

Specifications

CCI N°2010CE16BAT030

1. TITLE OF CONTRACT

Assessing the impact of changing regulatory requirements on administrative costs and administrative burden of managing EU Structural Funds

2. CONTEXT

The issue of reducing costs of compliance and cost of management of EU policies is one of growing importance. In the wake of the economic crisis which has limited the resources available to countries, businesses and individuals alike, it is more important than ever to ensure that policies put in place at the level of the EU and modifications introduced into existing instruments do not represent an excessive burden to those who implement these policies or need to comply with them. The impact of policies in terms of administrative costs to the EU, national and regional administrations should also be assessed to ensure that policies are managed efficiently and in an economic manner.

According to the Financial Regulation applicable to the EU budget¹ sound financial management encompasses three management principles: economy, efficiency and effectiveness. Economy refers to the need perform activities financed in due time, in the necessary quality as well as quantity and with the best price. The principle of effectiveness establishes that activities should be targeted and results achieved. Efficiency in turn is concerned with the best relationship between resources employed and results achieved. These principles are important to take into account in the preparation for the post-2013 period, in which Cohesion Policy should be more effective, result oriented, efficient and deliver the best value for money.

Activities financed under the heading of Cohesion Policy currently represent approximately a third of the EU budget and are implemented in the context of shared management – in cooperation between the Commission and Member States. Cohesion Policy is regional in character and thus also encompasses sub-national actors. Countless businesses, municipalities, non-governmental organisations prepare and implement projects financed from Structural Funds.

Therefore any reduction in the administrative burden and costs in the area of Cohesion Policy can potentially benefit many stakeholders operating in the EU and especially those operating in less affluent regions of the Union.

As part of the work to prepare delivery mechanisms for the post-2013 period DG REGIO wishes to assess to which extent potential modifications to the current implementation rules would affect costs of administration of the policy and administrative burden of the beneficiaries of Structural Funds and the Cohesion Fund.

¹ Council regulation (EC, Euratom) 1605/2002

In the case of **administrative cost to national/regional authorities**, the consultant should take into account that baseline data for administrative costs in 2007-2013 is available as a result of the study "Administrative costs of EU Cohesion Policy" which will be finalised in 2010 and analyses administrative costs of the implementation of 2007-2013 programmes across all 27 Member States. Thus analysis of administrative costs shall be based mostly on the existing data and the expertise of the consultant. Consultant should be able to involve expertise in regard to different Member States, if such need should arrive.

In the case of **administrative burden of beneficiaries** the consultant should use, where possible, the results of the "Feasibility study on the implementation of the recommendation of creating central clearing houses for Cohesion Policy reporting on national/regional level", to be finalised in October 2010, to establish a baseline, as the study includes a measurement of administrative burdens based on the information obligations in place for 2007-2013. The method of analysis based on EU Standard Cost Model (SCM) is preferred and the section on SCM in the Commission Guidelines for Impact Assessment² is to be used as the point of reference.

Overview of the data sources, data collection, method of analysis and expertise involved in the process of analysis should be submitted within the offer.

3. OBJECTIVES

To analyse the administrative burden associated with the Funds on applicants and beneficiaries of Structural Funds as well as administrative costs for public administrations in the light of potential regulatory requirements for the period post 2013 and in comparison with requirements in place for 2007-2013.

3.1 TASKS

The consultant will have to carry out five tasks.

Task 1: Inception report (deliverable 1)

The consultant shall submit an inception report of no more than 25 pages (excluding annexes) including a detailed schedule for each of the following tasks and the precise content of each deliverable. The report shall provide an overview of data sources and expertise to be used in the analysis; it shall also highlight possible risks and list corresponding mitigating actions.

Task 2: Methodological report (deliverable 2)

The consultant shall submit a report detailing the methodology suggested in the offer for all tasks. The methodological report shall address the analysis of changes in administrative cost (to public bodies) and in administrative burden (to applicants/beneficiaries) separately. The report shall contain all tools used for data collection and analysis incl. draft questionnaires where appropriate.

² http://ec.europa.eu/governance/impact/commission_guidelines/commission_guidelines_en.htm

The consultant needs to demonstrate how the analysis (including segmentation where relevant) takes place, which sources of data are used, how data is collected and that necessary expertise is incorporated into the process of analysis.

