



**DIRECTORATE-GENERAL FOR COMMUNICATION
European Parliament Information Office in Germany**

SPECIFICATIONS

INVITATION TO TENDER

under the open procedure

COMM/DG/AWD/2015/93: Production and supply of personalised promotional items

1. INTRODUCTION

These specifications are an integral part of the documents drawn up for the invitation to tender for the contract referred to. The documents relating to the invitation to tender comprise:

- a letter of invitation to tender;
- conditions for submitting a tender;
- specifications and the annexes thereto;
- and a model contract and the annexes thereto.

These specifications are supplemented by the following annexes, which are an integral part thereof:

- Annex I: Reply form: a) Price schedule - b) Reference price
- Annex II: The European Parliament's environmental policy
- Annex III: Declaration on the tenderer's honour concerning the exclusion criteria and absence of conflict of interest
- Annex IV: Financial identification form - Supplier
- Annex V: Information sheet concerning consortiums of economic operators
- Annex VI: Declaration concerning subcontractors
- Annex VII: European Parliament graphics requirements

PART I – GENERAL INFORMATION

2. SUBJECT OF THE CONTRACT

In accordance with the provisions of Council Regulation (EC, Euratom) No 966/2012 of 25 October 2012 on the financial rules applicable to the general budget of the Union (hereinafter the 'Financial Regulation'), the European Parliament has decided to issue this invitation to tender: Production and supply of personalised promotional items.

In connection with this invitation to tender, Contract Notice No 263197 has been published in the Official Journal of the European Union 2015/S 143 on 28/07/2015.

The aim of the tender is to enter into a multiple framework contract with a cascade mechanism.

3. DESCRIPTION, PURPOSE AND ESTIMATED VALUE OF THE CONTRACT

The selected tenderer shall create the promotional items and print design in accordance with the design and colour requirements set by the contracting authority, and shall produce them in the desired quantity within the delivery period.

The logos required for the creation/layout of the print design shall be provided to the contractor by the contracting authority in an ai., eps. or pdf. file (see EUROPEAN PARLIAMENT graphics requirements in Annex VII).

3.1. Promotional items:

a) **Cotton bags with long straps:**

Colour: European blue (PMS Reflex Blue C) or similar or white

Format approx. 38 x 42 cm, inner seam additionally overlocking. Strap approx. 76 x 3 cm, zigzag stitching at strap attachment.

Weight: ca. 55-60 g per bag (heavyweight quality)

Imprint: four-colour logo on both sides as per EP graphics requirement & Word file, Myriad Pro in white: www.europarl.de.

b) **Ballpoint pens:**

Quality: Challenger ICY or similar

Colour: PMS Reflex Blue C or similar, blue ink

Imprint: white printing on the clip (Word file, Myriad Pro: www.europarl.de), three-colour logo on shaft.

c) **Felt key fobs with key ring:**

Colour: PMS Reflex Blue C or similar

Size: approx. 14 cm long, 3 cm wide

Quality: Felt

Imprint: On one side, printed in white: www.europarl.de (Myriad Pro Word file) / on other side,

three-colour logo

Fixing: Eyelet and key ring

d) **Balloons:**

Colour: white or blue

Imprint: printing in two colours on both sides packed in polythene bags of 1 000 items each

e) **Paper carrier bags:**

Format 300 x 100 x 350 mm (L x D x H) + 60 mm foldover at edges (Deviation of up to 400 mm is possible)
Material: kraft, white, 150 g/m²
Finishing: Water-based matt dispersion varnish, solvent-free
Reinforcement: Card floor
Imprint: outside: four-colour Euroscale, entire surface – inside: no colour
Motif: outside: EP logo and website address on front and back; addresses of the Berlin and Munich information offices and EP logo on sides.
Main colour: outside: white – inside: white, no motif
Handle cord: fixed cotton handle (paper rope covered with cotton) or knotted cotton string, dark blue 2 x 40cm, affixed inside.
Delivery: in boxes of 150-200 items

3.2. Master artwork and approval

The contractor shall draft the layout of a print sample for the items ordered in accordance with the above technical requirements. The contractor shall submit a colour draft of the master artwork and an unprinted sample of the paper to the Information Office for approval no later than ten days after receipt of the order form.

If any changes are desired by the contracting authority, the contractor shall submit a second draft of the master artwork as required.

