

European Single Procurement Document (ESPD)

The ESPD includes the following parts and sections:

Part I - Information concerning the procurement procedure and the contracting authority

Part II - Information concerning the supplier

Part III - Exclusion criteria:

Section A: Grounds relating to criminal convictions (Mandatory)

Section B: Grounds relating to the payment of taxes or social security contributions

Section C: Grounds relating to insolvency, conflicts of interests or professional misconduct

Part IV - Selection criteria

Part V - Reduction of the number of qualified candidates (Restricted two-step procedures only)

Part VI - Concluding statements by supplier

Instructions to Economic Operators

Introduction

The ESPD replaces the requirement for economic operators to provide up-front evidence or certificates by allowing them to self-declare that they:

- do not fall within a ground for exclusion or blacklisting as established under epart VI of the Public Procurement Regulations (or, if they do, they can demonstrate that they have taken self-cleaning measures);
- meet the relevant selection criteria.

The introduction of the ESPD is intended by the European Commission to reduce the administrative burden on economic operators and to remove some of the barriers to participation in public procurement, especially for small to medium-sized enterprises (SMEs).

The ESPD is a generic document, used across all EU Members States, hence the questions in the ESPD cannot be amended.

Economic operators are required to fill in this ESPD in order to indicate whether or not they comply with the minimum standards and any other requirements established in the procurement documents.

Key points for economic operators

Economic operators:

- May reuse information that has been provided in an ESPD response which has already been used in a previous procurement procedure as long as the information remains correct and continues to be pertinent;
- Must submit an ESPD response as part of the selection process when requested to do so in the procurement documents;
- Should not provide any certificates or supporting documentation as part of the ESPD response unless specifically requested during the evaluation process or as detailed in the procurement document;
- Must provide a separate ESPD response from subcontractors;
- Must replace a subcontractor which verification has shown that any of the mandatory grounds for exclusion / blacklisting apply;
- An economic operator participating on its own and which does not rely on the capacities of other entities in order to meet the selection criteria must fill in one ESPD;
- Must submit a separate ESPD response from each member of a consortium to ensure all members meet the exclusion / blacklisting criteria and relevant selection criteria;
- Will be required to provide the relevant evidence and certificates prior to awarding the contract, if they are the recommended economic operator;
- Should provide the web address where contracting authorities can access the relevant supporting documentation / certificates if freely and publicly available online. If the supporting documents / certificates are not available electronically, economic operators must provide them separately, when requested by the Contracting Authority;
- Where procurements are divided into lots and selection criteria vary from lot to lot an ESPD should be filled in for each lot (or group of lots with same selection criteria).

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

Identity of the procurer

Official name:

Country:

Information about the procurement procedure

Type of procedure

Title:

Short description:

File reference number attributed by the contracting authority or contracting entity (if applicable):

Part II: Information concerning the economic operator

A: Information about the economic operator

Name:

Street and number:

Postcode:

City:

Country:

Internet address (web address) (if applicable):

E-mail:

Telephone:

Contact person or persons:

VAT number, if applicable:

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

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

Yes No

Only in case the procurement is reserved: is the economic operator a sheltered workshop, a 'social business' or will it provide for the performance of the contract in the context of sheltered employment programmes?

Yes No

What is the corresponding percentage of disabled or disadvantaged workers?

If required, please specify which category or categories of disabled or disadvantaged workers the employees concerned belong to?

If applicable, is the economic operator registered on an official list of approved economic operators or does it have an equivalent certificate (e.g. under a national (pre)qualification system)?

Yes No

Note: If yes, please answer the remaining parts of this Section, Sections B and, where relevant, C of this Part, complete Part V, where applicable, and, in any case, fill in Part VI.

Please provide the name of the list or certificate and the relevant registration or certification number, if applicable:

a) If the certificate of registration or certification is available electronically, please state:

b) Please state the references on which the registration or certification is based, and, where applicable, the classification obtained in the official list:

c) Does the registration or certification cover all of the required selection criteria?

