

European Single Procurement Document (ESPD)

Part I: Information concerning the procurement procedure and the contracting authority

The information in Part 1.A must be filled in by the Contracting Authority.

	Information about the Procurement Procedure and the Contracting Authority	Answer
1.A.1	Name of the contracting authority ⁽¹⁾	Irish Defence Forces
1.A.2	Title of the competition	Defence Forces Branded Merchandise
1.A.3	Short description of the competition ⁽²⁾	Defence Forces Branded Merchandise
1.A.4	File reference number attributed by the contracting authority or contracting entity (if applicable) ⁽³⁾	A22.2 JRO DF Branded Merchandise

All other information in all sections of the ESPD to be filled in by the economic operator.

¹ Information to be copied from Section 1, point I.1, of the relevant notice. In case of joint procurement, please indicate the names of all involved procurers.

² See points II.1.1 and II.1.3 of the relevant notice

³ See point II.1.1 of the relevant notice

Part II: Information concerning the economic operator

II.A: INFORMATION ABOUT THE ECONOMIC OPERATOR

	Identification	Answer
2.A.1	Name	[Click here and insert details]
2.A.2	VAT number, if applicable If no VAT number is applicable, please indicate another national identification number, if required and applicable	[Click here and insert details]
2.A.3	Postal Address	[Click here and insert details]
2.A.4	Contact person or persons ⁽⁴⁾	[Click here and insert details]
2.A.5	Telephone	[Click here and insert details]
2.A.6	E-mail	[Click here and insert details]
2.A.7	Internet address (web address) (if applicable)	[Click here and insert details]
	General Information	Answer
2.A.8	Is the economic operator a Micro, a Small or a Medium-Sized Enterprise ⁽⁵⁾ ?	Yes ☐ No ☐
2.A.9	If the answer to 2.A.8 is yes , please confirm the size of the enterprise	Micro ☐ Small ☐ Medium ☐
2.A.10	Only in case the procurement is reserved ⁽⁶⁾ , is the economic operator a sheltered workshop, a 'social business' ⁽⁷⁾ , or will it provide for the performance of the contract in the context of sheltered employment programmes?	Yes ☐ No ☐
2.A.11	If the answer to 2.A.10 is yes , please complete (a) and (b) below:	

⁴ Please repeat the information concerning contact persons as many times as needed.

⁵ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium sized enterprises, (OJ L 124, 20.5.2003, p36)

This information is required for statistical purposes only

Micro enterprises: enterprise which employs fewer than 10 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million.

Small enterprises: an enterprise which employs fewer than 50 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR10 million

Medium enterprises: enterprises which are neither micro nor small and which employ fewer than 250 persons and which have an annual turnover not exceeding EUR 50million, and/or an annual balance sheet total not exceeding EUR 43 million.

⁶ See contract notice point III.1.5

⁷ i.e. its main aim is the social and professional integration of disabled or disadvantaged persons.

	(a) What is the corresponding percentage of disabled or disadvantaged workers?	[Click here and insert details]
	(b) Please specify which category or categories of disabled or disadvantaged workers the employees concerned belong to?	[Click here and insert details]
2.A.12	If applicable, is the economic operator registered on an official list of approved economic operators or does it have an equivalent certificate (e.g. under a national (pre)qualification system)?	Yes ☐ No ☐ Not Applicable ☐
2.A.13	If the answer to 2.A.12 is yes , please complete (a) to (e) below and answer the remaining parts of this Section 2.A, Section 2.B and, where relevant, 2.C, complete Part V, where applicable, and, in any case, fill in and sign Part VI.	
	(a) Please provide the name of the list or certification and the relevant registration or certification number, if applicable	[Click here and insert details]
	(b) If the certificate of registration or certification is available electronically, please state the web address, issuing authority or body and precise reference of the documentation	[Click here and insert details]
	(c) Please state the references on which the registration or certification is based, and, where applicable, the classification obtained in the official list ⁽⁸⁾	[Click here and insert details]
	(d) Does the registration or certification cover all of the required selection criteria? If the answer in this 2.A.13 (d) is no , please complete the missing information in Part IV.	Yes ☐ No ☐

⁸ The references and the classification, if any, are set out on the certification.