3.3. Delivery

Delivery shall be made **free domicile** in the desired packaging and pack sizes to the contracting authority's warehouse at 15366 Dahlwitz-Hoppegarten.

3.4. Working languages

Communication with the contracting authority shall be in the following languages: German, English or French.

3.5. Duration

The contract will run for one year and may be renewed for up to three further one-year periods.. Performance of the contract shall not begin until the framework contract is signed.

3.6. Overall contract value

The maximum contract value shall be **EUR 100 000 over four years and EUR 25 000 per year.**

4. PARTICIPATION IN THE TENDER PROCEDURE

Participation in this invitation-to-tender procedure is open on the same terms to all natural or legal persons and public entities in a European Union Member State and to all natural and legal persons and public entities of a third country which has concluded a specific public-procurement agreement with the European Union giving them access to the contract which is the subject of this invitation to tender and on the terms laid down by that agreement.

In order to ascertain the eligibility of tenderers, they must indicate in their tenders the country in which they have their registered office or in which they are domiciled. They must also submit the evidence required under their national law or other, equivalent proof enabling the European Parliament to check where they come from.

5. CONSORTIUMS OF ECONOMIC OPERATORS

If the tender is submitted by a consortium of economic operators, Annex V must be completed and included with it.

Consortiums of economic operators may submit a tender. The European Parliament reserves the right to require the consortium selected to have a given legal form if this is necessary for the proper performance of the contract. This requirement may be communicated by the European Parliament at any time during the contract award procedure, but at all events before the contract is signed.

The consortium of economic operators shall provide proof of its legal form by the time the contract - if awarded to it - is signed. This may take one of the following forms:

- an entity with legal personality recognised by a Member State;
- an entity without legal personality but offering sufficient protection of the European Parliament's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary partnership);
- the signature by all the partners of a type of 'power of attorney' or equivalent document confirming a form of cooperation.

The consortium's actual status shall be established by any document or agreement signed by the members of the consortium, which shall be appended to the tender.

Those documents or agreements may exceptionally be modified and/or submitted after the time limit for submission of a tender, but under no circumstances after the outcome of the invitation to tender has been communicated to the tenderers concerned. The European Parliament reserves the right to reject a tender if the terms of agreements between the members of a consortium are modified during the procedure, if those terms make no provision for the joint and several liability of the consortium's members or if no agreement with legal force has been submitted with the tender.

The European Parliament may accept other legal forms not referred to above, provided that they ensure the parties' joint and several liability and are compatible with performance of the contract. At all events, it should be noted that, in the contract to be signed with the consortium, the European Parliament will refer expressly to the existence of such joint and several liability. In addition, it reserves the right to require, contractually, the appointment of an authorised representative who may represent the members and who is empowered, inter alia, to issue invoices on behalf of the other members.

Tenders from consortiums of economic operators must specify the role, qualifications and experience of each of the members of the consortium. The tender shall be submitted jointly by the economic operators, who shall also assume joint and several liability for the tender submission.

In the case of a consortium of economic operators, each member shall furnish proof of right of access to the contract (eligibility), as well as proof concerning compliance with the exclusion and selection criteria. With regard to the selection criteria, the European Parliament may rely on the capacity of the other members of the consortium in order to establish whether the tenderer will have the resources needed to perform the contract. In this case an undertaking shall be required from those members stating that they will make available to the other members the resources needed to perform the contract.

6. SUBCONTRACTING

Subcontracting is permitted.

If the tenderer uses subcontractors, Annex VI must be completed and included with the tender.

The tender shall give details, as far as possible, of that part of the contract which the tenderer proposes to subcontract and the identity of the subcontractors. During the contract award procedure or performance of the contract the European Parliament reserves the right to require tenderers to supply information about the financial, economic, technical and professional capacity of the proposed subcontractor(s). Likewise, the European Parliament may demand the requisite proof to establish whether the subcontractors comply with the requisite exclusion criteria. Tenderers are hereby informed that proposed subcontractors may not be in one of the situations described in Articles 106, 107 and 109 of the Financial Regulation, which entail exclusion from participation in a contract issued by the European Union.

The European Parliament is entitled to reject any subcontractor who does not comply with the exclusion and/or selection criteria (see points 13 and 14 respectively).

Furthermore, the European Parliament must be informed by the Contractor of any subsequent use of subcontracting not provided for in the tender. The authorising officer responsible reserves the right to accept or reject the proposed subcontractor. In order to do so he may demand the requisite proof to establish whether the subcontractor(s) complies/comply with the requisite criteria. The European Parliament's authorisation will always be granted in writing.

