

APPLICATION FOR EU/EDF-FUNDED WORKS CONTRACT

Contract notice: < Publication reference >

<Contract title>
[<Lot number & lot title> if applicable]

Please supply one signed application (for each lot, if the tender procedure is divided into lots), together with **three copies**. For economic and ecological reasons, we strongly recommend that you submit your files on paper (no plastic folder or divider). We also suggest you use double-sided printing wherever possible. Your application must include a signed declaration using the annexed format from each legal entity making the application. **All data included in this application must concern only the legal entity or entities making the application.**

Any documentation (brochures, letters etc.) sent in addition to what has been requested with your application will not be taken into consideration. Applications submitted by a **consortium** (i.e. either a permanent, legally-established grouping or a grouping set up informally for a specific tender procedure) must follow the instructions applicable to the consortium leader and its members.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. If they do, they must prove to the contracting authority that they have the resources needed to perform the contract, for example by producing a commitment from those entities to place resources at their disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and nationality as the economic operator, as well as the relevant selection criteria. With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works for which these capacities are required. With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

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1 SUBMITTED by (i.e. the identity of the Candidate)

	Name(s) of legal entity or entities making this application	Nationality ¹
Leader ²		

¹ Country in which the legal entity is registered.

² Add / delete additional lines for consortium members as appropriate.

Note that a subcontractor is not considered to be a consortium member for the purposes of this application form. Subsequently, data on subcontractors must not appear in the data related to the economic, financial and professional capacity.

If this application is submitted by an individual legal entity, the name of that legal entity should be entered as 'Leader' (and all other lines should be deleted). Any change in the identity of the Leader and/or any consortium members

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Member		
Etc ...		

2 CONTACT PERSON (for this application)

Name	
Organisation	
Address	
Telephone	
Fax	
e-mail	

3 DECLARATION(S)

As part of their application, each legal entity identified under point 1 of this application, including every consortium member, as well as each capacity-providing entity and (if already identified at this stage) each subcontractor providing more than 10% of the works, must submit the signed declarations using the attached format (FORM 5 and FORM 6). The declarations may be in original or in copy. If copies are submitted, the originals must be sent to the Contracting Authority upon request.

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4 STATEMENT

I, the undersigned, the authorised signatory of the above Candidate (for consortiums, this includes all consortium members), hereby declare that we have examined the contract notice for the restricted tender procedure referred to above. If our application is short-listed, we fully intend to submit a tender to provide the works requested in the tender dossier.

We understand that our tender may be excluded if we use staff who has been involved in preparing this project or employ them as advisers in the preparation of our tender. We also understand that this may mean exclusion from other tender procedures and contracts funded by the EU/EDF.

We are fully aware that, for consortiums, the composition of the consortium cannot be changed in the course of the tender procedure, unless the Contracting Authority has given its prior approval in writing. We are also aware that the consortium members have joint and several liability towards the Contracting Authority concerning participation in the above tender procedure and any contract awarded to us as a result of it.

Signed on behalf of the Candidate

Name	
Signature	
Date	

between the deadline for receipt of applications indicated in the Contract notice and the award of the contract is not permitted without the prior written consent of the Contracting Authority

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FORM 1

GENERAL INFORMATION ABOUT THE CANDIDATE

All individual companies and each partner of a joint venture/consortium applying for prequalification are requested to complete the information in this form.

The attached Legal Entity Form should also be completed.

1. Name of company

.....

2. Registered address

.....

Telephone Fax

Telex

E-mail

3. Names and nationalities of principals/directors and associates

.....

.....

.....

.....

.....

4. Type of company (natural person, partnership, corporation etc.)

.....

5. Description of company (e.g. general civil engineering contractor)

.....

6. Company's nationality

.....

7. Number of years of experience as contractor

- in own country

- internationally

8. Registration details

.....

Please attach copy of the registration certificate

9. Equity in the company Shares

(%)

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10. Name(s) and address(es) of companies involved in the project and whether parent/subsidiary/subcontractor/other

.....
.....
.....

11. If your company is a subsidiary, what involvement, if any, will the parent company have in the project?

.....
.....

12. Foreign companies must state whether they are established in the state of the Contracting Authority in accordance with applicable regulations (for information only)

Signature:

(a person or persons authorised to sign on behalf of the candidate)

Date :

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FORM 1.1
DATA ON JOINT VENTURE

1 Name

.....

2 Managing board's address

.....

.....

Telex :

Telephone : Fax : E-mail :

3 Agency in the state of the Contracting Authority, if any (in the case of a joint venture/consortium with a foreign lead partner)

Office address :

.....

