

Standard form of the European Single Procurement Document

The European Single Procurement Document, hereinafter the ESPD, is a self-declaration that provides preliminary evidence and replaces the certificates issued by public authorities or third parties. It is available in the State language and English and is used as preliminary proof of fulfilling the conditions required for public procurement procedures in the Republic of Moldova. Due to the ESPD, bidders are no longer required to provide full documentary evidence in different formats, as previously used in public procurement procedures, which is a significant simplification of access to cross-border bidding opportunities. Since October 2018, ESPD will be available exclusively in electronic form.

The Ministry of Finance shall provide a free web service for buyers, bidders and other interested parties to complete the ESPD in electronic form. The online form can be completed, printed and then sent to the buyer together with the rest of the offer. If the procedure is conducted electronically, the ESPD may be exported, stored and filed in electronic form. An ESPD filed in an earlier public procurement procedure may be reused provided that the information remains accurate. Bidders may be excluded from the public procurement procedure or be prosecuted if the information from the ESPD is false, undisclosed or cannot be substantiated by supporting evidence.

Part I — Information on the public procurement procedure and the contracting authority or contracting entity

Part I of the ESPD form shall be completed online only by the contracting authority or the contracting entity and shall include the following information:

A.	Information on Publishing	
	Number of the announcement/invitation published in PPB	
B.	Identity of the procurer	
	Official name	Customs Service, Republic of Moldova, F/c 1006601000185
	Country	
	Unique identification number of the authority	
C.	Information on the procurement procedure	
	Type of procedure	Public tender Maintenance, repair and troubleshooting services for five X- ray scanning container and truck control systems - Rapiscan Eagle M4507
	Unique identification number of the procurement procedure	
	Opening date of the bids	
	Name of the procurement object	
	Short Description	

Part II — Information concerning the economic operator

Part II of the ESPD form shall be completed online only by economic operators and shall include the following information.

A.	Information concerning the economic operator	
	Name	Rapiscan Systems Limited, X-Ray House, Bonehurst Road, Surrey, RH1 5GG United Kingdom www.rapiscansystems.com THines@as-e.com +1 978 2628612 Timothy Hines
	Legal address:	
	Postal Code	
	City	
	Country	
	Web address	
	e-mail	
	Telephone	
	Contact person(s)	
	Unique identification number (IDNO/IDNP), if applicable	
	VAT number, if applicable	
	Legal status of the economic operator	
	Name of the founders	
	Is the business activity of the economic operator registered or has equivalent certification under a national and/or international system of economic activities it provides? - Please provide the constituent documents, if applicable: - If the constituent or certification documents are available in electronic form, please specify: - Please provide the authorizations on which the commercial activities are based, where applicable: - Does the registration or certification cover all the selection criteria required (certificates and mandatory documents indicated in the Participation Announcement and in the Procurement Data Sheet)?	To be selected by economic operators ☒ Yes ☒ Yes ☒ Yes ☒ Yes ☒ Yes
	<i>Please fill in the missing information in Part II, Section A, B, C or D, as appropriate, ONLY if it is requested in the relevant procurement notice or documents</i>	
	Is the economic operator participating in the procurement procedure together with others?	To be selected by economic operators ☒ No
B.	Information on the representatives of the economic operator	
	<i>If applicable, please indicate the name and address(s) of the person(s) empowered to represent the economic operator for the purposes of this public procurement procedure:</i>	
	First Name	Tudor Acristinii, 21.10.1958,
	Name	place of birth: Moldova, Cimislia.

	Date of birth	Email: email: tudor@acristinii.com +37369104034 Director General
	Place of birth	
	Street and Number	
	Postal Code	
	City	
	Country	
	--	
	e-mail	
	Telephone	
	Position/Acting in the capacity of:	
	<i>If applicable, please provide detailed information on the representation (its forms, extent, purpose...)</i>	
C.	Information on the use of other entities' capabilities	
	Is the economic operator using the capacities of other entities to meet the selection criteria set out in Part IV and (where applicable) the criteria and rules referred to in Part V below?	To be selected by economic operators ☒ No
	<i>Please provide a separate ESPD form containing the information required in Sections A and B of this Part and Part III for each of the entities concerned, duly filled in and signed by the entities concerned. Please note that technicians or technical bodies involved must be also included, irrespective of whether they are part of the undertaking of the economic operator, in particular those responsible for quality control and, in the case of public works contracts, the technicians or technical bodies to which the economic operator may call for the performance of the work. To the relevant extent for the specific capacity(capacities) used by the economic operator, please include the information set out in Parts IV' and V for each of the entities concerned.</i>	
	Does the economic operator intend to subcontract any part of the contract to third parties?	To be selected by economic operators ☒ No
	If yes and in so far as known, please list the proposed subcontractors.	
	<i>If the contracting authority or contracting entity requests expressly this information, in addition to the information from Part I, please provide the information required in Sections A and B of this Part and Part III for each of the subcontractors (categories of subcontractors) concerned.</i>	

Part III — Exclusion grounds

Part III of the ESPD form shall be completed online by the contracting authority, the contracting entity and the economic operators.