	(e) ONLY if this is required in the relevant notice or procurement documents: Will the economic operator be able to provide a certificate with regard to the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtain it directly by accessing a national database in any Member State that is available free of charge? If the documentation in this 2.A.13 (e) is available electronically, please indicate the web address, issuing authority or body and precise reference of the documentation	[Click here and insert details] [Click here and insert details]
	Form of Participation	Answer
2.A.14	Is the economic operator participating in the procurement procedure together with others ⁽⁹⁾ ?	Yes ☐ No ☐
	If the answer to 2.A.14 is yes , please ensure that the others concerned provide a separate ESPD form.	
2.A.15	If the answer to 2.A.14 is yes , please also complete (a) to (c) below:	
	(a) Please indicate the role of the economic operator in the group (leader, responsible for specific tasks)	[Click here and insert details]
	(b) Please identify the other economic operators participating in the procurement procedure together	[Click here and insert details]
	(c) Where applicable, name of the participating group	[Click here and insert details]
	Lots	Answer
2.A.16	Where applicable, indication of the lot(s) for which the economic operator wishes to tender	[Click here and insert details]

⁹ Notably as part of a group, consortium, joint venture or similar.

II.B: INFORMATION ABOUT REPRESENTATIVES OF THE ECONOMIC OPERATOR

Where applicable, please indicate the name(s) and address(es) of the person(s) empowered to represent the economic operator for the purposes of this procurement procedure:

	Representation, if any	Answer
2.B.1	Full Name	[Click here and insert details]
2.B.2	Position/Acting in the capacity of	[Click here and insert details]
2.B.3	Postal Address	[Click here and insert details]
2.B.4	Telephone	[Click here and insert details]
2.B.5	E-mail	[Click here and insert details]
2.B.6	If needed, please provide detailed information on the representation (its forms, extent, purpose...)	[Click here and insert details]

II.C: INFORMATION ABOUT RELIANCE ON THE CAPACITIES OF OTHER ENTITIES

	Reliance	Answer
2.C.1	Does the economic operator rely on the capacities of other entities in order to meet the selection criteria for this Competition as set out in part 3.2 of the RFT?	Yes ☐ No ☐
2.C.2	If the answer to 2.C.1 is yes , please:	
	(a) List the entities concerned	[Click here and insert details]
	(b) Please also provide a separate ESPD form for each of the entities concerned , setting out the information required under Parts 2.A and 2.B, all of Part III and Part IV of the ESPD, duly filled in and signed by the entities concerned . Please note that this should also include any technicians or technical bodies, not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, the technicians or technical bodies upon whom the economic operator can call in order to carry out the work.	

**II.D. INFORMATION CONCERNING SUBCONTRACTORS ON WHOSE CAPACITY THE
ECONOMIC OPERATOR DOES NOT RELY**

	Subcontracting	Answer
2.D.1	Does the economic operator intend to subcontract any share of the contract to third parties, but does not rely on those third parties in order to meet the selection criteria for this Competition as set out in part 3.2 of the RFT?	Yes ☐ No ☐
2.D.2	If the answer to 2.D.1 is yes and in so far as known , please:	
	(a) List the subcontractors	[Click here and insert details]
	(b) Please also provide a separate ESPD form for each of the subcontractors concerned , setting out the information required under Parts 2.A, 2.B and all of Part III of the ESPD duly filled in and signed by the subcontractors concerned .	

Part III: Exclusion grounds

III.A: GROUNDS RELATING TO CRIMINAL CONVICTIONS

Regulation 57 (1) of S.I. No. 284 of 2016, the European Union (Award of Public Authority Contracts) Regulations 2016, sets out the following reasons for exclusions:

1. *Participation in a criminal organisation* ⁽¹⁰⁾;
2. *Corruption* ⁽¹¹⁾;
3. *Fraud* ⁽¹²⁾;
4. *Terrorist offences or offences linked to terrorist activities* ⁽¹³⁾;
5. *Money laundering or terrorist financing* ⁽¹⁴⁾;
6. *Child labour and other forms of trafficking in human beings* ⁽¹⁵⁾.

	Grounds relating to criminal convictions	Answer
3.A.1	Has the economic operator 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 for any of the following, either within the last 5 years, or where an exclusion period set out directly in the conviction continues to be applicable: 1. <i>Participation in a criminal organisation</i> ⁽¹⁶⁾; 2. <i>Corruption</i> ⁽¹⁷⁾;	Yes ☐ No ☐ [If the relevant documentation is available electronically, please indicate the web address, issuing authority or body, precise reference of the documentation. Click here and insert details] ⁽²²⁾.

10 As defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

11 As defined in 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, OJ C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator.

12 Within the meaning of Article 1 of the Convention of the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48).

13 As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p.3). this exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 3 of that Framework Decision.

14 As defined in Article 1 of the Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

15 As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011 p. 1).

16 As defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

17 As defined in 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, OJ C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator.