As a part of methodological development the consultant shall map the core tasks carried out by the national/regional authorities under current legislation. These shall include at least the following areas:

- Programming, preparation of National Strategic Frameworks and Operational Programmes incl. ex-ante evaluation and other preparatory work related to programming;
- Monitoring, evaluation and reporting incl. annual, final and strategic reporting by the Member States;
- Establishment of national/regional management and control systems incl. compliance assessment and designation of authorities;
- Keeping records (incl. accounting information) and maintenance of the audit trail incl. the establishment and development of relevant information systems;
- Financial management incl. declaring of expenditure, certification, receipt of funds.
- Project preparation and selection incl. major projects.
- Proving/verification of deliverables and compliance;
- Fulfilment of audit requirements incl. preparation of the audit strategy, system audits, sampling, projects' audits, coordination with Commission etc
- Closure of programmes incl. control and reporting.

The report shall also include a breakdown of information obligations (at the level of detailed data requirements) to the applicants and beneficiaries of Cohesion Policy under current legislation for at least the following areas:

- Preparation and submission of projects (incl. major projects) and their amendments for approval;
- Requirements in regard to monitoring, evaluation and any other reporting;
- Keeping records (incl. accounting information) and maintenance of the audit trail;
- Financial management incl. declaration of expenditure and preparation of payment claims;
- Proving/verification of deliverables and compliance.

The methodology submitted shall take into account the nature of the core tasks identified as well as that of information obligations imposed on the applicants/beneficiaries.

The methodology should be flexible enough to analyse the effects of:

- (1) Abolishing core tasks/information requirements;
- (2) Changing the frequency of occurrence related to core tasks/requirements;
- (3) Changing the content of requirements or core tasks;
- (4) Adding requirements or new tasks.

The consultant should ensure that data coverage in terms of different Member States, areas of intervention and types of beneficiaries is sufficient to ensure reliability of results.

The methodology should facilitate comparison across the two dimensions of analysis (administrative cost and administrative burden) to capture the possible shift of expenses related to fulfilment of EU requirements from the national/regional administrations to applicants/beneficiaries or vice versa. It should equally deliver an assessment of transaction costs incl. the cost of adjusting to changing requirements and enable the estimation of all effects both in absolute and relative terms.

In addition to assessing the effects of changing EU requirements the methodology should allow the identification of other significant variables affecting the size of administrative costs and administrative burden in Member States.

Task 3 : Data collection, analysis and validation

Analysis shall take place on the basis of three scenarios of potential changes in the legislative requirements of 2007-2013, one of them being *status quo*. Scenarios shall be provided to the consultant by DG Regio. The main objective of the analysis stage is to quantify the effects of proposed changes on administrative costs and administrative burden.

The consultant will collect and systematize the data necessary for analysis in accordance with the submitted methodology. Analysis shall be performed separately for administrative cost and administrative burden, however in a manner which enables to compare the changes across the two dimensions.

The data collected and the preliminary results of the analysis shall be presented to DG Regio for validation (**deliverable 3**). The objective of the validation exercise is to ensure that the data is reliable and that results can be extrapolated with reasonable confidence. DG Regio shall involve necessary expertise from relevant Member States into the validation process. DG Regio may request the consultant to double check the data, collect additional data within reasonable quantities, or to revise the analysis if the conclusions from the validation process so require.

The results of the validation process shall be taken into account in the drafting of the final report.

Task 4: Final report (deliverable 4)

The final report should present in a synthetic manner the results of tasks 1 -3 in a report of no more than 120 pages plus annexes.

The final report should address administrative costs and administrative burden separately while drawing parallels and making comparisons across the two sections where appropriate. It shall present results both in absolute and relative terms.

The final report should in particular provide the following elements:

- An analysis of the potential changes in administrative costs and in administrative burden in total at the level of the EU, by Member State where possible, and by task or requirement, following the 2 pre-defined scenarios of regulatory changes and the scenario based on *status quo*;
- Identification of potential changes with the greatest and the most negligible effects; identification of the bearers of these costs incl. identification of the types of beneficiaries and applicants most affected by these changes.

The final report should also provide for a cross comparison between the changes in administrative costs and those detected in administrative burden for all 3 scenarios to assess the overall effect of different changes in the regulatory system.

Task 5: Presentation of results (deliverable 5)

The consultant shall present the results to DG Regio and other services which have a vested interest in the study. Facilities in Brussels for this event and the registration of participants shall be organized by DG Regio.

3.2 TIME SCHEDULE AND DELIVERABLES

The works will be executed within 6 months starting from signature of the contract by the last party. The deliverables and their timing are specified below.

