

# European Single Procurement Document (ESPD)

## Part I: Information concerning the procurement procedure and the contracting authority or contracting entity

### Identity of the procurer

**Official name:**

Belgian Development Agency (Enabel in Uganda)

**Country:**

Uganda

### Information about the procurement procedure

**Type of procedure:**

Open procedure

**Title:**

X

**File reference number attributed by the contracting authority:**

UGA X

## Part II: Information concerning the economic operator

### A: Information about the economic operator

**Name:**

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**Street and number:**

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**Postcode:**

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**City:**

-

**Country:**

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**Internet address (web address) (if applicable):**

-

**E-mail:**

-

**Telephone:**

-

**Contact person or persons:**

-

**VAT number, if applicable:**

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If no VAT number is applicable, please indicate another national identification number, if required and applicable

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Is the economic operator a Micro, a Small or a Medium-Sized Enterprise?

Yes

No

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Is the economic operator participating in the procurement procedure together with others

Yes

No

- Please ensure that the others concerned provide a separate ESPD form.

a) Please indicate the role of the economic operator in the group (leader, responsible for specific tasks...):

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b) Please identify the other economic operators participating in the procurement procedure together:

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c) Where applicable, name of the participating group:

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Where applicable, indication of the lot(s) for which the economic operator wishes to tender

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## B. Information about representatives of the economic operator

- Where applicable, please indicate the name(s) and address(es) of the person(s) empowered to represent the economic operator for the purposes of this procurement procedure:

**First name:**

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**Name:**

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**Date of birth:**

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**Place of birth:**

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**Street and number:**

-

**Postcode:**

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City:

-

Country:

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E-mail:

-

Telephone:

-

Position/Acting in the capacity of:

-

If needed, please provide detailed information on the representation (its forms, extent, purpose...):

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### C. Information about reliance on the capacities of other entities

**Does the economic operator rely on the capacities of other entities in order to meet the selection criteria set out under Part IV below?**

Yes

No

- Please provide a separate ESPD form setting out the information required under Sections A and B of this Part and Part III for each of the entities concerned, duly filled in and signed by the entities concerned.

Please note that this should also include any technicians or technical bodies, not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, the technicians or technical bodies upon whom the economic operator can call in order to carry out the work.

Insofar as it is relevant for the specific capacity or capacities on which the economic operator relies, please include the information under Part IV for each of the entities concerned.

## Part III: Exclusion grounds

### A. Grounds relating to criminal convictions

**Article 57(1) of Directive 2014/24/EU sets out the following reasons for exclusion**

#### **Participation in a criminal organisation**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for participation in a criminal organisation, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

Yes

No

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## **Corruption**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for corruption, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, OJ C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator.

- Yes
- No

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## **Fraud**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for fraud, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48).

- Yes
- No

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## **Terrorist offences or offences linked to terrorist activities**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for terrorist offences or offences linked to terrorist activities, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework

- Yes
- No

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## **Money laundering or terrorist financing**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for money laundering or terrorist financing, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

- Yes
- No

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### **Child labour and other forms of trafficking in human beings**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for child labour and other forms of trafficking in human beings, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

- Yes
- No

### **B. Grounds relating to the payment of taxes or social security contributions**

**Article 57(2) of Directive 2014/24/EU sets out the following reasons for exclusion**

#### **Payment of taxes**

Has the economic operator breached its obligations relating to the payment of taxes, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?

- Yes
- No

#### **Amount concerned**

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Has this breach of obligations been established by means other than a judicial or administrative decision?

- Yes
- No

If this breach of obligations was established through a judicial or administrative decision, was this decision final and binding?

- Yes
- No

**Please indicate the date of conviction or decision**

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**In case of a conviction, insofar as established directly therein, the length of the period of exclusion**

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**Please describe which means were used**

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Has the economic operator fulfilled its obligations by paying or entering into a binding arrangement with a view to paying the taxes or social security contributions due, including, where applicable, any interest accrued or fines?

- Yes
- No

**Please describe them**

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### **Payment of social security**

Has the economic operator breached its obligations relating to the payment social security contributions, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?

- Yes
- No

### **Country or Member State concerned**

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### **Amount concerned**

-

Has this breach of obligations been established by means other than a judicial or administrative decision?

