

Acknowledgement Certificate of Tender and Contract Award

ANNEX A

This attachment must be signed and submitted with the offer.

1. In accordance with the Instructions and Conditions of Tender (Annex B), the General Conditions of Contract for the Procurement of Services (Annex C), we, the undersigned, offer to supply all or part of the items proposed, at the prices indicated in the attached FIDH offer form (Annex C), delivered to the destination specified therein.
2. We accept the terms and conditions set out in the Instructions and Conditions of Tender (Annex B) and the following requirements have been noted and will be complied with where applicable:
 - a. That, unless otherwise indicated, offers for each item shall be made on a DAP basis (Incoterms 2022).
 - b. Transport costs, if separate from the unit price, must be indicated separately together with the Incoterm 2022 used, which shall constitute the delivery basis for any contract resulting from this tender.
 - c. We confirm that for any offer made where the delivery destination is not the one requested in the tender, the FIDH reserves the right not to consider the offer.
 - d. That conditional offers cannot be accepted.
 - e. That the currency of the offer should preferably be Euros (€).

f. Indicate any discount offered to the FIDH (see Instructions to Tenderers, Section 3, Proposed Prices).

g. The FIDH reserves the right, at its sole discretion, to:

- i. Award a contract for a quantity lower or higher than the total quantity of the offer.
- ii. Reject one or more offers and/or conclude a contract with a tenderer other than the lowest tenderer (see Instructions to Tenderers, Section 6).

h. Successful tenderers awarded contracts shall be informed upon receipt of the original purchase order/contract and acknowledgement of receipt. In case of emergency, successful tenderers may also be informed by fax or email.

i. Any sample requested, either with the offer or at a later date, shall comply with the specifications of the required item(s). Failure to comply with this requirement may result in the offer not being considered.

j. We confirm that the validity of this offer is for civil days from the closing date of the tender.

k. We accept the terms and conditions set out in the FIDH General Specifications for the Procurement of Services (Annex D).

l. We certify that the company mentioned below has not engaged in corrupt, fraudulent, collusive or coercive practices in the context of competition for or execution of any contract.

m. We agree to comply with the DRC Code of Ethics as attached in Annex E.

3. We also certify that the company mentioned below:

a. Is not bankrupt, being wound up or subject to judicial settlement, has not entered into any arrangement with creditors, has not suspended its business activities, is not the subject of proceedings concerning those matters, nor is in any analogous situation arising from a similar procedure existing in national laws and regulations;

b. Has not been convicted of an offence concerning its professional conduct by a judgment having the force of res judicata;

- c. Has not been guilty of grave professional misconduct proven by any means;
 - d. Has fulfilled its 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 it is established or with those of Denmark or the country where the contract is to be performed;
 - e. Has not been the subject of a judgment having the force of res judicata for fraud, corruption, participation in a criminal organization or any other illegal activity detrimental to the financial interests of the European Communities;
 - f. Has not been declared, following another procurement procedure or grant award procedure financed by the budget of the European Community, to be in serious breach of contract for failure to comply with our contractual obligations.
4. Only for contracts financed by the EC: Our company (and our subcontractors) has/have the following nationality:
5. We submit this application in our own name and/or as partner of the consortium led by _____ for this tender. We confirm that we are not tendering for the same contract in any other form. We confirm, as consortium partner, that all partners are jointly and severally liable under the law for the execution of the contract, that the lead partner is authorized to bind each member and to receive instructions for and on behalf of each member, that the execution of the contract, including payments, is the responsibility of the lead partner, and that all partners of the joint venture/consortium are obliged to remain in the joint venture/consortium throughout the entire period of contract execution.
6. We are not in any of the situations excluding participation in contracts listed in the Instructions and Conditions of Tender (Annex B). In the event that our Offer is selected, we undertake to provide the usual evidence under the law of the country in which we are established that we are not in the exclusion situations listed. The date of the evidence or documents provided shall not be earlier than 180 days before the deadline for submission of Offers and, furthermore, we shall provide a sworn

statement attesting that our situation has not changed during the period which has elapsed since the establishment of the evidence in question.

We further understand that if we fail to provide this evidence within 15 civil days following receipt of the notification of award, or if the information provided proves to be false, the award shall be considered null and void.

7. We shall immediately inform the FIDH of any change in the above circumstances at any stage of the execution of the contract. We also fully acknowledge and accept that any inaccurate or incomplete information deliberately provided in this application may result in our exclusion from this contract and other donor-funded contracts.
8. We note that the FIDH is not bound to proceed with this tender and reserves the right to award only part of the contract. It shall incur no liability towards us if it does so.

We accept the above terms and conditions.

Submitted by:

Company Name :

Place :

Date :

Title/Position :

Name in block letters :

Signature :

A duly authorized representative of the company

Company stamp