where the contract is to be carried out;
- e. they have been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f. they have, following another procurement procedure or grant award procedure financed by the Community budget, been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Evidence:

- 1) Tenderers shall provide a declaration on their honour, duly signed and dated, stating that they are not in one of the situations described above (annex II).

- 2) The tenderer **to whom the contract is to be awarded** shall provide, within 10 days preceding the signature of the contract, **the evidence** referred to in the following paragraph, confirming the declaration referred to in the previous paragraph.
- 3) The contracting authority will accept, as satisfactory evidence that the tenderer to whom the contract is to be awarded is not in one of the situations described in points A a), b) or e), a extract from the judicial record or, failing that, an equivalent document issued by a judicial or administrative authority in the country of origin or provenance, showing that those requirements are satisfied.

The contracting authority will accept, as satisfactory evidence that the tenderer is not in one of the situations described in point A d), a certificate issued by the competent authority of the Member State concerned.

Where no such document or certificate is issued by the country concerned and for other cases of exclusion referred to in cases c) and f) above, it 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 his or her country of origin or provenance.

These documents or certificates must be valid on the closing date for receipt of tenders, and in any case, they must have been delivered less than 12 months before this closing date.

Depending on the national legislation of the country in which the tenderer is established, the documents referred to in points 1 and 3 above must relate to legal persons and natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the tenderer.

B. Exclusion from award of the contract:

No contract will be awarded to tenderers who, at the time when contracts are being awarded under this procedure:

- a) have a conflict of interest. The Commission must ensure that the tenderer does not, at the time of submitting a tender, have any conflict of interest in connection with this call for tenders, a conflict of interest possibly arising in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest. The Commission reserves the right to assess whether a conflict of interest exists.

To that end tenderers are asked to state whether their payroll, staff or shareholders include:

- any former European officials, contract staff, temporary staff or auxiliary staff who have worked for the European Communities in the last three years preceding this call for tenders;

- any European officials on leave;
- any former agents on secondment within the European institutions having worked to the European Communities during three years preceding this call for tender;
- any former trainees who have completed a placement at the EC during the year preceding this call for tenders.

Tenderers are also asked to declare:

- that they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
 - that they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract;
 - that they will inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest.
- b) have been guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or have failed to supply that information.

Evidence:

The contracting authority will accept, as satisfactory evidence that the tenderer is not in one of the situations described in points 3 a) and b), a declaration on honour signed by the tenderer using the model shown in Annex II. However, the Commission reserves the right to verify the information.

C. Tenders submitted by consortia

Where the tender is submitted by a consortium or by a contractor intending to subcontract part of the work or have it performed by another economic operator, the exclusion criteria defined above have to be fulfilled by each economic operator involved in the tender.

Evidence:

In the case of tenders submitted by consortia or groups of service providers, every economic operator in the tender, must provide a declaration on honour to prove that none of the exclusion criteria for participation or award of contracts applies to it.

The tenderer to whom the contract is to be awarded shall provide, within 10 days preceding the signature of the contract, the evidence referred to above,

confirming the declaration on honour for every economic operator part of the consortia or group of service providers.

In the case of tenders involving subcontracting, the contractor to whom the contract is to be awarded shall provide, within 10 days preceding the signature of the contract, the evidence referred to above for the exclusion criteria for participation or award of contracts, confirming the declaration on honour for every subcontractor for which the Commission will request it.

15. SELECTION CRITERIA

Legal position – means of proof required

- a) Where the tenderer needs a specific authorisation or must be a member of a specific organisation in order to provide the services concerned in his country of origin, he must prove that he holds this authorisation or that he belongs to this organisation.
- b) The tenderer is required to furnish proof of his enrolment on the professional or trade register, or a sworn statement or certificate in accordance with the conditions laid down in the Member State in which he is established.

Economic and financial capacity – means of proof required

The tenderers must prove that they have the economic and financial capacity to carry out the tasks set out in the tender specifications throughout the duration of the contract.

Proof of financial and economic standing must be provided by one or more of the following:

- Bank declarations;
- Balance sheets or summarised balance sheets covering at least the last two years for which the accounts have been closed ;
- A statement of general turnover or turnover relating to the services in question, covering the last three financial years.

Technical and professional capacity – means of proof required

Technical capacity will be assessed on the basis of expertise, knowledge, efficiency, experience and reliability in the following areas:

- Knowledge of European policies, in particular internal market, competition, enterprise, economic, monetary policies, science and technology, transport, employment and social affairs;
- Knowledge of European Cohesion Policy and its interrelationship with the Lisbon strategy for Growth and Jobs;
- Knowledge of economic growth theories and applied economics;

- Capacity of drafting and presentation of multi-country and multi-disciplinary analytical reports;
- Co-ordination of a team of researchers.

