# TRAD19 — ANNEXES TO TENDER SPECIFICATIONS

***Tenderers must:***

1. ***fill in the editable spaces in all sections of these annexes;***
2. ***print and sign the annexes as required;***
3. ***scan the annexes and the required evidence and attach everything to the electronic version of the tender;***
4. ***make sure the annexes and the evidence are attached in the same order as they are presented here;***
5. ***remember to include a paper printout of the electronic tender registration form (Annex 1.4) and the financial offer (Annex 8.2) with original signatures;***
6. ***make extra copies of the relevant parts if needed; and***
7. ***submit the tender on a USB key or a DVD.***

***Don’t miss the deadline!***

**ANNEX 1 — Administrative identification form**

*This section is to give the contracting authority the legal and financial information it needs to process the tender and award a contract.*

**1.1 Name of tenderer:**

**Legal address:**

**1.2 Type of tender:**

submitted by a single tenderer

*If you have ticked this box, go to section 1.3.*

joint tender submitted by a group of tenderers

*If you have ticked this box, indicate:*

|  |  |
| --- | --- |
| Name of group leader: |  |
| Names of the other entities participating in the joint tender: | 1) |
| 2) |
| 3) |

*Add the names of all members of the group.*

*Each of the entities listed must complete and sign the power of attorney in Annex 4, authorising the group leader to represent the group for the purposes of this contract (see also section 12.1 of the tender specifications).*

*All signed powers of attorney must be included in the tender.*

**1.3 Legal status and person authorised to represent the tenderer**

*Tick one of the boxes below and fill in the name of the legal representative:*

|  |  |  |
| --- | --- | --- |
| Private company |  | Name of legal representative: |
| Public entity: |  | Name of legal representative: |
| Natural person |  |  |

*For private companies and public entities only: provide a legible photocopy of the statutes or the notice of appointment of the legal representative authorised to deal with third parties and in legal proceedings (see section 10 of the tender specifications).*

*For joint tenders, each member of the group must provide these documents.*

**1.4 Electronic tender registration form**

*Tenderers must register their intention to tender according to the instructions on the following web portal:* <https://webgate.ec.europa.eu/dgt/tender/index/home.cfm>

***The electronic tender registration form must be printed and signed, and the original sent together with the tender.***

**1.5 Tenderer’s legal entity**

*Download the legal entity form from:*

<http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm>

***The form must be printed, signed, scanned and included in the tender****.*

*For joint tenders, each member of the group must submit the form and the required documents.*

**1.6 Financial identification form**

*Download the financial identification form from:*<http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm>

***The form must be printed, signed, scanned and included in the tender.***

*If you are unable to get your bank to stamp the form, attach a recent bank statement showing clearly the IBAN code, the name of the bank and the name of the account holder.*

ANNEX 2 — Additional VAT information

***For individuals only!***



*If you have selected ʻnatural personʼ in section 1.3 of Annex 1* ***and*** *do not have a VAT number to enter in the legal entity form (see section 1.5 of Annex 1), use the following editable space to state:*

*a) the reasons why you are not liable for VAT for the provision of the services covered by this contract;*

*b) the applicable provisions of the country of establishment according to which you are not liable for VAT; and*

*c) that you are in compliance with all relevant national provisions applicable in the country of establishment as regards tax and social security contributions in relation to professional activity in the field of this call for tenders.*

*Remarks:*

**Full name:**

**Date:**

**Signature:**

***The form must be printed, signed, scanned and included in the tender.***

*For joint tenders, each natural person who is a member of the group must submit this form.*

**ANNEX 3 — Economic and financial standing**

*The information and evidence to be provided in this section are required to prove the economic and financial standing of the tenderer (see section 11 of the tender specifications). For joint tenders, the form must be provided for each member of the group.*

