# OMNI+17 – ANNEXES TO THE TENDER SPECIFICATIONS

*In order to facilitate the submission of tenders and the evaluation, and to minimise the risk of error or omission, tenderers are asked to draw up their tenders using these annexes.*

 ***The tenderer must complete these annexes in the editable spaces in all sections, then print them out and sign them as required. The tenderer must then scan and attach them to the tender and submit it on a USB key or on a DVD together with required evidence, by the deadline and in line with the other instructions in the invitation to tender and the tender specifications.***

***Remember to include a paper printout of the electronic tender registration form and the (technical and financial) offer with the signatures in original.***

**ANNEX 1 – Administrative identification form**

*This section is intended to give the contracting authority all the legal and financial information needed to process the tender and to award a contract.*

**1.1 Name of tenderer:**

**Legal address:**

**1.2 Type of tender:**

[ ]  The tender is submitted by a single tenderer

*Tenderers who have checked this box, please go to section 1.3*

[ ]  The tender is a joint tender submitted by a group of tenderers

*Tenderers who have checked this box, please indicate*

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

*Please add the names of all members of the group. Each of the entities listed above must fill in and sign the power of attorney in the Annex 4, giving a mandate to the group leader to represent the group for the purposes of this contract (see also section 2.3 of the specifications). All signed powers of attorney must be attached to the tender.*

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

*Please check one of the boxes below, as appropriate and fill in the name of the legal representative in the dedicated box:*

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

*For private companies and public entities only: please provide a legible photocopy of the statutes or a copy of the notice of appointment of the legal representative authorised to deal with third parties and in legal proceedings (see section 3.3.1 of the tender specifications).*

*For joint tenders, one of these documents must be provided by each member of the group.*

**1.4 Electronic tender registration form**

*Tenderers must register their intention to tender in accordance with the instructions on the following web portal*

[**https://webgate.ec.europa.eu/dgt/tender/index/home.cfm**](https://webgate.ec.europa.eu/dgt/tender/index/home.cfm)

*Tenderers should make sure that the information given matches that previously given on the legal entity and financial identification forms (sections 1.5 and 1.6 below). The completed tender registration form must be printed out and signed, and the original sent together with the tender.*

**1.5 Tenderer's legal entity**

*to be downloaded from*

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

*The duly completed, signed and dated legal entity form must be attached to the tender together with the required documents.*

*For joint tenders, this form and the required documents must be submitted by each member of the group.*

**1.6 Financial identification form**

*to be downloaded from*

[**http://ec.europa.eu/budget/contracts\_grants/info\_contracts/financial\_id/financial\_id\_en.cfm**](http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm)

*The duly completed, signed and dated financial identification form must be attached to the tender*

*If tenderers are unable to obtain their bank's stamp on this form, they must attach a recent bank statement showing clearly the IBAN code, the name of the bank and the name of the bank account holder.*

ANNEX 2 - Additional VAT information

 ***only for individuals***

*If the tenderer has selected ʻnatural personʼ under section 1.3 of Annex 1* ***and*** *does not have a VAT number to be given in the legal identity form (see section 1.5 of Annex 1), please use the following editable space to state:*

*a) the reasons why the tenderer is 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 the tenderer is not liable for VAT; and*

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

*Remarks:*

**Full name:**

**Date:**

**Signature:**

*For joint tenders, this Annex must be submitted by each natural person who is a member of the group.*

ANNEX 3 - Declaration on honour on exclusion criteria

The undersigned,[Insert name of the signatory of this form]*,* 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:       |
|  | (‘the person’) |

**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;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgment that the person is guilty of the following:
 | YES | NO |
| * 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 ECB, the EIB, the European Investment Fund or international organisations;
5. decisions of the Commission relating to the 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 the above-mentioned legal person (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 e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to this declaration. This does not apply for situations referred in point (d) of this declaration.

**VI - Evidence upon request**

Upon request and within the time limit set by the contracting authority the person must provide information on the persons that are members of the administrative, management or supervisory body. It must also provide the following evidence concerning the person itself and concerning the natural or legal persons which assume unlimited liability for the debt of the person:

* For situations described in (a), (c), (d) or (f), production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the person showing that those requirements are satisfied.
* For the situation described in point (a) or (b), production of recent certificates issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the person is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by 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 its country of establishment.

The person is not required to submit the evidence if it has already been submitted for another procurement procedure. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

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 above-mentioned person may be subject to rejection from this procedure and 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:

ANNEX 4 - Agreement/power of attorney designating one of the entities of the group as leader and giving that entity a mandate

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 OMNI+17 (‘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:

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

(b) shall 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 shall make payments in relation to 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 connection with 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 connection with the service;

(c) coordinate provision of the service by the group members 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.