If the contract is awarded to a tenderer who proposes a subcontractor in his tender, this equates to giving consent for the subcontracting.

7. VARIANTS

Variants are not permitted.

8. PRICES

Prices shall be revised in accordance with the terms set out in the contract.

Pursuant to Article 3 of the Protocol on the privileges and immunities of the European Union, the price quotation shall be submitted excluding VAT and other equivalent indirect taxes.

The prices in the tender must be all-inclusive flat prices which cover all costs incurred in the performance of the contract in accordance with the specifications, including packing and transport costs and any disposal levies.

The prices must be in euros; this also applies to countries which do not belong to the euro currency area. For tenderers in those countries, the amount of the tender may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and accept the risks or the benefits deriving from any variation.

9. FINANCIAL GUARANTEES

Not applicable

10. ENVIRONMENTAL ASPECTS

[The European Parliament's environmental policy](#)

Tenderers shall undertake to comply with the environmental legislation in force in the field of the contract, should it be awarded to them. It should be noted in this connection that the European Parliament applies the EMAS environmental management system in accordance with Regulation

(EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009. Information about EMAS is provided by the authorising department in Annex II to these specifications. The successful tenderer will be required to ensure that the information provided by the European Parliament on the EMAS programme in general, and more specifically on the implementation of environmental measures in practice, is known by all his staff working for the European Parliament. At the European Parliament's request the successful tenderer may be required to certify that anyone assigned to work under the contract has received the appropriate professional training required (technical, safety and environmental training) concerning compliance with safety rules and correct handling of the equipment and products to be used, including action to be taken in the event of incorrect handling or any other incidents.

11. POLICY ON THE PROMOTION OF EQUAL OPPORTUNITIES

Tenderers shall undertake to observe a policy on the promotion of equality and diversity in the performance of the contract, should it be awarded to them, by applying the principles of non-discrimination and equality set out in the Community Treaties in full and in their entirety. More particularly, the tenderer awarded the contract shall undertake to establish, maintain and promote an open and inclusive working environment which respects human dignity and the principles of equal opportunities, based on three main elements:

- equality between men and women;
- employment and integration of disabled persons;
- the removal of all obstacles to recruitment and all potential discrimination based on sex, race or ethnic origin, religion or convictions, disability, age or sexual orientation.

12. PERFORMANCE OF FRAMEWORK CONTRACTS

The framework contracts will be performed on the basis of order forms, to be signed following the application of a system whereby orders are placed without competition being reopened.

The establishment of this system will entail a maximum of three framework contracts being signed with the first three tenderers, ranked in accordance with the evaluation of the tenders submitted.

When an order is placed, and before the corresponding order form is issued, the European Parliament will contact the economic operator ranked first and, if he is unavailable, the second, and then, on the same terms, possibly the third, and so on until the final contractor.

However, if an economic operator declines three times within a period of one year, the contracting authority shall rank that operator in last place in the system.

In principle, the ranking of the contractors will remain unchanged throughout the duration of the framework contract unless the terminations or re-rankings provided for in the preceding paragraph take place.

PART II – EXCLUSION, SELECTION AND AWARD CRITERIA

13. EXCLUSION CRITERIA

Article 106 of the Financial Regulation

1. Candidates or tenderers shall be excluded from participation in procurement procedures if:
 - a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

- b) they or persons having powers of representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgement of a competent authority of a Member State which has the force of res judicata;
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the EIB and international organisations;
- d) they are not in compliance with their 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 they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- e) they or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such illegal activity is detrimental to the Union's financial interests;
- f) they are subject to an administrative penalty referred to in Article 109(1).

Points (a) to (d) of the first subparagraph shall not apply in the case of the purchase of supplies on particularly advantageous terms from a supplier which is definitively winding up its business activities or from the receivers or liquidators of a bankruptcy, through an arrangement with creditors, or through a similar procedure under national law.

Points (b) and (e) of the first subparagraph shall not apply where the candidates or tenderers can demonstrate that adequate measures have been adopted against the persons having powers of representation, decision making or control over them, who are subject to a judgement as referred to in points (b) or (e) of the first subparagraph.

