

DOCUMENTATION**FOR PARTICIPATION IN THE SUPPLIER QUALIFICATION SYSTEM WITH SUBJECT:
SUPPLY AND COMMISSIONING OF CONTINUOUS AND PERIODICAL ON-LINE PARTIAL DISCHARGE
MONITORING SYSTEMS FOR TURBO GENERATORS****REVIEWS AND REVISIONS**

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1 PURPOSE OF THE DOCUMENT AND FIELD OF APPLICATION

The present documentation defines the procedure to be followed by the candidates during their participation in the Supplier Qualification System with subject: **Supply and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for turbo generators, ref. No 51-105-14**. The Supplier Qualification System aims at guaranteeing a high level of functionality and delivery quality and for that reason a selection is being performed of suppliers having the necessary competencies and qualification for participation in public procurement negotiated procedures with prior announcement for delivery as per specification. The Supplier Qualification System is valid for an undefined period of time. Each year an announcement for the qualification system is published in Public Procurement Agency and “Buyer profile”. The Contracting Authority reserves the right to update the criteria and the selection rules. The participants in the system will be duly informed about the changes and they shall, in reasonable time, submit the necessary documents for the additional circumstances. If the type of the change requires it, all included in the system shall be subject to an additional evaluation of conformity with the changed circumstances. Candidates shall be approved for the period of three years, starting from the date of Resolution for their inclusion in the Supplier Qualification System. The approved companies in the Supplier Qualification System are being entered in a special Register of the qualified companies, centralized and organized into commercial groups, which is managed by the Procurement department in ContourGlobal Maritsa East 3 TPP. The qualified companies can participate in the Contracting Authority’s negotiation procedures for assignment of public procurement contracts with the same subject, as per art. 105, para 11 from the Public Procurement Act by submitting technical and price offers. Procurement department is responsible for preparation, interpretation and update of the present document.

2 DEFINITIONS AND ABBREVIATIONS

Register of the qualified companies (Register): list of approved candidates included in the Supplier Qualification System with Resolution of the Contracting Authority.

List of candidates: list of the companies which have submitted applications for participation in the Supplier Qualification System and take part in the qualification procedure.

Contracting Authority: The Executive director of ContourGlobal Maritsa East 3 Bulgaria or an authorized by him person in the meaning of art.8, para 2 from the Public Procurement Act.

Qualification commission: a collective body appointed by the Contracting Authority that does an assessment of the application for participation of each candidate and makes proposal to the Contracting Authority for decisions taking.

Participant: entrepreneur, supplier or providing services body, legal entity, including craft guild, trade cooperative companies, temporary clusters of companies, consortium, company organizations and European Groups with Economic Interest (GEIE), approved in the Supplier Qualification System which receive invitations and participate in negotiations of offers.

Supplier Qualification System (SQS): complex of actions to collect and review information, evaluation of the companies to be qualified, registration and presentation of the result to the departments interested in the qualifications and to the applying companies themselves.

The procedure for inclusion of each company consists of evaluation of the legal, economic-financial, organizational-managerial, technical-operational aspects.

Requirements for qualification: Technical requirements for the quality system and organizational requirements which the companies shall meet in order to be qualified (see item 4.1), economic-financial (see item 4.2) and legal requirements (see item 4.3) are also defined.

Application for qualification: application filled in under a pattern with all required documents attached.

Vendor rating: evaluation process of the qualified participant’s performance related to placed orders and signed contracts.

Technical departments: Engineering & Construction department, Accounting department and Legal department .

Normative base:

- Directive 2004/ 17/ CE of the European parliament and the European Council from March, 31, 2004 which coordinates the procedures for tenders of electricity and water distributing organizations and organizations providing transportation and post services.
- Code of ethics of ContourGlobal
- Legislation relative to environment, safety and overtime work.
- Public Procurement Act
- Internal regulations for assignment of public orders

3 TECHNICAL REQUIREMENTS FOR DELIVERY

Before initiation of a public procedure for procurement of goods the Contracting Authority issues a technical specification where defined the detailed description of activities and necessary quantity for Supply and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for turbo generators in ContourGlobal Maritsa East 3 TPP.