A.	Grounds relating to criminal convictions	
	Article 18 of Law No. 131 of 03.07.2015 sets out the following grounds for exclusion. <i>Para. (1) The contracting authority is required to exclude from the award procedure any bidder or candidate who is aware that, in the past 5 years, he has been convicted, by a final judgment of a court, for participating in the activities of a criminal organization or group, for corruption, fraud and/or money laundering, for terrorist offences or offences related to terrorist activities, terrorist financing, child labor and other forms of trafficking in human beings.</i> <i>Para. (1¹) The obligation to exclude the bidder/candidate shall also apply where the person convicted by a final judgment of a court for the offences referred to in paragraph 1 is a member of the administration, management or control body within that authority.</i> <i>Para. (6) Any bidder/candidate who is in one of the situations referred to in Article 18(1) and (2) of Law 131/03.07.2018 on public procurement shall provide evidence showing that the measures taken by him are sufficient to demonstrate its reliability despite a reason for exclusion. If the contracting authority considers such evidence sufficient, the bidder/candidate concerned shall not be excluded from the procurement procedure.</i> <i>Para. (7). For the purposes of paragraph 6, the bidder/candidate shall prove that he has paid or has committed himself to pay compensation in respect of any damage caused by a crime or misconduct, that he has fully clarified the facts and circumstances by cooperating actively with the competent authorities to investigate the case and that he has taken concrete measures at technical, organizational and personnel levels appropriate to prevent any new offenses or deviations.</i> <i>Para. (8). The measures taken by the bidder/candidate within the meaning of paragraph (7) shall be assessed taking into account the seriousness and particular circumstances of the offence or irregularity. If the contracting authority considers that the measures taken are insufficient, it shall inform the bidder/candidate of the reasons for the exclusion.</i> <i>Para. (9). A bidder/candidate who has been excluded by a final judgment from participation in public procurement procedures shall not have the right to make use of the possibility provided for in paragraphs (6) to (8).</i>	
	Participation in a criminal organization	☒ No
	Corruption	☒ No
	Fraud	☒ No
	Terrorist offences or offences related to terrorist activities	☒ No
	Money laundering or terrorism financing	☒ No
	Child labor and other forms of human trafficking	☒ No
B.	Grounds relating to the payment of taxes or social security contributions	
	Article 18 of Law No. 131 of 03.07.2015 sets out the following grounds for exclusion. <i>Para. (2). The contracting authority has the obligation to exclude from the award procedure any bidder or candidate who is in any of the following situations: Letter (b) has failed to meet its obligations to pay taxes, social security taxes and social security contributions in accordance with the legal provisions in force in the Republic of Moldova or in the country in which it is established.</i> <i>Para. (2) By way of derogation from paragraph 2 (b), the bidder/candidate shall not be excluded from the award procedure if he benefits, under the law, from the staggering of obligations to pay taxes, social security fees and contributions or other facilities for their payment, including late payments (penalties) and/or fines.</i>	
	Payment of taxes We have no debts to the State.	☒ Yes
	Has that breach been established by means other than a judicial or administrative decision?	☒ No
	Social security payments	
	Has the economic operator breached its obligations with regard to the payment of social security contributions both within the territory of Moldova and in other States?	☒ No
C.	Inclusion in the ban list of economic operators.	
	Is the economic operator included in the list of prohibition of economic operators in accordance with Article 18 para. e) of Law No. 131 of 03.07.2015 on public procurement.	☒ No
D.	Grounds relating to insolvency, conflicts of interest or professional misconduct	