Telex :

Telephone : Fax

4 Names of all partners of joint venture (if different then point 1 of the application form)

i)

ii)

iii)

Etc.

5 Name of lead partner of joint venture (if different then point 1 of the application form)

.....

.....

6 Agreement governing the formation of the joint venture/consortium

i) Date of signature:

ii) Place:

iii) Enclosure - joint venture/consortium agreement or declaration of intention to form joint venture/consortium including details of the participation of each party, including capital contribution and profit/loss agreements. Also specify the financial commitment in terms of the percentage of the value of the contract, and the responsibilities for execution of the contract.

7 Proposed proportion of responsibilities between partners (in %) with indication of the type of the works to be performed by each

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FORM 2

FINANCIAL CAPACITY

The Candidate must demonstrate current soundness of its financial position and demonstrate access to, or availability of, financial resources to meet the overall cash flow requirements for this contract and its current commitments according to the criteria indicated in the contract notice.

All individual companies and all partners of a joint venture/consortium are requested to complete the following table of financial data based on its annual accounts and latest projections. Figures in all columns must be on the same basis to allow a direct, year-on-year comparison to be made (or, if the basis has changed, an explanation of the change must be provided as a footnote to the table). Any clarification or explanation which is judged necessary may also be provided.

Financial data and declarations presented by the tenderer must be given in euro or national currency (NC) equivalent. Original bank statements may be also attached for reference.

1 Basic capital

Amount..... EUR or NC
Currency..... EUR or NC
Authorised..... EUR or NC
Issued..... EUR or NC

2 Annual value of construction work undertaken for each of the last three years, and projected for the next two years.

Euro or NC	Year-3	Year-2	Last year	Current year	Year +1	Year +2
At home						
Abroad						
Total						

3 Approximate value of works in hand (at home and abroad)

(euro or national currency)

4 ¹Please attach copies of the company's certified statements of account for the previous <insert number> years (with translations into the procedural language, if necessary) from which the following basic data will be abstracted. Please provide estimates of the same information for the next <insert number>.

Euro or NC	Year-2	Year-1	Last year	Current year	Year+1	Year+2
1.Total assets
2.Total liabilities
Net Value (1 minus 2)

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3.Liquid assets
4.Short-term debts
<i>Working capital (3 minus 4)</i>	<u>.....</u>	<u>.....</u>	<u>.....</u>	<u>.....</u>	<u>.....</u>	<u>.....</u>

5.Pre-tax profits
6.Losses

5 Name and address of banks (principal/others):

.....
.....

6 Please enclose a reference/certificate about the financial situation of the company and its access to credit facilities (maximum amount of credit facility to be stated in euro or NC equivalent)

Signature :
(person(s) authorised to sign on behalf of the Candidate))

Date

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FORM 3

EXPERIENCE AS CONTRACTOR

List of contracts of similar nature and scale performed during the past <insert number> years. This form is to be completed by the Candidate and each partner of a joint-venture/consortium.

The value should be based on the currencies of the contracts and equivalent value in Euro, at the date of final acceptance. The information is to be summarized, using Form (3.1), for each contract completed by the Applicant or by each partner of a joint venture.

Name of project/type of works	Total value of works the Contractor was responsible for ²	Period of contract	Start date	Percentage of works completed	Contracting authority and place	Prime contractor (P) or subcontract or (S)	% Subcontracted At work completion	Final acceptance issued? - Yes - Not yet (current contracts) - No
<i>A) In home country</i>								

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Name of project/type of works	Total value of works the Contractor was responsible for ¹	Period of contract	Start date	Percentage of works completed	Contracting authority and place	Prime contractor (P) or subcontract or (S)	% Subcontracted At work completion	Final acceptance issued? - Yes - Not yet (current contracts) - No
B) Abroad								

Signature
(person(s) authorised to sign on behalf of the Candidate)

Date

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FORM 3.1 DETAILED EXPERIENCES

Use a separate sheet for each contract.

