

GSA/OP/25/20

GRC Guarding, Security and Safety Monitoring Services

LIST OF TENDER SPECIFICATIONS ADMINISTRATIVE ANNEXES

Annex I.A – Template Identification Sheet of the Candidate

Annex I.B – Template Declaration of Honour

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ANNEX I.A - TEMPLATE IDENTIFICATION SHEET OF THE CANDIDATE

IDENTIFICATION OF THE CANDIDATE

(Each service provider, including subcontractor(s) or any member of a consortium or grouping, must complete and sign this identification form)

Identity	
Name of the legal entity	
Legal status of the legal entity	
Description of role within the Candidate	
Date of registration	
Country of registration	
Registration number	
VAT number	
Description of statutory social security cover (at the level of the Member State of origin) and non-statutory cover (supplementary professional indemnity insurance) ¹	
Address	
Address of registered office of legal entity	

¹ For natural persons

Where appropriate, administrative address of legal entity for the purposes of this procurement process	
Contact Persons	
For procurement process management²	
Surname: First name: Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number: Fax number: E-mail address:	
Contact person for the communications regarding the NDU	
Surname: First name: Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number: Fax number: E-mail address:	
Local Security Officer	
Surname: First name: Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number: Fax number: E-mail address:	
Legal Representatives	
For the signature of the NDU	
Names and functions of legal representatives and of other representatives of the legal entity who are authorised to sign contracts with third parties	
For the signature of the Contract	
Names and functions of legal representatives and of other representatives	

² One person per candidate (legal entity, group or consortium) has to be identified for the purposes of this procurement procedure. This person will be responsible for distributing information within the candidate.

of the legal entity who are authorised to sign contracts with third parties	
Declaration by an authorised representative of the organisation³ I, the undersigned, certify that the information given in this identification sheet is correct and that the identification sheet is valid.	
Surname: First name:	Signature:

³ This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

ANNEX I.B – TEMPLATE DECLARATION OF HONOUR

The undersigned _____ representing
the

<i>(only for natural persons)</i> himself or herself	<i>(only for legal persons)</i> the following legal person: <hr style="border: 0; border-top: 1px solid black;"/>
ID or passport number:	Full official name: <hr style="border: 0; border-top: 1px solid black;"/> <hr style="border: 0; border-top: 1px solid black;"/> Official legal form: <hr style="border: 0; border-top: 1px solid black;"/> <hr style="border: 0; border-top: 1px solid black;"/> Statutory registration number: <hr style="border: 0; border-top: 1px solid black;"/> <hr style="border: 0; border-top: 1px solid black;"/> Full official address: <hr style="border: 0; border-top: 1px solid black;"/> <hr style="border: 0; border-top: 1px solid black;"/> VAT registration number: <hr style="border: 0; border-top: 1px solid black;"/>
hereinafter referred to as "Participant ⁴ ")	

[Please note that the text in brackets in romans should be deleted if not relevant in your case. If the text is relevant, only the brackets should be deleted. The text in brackets in italics and the footnotes

⁴ DoH are to be submitted by the candidate (single candidate / each member of consortia) / subcontractors as indicated in the tender specifications

are instructions to the persons preparing the document and should always be deleted, as well as this paragraph.]

1. declares ⁵ whether the above-mentioned Participant is in one of the following situations or not:		
SITUATION OF EXCLUSION CONCERNING THE PARTICIPANT	YES	NO
a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under Union or national law;	<input type="checkbox"/>	<input type="checkbox"/>
b) it has been established by a final judgement or a final administrative decision that the Participant is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;	<input type="checkbox"/>	<input type="checkbox"/>
c) it has been established by a final judgement or a final administrative decision that the Participant is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the Participant belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:		
(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the implementation of the contract/grant agreement;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) entering into agreement with other persons or entities with the aim of distorting competition;	<input type="checkbox"/>	<input type="checkbox"/>
(iii) violating intellectual property rights;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) attempting to influence the decision-making process of the authorising officer responsible during the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
(v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

⁵ All declarations shall be interpreted in line with Articles 136, 137 and 141 of Regulation (EU, Euratom) 2018/1064 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L193, 30.07.2018, p.1) (hereinafter the 'Financial Regulation').

d) it has been established by a final judgement that the Participant is guilty of any of the following:		
(i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in other applicable laws;	<input type="checkbox"/>	<input type="checkbox"/>
(iii) conduct related to a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
(v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;	<input type="checkbox"/>	<input type="checkbox"/>
(vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
e) it has shown significant deficiencies in complying with main obligations in the implementation of a contract/grant agreement financed by the budget, which has:	<input type="checkbox"/>	<input type="checkbox"/>
(i) led to the early termination of a contract/grant agreement;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) led to the application of liquidated damages or other contractual penalties; or	<input type="checkbox"/>	<input type="checkbox"/>
(iii) been discovered by an authorising officer, OLAF or the Court of Auditors following checks, audits or investigations;	<input type="checkbox"/>	<input type="checkbox"/>
f) it has been established by a final judgment or final administrative decision that the Participant has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;	<input type="checkbox"/>	<input type="checkbox"/>
g) it has been established by a final judgment or final administrative decision that the person or entity has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business;	<input type="checkbox"/>	<input type="checkbox"/>
h) it has been established by a final judgment or final administrative decision that an entity has been created with the intent referred to in point (g).	<input type="checkbox"/>	<input type="checkbox"/>