SCOPE OF ACTIVITIES: Supply, mounting supervision and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for turbo generators in ContourGlobal Maritsa East 3 TPP. The scope of activities also includes design, delivery of equipment (sensors, monitoring and registration of partial discharge devices together with adjacent switchboards and mounting accessories), specialized cabling and software packages, commissioning operations and periodical analysis of measured values of partial discharges as well provision of protocols/certificates expressing expert opinion on facilities condition based on results from measurements done. Electrical works related to system installation shall be subject to other procurement procedure. The Contractor of current procurement procedure shall provide a supervisor to control, support and verify the correct mounting and commissioning.

4 QUALIFICATION REQUIREMENTS

4.1 Technical requirements

To prove their technical potential and qualification candidates are required to submit following documents:

1. Short presentation of company – candidate;
2. List of main contracts/purchase orders for supply, subject to the supplier qualification system **or similar** performed over the last 3 years, specifying contract amount, its subject, dates and name of the company that has assigned it.

Minimum requirements: The manufacturer of equipment for partial discharge monitoring shall prove that having the required experience, i.e. that commissioned serial equipment and having its systems for on-line Partial Discharge Monitoring of generators commissioned;

3. Letters of recommendation issued by other Contracting Authorities only for executed supply related to the qualification subject;
4. Catalogue and technical information about proposed solution under the qualification subject;
5. Declaration of origin of the system proposed by candidates;
6. Declaration that the candidate shall deliver a newly produced and unused system, manufactured not later than 5 months from delivery date;

7. Declaration that the candidate has specialists as well warranty and after-sale service center for the system;
8. List of all standards for compliance of the system shall be presented;

Minimum requirements: The system shall respond to IEC 60034-27-2 - On-line partial discharge measurements on the stator winding. The proposed sensors shall respond to EC 60270 - High-voltage test techniques – Partial discharge measurements.

9. If the Candidate is not a manufacturer of the goods, it shall be a partner of the manufacturer for the equipment subject to the qualification system.
Means of certification: Public copies of an authorization letter for sales certified by a notary and issued to Candidate by the manufacturer/s of systems for continuous and periodical on-line monitoring.

4. 2 Requirements for economic and financial status

4.2.1. The requirements for economic and financial status of Candidate shall be to have at least 50 000 leva source of finance at its disposal.

The above stated requirements which shall be permanent for the period of validity of the qualification are certified through review of bank certificate or company documentation - annual balance sheets (or consolidated ones) for the last three years, if published in official Registers of Republic of Bulgaria and the Candidate has indicated information about the Body responsible for Register administration.

In order to perform a check for any irregularities, a detailed analysis is performed of the obligations to the state and municipality as well as to insurance institutes. The presence of such irregularities is of great importance during the evaluation of the economic-financial reliability and represents, at worst, a reason for company's exclusion from the qualification.

The assessment of the independence of consortiums, temporary clusters of companies and other associated forms is done separately for each company.

In case the company is registered in another country, the corresponding normative and operative base is taken into account.

The documents, certificates and replacing declarations, if not being in Bulgarian, shall be accompanied by translation in Bulgarian, corresponding to the original text.

If during the evaluation phase some critical issues emerge it can be envisaged, throughout that evaluation phase, a periodical check to be performed (as a rule once per year) of the degree of economic-financial reliability of the company.

4. 3 Legislative requirements

Candidates for which is present one of the following conditions will not be allowed to the Supplier Qualification System:

1. convicted with a verdict come into effect, unless rehabilitated, for:
 - a) crime against the financial, tax or insurance system, including money laundering, under art. 253-260 from the Penal code;
 - b) bribe under art. 301-307 from the Penal code;
 - c) participation in an organized criminal group under art. 321 and 321a from the Penal code;
 - d) crime against property under art. 194-217 from the Penal code;
 - e) crime against economy under art.219-252 from the Penal code;
2. is declared insolvent;
3. is in liquidation proceedings or in a similar procedure according to the national laws and subordinate legislation.

