

Referennce Number: FCA22051_Mrc1_TenderDossier_ENG

Date: 25 September 2024

INVITATION TO TENDER

FOR “ARRANGEMENT OF EXTERNAL DRAINAGE FROM THE ROOF OF THE MYRCHA GYMNASIUM OF THE BORODYANKA VILLAGE COUNCIL OF KYIV REGION AT THE ADDRESS: 1 KOTSYUBYNSKOHO STR., MYRCHA VILLAGE, 07810, KYIV REGION, BUCHA DISTRICT, UKRAINE”.

Dear Sir/Madam,

Further to your enquiry regarding the publication of the above-mentioned Invitation to Tender, please see below and enclosed the list of documents which constitute the procurement documents. Electronic copy of these documents can be downloaded at:

<https://playtender.com.ua/zak/tender/view?id=1093>

Sections of this Invitation:

A – Tender Information table

B – Instructions to tenderers

C – Annexes:

Annex 1: Template of Agreement for the performance of a complex of repair works.

(Please see Annex 1; File_name: FCA22051_Mrc1_AWR_TndDsrAnnex1.doc).

Annex 2: Tender Submission form, list of required documents.

(Please see Annex 2; File_name: FCA22051_Mrc1_TSF_TndDsrAnnex2.pdf).

Annex 3: Terms of Reference #FCA22051_Mrc1_ToR1.

(Please see Annex 3; File_name: FCA22051_Mrc1_ToR1_ENG_TndDsrAnnex3.pdf).

Annex 4: FCA Code of Conduct for Contractors and Service Providers.

(Please see Annex 4; File_name: FCA22051_Mrc1_CoC_ENG_TndDsrAnnex4.pdf).

A. Tender Information Table

1.	General Information		
1.1.	Contracting Authority	Separated subdivision of Hungarian Interchurch Aid in Ukraine(26628405)	
1.2.	Invitation to tender reference no	FCA22051_Mrc1_TenderDossier_UKR, FCA22051_Mrc1_TenderDossier_ENG, FCA22051_PR_DNK02.	
1.3.	Procurement Method	Open Tender	
1.4.	Contract Title	“Arrangement of external drainage from the roof of the Myrcha gymnasium of the Borodyanka village council of Kyiv region at the address: 1 Kotsyubynskoho Str., Myrcha village, 07810, Kyiv region, Bucha district, Ukraine”.	
1.5.	Contact Info	Name/Position:	Mr. Lunyov Bohdan / Project Procurement officer
		Email:	Lunyov.Bohdan@hia.hu
		Physical Address:	49000, Str. Architect Dolnyk, building 8 HIA Dnipro office
1.6.	Link for tenderers	https://playtender.com.ua/zak/tender/view?id=1093	
2.	Timeline, tender submission & opening (dates & hours are as per contracting authority time zone)		
2.1.	Date of issue of the Invitation to tender	25 September 2024	
2.2.	Deadline for submission of tenders (Date & Hour)	10/17/2024 18:00	
2.3.	Deadline for sending questions to contracting authority	5 days before submission deadline	
2.4.	How to send questions to the contracting authority	Questions should be sent through the electronic supplier portal using the link above.	
2.5.	Last date on which clarifications are issued by the Contracting Authority	3 days before submission deadline	
2.6.	Scheduled date and location for site visit	25 September 2024 - 17 October 2024	
2.7.	Tender submission procedure	Tenders must be submitted using the link in 1.6. Do not hesitate to contact the Contracting Authority if you have any technical difficulties.	
2.8.	Tender opening session date, hour & location	18 October 2024 10:00 (10:00AM) online	
2.9.	Tender opening session	Tenderers are not invited to participate in the tender opening session. Tender opening is organised via electronic procurement platform by the contracting authority.	
3.	Content		
3.1.	Category of procurement	Works	
3.2.	Scope of related works	“Arrangement of external drainage from the roof of the Myrcha gymnasium of the Borodyanka village council of Kyiv region at the address: 1 Kotsyubynskoho Str., Myrcha village, 07810, Kyiv region, Bucha district, Ukraine”.	
3.3.	Is the tender divided into lots?	NO	
3.4.	Delivery Location	DDP(“Turn-key”): 1 Kotsyubynskoho Str., Myrcha village, 07810, Kyiv region, Bucha district, Ukraine country.	
3.5.	Delivery Deadline	At the earliest possible time.	
4.	Price and Validity of Tenders		
4.1.	Currency of Price	UAH	
4.2.	Validity period of the tender (offer)	45 Days	