*The tenderer must provide as evidence one or both of the following documents:*

6.1. Financial statements for at most the last three years for which accounts have been closed

*This requirement applies to legal entities.*

*Tenderers operating in another currency must convert the amounts into euro and provide the conversion rate used under ʻRemarksʼ.*

|  |  |  |  |
| --- | --- | --- | --- |
| **Financial and economic overview** | | | |
| **Currency:** *EUR* | **Figures *(000)*** | | |
|  | **N\*** (\* most recent figures available) | **N-1** | **N-2** |
| **Total balance sheet** |  |  |  |
| TRADE DEBTORS  *Amounts due by commercial customers* |  |  |  |
| CAPITAL and RESERVES (equity)  *Amounts owned by the company* |  |  |  |
| TRADE CREDITORS  *Amounts due to commercial suppliers* |  |  |  |
| SHORT-TERM DEBT |  |  |  |
| LONG-TERM DEBT |  |  |  |
| LIQUIDITY  *Bank accounts, cash in hand* |  |  |  |
| **Currency:** *EUR* | **Figures *(000)*** | | |
|  | **N\*** (\* most recent figures available) | **N-1** | **N-2** |
| **PROFIT and LOSS** |  |  |  |
| TURNOVER |  |  |  |
| ORDINARY RESULT |  |  |  |
| EXTRAORDINARY RESULT |  |  |  |
| INCOME TAX |  |  |  |
| NET RESULT |  |  |  |

*The tenderer may add any data considered vital for the organisation and for understanding the above figures.*

*If appropriate, explain BRIEFLY any significant variations from one year to another.*

*In the event of negative equity or repeated losses, explain how the future of the organisation will be secured.*

*Remarks:*

**6.2. Statement of overall turnover and of turnover for the last financial year available for the type of service covered by this call for tenders**

*Tenderers operating in another currency must convert the amounts into euro and provide the conversion rate used under ʻRemarksʼ.*

|  |  |  |  |
| --- | --- | --- | --- |
| **YEAR** | **Overall turnover (EUR)** | **Turnover for the services covered by this contract (EUR)** | **Number of standard  pages translated  (all language combinations)** |
| **2018** |  |  |  |

*Remarks:*

ANNEX 4 — Agreement/power of attorney designating one of the entities of the group as leader

We the undersigned:

|  |
| --- |
| Signatory 1 (name, function, organisation, registered address, VAT number): |
| Signatory 2 (name, function, organisation, registered address, VAT number): |
| Signatory N (name, function, organisation, registered address, VAT number): |

each having the legal capacity required to act on behalf of his/her organisation,

**HEREBY AGREE AS FOLLOWS:**

If the contracting authority awards a contract following the call for tenders TRAD19 (‘the contract’) to entity 1 , entity 2  and entity N (‘the group members’), on the basis of the joint tender submitted by them on  for the provision of a service involving the translation of documents relating to the policies and administration of the European Union (‘the service’), as co-signatories of the contract all the group members shall:

(a) be jointly and severally liable to the contracting authority for performance of the contract; and

(b) comply with the terms and conditions of the contract and ensure proper execution of their share of the service.

To this end, the group members designate  as group leader. *[N.B. The group leader must be one of the group members].*

The contracting authority will make payments for the service through the group leader’s bank account*.*

The group members grant to the group leader all the necessary powers to act on their behalf in relation to the service. In particular, the group leader shall:

(a) sign any contractual documents, including the contract and amendments thereto, and issue any invoices relating to the service on behalf of the group members;

(b) act as the sole contact for the contracting authority in relation to the service;

(c) coordinate the group members’ provision of the service to the contracting authority; and

(d) ensure proper administration of the contract.

Any changes to this agreement/power of attorney shall be subject to the contracting authority’s express approval.

This agreement/power of attorney shall expire when all the contractual obligations of the group members towards the contracting authority in connection with the service to be provided under the contract have ceased to exist. The parties may not terminate it before that date without the contracting authority’s consent.

Signatures:

|  |  |
| --- | --- |
| Signed in | On |
| Name: |  |
| Function: |  |
| Organisation: |  |

***The form must be printed, signed, scanned and included in the tender.***

ANNEX 5a — Subcontractor’s letter of intent

Framework contract TRAD19

*If the tender involves subcontracting, the tenderer must provide this Annex.   
A letter of intent must be provided for each subcontractor (see section 12 of the tender specifications).*

*The forms must be printed, signed, scanned and included in the tender.*

Letter of intent by subcontractor

*The tenderer must add the following form completed and duly signed by each subcontractor:*

|  |
| --- |
| The undersigned: |
| Legal representative of (name of the company/organisation): |
| Address: |

hereby declares:

* her/his intent to cooperate in the tasks subject to framework contract TRAD19, in accordance with the terms of the tender to which this form is annexed, if the contract is awarded to *[insert name of the tenderer]* ; and
* that she/he has read and is aware of all the conditions of the tender specifications and the framework contract.

