

**Open call for tenders to assist EFRAG on analysis of public consultation  
 feedback for ESRS LSME ED and VSME ED  
 INFORMATION FORM**

1. **SUBMITTED BY:** [.....] (Please give concise answers.)

<p><b>1.1. Name of natural person or legal entity signing the contract and invoice:</b>                  .....</p> <p><b>Address:</b> .....</p> <p><b>Tel:</b> ..... <b>E-mail:</b> .....</p>
<p><b>1.2. Legal form:</b> .....</p> <p> <input type="checkbox"/> <b>Natural person</b>                                          <input type="checkbox"/> <b>Legal person</b>                                          (please tick as appropriate)       </p>
<p><b>1.3. Country in which the business is registered*:</b> .....</p>
<p><b>1.4. Commercial register registration number*:</b> .....</p>
<p><b>1.5. VAT number*:</b> .....</p>
<p><b>1.6. Registered office*:</b> .....</p>
<p><b>1.7. Usual office address:</b> (if different from 1.1.)                  .....</p> <p><b>Tel:</b> ..... <b>E-mail:</b> .....</p>
<p><b>1.8. Representative duly authorised to sign on behalf of the prospective contractor*:</b>                  .....</p>
<p><b>1.9. Name of the Bank Account Holder:</b> .....</p> <p><b>Bank account number:</b> .....</p> <p><b>Name of the bank:</b> .....</p> <p><b>Address of the bank:</b> .....</p> <p><b>IBAN:</b> .....</p> <p><b>BIC/SWIFT:</b> .....</p>

\* where appropriate

**2. DECLARATION OF HONOUR CONCERNING EXCLUSION CRITERIA**

I, the undersigned, ....., being the representative authorised to sign on behalf of the above prospective contractor,<sup>1</sup> hereby declare on my honour that:

- (a) the prospective contractor is not bankrupt or being wound up, is not having his affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, or is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) the prospective contractor or a person having powers of representation, decision making or control over him/her has not been convicted of an offence concerning his professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
- (c) the prospective contractor has not been guilty of grave professional misconduct proven by any means which EFRAG can justify including by decisions of international organisations;
- (d) the prospective contractor has fulfilled obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which the tenderer is established or with those of Belgium or those of the country where the contract is to be performed;
- (e) the prospective contractor or a person having powers of representation, decision making or control over him/her has not been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity detrimental to the Union's financial interests;
- (f) the prospective contractor is currently not subject to an administrative penalty imposed by any contracting authority under Article 109(1) of the EU Financial Regulation.

Comments: .....

I hereby undertake to supply any documents specifically requested from me.

The undersigned is aware of the fact that a contract shall not be awarded to candidates who, during the procurement procedure for this contract:

- (a) are subject to a conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest;
- (b) are guilty of misrepresentation in supplying the information required by EFRAG as a condition of participation in the procurement procedure or fail to supply this information;
- (c) find themselves in one of the situations of exclusion, ((a) to (f) above), referred to in Article 106(1) of the EU Financial Regulation, for this procurement procedure.

In addition, I, the undersigned, declare on my honour that:

- the prospective contractor will inform EFRAG, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest or of any situation resulting from (a) to (f) above;
- the prospective contractor has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award or the execution of the contract;
- the information provided to EFRAG within the context of this invitation to participate in a negotiated procedure is accurate, sincere and complete.

Date .....

Place

Signature .....

<sup>1</sup> delete if not appropriate

**3. DECLARATION OF FINANCIAL CAPACITY, PROFESSIONAL INDEPENDANCE AND ABSENCE OF CONFLICTS OF INTEREST**

The undersigned declares that

- the prospective contractor has the economic and financial capacity to provide the services;
- the prospective contractor will execute his/her responsibilities in full independence of other professional and academic commitments;
- the prospective contractor is not affected by any conflict of interest within the context of this negotiated procedure arising in particular from any economic interests, from political or national associations, from family or other personal links, or from any other relationships or common interests;
- there are no professional or financial constraints on the prospective contractor's availability to carry out the required assignments or that would compromise the impartiality of the advice given;
- the prospective contractor will notify EFRAG without delay if the above situation changes, particularly in such a way as to compromise the independent nature of the advice.

**4. CONFIRMATION OF BEING AWARE OF THE RELEVANT ARTICLES OF EFRAG’S EC GRANT AGREEMENT**

The undersigned declares that he has been made aware of the relevant articles in EFRAG’s EC Grant Agreement as spelled out in the call for tenders section 6.4.

**5. DECLARATION ON POTENTIAL CONFLICTS OF INTEREST**

The undersigned declares that he has no potential conflict of interest and that he:

- has no financial or governance relation to EFRAG
- will receive no commercial benefit from the adoption or non-adoption of the first set of ESRS (for example, because your organisation might expect to provide services to companies in connection with their implementation of the first set of ESRS in the event of their adoption by Delegated Act).

**6. DECLARATION OF ACCEPTANCE AND PRICE AGREEMENT**

The undersigned declares to accept all terms and conditions of all the documents received in relation to this procedure, including those of the contract, and to accept to carry out the requested expertise, comprising of the elaboration and delivery of a report as outlined in the open call for tenders to assist EFRAG in the analysis of the feedback received in response to its public consultation on the First Set of European Sustainability Reporting Standards for the all-inclusive price of EUR ..... including VAT and all administrative costs and related expenses.

Done at .....  
(Place)

on .....  
(Date)

.....  
Stamp (if available)

.....  
Signature  
(of the representative duly authorised to sign on behalf of the prospective contractor)<sup>2</sup>

<sup>2</sup> delete if not appropriate