	Art. 18 para. 2 of Law No. 131 of 03.07.2015 sets out the following grounds for exclusion. <i>Letter (a) is in insolvency proceedings as a result of a court judgment;</i> <i>Letter (c) has been convicted, for the past 3 years, by final judgment of a court, for an offence concerning professional ethics or for committing a professional error in professional matters;</i> <i>Letter (d) presented false information or failed to submit the information requested by the contracting authority for the purpose of demonstrating the compliance with qualification and selection criteria;</i> <i>Letter (d¹) has violated applicable environmental, labor and social security obligations where the contracting authority demonstrates this by any appropriate means;</i> <i>Letter (d²) is guilty of a professional misconduct, which calls into question its integrity if the contracting authority demonstrates this by any appropriate means;</i> <i>Letter (d³) has entered into agreements with other economic operators aimed at distorting competition if this is determined by a decision of the authorized body in this respect;</i> <i>Letter (d⁴) is in a situation of conflict of interest which cannot be effectively remedied by the measures provided for in Article. 74.</i>
	Bankruptcy
	Is the economic operator in bankruptcy? ☒ No
	<i>Please specify why you will still be able to perform the contract. It is not necessary to provide this information where the exclusion of economic operators in this case has become mandatory under the applicable national law without any possibility of derogation where the economic operator is, however, in a position to perform the contract.</i>
	Insolvency
	Is the economic operator in insolvency or liquidation? ☒ No
	<i>Please specify why you will still be able to perform the contract. It is not necessary to provide this information where the exclusion of economic operators in this case has become mandatory under the applicable national law without any possibility of derogation where the economic operator is, however, in a position to perform the contract.</i>
	Agreements with other economic operators aimed at distorting competition
	Has the economic operator concluded agreements with other economic operators with the objective of distorting competition? ☒ No
	<i>Please specify why you will still be able to perform the contract. It is not necessary to provide this information where the exclusion of economic operators in this case has become mandatory under the applicable national law without any possibility of derogation where the economic operator is, however, in a position to perform the contract.</i>
	Conflict of interest resulting from participation in the procurement procedure.
	Is the economic operator aware of any conflict of interest, as stated in the national law, the relevant notice or procurement documents resulting from its participation in the procurement procedure? ☒ No
	Guilty of misinterpretation, non-disclosure of information, failure to provide necessary documents and to obtain confidential information relating to this procedure
	The economic operator was in one of the following situations: a) Has not been seriously guilty of false statements when providing the information necessary to verify the absence of the grounds for exclusion or the fulfilment of the selection criteria; b) Has concealed such information; c) Has been unable to provide without delay the supporting documents required by the contracting authority or the contracting entity, and d) Has attempted to unlawfully influence the decision-making process of the contracting authority or contracting entity, to obtain confidential information that could confer it undue advantage in the public procurement procedure, or to provide inadvertently false information that could have a significant influence on the decisions on exclusion, selection and award?
	Article 18 of Law No. 131 of 03.07.2015 provides: <i>Para.(3). The contracting authority shall extract the information necessary to establish the existence or non-existence of the circumstances described in paragraphs (1) and (2) from the available databases of public authorities or third parties. If this is not possible, the contracting authority shall accept as sufficient and relevant to demonstrate that the bidder/candidate does not fall within any of the situations referred to in paragraphs (1) and (2) any document deemed probative from this point of view, in the country of origin or in the country where the bidder/candidate is established, such as certificates, legal records or other equivalent documents issued by the competent authorities of the respective country.</i> <i>Para. (4). As regards the situations referred to in paragraph (2), in accordance with the national legislation of the country in which the bidders/candidates are established, the provisions of paragraph (3) shall refer to natural persons and legal persons, including, where applicable, company directors or any person with powers of representation, decision or control in relation to the bidder/candidate.</i> <i>Para. (5). If in the country of origin or in the country where the bidder/candidate is established no documents of the nature specified in par. (3) are issued or where these documents do not cover all the situations referred to in paragraphs (1) and (2), the contracting authority is obliged to accept a declaration on its own responsibility or, if there are no legal provisions in that country concerning the declaration on its own responsibility, an authentic declaration issued in the presence of a notary, an administrative or judicial authority or an association having competence in this regard.</i>

Part IV — Selection criteria

Part IV shall be completed online by the contracting authority, contracting entity and economic operators and shall include.