Signature:

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

ANNEX 5a - Subcontractor's letter of intent

Framework Contract OMNI+17

*The tenderer must fill in this Annex and attach it to the tender. A letter of intent must be provided for each subcontractor. For more details see sections 2.2 and 2.4 of these tender specifications.*

**Letter of intent by subcontractor**

*If the tender involves subcontracting, 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 the aforementioned framework contract, 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

hereby declares that she/he has read and is aware of all conditions of the tender specifications and of the framework contract.

**Full name:**

**Date:**

**Signature:**

ANNEX 5b - Information on subcontracting

Framework Contract OMNI+17

**1. Name(s) of subcontractor(s) and lot(s) for which they will be providing services**

**2. Proportion of work for each subcontractor (by lot/language combination)**

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

*The tenderer must scan and attach copies of existing (or prospective) contracts to the tender.*

*The tenderer must make sure that the subcontractors are aware of the provisions of the tender specifications and the framework contract.*

ANNEX 6 - Evidence required for the selection criteria

*The information and evidence to be provided in this section are required to prove the economic, financial, technical and professional capacity of the tenderer. For full requirements, see section 3.3 of the tender specifications. In the case of a joint tender or subcontracting: The selection criteria will be applied to the group as a whole, together with any subcontractors, but the evidence must be provided by each member of the group and each subcontractor.*

**6.1 - Economic and financial capacity**

*In order to prove its economic and financial standing, the tenderer must provide as evidence, one or more of the following:*

6.1.1 appropriate statements from banks or, where appropriate, evidence of relevant professional risk indemnity insurance:

***Please attach the evidence to the tender***

6.1.2 financial statements for at most the last three years for which accounts have been closed:

*This requirement applies to legal entities. Data from their annual accounts (balance sheet, profit-and-loss account, notes on the accounts and auditor’s remarks, where applicable) for the last year must be provided later. Tenderers operating in another currency must convert the amounts into EUR 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, please explain BRIEFLY any significant variations from one year to another. In the event of negative equity or repeated losses, please explain how the future of the organisation will be secured.*

*Remarks:*

***Please attach these templates (duly completed) and the related evidence to the tender.***

6.1.3 a statement of overall turnover and of turnover for the last financial year available for the type of services covered by this call for tenders.

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

|  |  |  |  |
| --- | --- | --- | --- |
| **YEAR** | **Global turnover(EUR)** | **Turnover for the services covered by this contract (EUR)** | **Number of standard pages translated (all language combinations)** |
| **2016** |       |       |       |

*Remarks:*

***Please attach these templates (duly completed) and the related evidence to the tender.***

**6.2 – Technical and professional capacity**

6.2.1 Technical requirements

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 declarations 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 following technical requirements :

|  |
| --- |
| ***All following technical requirements are mandatory. If the tenderer replies NO to any, the tender will not be selected.***  |
| **Internet connection:**YES [ ]  NO [ ]  | Please specify      |
| **Web browser:**YES [ ]  NO [ ]  | Please specify      |
| **Software** for reading, amending, saving and delivering files generated with Microsoft Office 2010, and any later version of Microsoft Office without altering their formatting YES [ ]  NO [ ]  | Please specify      |
| Computer aided translation (CAT) tools capable of * handling Office 2010 and later versions of Microsoft Office;
* handling Open Document Format (version 1.2 and future versions); and
* importing and exporting TMX translation memories (TMX 1.4b and future versions);

CAT tools or editors capable of handling the XLIFF format (version 1.2 and future versions)YES [ ]  NO [ ]  | Please specify      |

*The following software is highly recommended:*

|  |  |
| --- | --- |
| Quality assurance softwareYES [ ]  NO [ ]  | Please specify      |

*Please specify also if the tenderer has access to the following hardware:*

|  |  |
| --- | --- |
| Computer network (if any) | Please specify      |
| **Back-up storage media**External hard disksZIP drivesTapesOptical devicesOther | Please specify      |
| Server | Please specify      |
| Other  |       |

**Full name:**

**Date:**

**Signature:**

***Please attach this declaration of honour (duly completed and signed) to the tender***

6.2.2 Qualifications and experience requirements of tenderers and of personnel responsible for quality assurance

*The tenderer must provide evidence of the qualifications and experience of the personnel responsible for quality assurance. Please read point 3.3.3 of the tender specifications carefully and provide this evidence separately for each lot tendered for.*

