

ECONOMIC OPERATOR

.....

(Designation / name)

Registered at the main office of the contracting authority under no . . . / . . .

COVER LETTER

To _____

(designation of the contracting authority and full address)

Following the participation announcement of the date of _____
regarding the application of the procedure for the award of the contract

_____, we _____

(designation of the public purchase contract)

(designation /name of the economic operator)

would like to submit the following:

1. sealed and visibly marked parcel, containing, the original and _____ copies of :
 - a) the offer;
 - b) the documents accompanying the offer.

We hope that our offer is in line with and positively answers your requirements.

Date of filling in: . . .

Best Regards,

Economic Operator,

(authorized signature)

ECONOMIC OPERATOR

.....
(Designation / name)

POWER OF ATTORNEY

Regarding the participation in the Open Auction Public Procurement Procedure

The undersigned....., with the registered office in, registered at the Trade Registrar’s Office under no., Sole Identification Code (CUI), fiscal attribute, we hereby empower Mr./ Mrs., with the domicile in identified with B.I./C.I. series, no., personal numeric coed (CNP), issued by....., on the date of....., holding the position of, to represent us in the open auction public procurement procedure, organized by the **National Institute of Research-Development for Geology and Marine Geoecology - GeoEcoMar**, for the assignment of the public procurement contract for the supply of the product

In fulfilling his mandate, our agent shall have the following rights and obligations:

1. to sign all papers and documents emanating from the undersigned regarding the participation in the procedure;
2. to participate on behalf of the undersigned in the procedure and sign all documents resulting during and/ or consequent to the implementation of the procedure;
3. to answer the requests for clarification formulated by the evaluation commission during the implementation of the procedure;
4. to submit on behalf of the undersigned contestations regarding the procedure.

Our agent is hereby fully authorized to engage the responsibility of the undersigned regarding all papers and facts resulting from the participation in the procedure.

Date
.....

Designation of the principal
S.C.
Legally represented by
.....
(name, forename, stamp)

Note: The power-of-attorney shall be accompanied by copy of the agent’s ID.

ECONOMIC OPERATOR

.....
(Designation / name)

OFFER FORM

To.....
(designation and full address of the contracting authority)

Dear Sirs,

1. Examining the award documentation, the undersigned, representatives of the tenderer _____, we offer that, in accordance with
(designation /name of the tenderer)

the provisions and requirements included in the above documentation, we provide _____ against the amount of _____ to
(designation of the products) (amount in letters and digits, as well as the currency of the offer)

which the value added tax amounting to _____ is to be added.
(amount in letters and digits)

2. We commit that, in case our offer is established as the winning one, we shall provide the products according to the attached schedule.

3. We commit to maintain this offer valid for a duration of _____
(duration in letters and digits)
days, respectively until the date of _____ and it shall remain
(day/ month / year)

compulsory to us and can be accepted any time before the expiry of the validity period.

4. Until the conclusion and signature of the public procurement contract this offer, together with the notification transmitted by you specifying our offer is established as the winning one, shall constitute a contract binding between us.

5. We point out that:

we submit an alternative offer, whose details are presented in a separate offer form, clearly marked as "alternative";

we do not submit an alternative offer.

(there shall be ticked the appropriate version)

6. We understood and agree that, in case our offer is established as the winning one, we shall constitute the good execution warranty according to the provisions in the award documentation.

7. We understand you are not obliged to accept the offer with the lowest price or any other offer you may receive.

Date of filling in

Economic Operator,

(authorized signature)

ECONOMIC OPERATOR

.....

*(Designation / name)***PRICE CENTRALIZER***For products¹*

Crt. No.	Designation of the product	Quantity (M. U.)	Price per unit	Total price	VAT
			Lei	Lei	Lei
TOTAL					

Date of filling in

Economic Operator ,

(authorized signature)

¹ Without affecting the agreements and conventions in which Romania is a party, in case two or more offers are relatively equivalent in terms of score obtained after the application of the award criteria, the contracting authority is entitled to declare as the winning one the offer that contains, in a percentage of more than 50%, products whose origin – determined according to the provisions of the Council Regulation (EEC) no. 2.913/92 of 12 October 1992, with later modifications – is in the European Union Member States or in third countries with which the European Community has concluded bilateral or multilateral agreements by which there is assured a comparable access to undertakings in the Member States on the markets of the respective countries, to the detriment of an offer containing, in a percentage of less than 50%, such products.

In line with the above, relatively equivalent offer shall mean those offers for which the difference between the prices stipulated in the financial proposals does not exceed 3%. – art. 254 of the Government Emergency Ordinance no. 34/2006.