The following shall serve as proof:

- (a) The educational and professional qualifications of the service provider or contractor and/or those of the firm's managerial staff and, in particular, those of the person or persons responsible for providing the services;
- (b) A list of the principal services provided in the past three years, with the sums, dates and recipients, public or private;
- (c) A description of the technical equipment and tools to be employed by the firm for performing a service or works contract;
- (d) A statement of the average annual manpower and the number of managerial staff of the service provider or contractor in the last three years;
- (e) Proportion of the contract which the tenderer may intend to subcontract.

16. AWARD CRITERIA

The contract will be awarded to the tender that is **most economically advantageous**. This will be determined in the light of the price and the quality of the tender. The successful tender will be one providing a high level of quality (for which it will be given a mark) with the lowest ratio of total cost to the quality mark achieved. Tenders with a quality mark below 50% of available points will not be considered.

The quality of the tender will be assessed as a function of the following criteria:

- Understanding of the terms of reference and appropriately expanding it to the tasks (30%)
- Appropriateness and quality of the proposed methodology (40%)
- Organisation of the work and allocation of human resources (30%)

17. TENDER TO BE SUBMITTED BY THE TENDERER

– Tenderers must include the following information in their replies:

All the information and documentation needed to enable the contracting department to appraise tenderers/tenders on the basis of the exclusion, selection and award criteria ;

The price;

Any other information and documentation required in the tendering documents.

- Tenders may be written in any of the official EU languages.
- Tenders from the consortia of companies or groups of service providers must specify the role, qualifications and experience of each member or group.

18. OPENING OF TENDERS

Tenders will be opened on 07/04/2010 at 14h00 in room CSM1 09/022 in DG Regional Policy, Cours Saint-Michel 1, rue Père de Deken, 23, 1040 – Brussels. Tenderers may be present at the opening of tenders. Each tenderer may take part or send a representative.

Annexes to the Tender Specifications:

- I. Draft contract
- II. Model for Declaration on honour
- III. Bibliography

ANNEX II

Declaration of honour with respect to the Exclusion Criteria and absence of conflict of interest

The undersigned [*name of the signatory of this form, to be completed*]:

- in his/her own name (*if the economic operator is a natural person or in case of own declaration of a director or person with powers of representation, decision making or control over the economic operator²*)
- or
- representing (*if the economic operator is a legal person*)

official name in full (*only for legal person*):

official legal form (*only for legal person*):

official address in full:

VAT registration number:

declares that the company or organisation that he/she represents / he/she:

- a) is not bankrupt or being wound up, is not having its affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, and is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) has not been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*;
- c) has not been guilty of grave professional misconduct proven by any means which the contracting authorities can justify;
- d) has fulfilled all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the contract is to be carried out;
- e) has not been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f) is not a subject of the administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or failing to supply an information, or being declared to be in serious breach of his obligation under contract covered by the budget.

In addition, the undersigned declares on their honour:

² To be used depending on the national legislation of the country in which the candidate or tenderer is established and where considered necessary by the contracting authority (see art. 134(4) of the Implementing Rules).

- g) they have no conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest;
- h) they will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- i) they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- j) they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to award of the contract;
- k) that the information provided to the Commission within the context of this invitation to tender is accurate, sincere and complete;
- l) that in case of award of contract, they shall provide the evidence that they are not in any of the situations described in points a, b, d, e above³.

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the Tenderer is a legal person and the national legislation of the country in which the Tenderer is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the Tenderer.

For the situation described in point (d) above, recent certificates or letters 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 Tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it 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 his country of origin or provenance.]

By signing this form, the undersigned acknowledges that they have been acquainted with the administrative and financial penalties described under art 133 and 134 b of the Implementing Rules (Commission Regulation 2342/2002 of 23/12/02), which may be applied if any of the declarations or information provided prove to be false.

Full name

Date

Signature

³ Mandatory for contracts of value above €133 000 only (see art. 134(2) of the Implementing Rules). The contracting authority can nevertheless request such evidence for contracts with a lower value.

ANNEX III

Bibliography

The study shall complement the following studies commissioned by DG REGIO:

- Thematic evaluation of Structural Funds contribution to the Lisbon strategy, Synthesis Report February 2005.
- 2007.CE.16.0.AT.041 The potential of regional policy instruments 2007-2013, to contribute to the Lisbon and Göteborg objectives for growth, jobs and sustainable development (Final report, 13 February 2009)
- 2007.CE.16.0.AT.031. Ex-post evaluation of cohesion policy programmes 2000-2006. Work Package 6. Enterprise environment and innovation.
- 2007.CE.16.0.AT.034 Ex-post evaluation of cohesion policy programmes 2000-2006. Work Package 11. Management and implementation systems for Cohesion policy;
- 2007.CE.16.0.AT.035 Governance methods for regional innovation strategies
- Second, Third and Fourth Reports on Economic and Social Cohesion.