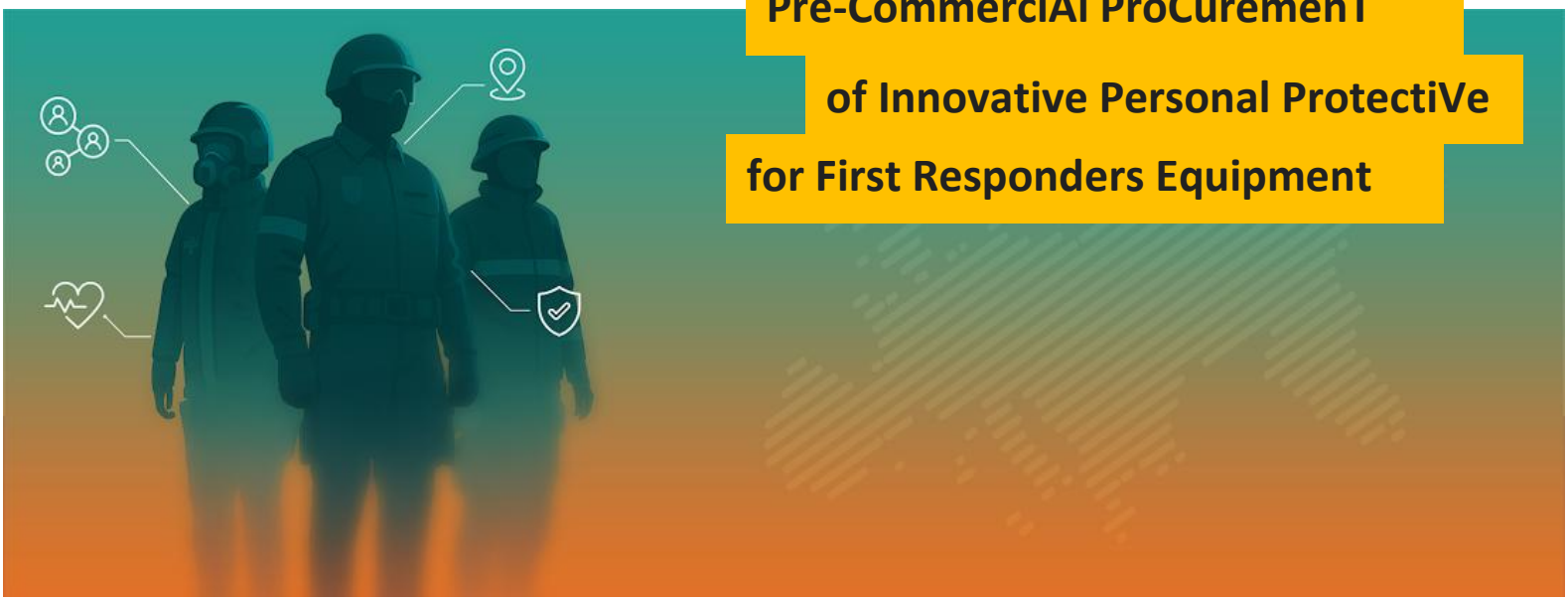
ACTIVE PCP



Pre-CommerciAl ProCuremenT of Innovative Personal ProtectiVe for First Responders Equipment

Tender Document 5 (TD 5): ESPD

This project has received funding from the European Union's Horizon Europe Research and Innovation Programme under Grant Agreement No 101226110.

EUROPEAN SINGLE PROCUREMENT DOCUMENT (TD 5)

I, the undersigned (name and surname)[1]

_____

As an individual (or position within the legal entity)

_____

Of the following legal entity (hereafter the 'Bidder') (name of legal entity)

_____

With registered office in

_____

Street address

_____

Post code

_____

In the City of

_____

Telephone

_____

Fax

_____

E-mail

_____

VAT reg. no.

_____

IF APPLICABLE:

Acting in the context of a consortium or association of several entities together with the following entities:

_____

_____

_____

Attention: Please ensure that the others concerned provide a separate form.

HEREBY STATE AND DECLARE

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under my own personal responsibility, fully aware of the infringements and penalties provided by the Greek Law in case of fraudulent statements,

THAT

SECTION 1

The Bidder fulfils the selection criteria set out under section 3.3 of the Tender.

