**Annex EC: Confirmation of Eligibility criteria and documents to be submitted**

The tenderer must duly fulfil without limitation or modification the following eligibility criteria. The tenderer must also provide as separated annexes, where indicated, the necessary evidence with the submission of the bid.

Only those tenderers that fulfil all formal requirements and eligibility criteria will be evaluated on the basis of the award criteria. The other tenderers will be excluded from the further procedure.

|  |  |  |
| --- | --- | --- |
| **EC** | **Eligibility Criteria** | **Confirmation / documents to be submitted** |
| **EC 1** | **Economic/financial standing and organisational capability**  The tenderer/ the consortium confirms that it has appropriate economic/financial standing and organisational capability to carry out the mandate and meet its legal obligations with regard to taxes, duties and social security contributions.  All consortia members have to fulfil this criterion and submit the documents. | **Confirmation**  Yes  No |
| **EC 2** | **Proof of Compliance with the conditions of participation**  In the case of a consortium, each member has to fill in and sign the self-declarations. | **Documents to be submitted:**  Legal signature on the self-declaration 'Proof of compliance with the participation conditions' of the Federal Procurement Conference (FPC) (annex 1a)  Legal signature on the self-declaration form ‘pursuant to Article 29c of the Ordinance on measures in connection with the situation in Ukraine’ of the State Secretariat for Economic Affairs (SECO) (annex 1b) |
| **EC 3** | **Tenderer information**  The tenderer / the consortium has to fill in the 'Tenderer Information'.  All consortia members have to sign the 'Tenderer Information'. | **Documents to be submitted:**  Completed and signed form 'Tenderer information’ according to annex 2. |
| **EC 4** | **Acceptance of GTC and code of conduct**  The tenderer/ the consortium confirms, without limitation or modification, the acceptance of both   1. the FDFA’s GTC AND/OR GTC for local mandates – version November 2024 (annex 3a) 2. the Code of Conduct for Contractual Partners of the FDFA (Annex 3b)   In the case of consortia, confirmation must be submitted for every member of the consortium. | **Confirmation**  Yes  No |
| **EC 5** | **a) Legal status for legal entities and institutions**  **(Type B mandate)\***  All consortia members have to fulfil this criterion and submit the documents. | **Documents to be submitted:**  Excerpt from the commercial register and debt enforcement register (copies of certificates; not older than 3 months)  Tenderers from abroad must submit comparable foreign official documents:  Comparable proof for tenderers from abroad (copy from original) |
| **b) Legal documents for self-employed individuals (natural persons)**  **(Type B mandate)\*** | **Documents to be submitted:**  Proof (not older than 2 years) provided by the responsible social security authority at which the company/person is registered  Tenderers from abroad must submit comparable foreign official documents:  Comparable proof for tenderers from abroad |
|  | **c) Legal documents for employed persons (natural persons)**  **(Type A mandate)\*\*** | **Documents to be submitted:**  Declaration of consent for the settlement of all social security contributions by the FDFA as client.  Please provide the social security number and date of birth. Foreign nationals who do not have a social security number should only provide their date of birth. |
| **EC 6** | **Experience**  The tenderer / the consortium has enough experience in projects comparable to the present mandate in terms of scope and complexity. As proof of this experience, it provides exactly three references for the last ten years.  If a subcontractor provides essential services as part of the present mandate, the subcontractor must also provide proof of suitable experience in the field of activity for this mandate.  References on the tenderer for projects carried out for the Confederation are only permitted if the referee consents in writing to the disclosure of this information in each case. | **Documents to be submitted:**  Written evidence of the three references, providing the following information as a minimum:   * Name of company and address of contact person(s) and telephone numbers * Time and place of performance of the mandate * Volume of the mandate performed * Description of the services provided   The contracting authority reserves the right to contact the persons indicated. |
| **EC 7** | **Personnel resources**  The tenderer / the consortium confirms that it has the necessary personnel at its disposal to be able to perform the mandate as described in the terms of reference | **Confirmation**  Yes  No  **Documents to be submitted:**  Clear documentary evidence is enclosed regarding the human resources to be deployed for the mandate. |
| **EC 8** | **Contact partner (SPOC)**  The tenderer / the consortium confirms that it has a single point of contact (SPOC) at its disposal who will be able to do what is necessary so that decisions can be taken and who will take responsibility for the mandate in the event of an escalation of problems. | **Confirmation**  Yes  No  **Documents to be submitted:**  Last name and first name, contact details, function name and deputy of the SPOC |
| **EC 9** | **Language skills of the key persons** The tenderer / the consortium confirms to deploy a team whereof at least 30% of the key persons who can communicate in Ndebele and Shona both orally and in writing and are able to compile and supply the project results and documentation in English. | **Confirmation**  Yes  No  **Documents to be submitted:**  Document evidencing the language skills of the key persons |

**\*CI 5: Information for self-employed natural persons (type B mandate) – long-term mandates**

Please note: the awarding of long-term mandates to self-employed persons (sole proprietorships) can lead to their economic dependence on the contracting authority which can result in the re-classification of the contractor as 'type A' for the purposes of the Old-Age and Survivors' Insurance Act).

**\*\*EC 5: Financial offer – for employed persons (natural persons, type A mandate)**

*Offsetting employers' social insurance contributions:* to ensure comparability of financial bids between employed persons (type A) and contractors (type B), the value of the bids of type A contractors is increased by 10% in the comparison to take into account the employer's social insurance contributions.

*Contributions to occupational pensions:* if the total remuneration to be contractually agreed is subject to the Occupational Pensions Act (OPA) (second pillar), the contribution to be paid must be clarified with the responsible pension institution on a case-by-case basis. The OPA employer contributions must be added to the gross remuneration to create comparability of bids.

**Confirmation of the tenderer (single tenderer or consortium):**

*In the case of a consortium: all consortium members (as set out in the ‘tenderer information’ form) must sign the following confirmation.*

The tenderer/ the consortium confirms by means of legally valid signature(s) that

* all information provided is true, accurate and complete.
* all required documents, enclosures and evidence are provided in their entity.

The tenderer/ the consortium acknowledges that incomplete information, missing documents, enclosures and evidence or false information / documents may disqualify the tenderer/ the consortium from the award procedure.

|  |  |  |  |
| --- | --- | --- | --- |
| **#** | **Place, date** | **First name, surname, function** | **Signature**  *Legally valid signature(s) of the tenderer/ the consortium* |
|  | , |  |  |
|  | , |  |  |
|  | , |  |  |