4. has incurred pecuniary obligations to the State or to a municipality within the meaning given in Article 162 (2) of the Tax-Insurance Procedure Code, established by an effective act of a competent authority, unless permitted deferral and rescheduling of obligations related to the payment of social security contributions or of taxes according to the legal provisions of the country in which the participant is established.
5. is in instituted bankruptcy proceedings, or has settled out of court with the creditors as referred to in art.740 from the Commerce Act. In case the candidate or the participant is a foreign entity - he is in a similar procedure as per the national laws and subordinate legislation, including when his activity is under court order, or the candidate or participant has suspended his activity;
6. is deprived of the right to exercise particular profession or activity according to the legislation of the country where the violation has been done;
7. has obligations as referred to in art. 162, para 2, item 1 of the Tax Insurance Procedure Code to the country and the municipality, established by an act of a competent body and for which instalments or extension of the obligations are not allowed, or tax obligations or obligations regarding social insurance payments as per the legislation of the country in which the applicant or the participant is settled.
8. has an imposed administrative penalty for recruiting illegal foreigners during the previous five years;
9. has issued false documents and/ or declarations for participation in tender or qualification procedure, especially in the previous year, when submitting declaration for qualification;
10. is a related party with the Contracting authority or with employees on leading positions within his organization.
11. has concluded a contract with a person under art.21 or art.22 of the Law on Prevention and Disclosure of Conflict of Interests.

When the Candidate has declared the participation of subcontractors, the above requirements apply to them as well.

The Companies shall submit documents proving the presence or absence of the above described circumstances; if in the country of registration such documents or certificates are not issued it is enough to present a declaration; in case that such a declaration is not legal it is necessary to have it issued by a legal or competent administrative authority, notary public or qualified professional authority from the country where the registration is done.

If issued in a language different from Bulgarian, the documents, certificates and declarations shall be accompanied by translation in Bulgarian as per the original text.

In case of merge of companies (consortium, temporary clusters etc.) the evaluation is done according to requirements applicable not only to the cumulative body but also to the separate companies participating.

As to the separate companies, the different requirements shall apply as per their role in the cumulative body.

Documents proving the presence/ absence of the above stated legal requirements:

- 4.3.1. Declaration for absence of circumstances under art.47, para 1,2 and 5 from the Public Procurement Act by the candidate and, if applicable, by the planned in the application subcontractors. The Declaration is signed by Candidate's representative.

The Declaration includes information regarding the public registers, containing the stated circumstance or competent bodies, which according to the laws of the State, in which the applicant is established, are obliged to provide information for those circumstances officially to the contracting authority.

- 4.3.2. Declaration by the Contractor regarding the use of subcontractor/s, percentage of the subcontractor's participation and the type of activities they will exercise.

- 4.3.3. Declaration of no connection with other participants/candidates in accordance with article 55, paragraph 7 of the Public Procurement Act and lack of circumstances under article 8, paragraph 8, item 2.

Before signing a contract for assignment of a public order the candidate is obliged to present documents issued by the relevant competent authorities certifying the absence of circumstances under article 47, paragraph 2 and 3 of the Public Procurement Act.

The candidates fill in an application for participation in the supplier qualification system according to the attached to this documentation template in which shall be listed all applicable documents proving the technical and economic capacity of the candidate and the legal requirements.

5 PHASES OF THE PRELIMINARY SELECTION PROCESS

5.1 Definition of the requirements to the candidates

The detailed requirements described in item 4 from the present document are prepared as follows: Technical requirements by the Technical department; Economic and Financial requirements - by Finance department in cooperation with the Procurement department. Legal requirements - by the Legal department

The requirements to the candidates are based on objective criteria and rules and can be changed by the Contracting Authority if necessary. The update of those criteria and rules is announced to the entities included in the Supplier Qualification System.