1.	Name of contract / number	Country
2.	Name of contracting authority / address	
3.	Nature of works and special features relevant to the contract for which the Candidate wishes to prequalify	
4.	Contract role (check one) <input type="checkbox"/> Main contractor <input type="checkbox"/> Lead Partner in a joint venture/consortium	
5	Value of the total contract(in specified currency at date of award) Equivalent value EURO Main contractor/partner share(in specified currencies, at date of award). Equivalent value EURO	
6.	% of the main contractor/partner share which was sub-contracted..... (at date of the award) Equivalent value EURO.....	
.	Value of the total contract(in specified currency at completion) Equivalent value EURO Main contractor/partner share(in specified currencies, at completion). Equivalent value EURO	
.	% of the main contractor/partner share which was sub-contracted..... (at date of the completion) Equivalent value EURO.....	
	Date of award	
	Contract duration (months) Original Date of completion	
11	Actual contract duration (months) Actual Date of completion	
12	Specified requirements	

Please attach here copies of the respective certificates of final acceptance signed by the supervisors/contracting authority of the projects concerned. The Contracting Authority reserves the right to ask for further clarification from the supervisors/contracting authorities.

Signature

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(person(s) authorised to sign on behalf of the Candidate)

Date

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FORM 4

PERSONNEL CAPABILITIES

Please provide the following personnel statistics of average annual manpower for the current year and the <...x...> previous years. Attach copy of, or extract from, the payroll or employment contracts. Please also provide organisation chart.

Average manpower	Year before last		Last year		This year	
	Overall	Total for <specify appropriate field of works>	Overall	Total for <specify appropriate field of works>	Overall	Total for <specify appropriate field of works>
Permanent staff						
Other staff						
Total						
Permanent managerial staff as a proportion of total staff (%)	%	%	%	%	%	%

OVERVIEW OF THE TENDERER'S STAFF

a - Directors and management

b - Administrative staff

c - Technical staff

- Engineers
- Surveyors
- Foremen
- Mechanics
- Technicians
- Machine operators
- Drivers
- Other skilled staff
- Labourers and unskilled staff

Total =====

Signature
(person(s) authorised to sign on behalf of the Candidate)

Date

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FORM 5

DECLARATION REFERRED TO IN POINT 3 OF THE APPLICATION FORM

To be submitted on the headed notepaper of the legal entity concerned

<Date>

<Name and address of the Contracting Authority — see points 5 & 25 of the contract notice >

Your ref: <Publication reference >

Dear Sir/Madam

In response to your contract notice <Publication reference >, we, <Name(s) of legal entity or entities>, confirm that we intend to submit a tender for the contract for [Lot number <number> of]* the above if we are invited to do so.

We hereby declare that we:

- are making this application [on an individual basis]* [as member of the consortium led by [< name of the leader] [ourselves]]* for this contract. We confirm that we are not involved in any other application for the same contract, in any form (as a member, leader, in a consortium or as an individual candidate);
- agree to abide by the ethics clauses in Section 2.4.14 of the Practical Guide, have not been involved in the preparation of the project which is the subject of this tender procedure unless it is proved that the involvement in previous stages of the project does not constitute unfair competition, and have no professional conflicting of interests and/or any equivalent relation with other candidates or other parties in the tender procedure or behaviour which may distort competition at the time of submission of this application according to Section 2.3.6 of the Practical Guide;
- [have attached a current list of the enterprises in the same group or network as ourselves] [are not part of a group or network]* and have only included data in the application form concerning the resources and experience of [our legal entity] [our legal entity and the entities for which we attach a written undertaking]*; and
- will inform the Contracting Authority immediately if there is any change in the above circumstances at any stage during the implementation of the tasks.

We also undertake, if required, to provide evidence of our financial and economic standing and our technical and professional capacity according to the selection criteria for this call for tender specified in the contract notice. The list of documents required is given in Section 2.4.11 of the Practical Guide.

[* Delete as applicable]

Yours faithfully,

<Signature of authorised representative>

<Name and position of authorised representative>

Deleted: <#>are not in any of the situations excluding us from participating in contracts listed in Section 2.3.3 of the Practical Guide (available at the following internet address: <http://ec.europa.eu/europeaid/prag/docume nt.do>);¶

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Deleted: <#>fully recognise and accept that if we participate in spite of being in any of the situations listed in Section 2.3.3 of the Practical Guide, we may be excluded from tender procedures and contracts in accordance with the Section 2.3.4 of that Practical Guide. Furthermore, we acknowledge that, should we provide false declarations, make substantial errors or commit irregularities or fraud, we may also be subject to financial penalties representing 2 % to 10 % of the total value of the contract awarded. This rate may be increased to 4 % to 20 % in the event of a repeat offence within five years of the first infringement; and¶
<#>are aware that, for the purposes of safeguarding the EU's financial interests, our personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel or to the European Anti-Fraud Office.¶

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FORM 6

**DECLARATION OF HONOUR ON EXCLUSION AND SELECTION
CRITERIA**

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