Situation (g) above (circumvention of legal obligations)	<input type="checkbox"/>	<input type="checkbox"/>	
Situation (h) above (creation to circumvent)	<input type="checkbox"/>	<input type="checkbox"/>	
3. declares whether beneficial owner(s) (as defined in Article 3(6) of Directive (EU) 2015/849) of the Participant is in one or more of the following situations or not [(if yes, please indicate the name of the concerned beneficial owner(s) if any in annex to this declaration):			
SITUATIONS OF EXCLUSION CONCERNING BENEFICIAL OWNERS	YES	NO	
Situation (c) above (grave professional misconduct)	<input type="checkbox"/>	<input type="checkbox"/>	
Situation (d) above (fraud, corruption or other criminal offence)	<input type="checkbox"/>	<input type="checkbox"/>	
Situation (e) above (significant deficiencies in performance of a contract/grant agreement)	<input type="checkbox"/>	<input type="checkbox"/>	
Situation (f) above (irregularity)	<input type="checkbox"/>	<input type="checkbox"/>	
Situation (g) above (circumvention of legal obligations)	<input type="checkbox"/>	<input type="checkbox"/>	
Situation (h) above (creation to circumvent)	<input type="checkbox"/>	<input type="checkbox"/>	
4. declares whether a natural or legal person that assumes unlimited liability for the debts of the Participant[s] is in one or more of the following situations or not:			
SITUATIONS OF EXCLUSION CONCERNING NATURAL OR LEGAL PERSONS ASSUMING UNLIMITED LIABILITY FOR THE DEBTS OF THE PARTICIPANT	YES	NO	Not applicable
Situation (a) above (bankruptcy)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (b) above (breach in payment of taxes or social security contributions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. declares whether a natural or legal person who is a member of the administrative, management or supervisory body of the above-mentioned legal person, or who has powers of representation, decision or control with regard to the above-mentioned legal person (this covers e.g. company directors, members of management or supervisory bodies, and cases where one natural or legal person holds a majority of shares), or a beneficial owner of the person (as referred to in point 6 of article 3 of Directive (EU) No 2015/849) is in one or more of the following situations or not:			

	YES	NO
Situation (c) above (grave professional misconduct)	<input type="checkbox"/>	<input type="checkbox"/>
Situation (d) above (fraud, corruption or other criminal offence)	<input type="checkbox"/>	<input type="checkbox"/>
Situation (e) above (significant deficiencies in performance of a contract)	<input type="checkbox"/>	<input type="checkbox"/>
Situation (f) above (irregularity)	<input type="checkbox"/>	<input type="checkbox"/>
Situation (g) above (circumvention of legal obligations)	<input type="checkbox"/>	<input type="checkbox"/>
Situation (h) above (creation to circumvent)	<input type="checkbox"/>	<input type="checkbox"/>
6. declares whether the Participant:		
GROUND FOR REJECTION FROM THIS PROCEDURE	YES	NO
i) confirms that it has provided accurate, sincere and complete information to the Agency within the context of this procurement procedure;	<input type="checkbox"/>	<input type="checkbox"/>
j) confirms that it has not distorted competition by being previously involved in the preparation of documents used in this procurement procedure	<input type="checkbox"/>	<input type="checkbox"/>
7. acknowledges that the Participant(s) may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false.	<input type="checkbox"/>	<input type="checkbox"/>

REMEDIAL MEASURES

If the Participant declares one of the situations of exclusion listed above, it should indicate the measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. They may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. The relevant documentary evidence which appropriately illustrates the remedial measures taken should be provided in annex to this declaration. This does not apply for the situations referred in point (d) of this declaration.

EVIDENCE TO BE PRESENTED

The successful Participant (subcontractors including⁶) shall provide within the time limit set by the Agency following evidences for compliance with the exclusion criteria:

⁶ to the extent defined in the tender specifications

For situations described in (a), (c), (d), (f), (g) and (h), a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the Participant showing that those requirements are satisfied.

For the situation described in point (a) and (b), recent certificates issued by the competent authorities of the country of establishment. Where such types of certificates are not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

If the Participant already submitted such evidence for the purpose of another procedure administered by the Agency, its issuing date does not exceed one year and it is still valid, the Participant shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

If the evidence are accessible free of charge on a national database, the Participant shall provide the Agency with all the necessary information to access such databases.

EVIDENCE UPON REQUEST

Upon request and within the time limit set by the Agency the Participant shall provide information on the natural or legal persons that are members of the administrative, management or supervisory body, or that have powers of representation, decision or control with regard to the Participant, on the beneficial owners of the Participant, as well as the following evidence concerning the natural or legal persons which assume unlimited liability for the debt of the Participant:

For situations described in (a), (c), (d), (f), (g) and (h), production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the Participant showing that those requirements are satisfied.