5.2 Submission of applications for participation by the candidates

The companies can request to be allowed to participate in the supplier qualification system at any time by submitting an application. Besides submitting the application form the participants shall present also all documents in conformity with the requirements for technical capacity, economic and financial status and qualification specified in the documentation for participation.

Applications shall be sent in a sealed envelope with the following inscription: Application for participation in a supplier qualification system with subject: **Supply and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for turbo generators, ref. No 51-105-14**, on which it is obligatory to write the name of the candidate, exact address, contact person, telephone and email for correspondence. The address where the envelope with documents shall be sent to is as follows:

Procurement department
ContourGlobal Maritsa East 3 AD
Mednikarovo village 6294, Stara Zagora district
BULGARIA

5.3 Review of the applications

Each submitted application is registered with an incoming number by the Procurement department, in ContourGlobal Maritsa east 3 TPP, village of Mednikarovo, Stara Zagora district. The applications for participation are submitted to the commission for review and evaluation. The commission opens the applications by the order of their arrival and checks if they are correctly filled and whether the enclosed documents are in concordance with the requirements of documentation given by the Contracting Authority. The candidate shall provide the necessary data and documents being obligatory in order to be included in the system as of the moment of submission. The commission advises the candidates by sending them a protocol with assertions regarding the presence and exactness of the submitted documents. In case some of required

documents are missing, the commission describes them or the irregularity found in detail, points out the type of the documents which shall be additionally presented and gives a deadline for their submission. The deadline shall not be longer than 5 working days starting from the date of protocol receipt. After deadline has expired, the commission checks the compliance of the documents, including additionally submitted, with the selection requirements stated by the Contracting Authority.

The commission can, at any time, check submitted by the candidate data, require clarification or additional proofs. Then it decides whether to do a "direct" or "indirect" assessment, i.e. whether it is necessary ContourGlobal employees to visit plants, factories or offices of the candidate.

5. 4 Complex analysis and elaboration of assessment protocol

After checking the compliance of all submitted company documents with the qualification requirements, the commission recommends to the Contracting Authority to include or to refuse inclusion of the candidate in the Supplier Qualification System by preparing a protocol of assessment.

The Contracting Authority decides whether to include or not the candidate in the Supplier Qualification System. In case of refusal the Contracting Authority shall state relevant reasons.

5. 5 Informing the candidate about the result

All Resolutions for qualification/refusal for qualification taken by the Contracting Authority, being properly motivated, are announced to the interested company by the Procurement department in writing, within 15 days starting from the date of issuing the resolution.

The Contracting Authority issues its resolution within 6-month from the date of registering the application for participation in the Supplier Qualification System. If more than 4 months are necessary to issue a resolution, ContourGlobal Maritsa East 3 TPP informs the candidate within 2-month period after application is registered for the reasons and the end date on which the resolution shall be issued.

5. 6 Control of the necessary requirements and register update

Procurement department is responsible for the management and update of Qualified Companies Register. That register is available to all departments/companies of ContourGlobal and on request of other Contracting Authorities, Procurement department shall provide it.

The data in the register is permanently controlled and updated in order to be checked if the requirements are still being met. Monitoring of Candidates performance during execution of assigned contracts is effected through the procedure for Vendor rating.

On the basis of results from that rating the commission:

- recommends to the Contracting Authority resolutions regarding stopping / annulling the qualification of a company that no longer meets the announced criteria. The commission notifies such companies at least 15 days prior the date of annulling, by providing adequate reasoning.

6 QUALIFICATION PARAMETERS

6.1 Qualification and duration

The Supplier Qualification System has an undefined period of validity. Each approved qualification for preliminary selection of a Contractor has a validity of 3 years. After the term of qualification has expired, the candidate can submit an application for renewal of the qualification.