22 Please repeat as many times as needed.

	3. <i>Fraud</i> ⁽¹⁸⁾ ; 4. <i>Terrorist offences or offences linked to terrorist activities</i> ⁽¹⁹⁾ ; 5. <i>Money laundering or terrorist financing</i> ⁽²⁰⁾ ; 6. <i>Child labour and other forms of trafficking in human beings</i> ⁽²¹⁾ .	
3.A.2	If the answer to 3.A.1 is yes , please ⁽²³⁾ :	
	(a) Indicate the date of conviction, specify which of points 1 to 6 in 3.A.1 is concerned and the reason(s) for the conviction	date, point(s), reason(s)
	(b) Identify who has been convicted	[Click here and insert details]
	(c) Insofar as established directly in the conviction, please insert the length of the period of exclusion and the point(s) concerned	[Click here and insert length of the period of exclusion and the point(s) concerned] [If the relevant documentation is available electronically, please indicate the web address, issuing authority or body, precise reference of the documentation. Click here and insert details] ⁽²⁴⁾
3.A.3	In case of convictions, has the economic operator taken measures to demonstrate its reliability despite the existence of a relevant ground for exclusion ⁽²⁵⁾ ('Self Cleaning')	Yes ☐ No ☐
3.A.4	If the answer to 3.A.3 is yes , please describe the measures taken ⁽²⁶⁾	[Click here and insert details]

¹⁸ Within the meaning of Article 1 of the Convention of the protection of the European Communities' financial interests (OJ C 316, 27.11. 1995, p. 48).

¹⁹ As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p.3). this exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 3 of that Framework Decision.

²⁰ As defined in Article 1 of the Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

²¹ As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15. 4.2011 p. 1).

²³ Please repeat as many times as needed.

²⁴ Please repeat as many times as needed.

²⁵ In accordance with Regulation 57(12) of S.I. No. 284 of 2016, the European Union (Award of Public Authority Contracts) Regulations 2016.

²⁶ Taking into account the character of the crimes committed (punctual, repeated, systematic...) the explanation should show the adequacy of the measures taken.

III.B: GROUNDS RELATING TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS

	Payments of taxes or social security contributions	Answer	
3.B.1	Has the economic operator met all its obligations relating to the payment of taxes or social security contributions , both in the country in which it is established and in the Member State of the contracting authority if other than the country of establishment?	Yes ☐ No ☐	
3.B.2	If the economic operator has not met all the obligations in 3.B.1 relating to the payment of taxes or social security contributions, please indicate in respect of each breach of such obligations:	Taxes:	Social Contributions:
	(a) Country or Member State concerned	[Click here and insert details]	[Click here and insert details]
	(b) What is the amount concerned?	[Click here and insert details]	[Click here and insert details]
	(c) How has this breach of obligations been established:	[Click here and insert details]	[Click here and insert details]
	(c)(1) Through a judicial or administrative decision		
	• Is this decision final and binding?	Yes ☐ No ☐	Yes ☐ No ☐
	• Please indicate the date of conviction or decision	[Click here and insert details]	[Click here and insert details]
	• In case of a conviction, insofar as established directly therein, the length of the period of exclusion	[Click here and insert details]	[Click here and insert details]
	(c)(2) By other means? Please specify	[If Yes, click here and insert details]	[If Yes, click here and insert details]
	(d) Has the economic operator fulfilled its obligations by paying or entering into a binding arrangement with a view to paying the taxes or social security contributions due, including, where applicable, any interest accrued or fines?	Yes ☐ No ☐	Yes ☐ No ☐
	(e) If the answer to 3.B.2 (d) above is yes , please provide details.	[If Yes, click here and insert details]	[If Yes, click here and insert details]
3.B.3	If the relevant documentation concerning payment of taxes or social contributions is available electronically, please indicate the web address, issuing authority or body and precise reference of the documentation	[Click here and insert details]	

III.C: GROUNDS RELATING TO INSOLVENCY, CONFLICTS OF INTEREST OR PROFESSIONAL MISCONDUCT ⁽²⁷⁾

	Information concerning possible insolvency, conflict of interest or professional misconduct	Answer
3.C.1	Has the economic operator, to its knowledge, breached its obligations in the fields of environmental, social and labour law (28)?	Yes ☐ No ☐
3.C.2	If the answer to 3.C.1 is yes , please complete (a) and (b) below:	
	(a) Has the economic operator taken measures to demonstrate its reliability despite the existence of the grounds for exclusion specified in 3.C.1 ('Self Cleaning')?	Yes ☐ No ☐
	(b) If it has taken Self Cleaning measures, please describe the measures taken	[Click here and insert details]
3.C.3	Is the economic operator in any of the following situations: (a) Bankrupt, or (b) The subject of insolvency or winding-up proceedings, or (c) In an arrangement with creditors, or (d) In any analogous situation arising from a similar procedure under national laws and regulations (29), or (e) That its assets are being administered by a liquidator or by the court, or (f) That its business activities are suspended?	Yes ☐ No ☐
3.C.4	If the answer to 3.C.3 is yes , please complete (a), (b) and (c) below:	
	(a) Please provide details of the situation(s) in 3.C.3 which apply to the economic operator	[Click here and insert details]
	(b) Please provide the reasons for being able nevertheless to perform the contract, taking into account the applicable national rules	[Click here and insert details]

²⁷ See Regulation 57(8) of S.I. No. 284 of 2016, the European Union (Award of Public Authority Contracts) Regulations 2016

²⁸ As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Regulation 18(4) of S.I. No. 284 of 2016, the European Union (Award of Public Authority Contracts) Regulations 2016.