ECONOMIC OPERATOR

.....

(Designation / name)

DELIVERY SCHEDULE

Crt. No.	Designation of the product	Quantity (M. U.)	Date of delivery / Period of time expressed in calendar days necessary to each delivery
1			
2			
.			
.			

Date of filling in

Economic Operator ,

(authorized signature)

ECONOMIC OPERATOR

.....
(Designation / name)

EXECUTION SCHEDULE FOR WORKS

Crt. No.	Designation of the product	Date of execution of the work / Period of time expressed in calendar days necessary to each executed work
1		
2		
.		
.		

Date of filling in

Economic Operator ,

(authorized signature)

BUSINESS ENTITY

.....

(Designation / name)

GENERAL INFORMATION

- 1. Designation/name
- 2. Tax code
- 3. Address of the headquarters
- 4. Phone
- Fax:
- E-mail:
- 5. The registration certificate

(registration number/date)

- 6. Object of activity, by field: _____

(according to the provisions of the own Memorandum of Association)

- 6.1. NACE activities for which there is authorization:

(according to the case, the confirmation of company details fulfilling the specific functioning conditions for the NACE activity where the object of the performance contract is classified will be required).

The offices of the local branches/subsidiaries, if the case:

- 1. _____

(complete addresses, phone/fax, registration certificates)

- 2. _____

- 3. _____

- 4. _____

- 8. Main market for the business:
- 9. Turnover in the past 3 years (in EURO):
- 2009:
- 2010:
- 2011:

BUSINESS ENTITY

.....

(authorized signature)

BANK

(designation)

**LETTER OF BANK GUARANTEE
For the participation**

With an offer in the award procedure of the public procurement contract

To _____
(designation and full address of the contracting authority)

Regarding the award procedure for the contract _____,
(designation of the public procurement contract)
we _____, with the registered office in _____,
(designation of the bank) (address of the bank)
commit in front of _____ to pay the amount of
(designation of the contracting authority)
_____, upon its first written request without the obligation
(in letters and digits)

to motivate the respective request, on the condition that the contracting authority specifies in its request the amount it requests and is due to is because of the existence of one or several of the following circumstances:

1. the tenderer _____ withdrew its offer during the validity
(designation / name)
period hereof;

b) its offer being established as the winning one, the tenderer
_____ did not create the good execution guarantee during
(designation / name)
the validity period of the offer;

c) its offer being established as the winning one, the tenderer
_____ refused to sign the public procurement contract during
(designation / name)
the validity period of the offer.

The present guarantee is valid until the date of _____.

Stamped by the Bank _____ on the day _____ month _____ year _____ .

(authorized signature)

ECONOMIC OPERATOR

(designation/ name)

STATEMENT

Regarding the personal situation of the economic operator

I, the undersigned, agent of _____

_____, declare at my
(designation/ name and registered office/address of the economic operator)

own risk, under the sanction of being excluded from the procedure and the sanctions applied to the forgery of public papers, that we are not under the situation stipulated in art. 180 of the Government Emergency Ordinance no. 34/2006 regarding the award of public procurement contracts, of public work concession contracts and of service concession contracts, with later modifications and completions, respectively during the last 5 years I have not been condemned by a definitive decision of a court of law for the participation in activities of a criminal organization, for corruption, fraud and / or money laundry.

I, the undersigned, declare that the provided information is complete and correct in every detail and understand that the contracting authority has the right to request, in order to have the declarations verified and confirmed, any justifying documents available to me.

I, the undersigned _____

(name of the economic operator – legal person),

in my capacity of tenderer in the procedure of _____

(the procedure is mentioned)

for the award of the public procurement contract whose subject is

(designation of the product and CPV code)

organized by _____ declare at my own risk that :

(designation of the contracting authority),

a) I am not undergoing bankruptcy or liquidation, my business is not led by a judicial administrator and my commercial activities have not been suspended and are not the subject of any arrangement with the creditors. Neither am I in any law-regulated situation similar to the above;

b) I am not the subject of any legal procedure for being declared in any of the situations stipulated under letter a);

c) I have fulfilled the payment obligations as for taxes, fees and contributions to social insurances to the budgets composing the general consolidated budget, in accordance with the legal provisions in force in Romania or in the country where the economic operator is established until the requested date;

d) I have not been condemned, during the last three years, by the definitive decision of a court of law, for a deed that offended the professional ethic or for having committed a professional mistake.

I, the undersigned, declare that the provided information is complete and correct in every detail and I understand that the contracting authority has the right to request, in order to have the declarations verified and confirmed, any justifying documents available to me.