6.2. Review of the qualification

In case a significant change occurs, for example in financial stability of the company, in the ownership state, and also in case there are signals received from the competent bodies about insolvency or bankruptcy

procedures, as well as management of the contract or problems detected by the vendor rating system for faults by an approved candidate, a qualification review procedure is initiated. Procurement department and/or the interested technical departments prepare special reports to the commission for qualification in order to review the qualification and propose to the Contracting Authority detailed relevant measures.

6.3. Transfer of the qualification

The qualification can be transferred from one company to another only in case of extraordinary company operations, connected with succession between the companies, that concerns only qualified companies. After receiving an application for transfer from the interested company, together with the necessary documentation, the Procurement department checks, eventually with the participation of the technical departments, all necessary requirements. The Procurement department gives a proposal for transfer (or not) of the qualification to the commission for qualification.

The transfer of the qualification starts from the date after the resolution of the Contracting Authority is issued.

6.4. Temporary suspension or cancellation of the qualification

The qualification can be suspended or cancelled in case of extraordinary events, described in item 6.5 or as a result of the implementation of Vendor rating system.

The signal for such events is given by the Procurement department or by the concerned departments.

The cancellation of the qualification is valid for 6 months from the date of the cancellation or until the circumstances that justified that decision are valid. After this period, the Procurement department, together with the concerned technical departments, reviews the conditions that led to the cancellation and prepares a special report containing motivated proposal for:

- Restoration of the qualification of the company, excluded from the register;
- Extension of the suspension period;
- Measures for cancellation of the qualification.

In case the qualification is cancelled, as well as when received an evaluation for non-compliance, the company cannot submit its application for a new qualification procedure earlier than one year from the decision of the Contracting Authority or until the conditions that led to taking these measures are present.

6.5 Conditions for cancellation, voidance and review of the qualification

The qualification can be cancelled or voided in case of one or more of the following exemplary events:

- Financial unreliability of the company;
- Technical-managerial unreliability of the company;
- The existence of conflict of interest;
- False statements, in relation to the requirements and the prescribed qualification conditions;
- Irregularities in the award of public procurement procedures;
- Irregularities in the implementation of the contracts, with regards to the quality delivered or violation of the terms for execution or warranty;
- Substantial changes in the type of the production / works / services;
- Cancellation of contracts because of guilty negligence;
- Liquidation of a company;
- Lack of communication towards ContourGlobal in case of significant changes in the submitted information;
- The qualification is subject to review in the cases of: change of the property state, restructuring, merging, division, concession;

The Contracting Authority can eliminate a candidate from the qualification system if he is no longer compliant with the announced criteria. Contracting Authority is obliged to inform him about this at least 15 days in advance with a motivated explanation.

A candidate who has been rejected from the system, or removed from it due to reasons stated in Contracting Authority's resolution, can apply again after submission of required proofs for presence of circumstances showing Candidate's competency. The evaluation of the candidates on the different stages is done again according to the preliminary selection procedure.

7 General terms for the orders to be awarded through a SQS;

All actions of the Contracting Authority towards the candidates shall be in written, unless the legislation or the current documentation requires otherwise. The resolutions of the Contracting Authority, for which he is obliged to inform the candidates, shall be signed for or sent via registered mail with acknowledgement for receipt or by fax or e-mail.

Valid are considered the addresses and the fax numbers given in the application form. In case the address or the fax number has been changed and the Contracting Authority has not been notified, the correspondence shall be considered delivered.

In connection with the procedure for preliminary selection and for any matter, not described here, shall be applied the Public Procurement Act and all related legislation.

No candidate has the right to contact in any way the evaluation commission. Every attempt to do so shall be considered interference in the work of the commission and all legal measures will be taken. Any violation of the instructions given in this documentation or any attempt by the candidate to influence the selection procedure shall lead to all legal measures applied against him, including removal of the candidate.

The used by the Contracting Authority procedures for awarding of public orders will be public procurement procedure and to relevant candidates, included in the Supplier Qualification System (SQS), shall be sent an invitation for participation and a technical specification with a bill of quantity for submission of an offer.