5. Eligibility Criteria (imposed on the tenderer)			
#	Description	Means of verification and required documentation	
1	Registration Certificate	Copy of a valid registration certificate.	
2	Banking data	Bank account statement with details and no debits report.	
3	Contractor's licence	Scanned copies of licenses or other permits for conducting business activities in accordance with the current legislations of Ukraine country, or a letter of explanation that this type of activity is not subject to licensing.	
4	Tax compliance Certificate	Copy of the valid tax payer certificate.	
5	Extract from the Ministry of Internal Affairs of Ukraine	Certificate of criminal records absence (in director's history) (can be provided on playtender.com.ua)	
6	Completeness of the tender offer form	The complete package of the tender documents must be signed and sealed. The price in the offer and the price specified by the participant on the playtender.com.ua platform must be the same, if the prices do not match - there will be disqualification from the tender.	
7	Confirmation of similar work implementation	Copies of contracts, invoices, and delivery notes for similar works performed in the last 3 years.	
8	Power of attorney/authorization of the director	A copy of the notarized power of attorney/order of authority of the director.	
9	Extract from the Unified State Register	Copy of Extract from the Unified State Register.	
10	Financial reporting of the contracting Company	Financial reports of the company for the previous reporting period (forms No. 1-MS, 2-MS).	
11	Contact information	Contact information - in free format report, with the necessary details: - Full name of the company; - Unified State Register number and Individual Tax Number; - Payment account number, name of the Bank and it's Bank Branch Location Code; - Contact e-mail address; - Name and surname of the head of the company or an authorized person to sign the agreements, and his/her contact information; - Legal and actual addresses of the company; - Contact information of the person responsible for negotiations.	
12	Confirmation of transportability	Documents confirming the Contractor's ability to carry out transportation and delivery of materials/equipment (vehicle ownership, lease agreement or service agreement).	
13	Reference letters	Reference letters, according to Annex 4 to the ToR #FCA22051_Mrc1_ToR1.	
14	Commercial offer and estimate documentation	Commercial offer in form of "Tender Submission Form" that is Annex #2 to the hereby Invitation and set of estimate documentation in accordance with ToR # FCA22051_Mrc1_ToR1 Annex #2.	
15	Works Scchedule	Schedule of the works performance in the form given in Annex #3 to the ToR #FCA22051_Mrc1_ToR1.	
***All documents to be submitted as scanned copies.			
6. Contract Award Criteria			
#	Description	Significance %	Assessment methodology, means of verification and necessary documentation
1	Experience of similar work with relevant value	10%	Each tender participant can submit maximum 5 additional contracts. The aggregate value of awarded contracts is used to determine points. Points are calculated according to the value of the contract:

