



Schedule No. 8.

Tenderer's/Candidate's Statement

I/We..... *[PLEASE CHOOSE I/we]*, representing *[PLEASE INSERT full name of the entity]* established in*[PLEASE INSERT city and country of entity'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/Partner]* 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 and legal at all times, 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 or international 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, culture, caste, national origin, religion, age, disability, gender, marital status, sexuality, 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. Has zero tolerance for sexual or other abuse and harassment including verbal one, harsh or inhumane treatment is tolerated, i.e., physical abuse/discipline, threat of physical abuse, , modern slavery, exploitative practices towards staff, partners, (sub)contractors or beneficiaries or other forms of intimidation.

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.
7. Respect high environmental standards in its procurement.
8. Ensures that transport of supplies or any other materials and cargo is minimized and fuel consumption during any kind of transport is kept at the lowest possible level,
9. Immediately alerts PAH in case of imminent risk of damage to the environment of the local community or its own.

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.

COMBATING TERRORISM, TERRORISM FINANCING AND MONEY LAUNDERING

1. Does not support and has zero tolerance for supporting and/or financing of terrorism.
2. Does not take part in and has zero tolerance for money laundering.

CONFIDENTIALITY

.....[PLEASE insert the entity'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

I furthermore hereby declare that represented by me
[PLEASE INSERT full name of the entity]:

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 wither individually or through any subsidiary or related company;
2. Is not bankrupt, subject to insolvency or winding-up procedures, its assets are not being administered by a liquidator or by a court, it is not in an arrangement with creditors, our business activities are not suspended, or are not in any analogous situation arising from a similar procedure provided for under Union or national law;
3. It has not been established by a final judgment or a final administrative decision that the we are in breach of our obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;
4. It has not been established by a final judgment or a final administrative decision that we are guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which we belong, or by having engaged in any wrongful conduct which has an impact on our professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:
 - (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the implementation of the legal commitment;
 - (ii) entering into agreement with other persons or entities with the aim of distorting competition;
 - (iii) violating intellectual property rights;
 - (iv) attempting to influence the decision-making of the authorising officer responsible during the award procedure;
 - (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
5. It has not been established by a final judgment that the we are guilty of any of the following:
 - (i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council (1) and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995 (2);
 - (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of 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, drawn up by the Council Act of 26 May 1997 (3), or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA (4), or corruption as defined in other applicable laws;
 - (iii) conduct related to a criminal organisation as referred to in Article 2 of Council Framework Decision 2008/841/JHA (5);
 - (iv) money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council (6);

(v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA (7), respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;

(vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council (8);

6. We have not shown significant deficiencies in complying with main obligations in the implementation of a legal commitment financed by the budget which has:

(i) led to the early termination of a legal commitment;

(ii) led to the application of liquidated damages or other contractual penalties; or

(iii) been discovered by an authorising officer, OLAF or the Court of Auditors following checks, audits or investigations;

7. It has not been established by a final judgment or final administrative decision that we have committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95.

8. It has not been established by a final judgment or final administrative decision that we have created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of our registered office, central administration or principal place of business;

9. It has not been established by a final judgment or final administrative decision that our entity has been created with the intent referred to in point (8).

I shall inform the PAH about any of the above said circumstances immediately after they arise or immediately after me or any other member of the Company become knowledgeable of those circumstances.

The[PLEASE insert the company's name] 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 for tenders organized by Polska Akcja Humanitarna.

Name and the seal of the Company _____

Address _____

Representative Name: _____

Position with _____ the _____ Company: _____

Place, date: _____

Signature