Timing	Deliverables (D) / Meetings (M)	Output
Week 1	M1	Kick-off meeting (Commission - Contractor)
Week 2	D1	Inception report
Week 3	(M2)	(possible meeting to discuss the inception report)
Week 7	D2	Methodological report
Week 8	M3	Meeting to discuss the methodological report

Week 16	D3	Submission of data collected and preliminary analysis for validation
Week 17	(M4)	(possible meeting to discuss the preliminary analysis and needs for additional data)
Week 21	D4	Draft final report
Week 22	M5	Meeting to discuss and validate the draft final report
Week 24	D4	Final report
Within the 6 th month		
D5		Presentation of the results of the study

Deadline for deliverable 5: the timetable for the presentation will be agreed during the course of the contract.

Each deliverable will be examined by a Commission steering group composed of interested services which may ask for additional information or propose changes in order to redirect the work if necessary. Deliverables must be accepted by the steering group. This is of particular importance for the deliverables to which a payment is linked.

The report should be available in English in an easily accessible style. The report should not exceed 120 pages (excluding annexes) and shall contain an executive summary of no more than 10 pages.

A hard copy and an electronic version of all reports are required.

The contractor will present the results of the study to the Commission services. The contractor will provide presentation material for the reports in English (PowerPoint) for the use of Commission services.

The work will be organised on the basis of a single contract with the Directorate General for Regional Policy. As part of the tender documentation, the tenderer should identify the team to be involved, describing their skills and qualifications and quantifying the input of each member of the team in terms of days and explaining the distribution of tasks between the different experts involved. The study will be accompanied by DG REGIO C.1. A maximum of 5 meetings shall be organised with Commission services for the purpose of reviewing the progress of the work and resolving any problems. Additionally the contractor is obliged to present the results of the study in Brussels. Travel costs and all other costs incurred by the contractor in relation to these meetings shall be born by the contractor.

4. DOCUMENTATION FOR TENDERERS:

Not applicable.

5. VISITS TO PREMISES OR BRIEFING

Not applicable.

6. VARIANTS

Not authorised.

7. WORKLOAD AND VOLUME OF CONTRACT

With regard to the overall volume of the tasks to be fulfilled, the total number of working days proposed should not be less than 450.

The maximum volume of the contract is 500.000 € (lump sum including fees, travel expenses and other costs).

8. 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 price quoted may include a separate estimate for travel and subsistence expenses. This estimate must be based on the standard Commission rules. It must include any travel necessary to meet the contracting authority, and represents, at all events, the maximum amount of travel and subsistence expenses payable for all services under the contract. These expenses must be included in the price quoted.
- Under Articles 3 and 4 of the Protocol on Privileges and Immunities of the European Union, the Union 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.

9. 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:

- (1) First interim payment: 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 Inception Report (deliverable 1)

- (2) Second interim payment: 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 Methodological Report (deliverable 2) and of the previous deliverable.
- (3) Payment of the balance equal to 50% 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 final report (deliverable 4) and the organisation of the report's presentation (deliverable 5), and approval of the previous deliverables.

10. CONTRACTUAL CONDITIONS AND GUARANTEE

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

11. 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 European Union 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. 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

As a rule subcontracting is allowed.

Consortia of economic operators are authorised to tender.

12. 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 Union's financial interests;
- f. they have, following another procurement procedure or grant award procedure financed by the Union's 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 to the Tender Specifications).
- 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), an 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 Union 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 Union 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 B a) and b), a declaration on honour signed by the tenderer using the model shown in Annex II of the Tender

Specifications. 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 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 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.

13. 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 tenderer 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, methodology, knowledge, efficiency, experience and reliability in the following areas:

- Knowledge of the governance structures of Member States and those of the European Union ;
- Knowledge of the EU Cohesion policy and its delivery;
- Capacity of drafting and presentation of multi-country and multi-disciplinary analytical reports;
- Basic knowledge of public accounts;
- Experience of the 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 contracts.
- (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

14. 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%)

15. 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.
- In case of tenders involving subcontractors, a letter of intent must be supplied by each subcontractor stating its unambiguous undertaking to collaborate with the tenderer if he wins the contract and the extent of the resources that it will put at the tenderer's disposal for the performance of the contract.

16. OPENING OF TENDERS

Tenders will be opened on August 16, 2010 at 10h00 in room CSM1 9/22, DG Regional Policy, 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:

1. Draft contract
2. Model for Declaration on honour

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 operator³*)

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*;

³ 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).

- 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:

- 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 above⁴.

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.

⁴ 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.

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