Article 107 of the Financial Regulation

2. A contract shall not be awarded to candidates or tenderers who, during the procurement procedure for that contract:
 - a) are subject to a conflict of interests;
 - b) are guilty of misrepresenting the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply that information;
 - c) find themselves in one of the situations of exclusion, referred to in Article 106(1), for the procurement procedure.

Evaluation of the exclusion criteria

1. All tenderers must submit the declaration on the tenderer's honour, duly dated and signed, which is set out in Annex III.
2. The tenderer to whom the contract is to be awarded will be required, within 10 calendar days of the date of notification of the provisional award of the contract and before the contract is signed, to supply the one of the following items of evidence:
 - a recent extract from the judicial record or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that the tenderer to whom the contract is to be awarded is not in one of the situations referred to in Article 106(1)(a), (b) or (e) of the Financial Regulation; for the instances referred to in Article 106(1)(b) and (e), the same shall apply to persons having powers of representation, decision making or control over the tenderer;

- a recent certificate issued by the competent authority of the State concerned proving that the tenderer is not in the situation referred to in Article 106(1)(d) of the Financial Regulation.
 - where the documents or certificates referred to above are not issued in the country concerned, and in respect of the other exclusion situations referred to in Article 106 of the Financial Regulation, they may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance;
3. The tenderer to whom the contract is to be awarded shall be exempt from the requirement to submit the documentary evidence referred to in paragraph 2 if that evidence has already been submitted for the purposes of another European Parliament procurement procedure and provided that the documents in question were not issued more than one year previously and are still valid. In such cases, the tenderer shall attest on his honour that the supporting documents have already been provided in a previous procurement procedure, which he shall identify, and that no changes in his situation have occurred.

14. SELECTION CRITERIA

Proof of status and legal capacity

As proof of their status and legal capacity, tenderer must append to their tenders a copy of their articles of association or equivalent document enabling the European Parliament to determine their form and legal capacity to perform the contract. Should the proof submitted not be sufficient for that purpose, the European Parliament may demand other proof during the tender assessment process. Where no such proof is submitted, the European Parliament reserves the right to deem the tender inadmissible.

14.1. Financial and economic capacity

Tenderers shall have sufficient economic and financial resources to enable them to perform the contract in compliance with the contractual provisions, given the value and scope thereof. If, on the basis of the information supplied by the tenderer, the European Parliament has doubts about a tenderer's financial resources, or if these are insufficient for performance of the contract, the tender may be rejected without the tenderer being entitled to claim any financial compensation.

In respect of the contract which is the subject of this invitation to tender, the European Parliament requires tenderers to have minimum financial and economic resources, which shall be assessed on the basis of the following information:

- minimum annual total turnover of EUR 150 000;

Financial and economic capacity will be assessed on the basis of the information included in one of the following documents to be supplied by the tenderer:

- financial statements (balance sheets, profit and loss accounts and all other accompanying financial information) for the last three financial years;
- a declaration regarding the overall turnover and the turnover derived from services associated with the field covered by the contract over a period that includes the last three financial years.

If the tenderer is unable to provide the evidence requested, he may prove his economic and financial capacity by any other means which the European Parliament considers appropriate.

The tenderer may also rely on the capacity of other entities, irrespective of the legal nature of the links between him and those entities. In that case, he must prove to the European Parliament that he will have the resources needed to perform the contract, for instance by providing an assurance of the undertaking by those entities to make them available to him. In that case the European

Parliament is entitled to refuse the application or the tender submitted if it has doubts about the undertaking by the third party or about that party's financial capacity. Parliament may require the tenderer and those other entities to be jointly liable for performance of the contract.

On the same basis, a consortium of economic operators may rely on the capacity of members of the consortium or of other entities.

Tenderers may also rely on the economic capacities of one or more subcontractors in so far as they undertake to take part in the process of performing the contract. In such instances, the European Parliament will assess the capacities of the subcontractor(s) in the light of the extent to which the latter is/are involved in performing the contract.

14.2. Technical and professional capacity

Tenderers must have sufficient technical and professional capacity to enable them to perform the contract in compliance with the contractual provisions, taking into account its value and scale. If, in the light of the information supplied by the tenderer, the European Parliament has doubts about a tenderer's technical and professional capacity, or if it is clearly insufficient for performance of the contract, the tender may be rejected without the tenderer being able to claim any financial compensation.

