Form 2 – Exclusion criteria

The tenderer must complete and sign Form 2 to indicate whether it or any of its subcontractor are subject to any grounds for exclusion.

In the case of joint tender, all members of the group (consortium) must complete and sign a separate instance of Form 2.

A reference to the decisions and directives of the European Union also refers to the corresponding national legislation implementing them in the country of the tenderer.

Failure to disclose relevant information or to misrepresent the information disclosed may result in exclusion from this competition or the termination of any subsequent contract that may be awarded.

Responses to the exclusion questions will be assessed on a 'pass' or 'fail' basis. Only those tenders achieving a 'pass' will be considered for further evaluation.

Entity:

Part A – GROUNDS RELATING TO CRIMINAL CONVICTIONS Article 57(1) of Directive 2014/24/EU sets out the following reasons that require contracting authorities to exclude an economic operator.		
	Has the economic operator or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgement within the last five years, or, in which an exclusion period set out directly in the conviction continues to be applicable, of any of the following offences?	
A.1	Participation in a criminal organisation – criminal offences as defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime.	☐ Yes ☐ No
A.2	Corruption – as defined in Article 3 of Council Act of 26 May 1997, on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, and Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector as well as corruption as defined in the national law of the contracting authority or the economic operator.	☐ Yes ☐ No
A.3	Fraud – within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests.	☐ Yes ☐ No

A.4	Terrorist offences or offences linked to terrorist activities – as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA of 13 June 2002on combating terrorism. 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.	☐ Yes ☐ No
A.5	Money laundering or terrorist financing – As defined in Article 1 of Directive 2005/60/EC of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing.	☐ Yes ☐ No
A.6	Child labour and other forms of trafficking in human beings – as defined in Article 2 of Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims.	☐ Yes ☐ No
A.7	Where the response to any question in Part A is 'yes', provide: the date of conviction; the reason(s) for the conviction; who has been convicted. If relevant documentation is available electronically from an EU Member State database at no cost to the authorities, indicate: the web address; the issuing authority or body; the precise reference of the documentation.	
A.8	Where the economic operator has taken measures to demonstrate its reliability despite the existence of a relevant ground for exclusion, describe the measures taken ('self-cleansing') in the further information section at the end of this form.	

PART B – GROUNDS RELATING TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS

Article 57(2) of Directive 2014/24/EU sets out the following reasons that will require contracting authorities to exclude an economic operator.

B.1	Has the economic operator breached its obligations relating to the payment of taxes and social security contributions, both in the country in which it is established and in the country of the contracting authority if other than the country of establishment? If yes, indicate: the country concerned; the amount concerned; when and how the breach was established (e.g. by judicial or administrative decision or by other means); whether it has or will fulfil its obligations by paying, or entering into a binding arrangement with a view to paying, the taxes or social security. If relevant documentation is available electronically from an EU Member State database at no cost to the authorities, indicate: the web address; issuing authority or body; the precise reference of the documentation.	☐ Yes ☐ No

PART C – GROUNDS RELATING TO INSOLVENCY OR PROFESSIONAL MISCONDUCT Article 57(4) of Directive 2014/24/EU sets out the following reasons that may require contracting authorities to exclude an economic operator.		
C.1	Environmental, social & labour law [Article 57(4)(a)] Has the economic operator, to its knowledge, breached its obligations in the fields of environmental, social and labour law as referred to in Article 18(2) of Directive 2014/24/EU.	☐ Yes ☐ No
C.2	Insolvency [Article 57(4)(b)] Is the economic operator in any of the following situations: (a) Bankrupt; (b) The subject of insolvency or winding-up proceedings; (c) In an arrangement with creditors; (d) Its assets are being administered by a liquidator or by the court; (e) Its business activities are suspended; In any analogous situation arising from a similar procedure under national laws and regulations?	☐ Yes ☐ No
C.3	Grave professional misconduct [Article 57(4)(c)] – Is the economic operator guilty of grave professional misconduct?	☐ Yes ☐ No
C.4	Collusion [Article 57(4)(d)] – Has the economic operator entered into agreements with other economic operators aimed at distorting competition?	☐ Yes ☐ No
C.5	Performance [Article 57(4)(g)] – Has the economic operator 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?	☐ Yes ☐ No
C.6	Misrepresentation [Article 57(4)(h)] – Has the economic operator been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion, has withheld such information, or, has not able to submit supporting documents required by a contracting authority?	☐ Yes ☐ No
C.7	Undue influence [Article 57(4)(i)] – Has the economic operator undertaken to unduly influence the decision-making process of a contracting authority, 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	☐ Yes ☐ No
C.8	Where the response to any question in Part C is 'yes', use the further information section at the end of this form to provide details and describe any self-cleansing measures that have been undertaken.	

PART D – GROUNDS RELATING TO A CONFLICT OF INTEREST Article 57(4)(e) and 57(4)(f) of Directive 2014/24/EU sets out the following reasons that may require contracting authorities to exclude an economic operator		
D.1	Conflict of interest [Article 57(4)(e)] – Is the economic operator aware of any conflict of interest due to its participation in the procurement procedure (within the meaning of Article 24 of Directive 2014/24/EU)?	☐ Yes ☐ No
D.2	Conflict of interest: prior involvement [Article 57(4)(f)] – Has the economic operator or an undertaking related to it advised the contracting authority or otherwise been involved in the preparation of the procurement procedure (as referred to in Article 41 of Directive 2014/24/EU)?	☐ Yes ☐ No
D.3	Where the response to either question is 'yes', use the further information section at the end of this form to provide details and describe how you intend to avoid or manage any such conflicts.	
PART E – GROUNDS RELATING TO THE NATIONAL LEGISLATION Other grounds for exclusion may apply from the national legislation of the contracting authority.		
	Has the bidder itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment within the last five years for:	
E.1	Bribery or corruption within the meaning of sections 68 and 69 of the Criminal Justice (Scotland) Act 2003(7), where the offence relates to active bribery or corruption, or bribery within the meaning of sections 1 or 6 of the Bribery Act 2010.	☐ Yes ☐ No
E.2	Has the bidder committed an act prohibited under the Employment Relations Act 1999 (Blacklists) Regulations 2010?	☐ Yes ☐ No
E.3	Where the response to any question in Part E is 'yes', use the further information section at the end of this form to provide details and describe any self-cleansing measures that have been undertaken.	

I, the undersigned, being the Authorized Signatory of the above-named entity, hereby declare that the it and its subcontractors meet with the Exclusion Criteria for this Tender.

Name of Company	
Name of Signatory	
Position of Signatory	
Signature	
Date	

Further information [indicate the part of this form to which the information relates]