Yes No

Note: If No, in addition, please complete the missing information in Part IV, Sections A, B, C or D as the case may be ONLY if this is required in the procurement documents.

d) Only if requested in the procurement document. Will the economic operator be able to provide a certificate with regard to the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtaining it directly by accessing a national database in any Member State that is available free of charge?

Yes No

If the relevant documentation is available electronically, please indicate:

Form of participation : (Notably as part of a group, consortium, joint venture or similar)

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

Yes No

Note: If yes, 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...):

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

c) Where applicable, name of the participating group:

Lots

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

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

Last name

Date of birth

Place of birth

Street and number:

Postcode:

City:

Country:

E-mail:

Telephone:

Position/Acting in the capacity of:

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

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 and the criteria and rules (if any) set out under Part V below?

Yes No

Note: If yes, 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 Parts IV and V for each of the entities concerned..

D: Information concerning subcontractors on whose capacity the economic operator does not rely

This section to be filled-in only if this information is explicitly required.

Does the economic operator intend to subcontract any share of the contract to third parties?

Yes No

If yes and in so far as known, please list the proposed subcontractors:

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).

Your answer?

Yes No

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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. "

Your answer?

Yes No

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

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Issuer

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).

Your answer?

Yes No

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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 Decision.

Your answer?

Yes No

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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).

Your answer?

Yes No

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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).

Your answer?

Yes No

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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?

Your answer?

Yes No

Country or Member State concerned

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

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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?

Your answer?

Yes No

Country or Member State concerned

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

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

Yes No

Please describe them

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.

Your answer?

Yes No

Please describe them

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

Yes No

Please describe them

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.

Your answer?

Yes No

Please describe them

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

Yes No

Please describe them

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.

Your answer?

Yes No

Please describe them

Indicate reasons for being able nevertheless to perform the contract

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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.

Your answer?

Yes No

Please describe them

Indicate reasons for being able nevertheless to perform the contract

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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.

Your answer?

Yes

No

Please describe them

Indicate reasons for being able nevertheless to perform the contract

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

URL

Reference/Code

Issuer

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.

Your answer?

Yes No

Please describe them**Indicate reasons for being able nevertheless to perform the contract**

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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.

Your answer?

Yes No

Please describe them

Indicate reasons for being able nevertheless to perform the contract

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

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.

Your answer?

Yes No

Please describe them

Indicate reasons for being able nevertheless to perform the contract

Is this information available at no cost to the authorities from an EU Member State database?

Yes No

URL

Reference/Code

Issuer

Agreements with other economic operators aimed at distorting competition

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

Your answer?

Yes No

Please describe them

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

Yes No

Please describe them

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.

Your answer?

Yes No

Please describe them

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

Yes No

Please describe them

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?

Your answer?

Yes No

Please describe them

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?

Your answer?

Yes No

Please describe them

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?

Your answer?

Yes No

Please describe them

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

Yes No

Please describe them

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

Can the economic operator confirm that:

- 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?

Your answer?

Yes No

Part IV: Selection criteria

The procurement document will cover the relevant selection questions that need to be given according to the type of procurement needed.

Part V - Reduction of the number of qualified candidates

(Restricted two-step procedures only)

Part VI: Concluding statements

The undersigned formally declare that the information stated under Parts II – V above is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declare to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where the contracting authority or contracting entity has the possibility of obtaining the supporting documentation concerned directly by accessing a national database in any Member State that is available free of charge. On condition that the economic operator has provided the necessary information (web address, issuing authority or body, precise reference of the documentation) allowing the contracting authority or contracting entity to do so. Where required, this must be accompanied by the relevant consent to such access.

The undersigned formally gives consent to the final beneficiary (as per procurement document), in gaining access to documents supporting the information which has been provided in this European Single Procurement Document response for the purposes of this tendering procedure.

Date, place and, where required or necessary, signature(s):

Date

Place

Signature