**Full name:**

**Date:**

**Signature:**

**ANNEX 5b — Information on subcontracting**

Framework contract TRAD19

**1. List of subcontractor(s) for lot nº XX>XX**

**2.** **Existing or prospective contracts with subcontractors**

*The tenderer must:*

* *include copies of existing or prospective contracts in the tender; and*
* *ensure that subcontractors are aware of the provisions of the tender specifications and the framework contract.*

ANNEX 6 — Declaration on honour on exclusion criteria

The undersigned,*[name of signatory]*, representing:

|  |  |
| --- | --- |
| *(only for natural persons)* himself or herself | *(only for legal persons)*  the following legal person: |
| ID or passport number: | Full official name: |
|  | Official legal form: |
| (‘the person’) | Statutory registration number: |
|  | Full official address: |
|  | VAT registration number: |

**I. Situation of exclusion concerning the person**

|  |  |  |
| --- | --- | --- |
| (1) declares that the above-mentioned person is in one of the following situations: | YES | NO |
| 1. 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 national legislation or regulations; |  |  |
| 1. it has been established by a final judgment or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract; |  |  |
| 1. it has been established by a final judgment or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person 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: |  |  |
| * 1. fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract; |  |  |
| * 1. entering into agreement with other persons with the aim of distorting competition; |  |  |
| * 1. violating intellectual property rights; |  |  |
| * 1. attempting to influence the decision-making process of the contracting authority during the award procedure; |  |  |
| * 1. attempting to obtain confidential information that may confer upon it undue advantages in the award procedure; |  |  |
|  | YES | NO |
| 1. it has been established by a final judgment that the person is guilty of the following: |  |  |
| * 1. fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities’ financial interests, drawn up by the Council Act of 26 July 1995; |  |  |
| * 1. corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of the contract; |  |  |
| * 1. participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA; |  |  |
| * 1. money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council; |  |  |
| * 1. terrorist-related 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; |  |  |
| * 1. child labour or 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; |  |  |
| 1. the person has shown significant deficiencies in complying with the main obligations in the performance of a contract financed by the Union’s budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorising officer, OLAF or the Court of Auditors; |  |  |
| 1. it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95; |  |  |
| 1. for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, the applicant is subject to: 2. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body; 3. non-final administrative decisions, which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics; 4. decisions of the European Central Bank, the European Investment Bank, the European Investment Fund or international organisations; 5. decisions of the Commission relating to infringement of the Union’s competition rules or of a national competent authority relating to the infringement of Union or national competition law; or 6. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body. |  |  |

**II. Situations of exclusion concerning natural persons with power of representation, decision-making or control over the legal person**

***Not applicable to natural persons, Member States and local authorities***

|  |  |  |  |
| --- | --- | --- | --- |
| (2) declares that a natural 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 it (this covers company directors, members of management or supervisory bodies, and cases where one natural person holds a majority of shares) is in one of the following situations: | YES | NO | n/a |
| * situation (c) above (grave professional misconduct) |  |  |  |
| * situation (d) above (fraud, corruption or other criminal offence) |  |  |  |
| * situation (e) above (significant deficiencies in performance of a contract) |  |  |  |
| * situation (f) above (irregularity) |  |  |  |

**III. Situations of exclusion concerning natural or legal persons assuming unlimited liability for the debts of the legal person**

|  |  |  |  |
| --- | --- | --- | --- |
| (3) declares that a natural or legal person that assumes unlimited liability for the debts of the above-mentioned legal person is in one of the following situations: | YES | NO | n/a |
| * situation (a) above (bankruptcy) |  |  |  |
| * situation (b) above (breach in payment of taxes or social security contributions) |  |  |  |

**IV. Grounds for rejection from this procedure**

|  |  |  |
| --- | --- | --- |
| (4) declares that the above-mentioned person: | YES | NO |
| (h) has distorted competition by being previously involved in the preparation of procurement documents for this procurement procedure. |  |  |

**V. Remedial measures**

If the person declares one of the situations of exclusion listed above, it must indicate measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. This may include technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. Relevant documentary evidence of the remedial measures taken must be enclosed with this declaration.

This does not apply for the situations referred to in point (d).

**VI. Evidence upon request**

Upon request and within the time limit set by the contracting authority, the person must provide information on members of its administrative, management or supervisory body.

