

**Schedule NO.8****Tenderer’s/Candidate’s Statement**

I/We………………………………… *[PLEASE CHOOSE I/we],* representing …………… *[PLEASE INSERT full name of the company]* established in …………………………………………..*[PLEASE INSERT city and country of company’s establishment]*, under a Power of Attorney attached to the bid, hereby declare that it agrees to participate in the ……………………. *[PLEASE INSERT type of procurement procedure, e.g. open tender, as announced in the Contract Notice]* (“**Tender**”), in observance of the principles and declarations made hereunder and that it is fully aware that any failure to comply therewith could lead to its exclusion from the Tender and the rejection of its bid.

I/We………………………………… *[PLEASE CHOOSE I/we]* hereby declare that ………………………………...... *[PLEASE INSERT full name of the Tenderer/ Candidate]*  has no conflict of interest with any other commitment or contracts and that no corrupt, fraudulent, abusive or coercive practice is behind its actions and that it shall carry out its duties to the highest professional standards in the best interests of the Investor with no consideration linked to possibilities for future contracts and that it observes the following principles and minimum basic standards throughout its commercial and procurement activities and has procedures in place to ensure that respect for these principles and standards is upheld by its staff, co-contractors and partners:

**LABOR STANDARDS**

1. Employment is freely chosen, i.e., there is no forced, bonded or involuntary prison labor, and workers are not required to provide ‘deposits’ or surrender their identity papers to the employer and are free to leave their employment after providing reasonable notice;
2. Freedom of association and the right to collective bargaining are respected, i.e., workers, have the right to join or form trade unions of their own choosing and to bargain collectively. Where the right to freedom of association and collective bargaining is restricted under law, the employer facilitates and does not hinder the development of parallel means for independent and free association and bargaining;
3. Working conditions are safe and hygienic;
4. Child labor shall not be used. For the purpose of this statement “child labor” is defined as work that deprives children of their childhood, potential and dignity, and that is harmful to their physical and mental development. There should be no recruitment of children, and children under 18 years of age shall not be employed at night or in hazardous conditions, or for any work which is likely to jeopardize their physical, mental or moral health;
5. The wages and benefits paid for a standard working week meet the minimum, national legal standards or industry benchmarks, whichever is higher. The wages paid should always be high enough to meet basic needs and to provide some discretionary income;
6. Working hours are not excessive, i.e., they comply with national laws and benchmark industry standards;
7. Discrimination is not practiced in relation to hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation;
8. Regular employment is provided, i.e., the work must be performed on the basis of a recognized employment relationship established through national law and practice;
9. No harsh or inhumane treatment is tolerated, i.e., physical abuse/discipline, threat of physical abuse, sexual or other harassment or verbal abuse, or other forms of intimidation are prohibited.

**ENVIRONMENTAL STANDARDS**

Suppliers must comply with all statutory and other legal requirements regarding the environmental impacts of their business and should aim to:

1. Minimize waste and recycle items whenever practicable;
2. Adopt effective controls of waste with respect to ground, air and water pollution;
3. Adopt emergency plans related to the use and handling of hazardous materials;
4. Avoid undue and unnecessary use of materials and use recycled material whenever appropriate;
5. Monitor processes and activities as necessary to ensure the conservation of scarce resources;
6. Maximize efficient energy usage to minimize harmful emissions.

**TRANSPORT AND CARGO STANDARDS**

1. Transport services should be provided by a company which adheres to the highest possible safety and employment standards, does not engage in transporting illicit or illegal goods, ammunition or other conflict-sensitive materials to or from territories subject to a UN or EU embargo, and which respects human rights and observes international humanitarian law. In a situation when the supplier of the goods is the one arranging the transport, the supplier should ensure that the transport services meet these standards.
2. When air transport is required, preference shall be given to providers who are not on the EU Safety Ban List and whose aircraft are registered in countries which meet the International Civil Aviation Organization’s standards.

**CONFIDENTIALITY**

………………*[PLEASE insert the company’s name]* agrees to hold in trust and confidence any information or documents disclosed to it, discovered by it or prepared by it in the course of or as a result of its participation in the above mentioned procurement procedure, and agrees that shall only be used for the purposes of this procedure.

**FINANCIAL RULES**

*[PLEASE CHOOSE I/we]* furthermore hereby declare that …………………………………………….. *[PLEASE INSERT full name of the Tenderer/ Candidate]*:

1. Is not subject to any conflict of interest in the ongoing procurement procedure for this contract with other commitments or contracts recently concluded or to be concluded individually or through any subsidiary or related company;
2. Is not bankrupt or being wound up or having its affairs administered by the courts, has not entered into an arrangement with creditors or suspended business activities, is not the subject of proceedings concerning those matters or any analogous situation arising from a similar procedure provided for in national legislation or regulations;
3. Has never been convicted of any offence concerning its professional conduct by a judgment which has the force of res judicata;
4. Had never been proven guilty of any grave professional misconduct by any means which the contracting authority can justify;
5. Has fulfilled its obligations related to the payment of social security contributions and taxes in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
6. Has never been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization or any other illegal activity, as well as coercive or collusive, detrimental to the EU’s financial interests;
7. Is not currently subject to any administrative penalty imposed by an EU funded donor for (i) misrepresentation in supplying information required as a condition for participation in a procurement procedure or failing to supply such information; (ii) a serious breach of its obligations covered by the EU budget.

……… *[PLEASE CHOOSE I/we]* shall inform PAH about any of the above circumstances immediately after they arise or immediately after ……….. *[PLEASE CHOOSE I/we]* or any other member of the Company learns of such circumstances.

The ………………*[PLEASE insert the Tenderer/Candidate]* agrees that the European Commission, or persons mandated by the European Commission, including the European Anti-Fraud Office (OLAF), and the Court of Auditors shall exercise their powers of control on documents and on the spot in the relation to the contract founded by Community funds.

Any terms not defined in this document shall have the meaning given to them in the Rules of Conduct applicable to tenders organized by Polska Akcja Humanitarna.

Name and the seal of the Company

Address

Representative Name:

Position with the Company:

Place, date:

\_\_\_\_  
Signature