**Questions / Answers regarding Call for consultant for a study on sustainable heating solutions in the town of Motru, Gorj County, Romania**

Friday, January 21 was the last day to send questions about our call for consultants. In order to ensure the transparency of the process of choosing the consultant to conduct the study, we publish the questions and our answers.

**Q:** Is the period of data gathering, analysis and writing the Study fixed?

**R:** For compliance of the Technical Offer, please check the criteria in the “Selection” section.

**Q:**  Is there a recommended standard for how CVs are submitted to apply for the consultant call?

**R:**  Our recommendation is to use the Europass format for writing resumes.

**Q:** Where should the CVs of the experts required for the Technical Offer be attached?

**R:** The CVs will be attached as annexes to the Technical Offer, which will be sent by e-mail at dan.dobre@bankwatch.org.

**Q:** Where will the examples of similar previous work for the Technical Offer be attached?

**R:**  The examples of similar previous work will also be attached as an annex to the Technical Offer.

**Q:** Where can the text of the Declaration on Self-Responsibility be found to be in compliance with the requirements of the organization, what are they and where can they be consulted?

**R:** The text of the statement is already in the text of the Call for Consultant. It is necessary to take the text as it is found in the call. At the end of the text, the person applying should add the paragraph "I confirm that I am /we are not in any of these situations", the date of application and the signature of the consultant’s legal representative. (See page 2)

**Q:** Can authorised individual consultants also apply for this consulting call?

**R:**  Yes, authorised individual consultants can also apply for this call, provided they comply with the requirements specified in the call notice.

**Q:** Is it possible to initially sign an agreement with a consultant and then subcontract another firm?

**R:** No, this is not possible, the contract will be signed from the beginning between the organization and all the entities that will be involved in the consulting process, writing the report, collecting data, etc.

**Statement**

Candidates will be excluded from participation in a procurement procedure if:

* they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning these matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
* they have been convicted for an offence concerning their professional conduct by a judgement which has the force of res judicata;
* they have been guilty of grave professional misconduct proven by any means justifiable;
* they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country where the contract is to be performed;
* they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
* they are currently subject to an administrative penalty referred to in section 2.3.5 of the Practical Guide to contract procedures for EC external actions:

*Without prejudice to the application of penalties laid down in the contract, candidates or tenderers and contractors who have made false declarations, have made substantial errors or committed irregularities and fraud, or have been found in serious breach of their contractual obligations may be excluded from all contracts and grants financed by the Community budget for a maximum of five years from the date on which the infringement is established, as confirmed following an adversarial procedure with the contractor. That period may be extended to 10 years in the event of a repeated offence within five years of the above-mentioned date. Tenderers or candidates who have made false declarations, have committed substantial errors or irregularities and fraud, may also be subject to financial penalties representing 2% to 10% of the total estimated value of the contract being awarded. Contractors who have been found in serious breach of their contractual obligations may be subject to financial penalties representing 2% to 10% of the total value of the contract in question. That rate may be increased to 4% to 20% in the event of a repeat infringement within five years of the above-mentioned. Where the award procedure proves to have been subject to substantial errors, irregularities or fraud, the Commission shall suspend the procedure and may take whatever measures are necessary, including the cancellation of the procedure. Where, after the award of the contract, the award procedure or the performance of the contract prove to have been subject to substantial errors, irregularities or fraud, the Commission may, depending on the stage reached in the procedure, refrain from concluding the contract or suspend performance of the contract or, where appropriate, terminate the contract. Where such errors, irregularities or fraud are attributable to the contractor, the Commission may in addition refuse to make payments, may recover amounts already paid or may terminate all the contracts concluded with this contractor, in proportion to the seriousness of the errors, irregularities or fraud. The purpose of suspending the contract is to verify whether presumed substantial errors and irregularities or fraud have actually occurred. If they are not confirmed, performance of the contract will resume as soon as possible. A substantial error or irregularity is any infringement of a provision of a contract or regulation resulting from an act or an omission which causes or might cause a loss to the Community budget*

Herby, I declare that I**, <authorised individual consultant name> / we <company name>** do not fall into any situation that is grounds for exclusion from participation in the procurement (according to Bankwatch’s internal procedures).

**Date**  **Legal representative**

<Name, position> Signature