In respect of the contract which is the subject of this invitation to tender the European Parliament requires tenderers to have the following technical and professional capacity:

- at least three years' experience in services/deliveries similar to those required by the contract concerned.
- Forest Stewardship Council (FSC)[®] certification for printing and paper.

The technical and professional capacity of economic operators will be substantiated by the following evidence:

- a list of the principal services or supplies delivered in the past three years, together with the values, dates and public or private recipients; if the recipient of those services and supplies was a department of a Community institution, economic operators shall furnish proof in the form of certificates issued or countersigned by the competent authority;
- FSC[®] certificates.

The tenderer or candidate may also rely on the capacity of other entities, irrespective of the legal nature of the links between himself and those entities. In that case, he must prove to the European Parliament that he will have the resources needed to perform the contract, for instance by providing an assurance of the undertaking by those entities to make them available to him. In that case the European Parliament is entitled to refuse the application or the tender submitted if it has doubts about the undertaking by the third party or about that party's professional and/or technical capacity.

At all events, tenderers may always rely on the economic capacities of one or more subcontractors in so far as they undertake to take part in the process of performing the contract. In such instances, the European Parliament will assess the capacities of the subcontractor(s) in the light of the extent to which the latter is/are involved in performing the contract.

If it establishes that a tenderer faces a conflict of interest which could affect the performance of the contract, the European Parliament may conclude that the tenderer is not of the calibre required to perform the contract.

15. AWARD CRITERIA

Contracts shall be awarded to the three leading tenders out of all acceptable, reasonably priced tenders that meet the requirements, in accordance with a ranking.

So that it can evaluate and compare the financial tenders, the European Parliament shall use a reference price: the sum total of the prices for the various services listed in the "Reference price" table in Annex I b.

Annex II: The European Parliament's environmental policy

http://www.europarl.europa.eu/inside/logistic/budget/docs_public_contracts/emas/AnnexeEMAS_de.pdf

THE EUROPEAN PARLIAMENT'S ENVIRONMENTAL POLICY

The European Parliament recognises that it has a duty to make a positive contribution to sustainable development as a long-term goal, not only through its political role and its role in legislative procedures, but also in the context of how it operates and the decisions that it has to take on a day-to-day basis.

The European Parliament has therefore decided that its Administration will embark on the path of applying the EMAS (Eco-Management and Audit Scheme) standard, with the aim of continually improving its environmental results with regard to activities, products and services..

In doing so the European Parliament hereby undertakes to:

- *reduce carbon dioxide emissions*
- *promote the efficient use of energy, water and paper*
- *introduce best practices with regard to waste management*
- *incorporate environmental guidelines into procurement procedures*
- *encourage responsible and appropriate behaviour by training, providing information and increasing the awareness of all its staff, Members and their assistants about those aspects of their activities relating to the environment*
- *take preventive measures to counter pollution*
- *ensure compliance with requirements laid down by environmental legislation and regulations*
- *ensure that everyone within Parliament is committed to EMAS and to the measures to improve the environment which it entails*
- *provide sufficient resources for its environmental management system and activities relating thereto*
- *promote transparent communication and dialogue with interested parties, both internally and externally.*

The European Parliament undertakes to describe, implement and pursue its environmental policy, to communicate it to its Members, its staff, its contractors and any other interested parties and also to make it accessible to the public.

The European Parliament's environmental policy is implemented through its environmental management system. The environmental policy and the environmental management system cover the main environmental aspects, both directly and indirectly, as well as their impact on the sites concerned, and make it possible to establish corresponding objectives.

Jerzy BUZEK, President
Brussels, 28 September 2010.



Klaus WELLE, Secretary General
Brussels, 28 September 2010.

Annex III:

Declaration on the tenderer's honour concerning the exclusion criteria and absence of conflicts of interest

Official name of the applicant/tenderer:.....

Official address:

Official legal form (only for legal person):

I, the undersigned, Mr/Ms, being the representative authorised to sign on behalf of the [candidate/tenderer]¹ declare on my honour that:

- (a) the candidate/tenderer is not bankrupt or being wound up, is not having his/her affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, or is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) the candidate/tenderer or persons having powers of representation, decision making or control over the candidate/tenderer have not been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State which has the force of res judicata;
- (c) the candidate/tenderer has not been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the EIB and international organisations;
- (d) the candidate/tenderer is in compliance with his/her obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which he/she is established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- (e) the candidate/tenderer or persons having powers of representation, decision making or control over the candidate/tenderer have not been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such illegal activity is detrimental to the Union's financial interests;
- (f) the candidate/tenderer is not subject to an administrative penalty imposed by the contracting authority under Article 109(1) of the Financial Regulation²;

Comments:

.....
.....