- Yes
- No

If this breach of obligations was established through a judicial or administrative decision, was this decision final and binding?

- Yes
- No

### **Please indicate the date of conviction or decision**

-

### **In case of a conviction, insofar as established directly therein, the length of the period of exclusion**

-

### **Please describe which means were used**

-

Has the economic operator fulfilled its obligations by paying or entering into a binding arrangement with a view to paying the taxes or social security contributions due, including, where applicable, any interest accrued or fines?

- Yes
- No

### **Please describe them**

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## **C. Grounds relating to insolvency, conflicts of interests or professional misconduct**

**Article 57(4) of Directive 2014/24/EU sets out the following reasons for exclusion**

### **Breaching of obligations in the field of environmental law**

Has the economic operator, to its knowledge, breached its obligations in the field of

environmental law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

Your answer?

- Yes
- No

**Please describe them**

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### **Breaching of obligations in the field of social law**

Has the economic operator, to its knowledge, breached its obligations in the field of social law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

- Yes
- No

**Please describe them**

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### **Breaching of obligations in the fields of labour law**

Has the economic operator, to its knowledge, breached its obligations in the field of labour law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

- Yes
- No

**Please describe them**

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### **Bankruptcy**

Is the economic operator bankrupt? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

- Yes
- No

**Please describe them**

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### **Insolvency**

Is the economic operator the subject of insolvency or winding-up? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is

nevertheless able to perform the contract.

- Yes
- No

**Please describe them**

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### **Arrangement with creditors**

Is the economic operator in arrangement with creditors? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

- Yes
- No

**Please describe them**

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### **Analogous situation like bankruptcy under national law**

Is the economic operator in in any analogous situation like bankruptcy arising from a similar procedure under national laws and regulations? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

- Yes
- No

**Please describe them**

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### **Assets being administered by liquidator**

Are the assets of the economic operator being administered by a liquidator or by the court? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

- Yes
- No

**Please describe them**

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### **Business activities are suspended**

Are the business activities of the economic operator suspended? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the

applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

- Yes
- No

**Please describe them**

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### **Agreements with other economic operators aimed at distorting competition**

Has the economic operator entered into agreements with other economic operators aimed at distorting competition?

- Yes
- No

**Please describe them**

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### **Guilty of grave professional misconduct**

Is the economic operator guilty of grave professional misconduct? Where applicable, see definitions in national law, the relevant notice or the procurement documents.

- Yes
- No

**Please describe them**

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### **Conflict of interest due to its participation in the procurement procedure**

Is the economic operator aware of any conflict of interest, as indicated in national law, the relevant notice or the procurement documents due to its participation in the procurement procedure?

- Yes
- No

**Please describe them**

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### **Direct or indirect involvement in the preparation of this procurement procedure**

Has the economic operator or an undertaking related to it advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure?

- Yes
- No

**Please describe them**

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### **Early termination, damages or other comparable sanctions**

Has the economic operator experienced that a prior public contract, a prior contract with a contracting entity or a prior concession contract was terminated early, or that damages or other comparable sanctions were imposed in connection with that prior contract?

- Yes  
 No

**Please describe them**

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### **Guilty of misinterpretation, withheld information, unable to provide required documents and obtained confidential information of this procedure**

Did the economic operator find himself in one of the following situations:

- a) It has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria,  
b) It has withheld such information,  
c) It has not been able, without delay, to submit the supporting documents required by a contracting authority or contracting entity, and  
d) It has undertaken to unduly influence the decision making process of the contracting authority or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award?

- Yes  
 No

### **Part IV: Selection criteria**

#### **Global indication for all selection criteria**

**Concerning the selection criteria, the economic operator declares that it satisfies all the required selection criteria (cf. tender documents)**

- Yes  
 No

#### **Part VI: Concluding statements**

The economic operator formally declares that the information stated under Parts II - IV above is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declares to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to.

The undersigned formally consents to the Belgian Development Agency (Enabel in Uganda), gaining access to documents supporting the information, which has been provided in Part III A & B of this European Single Procurement (cf. point 6 "Forms" of the tender documents).

**Date:**

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**Place:**

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**Signature:**

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