Accordingly, the undersigned formally declares that the information stated and the certificates and other forms of documentary evidence provided are accurate and correct and that they have been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declares to be able, upon request and without delay, to provide other certificates or forms of documentary evidence referred to, except where the contracting authority has the possibility of obtaining the supporting documentation concerned directly by accessing a national database of a Member State that is available free of charge. (This should be possible on the condition that the economic operator has provided the necessary information, thus allowing the contracting authority to have access. Where required, this must be accompanied by the relevant consent to do so).

SECTION 2

Ability to perform R&D up to original development of the first products or services and to commercially exploit the results of the PCP, *including intangible results in particular IPRs*

Has the economic operator the ability to perform R&D up to original development of the first products or services and to commercially exploit the results of the PCP, including intangible results in particular IPRs? Yes / No

- Provide a description of relevant reference and /or previous projects (executed during the last 5 years) which reflect the competences and capacity of the Tenderer in the different phases and domains of the ACTIVE PCP project, such as research, development, prototyping, testing and commercialisation. These references will be based on previous projects of the Tenderers and /or other members of the joint consortia and subcontractors who will be working on the project.
- Demonstrate the expertise and working experience required to undertake an innovative R&D project by providing a number of CVs of key personnel and competences, which they consider necessary to complete the project.
- Confirm the Business Continuity / Disaster Recovery / Risk Management plan that ensures that the described services are delivered in the event of a disruption affecting your business and ensures continuity of supply / service from your critical suppliers.
- Confirm the appropriate level of insurance cover if it is to be successful in winning the contract.

SECTION 3

The Bidder fulfils the compliance criteria set out under section 3.4 of the Tender.

Accordingly, the undersigned formally declares that the information stated and the certificates and other forms of documentary evidence provided are accurate and correct and that they have been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declares to be able, upon request and without delay, to provide other certificates or forms of documentary evidence referred to, except where the contracting authority has the possibility of obtaining the supporting documentation concerned directly by accessing a national database of a Member State that is available free of charge. (This should be possible on the condition that the economic operator has provided the necessary information, thus allowing the contracting authority to have access. Where required, this must be accompanied by the relevant consent to do so).

SECTION 4

1. COMPLIANCE WITH THE DEFINITION OF R&D SERVICES

Does the economic operator guarantee that it is in compliance with the requirements regarding the definition of R&D services as set out in the Tender? Yes□/ No□

Please note that according to the Tender this circumstance must be accredited by the presentation of the financial part of the offer, which must contain the following information:

1. *The financial part of the offer for the framework agreement must provide binding unit prices for all foreseeable items for the duration of the whole framework agreement.*
1. *The financial part of the offer for each phase must give breakdown of the price for that phase in terms of units and unit prices for every type of item in the contract, distinguishing clearly the units and unit prices for items that concern products.*
2. *The offers for all three phases may include only items needed to address the challenge in question and to deliver the R&D services described in the request for tenders.*
3. *The offer for all the three phases must offer services matching the R&D definition above.*
4. *The total sum of the value of products offered in each phase and all previous phases must be less than 50% of the value of the framework agreement.*

2. COMPLIANCE WITH OTHER PUBLIC FINANCING

Does the economic operator guarantee that it is not receiving any public funding not permitted by EU legislation from other sources, including EU state aid rules, in areas of work related to the scope of the provision of services for the procurement in the terms established in the Tender? Yes□/ No□

3. COMPLIANCE WITH REQUIREMENTS RELATING TO THE PLACE OF PERFORMANCE OF THE CONTRACTS

Does the economic operator guarantee that in case of selection it will comply with the requirements stated in the Tender Document regarding the place of performance of the contracts? Yes□/ No□

Please note that according to the Tender the following evidence is required:

1. *A list of staff working on the specific contract (including for subcontractors), indicating clearly their role in performing the contract (i.e. whether they are principal R&D staff or not) and the location (country) where they will carry out their tasks under the contract.*

2. *A confirmation or declaration of honour that, where certain activities forming part of the contract are subcontracted, subcontractors will be required to comply with the place of performance obligation to ensure that the minimum percentage of the total amount of activities that has to be performed in the EU Member States or in countries participating in Horizon 2020 is respected.*

