

Clarification Note #4

EUSPA internal reference: 325332

Procurement procedure: EUSPA/OP/19/26 (EUSPA/PRG/2026/OP/0011)

Title: 'Administrative support services to EUSPA'

Question #16: Can EUSPA confirm whether administrative documents (e.g. Power of Attorney, Tenderer Identification Sheet, Declaration of Honour, etc.) signed in March or April are acceptable for this tender, or whether updated versions signed more recently are required? Thank you in advance for your clarification.

Answer #16:

The Agency confirms that, following the provisions of **Annex I.B (Declaration of Honour)** and Section 8 of the Tender Specifications, **supporting documentary evidence** accompanying the Declaration of Honour may be reused, provided that it remains valid and was issued no more than one (1) year before the deadline for submission of tenders. In accordance with Section 10.1.1 and 7.1.3 of the Tender Specifications, the same principle applies to the **Identification Form (Legal Entity File)** and its **supporting documents**.

However, **Annex I.B (Declaration of Honour)** is procurement-specific. In addition to the declarations relating to exclusion and rejection grounds, it contains dedicated sections reflecting the access to procurement conditions, selection criteria and minimum requirements applicable to the present procurement procedure. Consequently, tenderers are required to submit a Declaration of Honour completed and signed specifically for the current procurement procedure EUSPA/OP/19/26.

With regard to **Annex I.A (Identification Sheet of the Tenderer)**, specifying among other elements, also the role of the entity in the tenderer's organisation), **Annex I.C (Joint Bidding Power of Attorney)**, **Annex I.D.1 (Subcontractor Letter of Intent)**, **Annex I.D.2 (Non-Subcontractor Letter of Intent)** and **Annex I.E (Financial Statements relating to the Selection Stage)**, forms prepared and signed for a previous EUSPA procurement procedure may be reused, under the condition that the relevant authorised representative(s) of the tenderer, consortium member, subcontractor or other entity concerned expressly confirm in other duly signed document that the content of the respective document remains accurate, valid and fully applicable to procurement procedure EUSPA/OP/19/26.

As regards **Annex I.G ((Reinforced) Non-Disclosure Undertaking)**, Section 10.1.3.3 of the Tender Specifications expressly require submission of an RNDU for the present procurement procedure and explicitly state that previously signed NDUs with EUSPA shall not be regarded as fulfilling the RNDU requirement. Accordingly, a new RNDU shall be submitted for this tender.



Regarding **Annex I.H (Criteria for Assessment of Participation Conditions, including Declaration of Ownership and Control)**, the Agency recalls that Section 7.1.1 of the Tender Specifications generally allows economic operators to rely on information, documents and supporting evidence already submitted in a previous EUSPA or European Commission procedure, provided that such documentation remains valid, is not older than one (1) year and no change has occurred in the underlying situation. In such cases, the relevant economic operator shall identify the relevant procedure and confirm that no changes have occurred. The Agency nevertheless reserves the right to request re-submission of the relevant documentation during the evaluation process.

However, to the extent that the documents signed in March or April referred to in the request are documents prepared in the context of procurement procedure EUSPA/OP/16/25, tenderers are invited to take note of the clarification previously provided in Clarification Note#1, question 6 (#98405 in F&T Portal).