It must also provide the following evidence concerning itself and the natural or legal persons that assume unlimited liability for its debt:

* for the situations described in points (a), (c), (d) and (f):
  + a recent extract from the judicial record; or, failing that
  + an equivalent document recently issued by a judicial or administrative authority in the person’s country of establishment showing that all judicial requirements are satisfied;
* for the situations described in points (a) and (b):
  + recent certificates issued by the competent authorities of the state in question. These must provide evidence of all taxes and social security contributions for which the person is liable, including VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions; or, where such documents are not issued in the country in question
  + 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 the person’s country of establishment.

The person is not required to resubmit evidence it has already submitted for another procurement procedure.

Documents must have been issued no more than a year before the date of the contracting authority’s request and must still be valid at that date.

In such cases, the signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

|  |  |
| --- | --- |
| **Document** | **Full reference to previous procedure** |
| *Insert as many lines as necessary* |  |

***The person will be rejected from this procedure and liable 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.***

Full name:  Date:       Signature:

***The form must be printed, signed, scanned and included in the tender.***

ANNEX 7 — Evidence required for selection criteria

*The information and evidence to be provided in this section are required to prove the tenderer’s minimum and technical capacity and its team members’ qualifications and experience. For full requirements, see section 14 of the tender specifications.*

*For joint tenders, the group as a whole must meet the criteria.*

*For tenders involving subcontracting, the tenderer jointly with the subcontractor(s) must meet the criteria.*

**7.1 Minimum capacity** *(see section 14.1 of tender specifications)*

The tenderer must confirm the availability of the minimum capacity required in section 14.1 of the tender specifications by signing the following:

Declaration on honour on minimum capacity

The undersigned  *(name of the signatory of this form, to be completed)*:

in his/her own name *(if the economic operator is a natural person or in cases of own declaration by a director or person with powers of representation, decision-making or control over an economic operator that is a legal person)*; or

representing *(if the economic operator is a legal person):*

* official name in full *(for legal persons only)*:
* official legal form *(for legal persons only)*:
* official address in full:
* VAT registration number:

declares that he/she (for a natural person), or the company or organisation that he/she represents (for a legal person), will have, for the duration of the FWC, the required minimum capacity for the lot tendered for, and that evidence of this can be provided upon request.

**Full name:**

**Date:**

**Signature:**

The declaration must be printed, signed, scanned and included in the tender.

**7.2** **Technical capacity** *(see section 14.2 of the tender specifications.)*

Declaration on honour on technical capacity

The undersigned  *(name of the signatory of this form, to be completed)*:

in his/her own name *(if the economic operator is a natural person or in cases of own declaration by a director or person with powers of representation, decision-making or control over an economic operator that is a legal person)*; or

representing *(if the economic operator is a legal person)*

* official name in full *(for a legal person only)*:
* official legal form *(for a legal person only)*:
* official address in full:
* VAT registration number:

declares that he/she (for a natural person), or the company or organisation that he/she represents (for a legal person), fulfils the technical requirements in section 14.2 of the tender specifications.

**Full name:**

**Date:**

**Signature:**

***The declaration must be printed, signed, scanned and included in the tender.***

**7.3 Professional capacity — qualifications and experience**

*The tenderer must submit as evidence a degree in tertiary education and a declaration on honour on minimum experience for every quality coordinator, translator, reviser and reviewer in the team (see sections 14.3.1 and 14.3.2 of the tender specifications).*

*Provide this evidence separately for each lot tendered for.*

*If the tender does not include the information and evidence required, it will be rejected.*

**Declaration on honour on minimum experience**

I, the undersigned, [*name of signatory*] team member of tenderer

[*................................*]

for lot nº [XX > XX]

as

quality coordinator

translator  reviser  reviewer

employee  subcontractor  partner  other: specify

e-mail address:

date of birth:

relevant education:       *(describe and attach copy of diploma(s))*

declare that I have the minimum requirements of professional experience set out in section 14.3.1 or 14.3.2 of the TRAD19 tender specifications, and can provide evidence of it at any time upon request.