4. ETHICS, DATA PROTECTION, USABILITY & INTEROPERABILITY, DATA MANAGEMENT AND RESEARCH INTEGRITY

Does the economic operator guarantee that in case of selection it will comply with the rules regarding ethics, data protection (GDPR), usability and interoperability, data management and research integrity set out in the Tender? Yes□/ No□

5. SECURITY

Does the economic operator guarantee that in case of selection it will comply with the provisions regarding security set out in the Tender? Yes□/ No□

SECTION 5

The Bidder is not involved in any of the exclusion grounds set out under section 3.2 of the Tender (or, if existing, under similar regulations in the country in which it is established).

Accordingly, the undersigned formally declares that the information stated and the certificates and other forms of documentary evidence provided are accurate and correct and that they have been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declares to be able, upon request and without delay, to provide other certificates or forms of documentary evidence referred to, except where the contracting authority has the possibility of obtaining the supporting documentation concerned directly by accessing a national database of a Member State that is available free of charge. (This should be possible on the condition that the economic operator has provided the necessary information, thus allowing the contracting authority to have access. Where required, this must be accompanied by the relevant consent to do so).

SECTION 6

1. EXCLUSION GROUNDS RELATING TO THE CONFLICT OF INTEREST

Is the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control involved in any current or potential conflict of interest, as indicated in the Tender documents, due to its participation in the procurement procedure or for any other reason? Yes□/ No□

Please describe it:

_____

_____

_____

2. EXCLUSION GROUNDS RELATING TO BANKRUPTCY & PROFESSIONAL MISCONDUCT

Is the economic operator itself bankrupt or is being wound up, is under compulsory administration or is the subject of a composition or has indefinitely stopped its payments or is subject to a prohibition on conducting business? Yes □/ No□

Please describe it:

_____

_____

_____

_____

Is the economic operator itself the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or composition or any other similar proceedings? Yes□ / No□

Please describe it:

_____

_____

_____

_____

Has the economic operator itself been convicted by a judgment which has the force of *res judicata* for an offence relating to professional practice? Has the economic operator been guilty of grave professional misconduct and can the procuring agencies prove this? Yes□ / No□

Please describe it:

_____

_____

_____

_____

Has the economic operator not fulfilled its obligations relating to social insurance charges or tax in its own country? Yes□ / No□

Please describe it:

_____

_____

_____

_____

3. EXCLUSION GROUNDS RELATING TO CRIMINAL OFFENCES

a) Participation in a criminal organisation

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgement for participation in a criminal organisation, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Yes □/ No□

Date of conviction

_____

Reason

_____

Who has been convicted

_____

Length of the period of exclusion

_____

b) Corruption

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgement for corruption, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Yes □/ No□

Date of conviction:

_____

Reason:

_____

Who has been convicted:

_____

Length of the period of exclusion:

_____

c) Fraud

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgement for fraud, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Yes□ / No□

Date of conviction:

_____

Reason:

_____

Who has been convicted:

_____

Length of the period of exclusion:

_____

d) Terrorist offences or offences linked to terrorist activities

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgement for terrorist offences or offences linked to terrorist activities, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Yes □/ No□

Date of conviction:

_____

Reason:

_____

Who has been convicted:

_____

Length of the period of exclusion:

_____

e) Money laundering or terrorist financing

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgement for money laundering or terrorist financing, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Yes □/ No□

Date of conviction:

_____

Reason:

_____

Who has been convicted:

_____

Length of the period of exclusion:

_____

f) Child labour and other forms of trafficking in human beings

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgement for child labour and other forms of trafficking in human beings, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Yes □/ No□

Date of conviction:

_____

Reason:

_____

Who has been convicted:

_____

Length of the period of exclusion:

_____

4. EXCLUSION GROUNDS OF PROPOSED SOLUTION ALREADY AVAILABLE ON THE MARKET

Does the economic operator undertake that the tendered solution presented is not already available on the market? Yes □/ No□

5. EXCLUSION GROUNDS REGARDING DISTORTION OF COMPETITION

Has the economic operator entered into agreements with other economic operators aimed at distorting competition? Yes □/ No□

Please describe it:

_____

_____

_____

_____

In witness whereof I sign this statement.

Place and date

Signature