I understand that in case this statement is not in line with the real situation I am liable of the violation of the penal legislation provisions regarding the forgery of statements.

Economic Operator ,

(authorized signature)

ECONOMIC OPERATOR

(designation / name)

STATEMENT

Regarding the capacity of participant in the procedure

1. I, the undersigned, representative agent of _____,
(designation and registered office of the economic operator)
declare at my own risk, under the sanctions applied to the deed of forgery in public documents, that in the procedure for the award of the public procurement contract _____, whose subject is _____
(the procedure is specified) (designation of the product and the CPV code)
on the date of _____, organized by _____
(day/month/year) (designation of the contracting authority)

I participate and submit the offer:

- on my own behalf;
- as associate within the association
- as subcontractor of.....;

(there shall be ticked the appropriate option)

2. I the undersigned declare that:

- I am not a member of any group or network of economic operators;
- I am a member in the group or network whose list with identification data is

submitted in the annex hereto.

(there shall be ticked the appropriate option)

3. I the undersigned declare that I shall immediately inform the contracting authority in case modifications to the present statement interfere at any moment throughout the implementation of the award procedure of the public procurement contract or, in case we shall be designated as the winners thereof, throughout the implementation of the public procurement contract.

4. I also declare that the provided information is complete and correct in every detail and that I understand that the contracting authority has the right to request for the verification and confirmation of the statements, situations and documents accompanying the offer, any additional information for the verification of the data in the present statement.

5. I the undersigned hereby authorize any institution, commercial company, bank, other legal persons to provide information to the authorized representatives of _____ regarding any ethnic and financial aspect regarding
(designation and address of the contracting authority)
our activity.

Economic Operator ,

(authorized signature)

Economic Operator

.....
(*designation / name*)

STATEMENT OF ACCEPTANCE OF THE CONTRACT CONDITIONS

I the undersigned..... representative agent of
(name and forename of the authorized person)
..... in my own name and on
(designation /name and registered office /address of the economic operator)
behalf of the company, declare that I agree with all provisions of the contract conditions
published within the present award procedure and that we commit to comply with all
obligations specified in the content thereof.

Date :

Name and forename

(*signature and stamp*),

in the capacity of _____, legally authorized to sign the offer for and on
behalf of _____.
(*designation /name of the economic operator*)

BUSINESS ENTITY

.....
(designation /name)

**STATEMENT
of not falling under the provisions of article 180 of the Government’s Emergency
Ordinance no. 34/2006, subsequently amended and supplemented**

I, the undersigned, representative agent of
.....

(designation and registered office of the business entity)

declare at my own risk, under the sanction of exclusion from the procedure and the sanction applied to the deed of forgery of public documents, that we are not in the situation provided by article 180 of the Government’s Emergency Ordinance no. 34/2006 in relation to the grant of public purchase agreements, of the public works assignment agreements and service assignment agreements, respectively in the past 5 years I have not been convicted by the final decision of a court of law for participating at activities of a criminal organization, for corruption, fraud and/or money laundering.

I, the undersigned declare that the information supplied is complete and correct in each detail and I understand that the contracting authority and/or the advisor – organizer of the procedure have the right to request, in order to check and confirm the statements any proof documents according to the legal provisions.

Date of completion

Business entity,.....

(name, authorized signature and stamp)

Note: In case of an association it will be submitted by each member of the association

BUSINESS ENTITY

.....
(designation /name)

STATEMENT

**for not falling under the situations provided by article 181 of the Government's
Emergency Ordinance no.34/2006, subsequently amended and supplemented**

I, the undersigned, representative agent of
.....

(designation and registered office of the business entity)

as bidder for the purchase procedure of by
.....

(name of the products)

The National Institute of Research-Development for Marine Geology and Geo-ecology –
GeoEcoMar, declare at my own risk that:

a) we are not in bankruptcy as a consequence of the decision made by the syndic judge;

b) we fulfilled/did not fulfil the payment obligations for taxes, duties and

(erase the non-valid option)

social insurance contributions for the budgets composing the general consolidate
budget, according to the legal provisions in force in Romania or in the country of the
company;

c) in the past two years we did not fulfil or we faulty fulfilled the contractual obligations,
from reasons that are the fault of the tenderer in subject, fact that produced or might
produce serious harms to its beneficiaries;

d) in the past three years we have not been convicted, by the final decision of a court of
law, for a fact that affected the professional ethics or for making a professional mistake.

e) we are not presenting false information in order to demonstrate the fulfilment of the
qualification and selection criteria.