**Place and date:**

**Signature:**

***The declaration must be printed, signed, scanned and included in the tender.***

**ANNEX 8 — Evidence required for the award criteria**

*The technical quality of the offer is assessed by online testing (see section 15 of the tender specifications).*

*The tenderer must submit a financial offer for each language combination (lot) tendered for, as set out in section 8.2.*

**8.1. Technical quality**

***IMPORTANT: Failure to provide any of the elements below will lead automatically to rejection of the tender for the lot in question.***

*The tenderer will demonstrate the technical quality of the services offered by doing one revision test, one translation test and one case study. All three tests will be taken online simultaneously with a time limit. Each test must be taken by a different person.*

8.1.1. AC1 revision test (40/100)

Lot no:

Name of person taking the test:

employee  subcontractor  partner

other (specify:      )

*N.B. The revision test is lot‑specific. It must be taken by the person named in the tender as* ***quality coordinator*** *for the lot. If a person is named as quality coordinator for more than one lot, that person must take the revision test for one of those lots and the tenderer must designate other persons to do the revision test for the other lots. These persons must be listed in the tender as* ***revisers****. If the person taking the test is a subcontractor, that person must be among the subcontractors listed in the tender.*

8.1.2. AC2 translation test (40/100)

Lot no:

Name of the person taking the test:

employee  subcontractor  partner

other (specify:      )

*N.B. The translation test is lot‑specific.*

8.1.3. AC3 case study (20/100)

Lot no:

Name of the person taking the test:

employee  subcontractor  partner

other (specify:      )

*N.B. The case study is* ***not*** *lot-specific.*

**8.2. Financial offer**

*The tenderer must state its price offer for the lots tendered for by filling in this form.*

*Prices must be quoted in euro, without VAT, per standard page of 1,500 characters without spaces. Enter ‘n/a’ for the lots not tendered for.*

*Prices in euro must be stated in figures and in letters. If there is a discrepancy, the contracting authority will take the price stated in letters.*

| **Lot No** | **Language combination** | **Price in EUR  (in figures)** | **Price in EUR  (in letters)** |
| --- | --- | --- | --- |
| 1 | BG>EN |  |  |
| 2 | CS>EN |  |  |
| 3 | DE>EN |  |  |
| 4 | DE>FR |  |  |
| 5 | EL>EN |  |  |
| 6 | EL>FR |  |  |
| 7 | EN>BG |  |  |
| 8 | EN>CS |  |  |
| 9 | EN>DA |  |  |
| 10 | EN>DE |  |  |
| 11 | EN>EL |  |  |
| 12 | EN>ES |  |  |
| 13 | EN>ET |  |  |
| 14 | EN>FI |  |  |
| 15 | EN>FR |  |  |
| 16 | EN>GA |  |  |
| 17 | EN>HR |  |  |
| 18 | EN>HU |  |  |
| 19 | EN>IT |  |  |
| 20 | EN>LT |  |  |
| 21 | EN>LV |  |  |
| 22 | EN>MT |  |  |
| 23 | EN>NL |  |  |
| 24 | EN>PL |  |  |
| 25 | EN>PT |  |  |
| 26 | EN>RO |  |  |
| 27 | EN>SK |  |  |
| 28 | EN>SL |  |  |
| 29 | EN>SV |  |  |
| 30 | ES>EN |  |  |
| 31 | ES>FR |  |  |
| 32 | FI>EN |  |  |
| 33 | FR>DE |  |  |
| 34 | FR>EN |  |  |
| 35 | FR>NL |  |  |
| 36 | HR>EN |  |  |
| 37 | HU>EN |  |  |
| 38 | IT>EN |  |  |
| 39 | IT>FR |  |  |
| 40 | LT>EN |  |  |
| 41 | LV>EN |  |  |
| 42 | NL>EN |  |  |
| 43 | NL>FR |  |  |
| 44 | PL>EN |  |  |
| 45 | PT>EN |  |  |
| 46 | RO>EN |  |  |
| 47 | SK>EN |  |  |
| 48 | SL>EN |  |  |
| 49 | SV>EN |  |  |

By submitting this tender, the undersigned,  *(Name of tenderer if natural person or of tenderer’s representative if legal person)* declares

in his/her own name

or

as legal representative of: *(Name of tenderer)*

* to have full knowledge of the tendering documents;
* to agree to all the terms and conditions established in them; and
* to have given only truthful information in its tender, including all declarations on honour.

The undersigned also declares that the tenderer understands that the price offer in the above table for the lot in question is binding for the duration of the framework contract, subject to any price revision in accordance with Article I.5 of the framework contract.

**Date and signature:**

***N.B. The tender MUST be signed. Unsigned tenders are not valid!***

***You must send the original of this annex, duly signed and dated, together with the USB keys or DVDs, to the contracting authority by the deadline.***

***If the tender is signed by an authorised representative, you must also provide the relevant power of attorney or equivalent document proving that this person is authorised to represent the tenderer.***