*For all categories of personnel, at least half of their translating experience must have been in European or international affairs or in national, European or international public administration.*

*If several persons conduct quality assurance, all must meet the minimum qualifications, but evidence of qualifications and experience must be included in the tender* ***only for the most senior*** *of those. For the others, DGT reserves the right to request such evidence during the selection procedure or at any time during the execution of the FWC.*

*Organisations must submit a copy of the contract concluded with the person responsible for quality assurance. If the tenderer is successful and has not previously concluded such contract, the tenderer will have to provide proof that the tenderer has done so before signing the FWC.*

*If the tenderer does not include the information and evidence required, the tenderer will not be selected.*

***Please fill in one form per lot tendered for.***

**LOT NO.       SOURCE LANGUAGE       TARGET LANGUAGE**

**Qualifications and experience of the personnel responsible for quality assurance**

**If more than one person is responsible for quality assurance, evidence should be submitted only for the most senior person!**

1. **Name:**
2. **E-mail address:**
3. **Date of birth:**
4. **Relevant education:***Please describe and attach copy of diploma(s)*:
5. **Translating experience for this language combination:***Please list translation experience and attach evidence (letters of reference from customers, invoices, book covers, contracts clearly indicating the subject, language combination and number of pages or specimens of translations the tenderer has produced, etc.)*

|  |  |  |
| --- | --- | --- |
| **No of pages/time spent translating** | **Description of evidence** | **Remarks** |
|       |       |       |

1. **Experience in quality assurance for this language combination (for EN-CS and EN-MT only)**

*Please list experience in quality assurance and attach evidence (letters of reference from customers, invoices, book covers, contracts, etc. clearly indicating the subject, language combination and number of pages or specimens of translations the tenderer has produced, etc.)*

|  |  |  |
| --- | --- | --- |
| **No of pages/time spent for quality assurance** | **Description of evidence** | **Remarks** |
|  |  |  |

***Invoices or any other evidence will be accepted only if they indicate the source and target languages.***

***Please attach this form (duly completed), together with the requested evidence,***

***to the tender, stating clearly for which lot the evidence is submitted.***

# ANNEX 7 - Evidence required for the award criteria

*The tenderer must now submit the offer, i.e.:*

*a) a technical offer, to show the technical quality of the services offered (please note that this part will be online); and*

*b) a financial offer for each language combination (lot) tendered for.*

**7.1 - Technical offer**

***IMPORTANT: Failure to provide any of the elements below will lead automatically to exclusion from award in the procedure for the lot concerned.***

*The technical offer consists of two parts: two case studies and one test revision*

7.1.1. AC1 Case studies (50/100)

Lot No:

Name of the person taking the test:

[ ]  employee [ ]  subcontractor [ ]  self-employed [ ]  partner

[ ]  other (please specify:      )

*N.B.: The cases will be solved online with a time limit.*

7.1.2. AC2 Test revision (50/100)

Lot No:

Name of the person taking the test – this person must be named as responsible for quality assurance for this language combination in the tender:

[ ]  employee [ ]  subcontractor [ ]  self-employed [ ]  partner

[ ]  other (please specify:      )

*N.B.: The revision test is lot-specific and will be taken online with a time limit.*

**7.2 – Financial offer**

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

*Prices must be quoted in EUR, without VAT, per standard page of 1 500 characters without spaces. Please fill in ‘N/A’ for the lots not tendered for.*

*Prices in EUR 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** | EN>CS |       |       |
| **2** | EN>GA |       |       |
| **3** | EN>MT |       |       |

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

hereby declares

[ ]  in his/her own name

or

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

that

- unless otherwise required by law, the prices quoted have not been and will not knowingly be communicated by the tenderer to any other tenderer or competitor either directly or indirectly before the tenders are opened;

- the tenderer has not made and will not make any attempt to induce any other person or undertaking to submit or refrain from submitting a tender with a view to restricting competition;

- and that, in the event of award of the OMNI+17 contract:

- s/he accepts all the terms and conditions set out in the call for tenders, in the tender specifications and its annexes, and in the draft framework contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions;

- s/he is aware that the contracting authority will disregard any qualification or disclaimer contained in an offer in this connection and reserves the right to reject such offers without further evaluation on the grounds that they do not comply with the specifications;

- s/he is aware that the tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.

Date and signature:

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

***This annex must be sent duly signed in original together with the tender, to the contracting authority by the deadline. If the tender is signed by an authorised representative, the relevant power of attorney or an equivalent document proving that this person is authorised to represent the tenderer, must also be provided.***