Contracting Authority selects which candidates to be invited applying one of the following methods:

- Invites all approved candidates, following the order of their entering into the SQS;
- In case of delivery which estimated cost is under the limits of Public Procurement Act, invites minimum three companies from the list of approved Candidates;

When conducting public procurement procedures for awarding orders under the SQS, Contracting Authority shall apply the lowest price criterion. For the negotiation of the price offers it is possible to hold an electronic tender, as detailed information about the order of implementation shall be submitted to the candidates at the participation in a specific procedure for delivery.

The candidate is obliged not to disclose, announce, not to allow the disclosure, announcement, publishing or unauthorized use in any way, directly or indirectly, any information obtained in connection with the application process and with the participation in the selection system, connected with the status and the activity of the Contracting Authority, his clients and suppliers, including but not limited to any information representing a trade secret for the Contracting Authority, as well as technical, economical or financial information, data about prices, projects, deals and contracts that the Contracting Authority has concluded, is concluding or is planning to conclude, as well as information about trademarks, patents, licenses and know-how, business plans data and advertising strategies, as well as all other confidential data related to the Contracting Authority. Disclosure and announcement of information is allowed only if it is explicitly permitted by law, a written consent has been received by the Contracting Authority or if it originates from the very nature of the document containing the information.

8 ATTACHMENT 1 – DOC SAMPLES**Application form for participation in the Supplier Qualification System with subject:
Supply and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for
turbo generators, ref. No 51-105-14**

To
Contracting Authority: ContourGlobal Maritsa East 3
AD

FROM: _____
(name of the candidate)

with address: City of _____, str. _____, No _____,

tel.: _____, fax: _____, e-mail: _____

registered in the Trade register under UIN (unique identification number) _____,

represented by _____ in his capacity of _____.

Current bank account:

Bank: _____; city/branch/office: _____;

IBAN: _____; BIC: _____;

Authorized representative for current application (if applicable)

Bank details: IBAN. _____ BIC _____ Bank name _____

DEAR SIRs,

Herewith we present our application for participation in the Supplier Qualification System with subject: **Supply and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for turbo generators, ref. No 51-105-14**

We hereby declare that we are acquainted with the instructions and terms for participation in the announced by you system as well with all requirements of the Public Procurement Act. We agree with the instructions and conditions that you have determined and we do accept them with no objections. An integral part of the present application are the attached documents, described in the list.

1. _____

/document for registration of the candidate if it is a legal entity or an ID document if an individual/

2. Declaration for absence of circumstances under art. 47, para 1, 2 and 5 of the Public Procurement Act by the candidate or the possibly envisaged in the application subcontractors – as per sample;

3. _____
/description of the proofs for the economic and financial status of the candidate and of the envisaged in the application subcontractors/

3.1 Bank certificate proving presence of minimum 50 000 leva source of finance.

4. _____
/description of proofs for technical capability and qualification/

4.1. Short presentation of company – candidate;

4.2. List of main contracts/purchase orders for supply, subject to the supplier qualification system, or similar, performed over the last 3 years, including contract amount, dates and name of the company that has assigned it, accompanied by letters of recommendation.

4.3. Catalogue and technical information about proposed solution under the qualification subject;

4.4. Declaration of origin of the system proposed by candidates;

4.5. Declaration that the candidate shall deliver a newly produced and unused system, manufactured not later than 5 months from delivery date;

4.6. Declaration that the candidate has specialists as well warranty and after-sale service center for the system;

4.7. List of all standards for compliance of the system shall be presented;

4.8. Declaration that the system complies with IEC 60034-27-2 - On-line partial discharge measurements on the stator winding and the sensors comply with EC 60270 - High-voltage test techniques – Partial discharge measurements.

4.9. Public copies of an authorization letter for sales certified by a notary and issued by the manufacturer/s of systems for continuous and periodical on-line monitoring in case the candidate is not a producer.