I the undersigned declare that the information supplied is complete and correct in each
detail and I understand that the contracting authority and/or the consultant – organizer
have the right to request, in order to check and confirm the statements any proof
documents we have.

I understand that in case this statement is not according to the reality I risk the infringement of the criminal law related to misrepresentation.

Date of completion

Business entity,.....

(name, authorized signature and stamp)

Third party financial support

.....
(name)

COMMITMENT
regarding the financial support
of the bidder/candidate/group of business entities

To,
(name of the contracting authority and complete address)

In relation to the procedure for granting the contract
(name of the public purchase contract), we with registered headquarters at
(name of the third party financial support) *(address of the third party financial support)*, undertake, firmly, unconditional and irrevocable, to provide to
..... all the financial resources
(name of the tenderer/candidate/group of business entities)
necessary for the whole and timely performance of all obligations taken by him/them according to the bid presented and the public purchase agreement that will be concluded between the tenderer and the contracting authority.

The grant of the financial support does not involve other costs for the purchaser, except the ones included in the financial proposal.

For this purpose, we undertake, firmly, unconditional and irrevocable to provide to the amount of
(name of the tenderer/candidate/group of business entities)
..... necessary for the whole performance,
(total/partial value of the financial proposal)
regulated and on term of the public purchase contract.

We, declare that we understand that we are liable towards
(name of the third party financial support),
the contracting authority for the failure to perform any obligation undertaken by
.....
(name of the tenderer/group of business entities)
based on the public purchase contract and for which
(name of the tenderer/candidate/group of business entities)

has received financial support according to the present commitment, wavering for this purpose, finally and irrevocable to invoking the benefit of division and discussion.

We, declare that we understand to finally and irrevocably give up
(name of the third party financial support),
to the right to invoke any non-performance exception, in relation to the contracting authority as well as that might lead to
(name of the tenderer/candidate/group of tenderers),
the failure to perform, totally or in part, or the delayed or inappropriate performance of the obligations undertaken by as with the present commitment.

We, declare that we will be liable
(name of the third party financial support),
for the prejudices caused to the contracting authority because of the failure to comply with the obligations provided in the contract.

The present is our firm commitment concluded according to the provisions of article 186 paragraph (2) of the Government's Emergency ordinance no .34/2006

subsequently amended and supplemented, that gives to the contracting authority the right to legitimately request us to fulfil certain obligations arising from the granted financial support

(name of the tenderer/candidate/group of business entities).

Date of completion,

Supporting third party,
(authorized signature)

ASSOCIATION CONTRACT

in order to participate to the grant procedure of the public purchase contract

The present association contract has as legal ground article 1 of the Government's Emergency Ordinance no. 34/2006, subsequently amended and supplemented, approved by the law no. 337/2006.

1. Parties of the approval :

_____, represented by....., as
(name of the business entity, head office, phone)

.....

and

_____ represented by....., as
(name of the business entity, head office, phone)

.....

2. Object of the contract:

2.1 The associates have agreed to mutually perform the following activities:

a) participating at the public purchase procedure organized by
..... for granting the object of the contract

.....

(name of the contracting authority).

(object of the contract/framework contract)

b) performing in common the public purchase contract *in case of granting the common bid as the winning one.*

2.2 Other activities that will be performed in common:

1. _____

2. _____

... _____

2.3 The financial/technical/professional contribution of each party for performing the public purchase contract is:

1. _____ % S.C. _____

2. _____ % S.C. _____

2.4 The division of the benefits or losses resulting from the common activities performed by the associates will be performed in proportion to the participation share of each associate, respectively:

1. _____ % S.C. _____

2. _____ % S.C. _____

3. Duration of the association

3.1 The duration of the association established based on the present contract is equal to the period of performance of the grant procedure and is extended accordingly to the period of performance of the contract (*in case of assigning the association as winner of the purchase procedure*).

4. The administration and management conditions of the:

4.1 We authorize SC....., as leader of the association for preparing the common bid, signing and submitting it in the name and for the association established with the present contract.

4.2 We authorize SC....., as leader of the association for signing the public purchase contract in the name and for the association established with the present contract, *in case of assigning the association as winner of the purchase procedure*).

5. Termination of the association contract

5.1 The association terminates its activity because of the following reasons:

- a) expiry of the period for which the contract has been concluded;
- b) the inappropriate performance or failure to perform the activities provided by article 2 of the contract;
- c) other legal provisions.

6. Communication

6.1 Any communication between the parties is validly performed if made in written and will be sent to the address/addresses provided by article.....

6.2 Mutually the associates can establish also other communication means.

7 Litigations

7.1 The litigations that appear between the parties will be solves amicably, and in case of failure to perform them they will be solved by the competent court of law .