			contracts bellow 2300000UAH - gets 5 points, contracts from 2300001UAH up to 4600000UAH gets - 7 points, contracts from 4600000UAH and above - get 10 points.
2	Availability of qualification documents, in accordance with article 15.1 of the ToR #FCA22051_Mrc1_ToR1.	20%	Scoring method: - availability - 20 points - absence- 0 points.
3	Duration of project implementation “Arrangement of external drainage from the roof of the Myrcha gymnasium of the Borodyanka village council of Kyiv region at the address: 1 Kotsyubynskoho Str., Myrcha village, 07810, Kyiv region, Bucha district, Ukraine”.	30%	Project duration <31 calendar days – 30 points The duration of the project is 31-45 calendar days - 15 points Project duration >45 calendar days – 0 points.
4	Financial	40%	The cheapest offer gets the highest score. Points for other candidates are prorated based on the cheapest offer.
5	Terms of payment	10%	- Companies with contractual payment terms of 30% or less in advance - 10 points - Companies with contract payment terms from 31% to 50% prepayment - 8 points - Companies with contractual payment terms from 51% to 70% prepayment - 6 points - Companies with contractual payment terms of 71% to 80% advance - 4 points - Companies with contract payment terms from 81% to 90% advance - 2 points - Companies with contractual payment terms of 91% or more in advance - 0 points
7.	Legal		
7.1.	Language of the offers	Ukrainian	
7.2.	The law of the country governing the contract	- Civil Code of Ukraine country; - Law of Ukraine "On Charitable Activities and Charitable Organizations".	
8.	Contract Awarding		
8.1.	Type of contract	One spot, three-way, bilingual agreement	
8.2.	Contract start date (estimate)	At the earliest possible time.	
8.3.	Contract end date (estimate)	At the earliest possible time.	
8.4.	Warranty period	5 years and above	
8.5.	Language of the contract	English/Ukrainian	
9.	Guarantee(s)		
10.	Tender Guarantee	Not required	
11.	Performance Guarantee	Not required	
12.	Pre-financing Guarantee	Not required	

B. INSTRUCTIONS TO TENDERERS

In submitting a tender, the tenderer accepts in full and without restriction the special and general conditions governing the procurement contract as the sole basis of this tendering procedure, whatever his own conditions of sale may be, which he hereby waives.

Tenderers are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this tender dossier.

Failure to submit a tender containing all the required information and documentation within the deadline specified will lead to the rejection of the tender.

No account can be taken of any reservation in the tender as regards the tender dossier; any reservation will result in the immediate rejection of the tender without further evaluation.

B.1. Scope works

The Contracting Authority kindly requests proposals for the construction Works as described in the Annex #3: Terms of Reference #FCA22051_Mrc1_ToR1 "Arrangement of external drainage from the roof of the Myrcha gymnasium of the Borodyanka village council of Kyiv region at the address: 1 Kotsyubynskoho Str., Myrcha village, 07810, Kyiv region, Bucha district, Ukraine".

Construction Companies bear sole liability for examining with appropriate care the tender, including those design documents available for inspection, and for obtaining reliable information with respect to any and all conditions and obligations that may in any way affect the amount or nature of the proposal or the execution of the Works. In the event that the Construction Company is successful, no claim for alteration of the proposal amount will be accepted on the grounds of errors or omissions in the obligations of the Construction Company described above.

B.2. General

The works to be executed are for use by the Contracting Authority in its programme country as listed in **A. Tender Information Table / Section 1.**

B.3. Cost of Tender

The tenderer shall bear all costs associated with the preparation and submission of his tender and the Contracting Authority will in no case be responsible or liable for these costs, regardless of the conduct or outcome of the tender process.

B.4. Questions, clarification of tender documents and additional information

Tenderers may submit questions in writing to the Contracting Authority as per instructions and deadlines listed in **A – Tender Information Table / Section 2.**

Any clarification of the Invitation to Tender documents given by the Contracting Authority will be submitted to all tenderers at the same time (and prospective tenderers) at the latest on the date specified in the time table in **A – Tender Information Table / Section 2.**

Tenderers are not allowed to approach the Contracting Authority for oral clarification. Any (prospective) tenderer seeking to arrange individual meetings during the tender period with either the Contracting Authority and/or associated organisation may be excluded from the tender procedure.

B.5. Planned time table

The Contracting Authority reserves the right to alter the dates and time, in which case all tenderers will be informed in writing and a new timetable will be provided.

