

ANNEX 2
ELIGIBILITY AND EXCLUSION CRITERIA, SELECTION CRITERIA AND
OTHER REQUIRED INFORMATION AND DOCUMENTS

1. Eligibility and Exclusion Criteria

1.1. Declaration on the Eligibility, Exclusion Criteria, Economic, Financial and Operational Capacity and the Absence of Conflict of Interest

Candidates are requested to complete, date and duly sign by an authorised representative the below Declaration on the Exclusion Criteria, Economic, Financial and Operational Capacity and the Absence of Conflict of Interest.

DECLARATION ON THE ELIGIBILITY CRITERIA

The undersigned, acting in his/her own name/acting as a duly appointed representative on behalf of [NAME OF ECONOMIC OPERATOR], certifies that it

1. is not bankrupt or being wound up, subject to administration or in any similar situation provided for in national legislation or regulations.
2. is not guilty of grave professional misconduct, which renders its integrity questionable.
3. is not in breach of 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 it resides or is established or where the contract awarded as a result of this procurement process is to be performed.
4. has not shown significant or persistent deficiencies in the performance of another contract, or with its obligations under the law.
5. or its management, staff or agents are not subject to a conflict of interest.
6. has not seriously misrepresented information required by the ESM.
7. did not and will not contact other Candidates with the purpose of distorting competition, or try to unduly influence the ESM's decision-making process.

If any circumstances arise during the course of the procurement process which may affect the above, the undersigned must inform the ESM thereof without undue delay. The ESM may, in its sole discretion, request evidence of the above.

The Economic Operator may submit evidence to demonstrate its eligibility despite the existence of any of the above grounds for exclusion. The ESM may, in its sole discretion, decide whether such evidence is satisfactory.

By: Signature (Signed) _____
Name and Title (Typed) _____
Place and Date _____

1.2. Non-Collusion Declaration

Candidates are requested to complete, date and duly sign by an authorised representative the below Non-Collusion Declaration.



NON-COLLUSION DECLARATION

The undersigned, acting in his/her own name/as [a] duly appointed representative(s)* of
[NAME OF THE CANDIDATE]

declare(s) the following:

I refer to the PQ Ref. No.: BSPM/08/CS/AG/2020, launched by the ESM in relation to which the Candidate has submitted an Application.

In relation to the PQ Ref. No.: BSPM/08/CS/AG/2020, the Candidate has not breached any applicable provisions of competition law or other applicable laws. In particular, the Candidate has prepared the Application completely independently and certifies that it has not and will not divulge, discuss or compare its Application with other Candidates participating in this procurement process and has not and will not contact or collude with such other Candidates with the purpose of distorting competition. The Candidate will take all appropriate and necessary measures to ensure that its subcontractors or other third parties involved respect the same rules and principles.

The Candidate is not aware of any elements that could influence competition between the different Candidates participating in this procurement process. If the Candidate becomes aware of any such elements it will immediately and in writing disclose such elements to the ESM.

By: Signature (Signed) _____

Name and Title (Typed) _____

Place and Date _____

*Delete as appropriate