## 

## Key Expert:

Date and place:

Signature:

## **Exclusion grounds**

1. **GROUNDS RELATING TO CRIMINAL CONVICTIONS**

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

**A.1. Participation in a criminal organisation**

Has the key expert 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).

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Date for conviction*

*b) Reason*

*c) Who has been convicted?*

*d) Length of the period of exclusion*

*e) Have you taken measures to demonstrate your reliability ("Self-Cleaning") (Yes/No)? If "Yes" Please describe them*

*f) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES**  **NO**

*Possible comments:*

**A.2. Corruption**

Has the key expert 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Date for conviction*

*b) Reason*

*c) Who has been convicted?*

*d) Length of the period of exclusion*

*e) Have you taken measures to demonstrate your reliability ("Self-Cleaning") (Yes/No)? If "Yes" Please describe them*

*f) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**A.3. Fraud**

Has the key expert 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).

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Date for conviction*

*b) Reason*

*c) Who has been convicted?*

*d) Length of the period of exclusion*

*e) Have you taken measures to demonstrate your reliability ("Self-Cleaning") (Yes/No)? If "Yes" Please describe them*

*f) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**A.4. Terrorist offences or offences linked to terrorist activities**

Has the key expert 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Date for conviction*

*b) Reason*

*c) Who has been convicted?*

*d) Length of the period of exclusion*

*e) Have you taken measures to demonstrate your reliability ("Self-Cleaning") (Yes/No)? If "Yes" Please describe them*

*f) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**A.5. Money laundering or terrorist financing**

Has the key expert 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).

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Date for conviction*

*b) Reason*

*c) Who has been convicted?*

*d) Length of the period of exclusion*

*e) Have you taken measures to demonstrate your reliability ("Self-Cleaning") (Yes/No)? If "Yes" Please describe them*

*f) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**A.6. Child labour and other forms of trafficking in human beings**

Has the key expert 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).

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Date for conviction*

*b) Reason*

*c) Who has been convicted?*

*d) Length of the period of exclusion*

*e) Have you taken measures to demonstrate your reliability ("Self-Cleaning") (Yes/No)? If "Yes" Please describe them*

*f) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

1. **GROUNDS RELATING TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS**

**B.1. Payment of taxes**

Has the key expert 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?

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Country or Member State concerned*

*b) Amount concerned and currency*

c) Has this breach of obligations been established by means other than a judicial or administrative decision? (Yes/No). If "Yes", Please describe which means were used

d) 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)). If "Yes", Please describe them

*e) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**B.2. Payment of social security**

Has the key expert 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?

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Country or Member State concerned*

*b) Amount concerned and currency*

*c) Has this breach of obligations been established by means other than a judicial or administrative decision? (Yes/No). If "Yes" Please describe which means were used*

*d) 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)). If "Yes", Please describe them*

*e) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

1. **GROUNDS RELATING TO INSOLVENCY, CONFLICTS OF INTERESTS OR PROFESSIONAL**

**MISCONDUCT**

**C.1. Breaching of obligations in the field of environmental law**

Has the key expert, 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Have you taken measures to demonstrate your reliability ("Self-Cleaning")? If "Yes", Please describe them*

**Answer:**

**YES  NO**

*Possible comments:*

**C.2. Breaching of obligations in the field of social law**

Has the key expert, 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Have you taken measures to demonstrate your reliability ("Self-Cleaning")? If "Yes", Please describe them*

**Answer:**

**YES  NO**

*Possible comments:*

**C.3. Breaching of obligations in the fields of labour law**

Has the key expert, 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Have you taken measures to demonstrate your reliability ("Self-Cleaning")? If "Yes", Please describe them*

**Answer:**

**YES  NO**

*Possible comments:*

**C.4. Bankruptcy**

Is the key expert 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Indicate reasons for being able nevertheless to perform the contract*

*c) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**C.5. Insolvency**

Is the key expert 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Indicate reasons for being able nevertheless to perform the contract*

*c) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**C.6. Arrangement with creditors**

Is the key expert 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Indicate reasons for being able nevertheless to perform the contract*

*c) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**C.7. Analogous situation like bankruptcy under national law**

Is the key expert 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 operators is nevertheless able to perform the contract.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Indicate reasons for being able nevertheless to perform the contract*

*c) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**C.8. Assets being administered by liquidator**

Are the assets of the key expert 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Indicate reasons for being able nevertheless to perform the contract*

*c) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**C.9. Business activities are suspended**

Are the business activities of the key expert 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.

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Indicate reasons for being able nevertheless to perform the contract*

*c) Is this information available electronically? If "Yes" provide URL, Reference/Code and Issuer*

**Answer:**

**YES  NO**

*Possible comments:*

**C.10. Agreements with other economic operators aimed at distorting competition**

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

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Have you taken measures to demonstrate your reliability ("Self-Cleaning") (Yes/No)? If "Yes", Please describe them*

**Answer:**

**YES  NO**

*Possible comments:*

**C.11. Guilty of grave professional misconduct**

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

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Have you taken measures to demonstrate your reliability ("Self-Cleaning") (Yes/No)? If "Yes", Please describe them*

**Answer:**

**YES  NO**

*Possible comments:*

**C.12. Conflict of interest due to its participation in the procurement procedure**

Is the key expert 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?

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

**Answer:**

**YES  NO**

*Possible comments:*

**C.13. Direct or indirect involvement in the preparation of this procurement procedure**

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

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

**Answer:**

**YES  NO**

*Possible comments:*

**C.14. Early termination, damages or other comparable sanctions**

Has the key expert 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?

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with the following information:*

*a) Please describe them*

*b) Have you taken measures to demonstrate your reliability ("Self-Cleaning") (Yes/No)? If "Yes", Please describe them*

**Answer:**

**YES  NO**

*Possible comments:*

**C.15. Guilty of misinterpretation, withheld information, unable to provide required documents and obtained confidential information of this procedure**

Can the key expert 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?

*Only if the answer is not "No (Fulfilled)" the tenderer shall complete the comment field with a description of the circumstances.*

**Answer:**

**YES  NO**

*Possible comments:*