For the situation described in point (a) or (b), production of recent certificates issued by the competent authorities of the country of establishment. Where such types of certificates are not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

If the Participant already submitted such evidence for the purpose of another procedure administered by the Agency, its issuing date does not exceed one year and it is still valid, the Participant shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

If the evidence are accessible free of charge on a national database, the Participant shall provide the Agency with all the necessary information to access such databases.

8. Declares that the above-mentioned Participant:		
SELECTION CRITERIA	YES	NO
(a) fulfills the applicable economic and financial criteria indicated in Section 3.2.2 of tender specifications;	<input type="checkbox"/>	<input type="checkbox"/>

In both cases, the Participant shall submit an explanatory note explaining the structure of the group/chain, substantiating the place of establishment of the entities involved and identifying both the ultimate controlling person and its place of establishment or nationality.			
Please indicate the place of establishment of the ultimate controlling centre(s) (for legal persons) or nationality (for natural persons): [WRITE HERE THE PLACE OF ESTABLISHMENT/NATIONALITY]			
3. Location of facilities The facilities (for manufacturing of goods and/or supplying of services) which the economic operator would use for the execution of the contract or the subcontract are located within the European Union.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Please indicate the place of location of these facilities: [WRITE HERE THE LOCATION OF THE FACILITIES]			
For all criteria above, the GSA may require the Participant to submit additional supporting documents demonstrating compliance with the declaration related to participation conditions (notably copies of identity documents or passports for physical persons and extracts from company register for legal persons).			

Full name

Date

Signature

ANNEX I.C - TEMPLATE POWER OF ATTORNEY

(DESIGNATING ONE OF THE COMPANIES AS GROUP COORDINATOR AND GIVING IT POWER OF ATTORNEY)

We the undersigned:

– Signatory 1 [Name, Function, Company, Registered address, VAT number]

For [Company name] taking up the following role within the consortium with its qualification as [enter company's qualification for its assigned role].

– Signatory 2 [Name, Function, Company, Registered address, VAT number]

For [Company name] taking up the following role within the consortium with its qualification as [enter company's qualification for its assigned role].

–

– Signatory N [Name, Function, Company, Registered address, VAT number],

For [Company name] taking up the following role within the consortium with its qualification as [enter company's qualification for its assigned role].

each of us having the legal capacity required to act on behalf of our company,

HAVE AGREED AS FOLLOWS:

(1) For that purpose, the group members designate company X as group coordinator.

[N.B. The group coordinator/prime must be one of the group members]

The group members confer on the group coordinator all the necessary powers to act on their behalf in connection with the procurement process **GSA/OP/25/20 GRC Guarding, Security and Safety Monitoring Services'**. This mandate involves in particular the following tasks:

- The group coordinator shall sign any procurement related documents requiring the candidate's/tenderer's signature).
 - The group coordinator shall act as single point of Contact for the GSA in connection with the procurement process.
 - If awarded, the group coordinator shall sign the Contract and addenda thereto, issue any invoices related to the supplies or the services and receive payments from the GSA on behalf of the group members.
 - The group coordinator shall act as single point of contact for the GSA in connection with supplies and the related services to be provided under the Contract in case awarded. It shall coordinate the provision of the supplies and the related services by the group members to the GSA, and shall ensure proper performance of the Contract.
- (2) In case of contract award, as co-signatories of the Contract, all the group members:
- shall be jointly and severally liable vis-à-vis the GSA for the performance of the Contract;
 - shall comply with the conditions of the Contract and ensure the proper execution of their respective share of the supplies and/or the services.
- (3) Payments by the GSA for the supplies or related services shall be made through the group coordinator's bank account.

[Provide bank details, name, address, account number, etc.]

Any modification to the present agreement/power of attorney must be explicitly approved by the GSA.

This agreement/power of attorney shall expire when all the contractual obligations of the group members towards the GSA in connection with the supplies and the services to be provided under the Contract have lapsed. The parties may not terminate it before that date without the GSA’s consent.

Signed at _____, on _____

Name		Name	
Function		Function	
Company		Company	
Name		Name	
Function		Function	
Company		Company	

ANNEX I.D - TEMPLATE LETTER OF INTENT

<Letterhead of the sub-contractor or other entity on whose resources to rely>

GSA/OP/25/20

GRC Guarding, Security and Safety Monitoring Services

The undersigned: [...]

Name of the company/organization: [...]

Address: [...]

Declares hereby the commitment to collaborate in the execution of the tasks subject to the above procurement process and contract implementation, in accordance with the terms of the tender to which the present form is annexed, if the contract is awarded to [insert candidate's/tenderer's name] to make it available the competence (resources and other capacities) of our company as described under section 1 in the area described under section 2. below;

Sub-contracting is intended as follows:

1. Brief description of the resources of the subcontractor required for the performance of the contract:

[...]

2. Brief description of the performance which will be rendered by the subcontractor:

[...]

3. Estimated proportionate value (in%) of contribution to the total contract value to be subcontracted to the present company/organization:

_____%

Full name

Date

Stamp/Signature

.....