The time table can be found in **A. Tender Information Table / Section 2.**

The hours in the time table are as per time-zone of the country where the Contracting Authority is located.

B.6. Language of Tenders

The tenders, all correspondence and documents related to the tender exchanged by the tenderer and the Contracting Authority must be written in Ukrainian and English languages. Supporting documents and printed literature furnished by the tenderer may be in local language.

B.7. Evaluation Process

Prior to the tenderer eligibility verification (as specified in **B.8Exclusion from award of contracts & B.9Eligibility Criteria imposed on the tendererEligibility Criteria**) and detailed evaluation (as specified in **B.10 Contract Award Criteria**) of the tenders, the procurement committee, (established by the Contracting Authority for the purposes of this tender procedure), shall ascertain whether the tenders;

- were submitted prior to tender submission deadline 17th of October 2024 18:00 (06:00PM);
- have been properly signed;
- have been submitted according to the submission procedure in **A. Tender Information Table / Section 2**;
- and are otherwise generally in order.

If a tender is not substantially responsive i.e. it contains more than irrelevant deviations from or reservations to the terms, conditions and specifications in the tender dossier, it shall not be considered further.

Then the procurement committee will examine the technical admissibility of each tender, classifying it as technically compliant or non-compliant.

Tenders determined to be substantially responsive and technically compliant will be checked by the procurement committee for any arithmetic errors. Where there is a discrepancy between the amounts in the figures and words, the amount in words will govern. Where there are discrepancies between the unit price and the line item total, derived from multiplying the unit rate by the quantity, the unit rate as quoted will govern. If a tenderer refuses to accept the correction, his tender will be rejected.

B.8. Exclusion from award of contracts

Tenderers are excluded if they are in one of the situations listed in article **16. of the Annex 1: General Terms & Conditions for Work Contracts**.

Tenderers shall also comply with article **57. “Child Labour & Forced Labour”** and article **58. “Mines”** and article **59. “Anti-money laundering and combating the financing of terrorism”** and article **21. Corrupt practices of the General Terms and Conditions for Work Contracts**.

Tenderers are also excluded if any of the exclusion criteria here below applies to them:

- a) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA (1);
- b) corruption, as defined in 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 (2) and Article 2(1) of Council Framework Decision 2003/568/JHA (3) as well as corruption as defined in the national law of the contracting authority or the economic operator;
- c) fraud within the meaning of Article 1 of the Convention on the protection of the European Communities’ financial interests (4);
- d) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA (5) respectively, or inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision;
- e) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council (6);
- f) child labour and other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
- g) Also a tenderer shall be excluded from participation in a procurement procedure where the contracting authority is aware that the tenderer is in breach of its obligations relating to the payment of taxes or social security contributions and where this has been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of the country in which it is established or with those of the contracting authority.

Tenderers shall, in the **Annex 2: Tender Submission Form**, attest that they meet the above requirements. If required by the Contracting Authority, the Tenderer whose tender is accepted shall further provide evidence satisfactory to the

Contracting Authority of its eligibility through certificates issued by competent authorities in its country of establishment or operation, or, if such certificates are not available, through a sworn statement.

If the tenderer was selected through prequalification, the tenderer must only declare that he still conforms with the eligibility and qualification (selection) criteria applied in the course of that prequalification.

Contracts may not be awarded to tenderers who:

- (a) are subject to conflict of interest
- (b) Are guilty of misrepresentation in supplying the information required as a condition of participation and eligibility in the tender procedure or fail to supply this information.
- (c) Perform, condone or tolerate corrupt, fraudulent, collusive or coercive practices, regardless of whether such practices can be attributed to this tender procedure;
- (d) Attempt to influence the evaluation committee in the process of examination, clarification, evaluation and comparison of tenders, to obtain information on how the procedure is progressing or to influence the Contracting Authority in its decision concerning the award of the contract.