²⁹ See national law, the relevant notice or the procurement documents

	and measures on the continuation of business in those circumstances (30)	
	(c) If any relevant documentation is available electronically, please indicate the web address, issuing authority or body and precise reference of the documentation	[Click here and insert details]
3.C.5	Is the economic operator guilty of grave professional misconduct (31)?	Yes ☐ No ☐
3.C.6	If the answer to 3.C.5 is yes , complete parts (a) and (b) below:	
	(a) Has the economic operator taken self-cleaning measures?	Yes ☐ No ☐
	(b) If the economic operator has taken self-cleaning measures, please describe the measures taken	[Click here and insert details]
3.C.7	Has the economic operator entered into agreements with other economic operators aimed at distorting competition?	Yes ☐ No ☐
3.C.8	If the answer to 3.C.7 is yes , complete parts (a), (b) and (c) below:	
	(a) Please provide details of the agreements with other economic operators aimed at distorting competition.	[Click here and insert details]
	(b) Has the economic operator taken self-cleaning measures?	Yes ☐ No ☐
	(c) If the economic operator has taken self-cleaning measures, please describe the measures taken	[Click here and insert details]
3.C.9	Is the economic operator aware of any conflict of interest (32) due to its participation in the procurement procedure?	Yes ☐ No ☐
3.C.10	If the answer to 3.C.9 is yes , please provide details	[Click here and insert details]
3.C.11	Has the economic operator or an undertaking related to it advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure?	Yes ☐ No ☐

30 This information need not be given if exclusion of economic operators in one of the cases listed under letter a to f has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

31 Where applicable, see definitions in national law, the relevant notice or the procurement documents.

32 As indicated in national law, the relevant notice or the procurement documents.

3.C.12	If the answer to 3.C.11 is yes , please provide details	[Click here and insert details]
3.C.13	Has the economic operator experienced that a prior public contract 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 ☐
3.C.14	If the answer to 3.C.13 is yes , please complete parts (a), (b) and (c) below:	
	(a) Please provide details of the prior public contract or a prior concession contract that was terminated early, or the damages or other comparable sanctions that were imposed in connection with that prior contract	[Click here and insert details]
	(b) Has the economic operator taken self-cleaning measures?	Yes ☐ No ☐
	(c) If the economic operator has taken self-cleaning measures, please describe the measures taken	[Click here and insert details]
3.C.15	Can the economic operator confirm that:	
	(a) It has not been guilty of serious misinterpretation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria,	(a) Yes ☐ No ☐
	(b) It has not withheld such information,	(b) Yes ☐ No ☐
	(c) It has been able, without delay, to submit the supporting documents required by a contracting authority or contracting entity, and	(c) Yes ☐ No ☐
	(d) It has not undertaken to unduly influence the decision making process of the contracting authority or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurements procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award?	(d) Yes ☐ No ☐

Part IV: Selection Criteria

Concerning the selection criteria the economic operator declares that:

GLOBAL INDICATION FOR ALL SELECTION CRITERIA

Meeting all required selection criteria	Answer
It satisfies the required selection criteria for this Competition as set out in part 3.2 of the RFT	Yes ☐ No ☐

Part V: Reduction of the number of qualified candidates

Not applicable

Part VI: Concluding statements

The undersigned formally declare that the information stated under Parts II – IV above is accurate and that it has been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declare to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where:

- (a) The contracting authority has the possibility of obtaining the supporting documentation concerned directly by accessing a national database in any Member State that is available free of charge^(33), or*
- (b) As of 18 October 2018 at the latest, the contracting authority or contracting entity already possesses the documentation concerned.*

The undersigned formally consent to [identify the contracting authority as set out in Part 1, Section A], gaining access to documents supporting the information, which has been provided in this European Single Procurement Document for the purposes of [identify the procurement procedure: (summary description)].

Date, place and signature(s):

Signed: (Authorised Signatory)	■
Block Capitals	■ [Click here and insert name]
Position	■ [Click here and insert details]
Company	■ [Click here and insert details]
Registered Office	■ [Click here and insert details]
Date	■ [Click here and insert details]

33 On condition that the economic operator has provided the necessary information (web address, issuing authority or body, precise reference of the documentation) allowing the contracting authority or contracting entity to do so. Where required, this must be accompanied by the relevant consent to such access.