8. Other provisions: _____

The present contract has been concluded in copies, one for each party, today.....(*date of its executions*)

Leader of the association:

(name of the contracting authority)

ASSOCIATE 1,

ASSOCIATE 2,

Note!: *The present association contract is a guide model and will be filled in according to the specific requirements of the object of the contract/agreements*

CERTIFICATE
of participation to the tender with independent bid

I. I/We, the undersigned,, legal representative(s) of, enterprise/association that will participate to the public procurement organized by, as contracting authority, with the no. of, certify with the present that the information contained is true and complete from all points of view.

II. I/We certify with the present, in the name of, the following:

1. I/we have read and understand the content of the present certificate;
2. I/We agree to our disqualification from the public procurement procedures if what has been declared is proved to be false and/or incomplete in any sense;

3. every signature on this document represents the person assigned to present the participation offer, including in relation to the terms contained in the bid;
 4. according to the present certificate, bidder means any natural or legal person, other than the bidder in the name of which we make the present certificate, that bids in the same public procurement procedure or that might bid, complying with the participation conditions;
 5. the bid presented has been conceived and made independently from any other candidate, without consulting, communicating, agreeing or making arrangements with them;
 6. the presented bid does not contain elements derived from understandings between competitors in relation to their prices/rates, calculation methods/formulas, intention to make a bid or not for that procedure or the intention to include in that offer elements that, according to their nature, are not related to the object of that procedure;
 7. the presented bid does not contain elements derived from agreements between competitors in relation to the quality, quantity, particular specifications of the products or services offered;
 8. the details presented in the offer have not been, directly or indirectly communicated to any competitor before the official moment of public opening, announced by the contractor.
- III. Subject to the sanctions provided by the legislation in force, I/we declare⁴ that what is mentioned in the present certificate is true and totally according to the reality.

Bidder,

Date

COMPANY

(name)

STATEMENT

that the company does not fall under the circumstances provided by article 69^1 of the Government's Emergency Ordinance 34/2006

I, the undersigned _____, representative of _____

....(name and headquarters/address of the company)

As bidder to the "open procurement" procedure for purchasing the products *sonare* (cod CVP 38113000-0), echipament de navigație (cod CPV 29812300-7) și instrumente geofizice cu magnetometru (cod CVP 38260000-5), organized by I.N.C.D. GEOECOMAR, take it upon myself to declare that: - we have no members in the administration council/management and/or supervision body and/or we have no shareholders or associates that are husband/wife, related up to the fourth degree included or in commercial relations, as provided by article 69 lit. a) of the Government's Emergency Ordinance 34/2006, with people that have decision positions within the contracting authority:

- Chief Executive Officer, Gheorghe OAIE;
- Chief Financial Officer, Ana OLTEANU;
- Technical Coordinator, Jenica BUJINI;
- Office of Investment and Public Procurement, Aurica SPIRACHE.

I, the undersigned declare that the information supplied is complete and correct in each detail and I understand that the contracting authority has the right to require, in order to check and confirm the statements any documents of proof we have.

I understand that in case this statement is not according to the reality I am subject to violating the provisions of the criminal law regarding misrepresentation.

Date of completion

(Name, first name)

(Position)

(Certified signature and stamp)

ECONOMIC OPERATOR

(designation /name)

STATEMENT

Regarding the list of main deliveries of products during the last 3 years

I, the undersigned, representative agent of _____,

(designation and registered office of the economic operator)

declare at my own risk, under the sanctions applied to the deed of forgery in public documents, that the data submitted in the attached table are real.

I the undersigned declare that the provided information is complete and correct in every detail and that I understand that the contracting authority has the right to request for the verification and confirmation of the statements, situations and documents accompanying the offer, any additional information for the verification of the data in the present statement.

I the undersigned hereby authorize any institution, commercial company, bank, other legal persons to provide information to the authorized representatives of _____ regarding any ethnic and financial aspect regarding

(designation and address of the contracting authority)

our activity.

Date of filling in _____

Economic Operator ,

(authorized signature)

Annex to Form no. 15

Crt. No	Subject of the contract	CPV Code	Designation / name of the beneficiary / client Address	Capacity of the provider *	Total price of the contract	Percentage fulfilled by the supplier (%)	Quantity (M.U.)	Period of contract implementation
	1	2	3	4	5	6	7	8
1								
2								
..								

Economic Operator ,

(authorized signature)

*There shall be specified the capacity in which it participated in the contract fulfillment, that can be of: sole contractor or leading contractor (association leader), associated contractor, subcontractor