B.9. Eligibility Criteria imposed on the tenderer

Tenderers will initially be verified for eligibility according to eligibility criteria in **A. Tender Information Table / Section 5**. The listed documents must be submitted with the bid.

Tenderers which do not fulfill the eligibility criteria and/or do not provide the required documents will not be qualified for the tender evaluation.

B.10. Contract Award Criteria

The tenders which have qualified the eligibility criteria will be evaluated according to the contract award criteria in **A. Tender Information Table / Section 6**.

B.11. Documents comprising the Tender:

The Tenderer shall complete and submit the following documents with its tender:

- a) Annex 1: Agreement #FCA22051_Mrc1_AWR for the performance of a complex of repair works.
- b) Annex 2: Tender submission form with supporting documents (according to the Section #5).
- c) Annex 3: Agreement with conditions of the ToR #FCA22051_Mrc1_ToR1.
- d) Annex 4: Agreement with the HIA Code of Conduct.
- e) **Documentation regarding B.8 Exclusion from award of contracts**
- f) **Documentation regarding B.9 Eligibility Criteria imposed on the tenderer**
- g) **Documentation regarding B.10 Contract Award Criteria**
- h) all other relevant information that is required and that should be made known to the Contracting Authority

B.12. Financial Proposal and Price:

The price must be quoted in the currency as indicated in **A. Tender Information Table / Section 4**.

The final total price must be quoted in **Annex 2: Tender Submission Form** by the tenderer and it shall not be subject to adjustments on any account except as otherwise provided in the conditions of the contract.

The Price must include all costs related to the execution of the works and no supplementary invoicing or other costs are accepted.

The remuneration of the Contractor under the Contract will be on a lump-sum/global basis. The Financial Proposal must be presented as a global price and breakdown of the overall price and be submitted using the Annex 5: Financial Proposal Form and Breakdown of Overall Price.

All items must be priced in UAH.

The global price must include VAT, taxes, customs and import duties that are levied in accordance with the laws and regulations of the state of the Contracting Authority or the country of the execution of the works on the production, manufacture, sale and transport of the Contractor's plant, machinery, materials and supplies to be used on or furnished under the Contract.

The amounts entered in the Breakdown of Overall Price will be used for calculating payments and interim payments and for valuing variations.

The Construction Companies will be deemed to have taken full account of all requirements and obligations covered by all parts of this tender and to have priced the items in the Breakdown of Overall Price accordingly. The amount must include for all incidental and contingent expenses and risks of every kind necessary to construct, complete and maintain the whole of the works in accordance with the Contract. Unless separate items are provided in the breakdown, rates and sums include all costs involved in the various items in the breakdown. The item descriptions given in the breakdown will in no way limit the Contractor's obligations under the Contract to provide all the works described in the tender as a whole. Notwithstanding any limits which may be implied by the wording of individual items, the amounts entered will be deemed to be works that are complete in every respect.

B.13. Validity period of the tenders

Tenders shall remain valid and open for acceptance for the period as indicated in **A. Tender Information Table / Section 4** after the Closing Date for the submission of tenders.

Prior to the expiry of the original tender validity period, the Contracting Authority may ask for objective reasons tenderers in writing to extend this period. Tenderers that agree to do so will not be permitted to modify their tenders. If they refuse, their participation in the tender procedure will be terminated.

B.14. Sub-Contractors

If the Construction Company intends to use Sub-Contractors, he shall state in the Construction Company's Annex 7: Technical Qualifications Form **their names, qualifications, role and duties** in the performance of the Contract. The Construction Company shall have the liability to ensure that Sub-Contractors satisfy the eligibility requirements of the tender.