5. Declaration for subcontractors

/names of the subcontractors which will participate in execution of delivery when it is envisaged to have subcontractors/

Documents as per item 1 to item 4 for each of the subcontractors in conformity with the Public Procurement Act. When the candidate is an association which is not a legal entity, the documents as per item 1 to item 4 shall be submitted by every private or legal entity included in the cluster.

Date: _____._____.201__.

(signature and seal) _____
(name, surname, position)

Sample**DECLARATION****UNDER ART. 47, PARA 1, 2 AND 5 IN CONNECTION WITH ART. 47, PARA 9
OF THE PUBLIC PROCUREMENT LAW
FROM CANDIDATE/SUBCONTRACTOR**The undersigned _____,
(Name second name last name)

Holder of ID card/ID document No _____

Issued on _____._____._____. by _____,
(Issue date) (issue place)Address: _____,
(Permanent address)Representing _____, in his capacity as _____,
(Name of the legal entity, physic entity, sole proprietor) (Position)

Head Office _____, registered address: _____

Tel./Fax _____ / _____, e-mail: _____

Enlisted at the Registry Agency with UIC _____And in connection with the conduct of public procurement procedure with prior advert for the award of a public procurement contract with subject: **Supply and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for turbo generators****I. In connection with the absence of circumstances pursuant to Art.47, Para 1 of the PPA, I DECLARE:**

1.1 I have not been convicted by an effective sentence for:

- a) a criminal offence against the financial, tax or social security system (including money laundering) under Art. 253 - 260 of the Penal Code;
- b) bribery under Art. 301 - 307 of the Penal Code;
- c) participation in a criminal organization under Art. 321 and 321a of the Penal Code;
- d) a criminal offence against property under Art. 194 - 217 of the Penal Code;
- d) a criminal offence against the economy under Art. 219 - 252 of the Penal Code;
- e) a criminal offence under Art. 108a of the Penal Code.

1.2. I have been convicted by an effective sentence, but rehabilitated for the following criminal offence: _____

(In case the person has not been convicted by an effective sentence fills NO in the blank)

2. The company I represent has not been declared bankrupt;

3. The company I represent is not in a legal procedure of insolvency or in similar procedure according to the national law and subordinate legislation.

4. The company I represent:

- ✓ has not incurred any pecuniary obligations to the State or to a municipality within the meaning given in Article 162 (2) of the Tax-Insurance Procedure Code, established by an effective act of a competent authority;
- ✓ has not failed to fulfil obligations related to the payment of social security contributions or of taxes according to the legal provisions of the country in which the participant is established.

II. In connection with the absence of circumstances pursuant to Art.47, Para 2 of the PPA, I DECLARE:

1. The company I represent:

1. is not subject of pending proceedings for a declaration of bankruptcy or has reached an out-of-court arrangement with the creditors thereof within the meaning of Article 740 of the Trade Act and, *in the cases where the Participant is a foreign person*, is the subject of similar proceedings under the national laws and statutory instruments of secondary legislation, including where the activities thereof are under administration by the court. The Participant has not suspended its business activities;

2. has not been deprived of rights to practice a particular profession or activity according to the legislation of the country where the violation has been committed;

2a. has not been declared guilty of nonperformance of contractual obligations under a public procurement contract, including in relation to the security of information and the security of the supplies in orders pursuant to Art.3, Para 2, proved by the Contracting Authority by court decision entered into force;

3. for the same has not been found out by the state security services within the meaning given in the Classified Information Protection Act, on the grounds of whatever evidence, including means of intelligence that it does not possess the necessary reliability, which excludes threats for the national security in awarding orders under Art.3, Para 2.

2. I personally:

1. have not been convicted by an effective sentence for criminal offence under Art.136 of the Penal Code, connected to the health and safety conditions of labor, as well as for criminal offence under Art.172 of the Penal Code against labor rights of employees;

2. have not been convicted by an effective sentence for criminal offence under Art.313 of the Penal Code related to the conduct of public procurement award procedures;

3. have not been divested of the right to practice a specific profession.