I hereby undertake to supply any documents specifically requested from me.

The undersigned is aware of the fact that contracts may not be awarded to candidates or tenderers who, during the procurement procedure:

- (1) are subject to a conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest;
- (2) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information;
- (3) find themselves in one of the situations of exclusion ((a) to (f) above), referred to in Article 106(1) of the Financial Regulation, for the procurement procedure.

In addition, I, the undersigned, declare on my honour that:

- the candidate/tenderer will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- the candidate/tenderer has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award or the execution of the contract;
- the information provided to the European Parliament within the context of this invitation to tender is accurate, sincere and complete.

Date: Signature:

¹ Delete as appropriate.

² The contracting authority will check in the central exclusion database whether an administrative penalty is still in force.

Annex IV:

Financial identification form - Supplier

- Annex IV Financial information – entity under public law
- Annex IV Financial information – private company
- Annex IV Financial information – private individual

The forms are available at:

<http://www.euoparl.de/de/service/ausschreibungen.html>

Annex V:

Information sheet concerning consortiums of economic operators

Official name of the member authorised by the consortium:¹

.....

Official address:

.....

Legal form of the consortium²:

.....

I, the undersigned, Mr/Ms, representing the authorised representative of the consortium of operators submitting this tender, hereby declare that I have noted the conditions laid down by the European Parliament for submission of a tender by a consortium and that the submission of a tender and the signing of this declaration imply acceptance of those conditions:

The consortium of economic operators shall furnish proof of its legal form in the tender. This may take one of the following forms:

- an entity with legal personality recognised by a Member State;
- an entity without legal personality but offering sufficient protection of the European Parliament's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association);
- the signature by all the partners of a type of 'power of attorney' or equivalent document confirming a form of cooperation.

The document supplied must prove the consortium's actual status. In that document or in an annex thereto, the economic operators making up the consortium shall undertake, as tenderers, to bear joint and several liability during performance of the contract, should it be awarded to them.

The European Parliament may accept other legal forms not referred to above, provided that they ensure the parties' joint and several liability and are compatible with performance of the contract. However, in the contract to be signed with the consortium the European Parliament will refer expressly to the existence of such joint and several liability. In addition, it reserves the right to require, contractually, the appointment of an authorised representative who may represent the members and who is empowered, inter alia, to issue invoices on behalf of the other members.'

Information on members of consortium			
Name of member of consortium	Address of member of consortium	Name of member's representative	Description of technical, professional and economic capacities ³

Date: **Signature:**

¹ State the name and address of the member authorised by the other members of the consortium to represent it. If no authorisation has been given, all consortium members must sign this declaration.

² To be indicated if a precise form has been chosen by the consortium members. If that is not the case, leave blank.

³ Should such a description already have been provided in the tender, reference may be made to precisely where that description appears.

Annex VI:

Declaration concerning subcontractors

Name of the tenderer:

I, the undersigned, Mr/Ms, in my capacity as representative of the above-mentioned tenderer, **hereby declare** that, in the event that the contract, or one or more lots thereof, is awarded to the tenderer, the following economic operators will act as subcontractors:

Details of subcontracting		
Name & address of subcontractor	Description of the subcontracted part of the contract	Value of subcontracted part of contract (in EUR and as a percentage of estimated total amount of contract)

I acknowledge that the European Parliament reserves the right to require tenderers to provide information on the financial, economic, technical and professional capacities of the proposed subcontractor(s), and that the European Parliament may demand the requisite proof to establish whether the subcontractors comply with the exclusion criteria applying to tenderers.

In this context, the European Parliament reserves the right to reject any proposed subcontractor not complying with the exclusion and/or selection criteria.

Furthermore, the European Parliament must be informed by the Contractor of any subsequent use of subcontracting not provided for in the tender. The European Parliament therefore reserves the right to accept or reject any subcontractor proposed during the performance of the contract. Accordingly, it may demand the requisite proof to establish whether a subcontractor complies with the requisite criteria. The European Parliament's authorisation will always be granted in writing.

If the contract is awarded to a tenderer who proposes a subcontractor in his tender, this equates to giving consent for the subcontracting.

Date: **Signature:**