B.15. Joint ventures or consortia

If a Construction Company is a joint venture or consortium of two or more persons, the proposal must be single with the object of securing a single Contract, each person must sign the proposal, and all such persons shall be jointly and severally liable and bound by the proposal and any resulting Contract. Only one of such persons shall be designated in the Annex 2: Tender Submission form to act as leader with authority to bind the joint venture or consortium. For the purposes of the performance of the Contract, the joint venture or consortium shall act in accordance with the provisions of the Annex 1 - Agreement #FCA22051_Mrc1_AWR for the performance of a complex of repair works and the tender as a whole.

B.16. Site visit

The Construction Company shall visit and examine the Site of the works and its surroundings for the purpose of assessing, at his own responsibility, expense and risk, factors necessary for the preparation of his proposal. The Construction Company shall contact and arrange with the site representatives for granting of permission to enter upon the Site, for the Construction Company's individual inspections.

B.17. Laws of country of Works' execution

By submitting their proposals, Construction Companies are deemed to have knowledge of and to have taken into consideration all relevant laws, acts and regulations of Ukraine country that may in any way affect or govern the operations and activities covered by the proposal and the resulting Contract.

In completing the section on personnel to be employed on the Contract in Annex 6: General and Financial Information Form, the Construction Company shall pay special attention to article 57 of General Terms and Conditions for Works Contracts (Child Labour and Forced Labour). The Construction Company shall further have the obligation to comply with all regulations, rules or instructions concerning the conditions of employment of any class of employee according to the laws of Ukraine country.

B.18. Negotiations

The Contracting Authority reserves the right to contact those Construction Companies who **fulfil the tenderer eligibility requirements and respond to the requirements of the tender** to negotiate the terms of the tender. Negotiations will not entail any substantial deviation to the terms and conditions of the tender, but they may have the purpose of reducing the scope of the Works or revising other terms of the Contract in order to bring the proposed price down, when the proposed prices exceed the limits of the funds made available to the Contracting Authority by its donor/funding agency.

All the tenderers are treated equally under the negotiations phase and all of them have the same possibility and time to amend their proposals in relation to and in accordance with the amended terms and conditions of the tender during the negotiation phase.

B.19. Submission of tenders and Closing Date

Tenders must be submitted as indicated in **A. Tender Information Table / Section 2.**

No tender may be changed or withdrawn after the deadline has passed.

B.20. Tender opening session

Tender opening information is indicated in **A. Tender Information Table / Section 2.**

If the tenderers are invited to the tender opening session, tenderers are requested to contact the contact person, at least one day in advance of the tender opening if they will attend.

Tenderer's representatives who are present shall sign a register indicating their attendance.

At the tender opening, only the tenderers' names and the total amount of the tenders will be read aloud and recorded.

B.21. Award of Contract

The Contracting Authority will award the contract to the tenderer whose tender has been determined to be substantially responsive to the tender dossier and technically compliant, and who has received the highest scoring in the tender evaluation.

B.22. Signature of Contract

The Contracting Authority and the Contractor shall in cooperation prepare all documents listed in the Draft Contract Agreement, in order to include therein all details of the successful proposal. Within 5 days of notification of the award of the Contract, the successful Construction Company shall submit to the Contracting Authority, for its consent, a final implementation programme.

Within 5 days of receipt of the Contract already signed by the Contracting Authority, the successful Construction Company must sign and date the Contract and return it to the Contracting Authority. On signing the Contract the successful Construction Company will become the Contractor and the Contract will enter into force (option, if performance guarantee is required: subject however to the provision by the successful Construction Company of the Performance Guarantee provided for in article 23 of the draft Contract Agreement).

If the successful Construction Company fails to sign and return the Contract (option: and/or the Performance Guarantee) within 5 days after receipt of the Contract signed by the Contracting Authority, the Contracting Authority may consider the acceptance of the proposal to be cancelled without prejudice to the Contracting Authority's right to claim compensation or pursue any other remedy in respect of such failure, and the successful Construction Company will have no claim whatsoever on the Contracting Authority.

B.23. Cancellation for convenience

The Contracting authority may for its own convenience and without charge or liability cancel the tender process at any stage.