III. In connection with the absence of circumstances pursuant to Art.47, Para 5 of the PPA, I DECLARE:

1. I am not a related person to the Contracting Authority or to any holder of a position of responsibility in the Contracting Authority's organization.

2. I have not / The Participant I represent has not concluded a contract with any person referred to in Article 21 or 22 of the Conflict of Interest Prevention and Disclosure Act.

/information regarding the public registers, containing the stated circumstance/

OR

.....
/competent bodies, which according to the laws of the State, in which the applicant is established, are obliged to provide information for those circumstances officially to the contracting authority/

I shall be committed in case of alteration of the above-mentioned circumstances to inform in written the Contracting Authority about all changes to the process of the announced public procurement procedure.

I am aware that I carry criminal liability for providing false information under Art. 313 of the Penal Code of Bulgaria.

Date: ____ . ____ . ____ г.

Place _____

Declarant: _____
/signature/

Sample**AGREEMENT DECLARATION**
under art. 104a, para 3 of the Public Procurement ActThe undersigned _____,
(first name middle name family name)

UIN _____, having an ID card with No _____,

issued on _____._____._____ by the Ministry of Internal Affairs in the city of _____,
(date of issue) (place of issue)Representing _____, in his/her capacity of _____,
(name of legal entity, private entity) (position)**I HEREBY DECLARE:**

I agree that when conducting public procurement procedures within the frames of the present Supplier Qualification System with subject **Supply and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for turbo generators**, the term for receiving the initial offers during the negotiated procedure will be up to 10 /ten/ calendar days starting from the date of the invitation for participation.

The present declaration is equal to an agreement under art.104a, para 3 of the Public Procurement Act.

Date: _____._____._____

Declarant: _____
(signature and seal)Note: To be filled-in by the person (s) representing the applicant.

Sample

DECLARATION
Under article 56, paragraph 1, item 8 of the Public Procurement Act
From candidate

FROM:,
(Candidate's name)

address:,

tel.:, fax:, e-mail:,

VAT number:,

represented by, in his capacity of

For participation in a procedure for negotiation with announcement, ref. No 51-105-14 with subject: **Supply and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for turbo generators**

DECLARE

1. During execution of the procurement procedure we _____ subcontractor/s.
(shall use/shall not use)
2. During execution of the procurement procedure we shall use the services of following subcontractor/s:

Subcontractor <i>(name and address)</i>	Type of activities that will be executed <i>(please indicate the type of activities)</i>	Share in percentage (%) <i>(the amount of subcontractor's participation from the total amount of procurement procedure)</i>

Note: The table shall be filled only if the Candidate declares that will use subcontractor/s.

I am aware that I carry criminal liability for providing false information under Art. 313 of the Penal Code of Bulgaria.

Date:
Place:

Declarant:
(signature and stamp)

.....
(first and family name)

.....
(occupation of the representative)

Sample**DECLARATION**

of no connection with other participants/candidates
in accordance with article 55, paragraph 7 of the Public Procurement Act
and lack of circumstances under article 8, paragraph 8, item 2

FROM: _____
(Candidate's name)

Holding an ID card / ID document with No _____,

issued on _____._____._____ by the Ministry of Internal Affairs in the city of _____,
(date of issue) *(place of issue)*

in connection with participation in a public procurement procedure, ref. No 51-105-14 with subject: **Supply and commissioning of continuous and periodical on-line Partial Discharge Monitoring Systems for turbo generators**

DECLARE

1. I am not a related person/related enterprise to other participant or candidate in this procurement procedure.
2. I have not participated in public procurement procedure preparation.
3. I have no available information giving me an advantage over the other participants in public procurement procedure.

I am aware that I carry criminal liability for providing false information under Art. 313 of the Penal Code of Bulgaria.

Date: _____._____._____

Place _____

Declarant: _____
(signature and stamp)

(first and family name)

(occupation of the representative)