Tenderer information	
Tenderer legal name:	
Street name and no.	
City	
Postal code	
Country of registration:	
Phone no.:	
Fax. no.:	
E-mail:	
web-site:	
Sales Manager (name)	
Director (Name)	
Other contact (Title & Name)	

General tenderer information	
Nature of business – please enclose complete product information in English.	
Year of Establishment	
Number of full-time employees	
Licensing Authority	
Licence number (VAT no./TAX I.D.)	
Does your company have a written statement of its environmental policy?	
Please state in which languages technical documents are available:	
Working language:	

Subsidiaries, Associates and/or Overseas Representative of the tenderer	
Countries with registered office:	
Countries with representation (agent):	
List of International quality assurance certification held by your company:	
List of local and national quality assurance certification held by your company	
International trade / professional organisations of which your company is a member:	
Local trade / professional organisations of which your company is a member:	

After having read your letter of Invitation to Tender #FCA22051_Mrc1_TenderDossier_ENG for supply of “Arrangement of external drainage from the roof of the Myrcha gymnasium of the Borodyanka village council of Kyiv region at the address: 1 Kotsyubynskoho Str., Myrcha village, 07810, Kyiv region, Bucha district, Ukraine” dated on 23rd of September 2024 on behalf of my company/business, we hereby;

- Accept, without restrictions, all the provisions in the Invitation to Tender including # FCA22051_Mrc1_AWR.
- Provided that a contract is issued by the Contracting Authority we hereby commit to execute the works at the price offered and deliver and provide the same to the designated points within the delivery time stated above.
- We hereby certify and attest that we meet the eligibility criteria of article stated in the Instructions to Tenderers.
- We hereby certify and attest that none of the below listed exclusion grounds are applicable:

- a. participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA (1);
 - b. corruption, as defined in 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 (2) and Article 2(1) of Council Framework Decision 2003/568/JHA (3) as well as corruption as defined in the national law of the contracting authority or the economic operator;
 - c. fraud within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (4);
 - d. terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA (5) respectively, or inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision;
 - e. money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council (6);
 - f. child labour and other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council
 - g. the tenderer is in breach of its obligations relating to the payment of taxes or social security contributions and where this has been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of the country in which it is established or with those of the contracting authority.
- We further certify and attest that we, and/or our affiliates,
 - comply with the UN *Convention on the Rights of the Child* - UNGA Doc A/RES/44/25 (12 December 1989) with Annex
 - have not made or will not make use of forced or compulsory labor as described in the *Forced Labor Convention* and in the *Abolition of Forced Labor Convention 105* of the International Labor Organization.
 - respect and uphold basic social rights and working conditions for our employees.
 - are not engaged in any development, sale or manufacture of anti-personnel mines and/or cluster bombs or components utilized in the manufacture of anti-personnel mines and/or cluster bombs.
 - comply with articles 13. Child Labour and Forced Labour, 14. Mines, 15. "Anti-money laundering and combating the financing of terrorism" and 17. Corrupt Practices of the General Terms and Conditions for Supply Contracts.

The above declarations will become an integrated part of the contract and misrepresentation will be regarded as grounds for termination.

- Our company/business has the following **nationality** [_____], as evidenced in the enclosed Company Registration Certificate.
- In the event the contract is awarded to us, we request that payments under the contract be made to the following **account**:

c/a: UA _____

in _____ "

Bank Branch Location Code _____.

- Our tender is valid for a period of ____ days after the closing date in accordance with instructions to tenders.

Signature & stamp:

Signed by:

The Tenderer :
Name of the company :
Address :
Telephone no. :
Fax no. :
E-mail: :
Name of contact person :
Date: :

Note: Please check carefully before submitting your tender that you have prepared all the documents required in the instructions to Tenders article "Documents comprising the tender"

Thank you for your patience,

With best regards HIA