A.	Ability to meet the requirements	
	Article 21 of Law No. 131 of 03.07.2015 sets out the following grounds for selection:	
	Recording in a relevant professional register:	
	It shall be entered between one of the relevant national trade or professional registers or from the EU Member States in which it is established	☒ Yes
	<i>Is this information available free of charge to the authorities from a national database?</i>	☒ Yes To be filled in by the economic operator: text the internet address, issuing authority or issuing body. The exact reference of the documentation.
B.	Economic and financial capacity	
	Article 20.1 of Law 131 of 03.07.2018 on public procurement lays down that, <i>The demonstration of economic and financial capacity of the economic operator shall be carried out by submitting one or more relevant documents, such as</i>	

	Annual turnover Article 20 of Law No. 131 of 03.07.2018 on Public Procurement lays down that. <i>Para. (1¹): For the purposes of paragraph 1(c), the minimum annual turnover imposed on economic operators shall not exceed twice the estimated value of the contract, except in duly justified cases such as those relating to the special risks linked to the nature of the goods, works or services. The contracting authority shall state the main reasons for such a requirement in the awarding documentation. Where a contract is divided into lots, the turnover index shall be applied for each individual lot. However, the contracting authority shall determine the minimum annual turnover imposed on economic operators in relation to groups of lots where several lots are to be awarded to the successful bidder at the same time. Where contracts based on a framework agreement are to be awarded, the maximum annual turnover shall be calculated on the basis of the expected maximum size of specific contracts to be executed at the same time or, if it is not known, on the basis of the estimated value of the framework agreement. In the case of dynamic purchasing systems, the maximum annual turnover shall be calculated on the basis of the anticipated maximum size of specific contracts to be awarded under that scheme.</i>	
	The annual turnover for the number of financial years imposed in the relevant notice, procurement documents or in the ESPD shall be as follows: To be completed by the contracting authority Value	To be completed by the economic operator Turnover: [Financial report]
	<i>Is this information available free of charge to the authorities from a national database?</i>	☒ Yes To be filled in by the economic operator: text the internet address, issuing authority or issuing body. The exact reference of the documentation.
	Financial report	
	Will the economic operator be able to provide the registered financial report, extracts from the financial report, or provide information enabling the contracting authority or the contracting entity to obtain this report directly by accessing a national database in any State, available free of charge?	☒ Yes
	<i>Is this information available free of charge to the authorities from a national database?</i>	☒ Yes To be filled in by the economic operator: text the internet address, issuing authority or issuing body. The exact reference of the documentation.
	<i>If the contracting authority or the contracting entity requests in the contract notice the submission of forms containing information on economic or financial capacity, please provide the forms requested in the contract notice.</i>	
	Article 20 of Law No. 131 of 03.07.2018 on Public Procurement lays down that. <i>Para. (5) If the bidder/candidate demonstrates his economic and financial capacity by relying on the support given, in accordance with para.(4), by another person, he or she is required to prove his or her support by producing in written form a binding commitment of the person concerned, concluded in authentic form, confirming that he or she will make available the claimed financial resources to the bidder/candidate. The person providing financial support shall comply with the relevant selection criteria and shall not be in any of the situations referred to in Article 18 para.(1) and para.(2) letter (a), (c) and (d) 3, which leads to exclusion from the award procedure.</i> <i>Para. (6) When the bidder/candidate relies on the capacities of another person in respect of criteria relating to economic and financial capacity, the contracting authority shall require that the bidder/candidate and that person be jointly liable for the performance of the contract.</i> <i>Para. (7) Under the same conditions laid down in paragraphs (4) to (6), an association of economic operators shall have the right to rely on the capacities of members of the association or other persons.</i>	
C.	Technical and/or professional ability	
	Article 21 of Law No. 131 of 03.07.2015 sets out the following grounds for selection:	
	Will the economic operator be able to provide the documents requested by the contracting authority or contracting entity in the contract notice proving the technical and/or professional capacity to perform the future contract, or to provide information enabling the contracting authority or contracting entity to obtain this information directly by accessing a national database in any State, available free of charge?	☒ Yes
	<i>Is this information available free of charge to the authorities from a national database?</i>	☒ Yes To be filled in by the economic operator: text the internet address, issuing authority or issuing body. The exact reference of the documentation.
	<i>If the contracting authority or the contracting entity requires the submission of some forms in the contract notice containing information on technical or professional capacity, please provide the forms requested in the contract notice.</i>	
	Technical installations and quality assurance measures	
	Please provide details of the technicians or technical bodies that the economic operator may require, in particular those responsible for quality control in relation to this public procurement exercise.	ISO Certificates and Engineering Certificates for Authorized Service.
	Please provide a statement on the management and traceability systems used in the supply chain.	☒ Yes
	<i>Is this information available free of charge to the authorities from a national database?</i>	☒ Yes To be filled in by the economic operator: text the internet address, issuing authority or issuing body. The exact reference of the documentation.
	<i>If the contracting authority or the contracting entity requires the submission of some forms in the contract notice, please provide the forms requested in the contract notice.</i>	
	Study diplomas and professional qualifications	
	The following educational and professional qualifications shall be held by the service provider or by the contractor itself and/or in accordance with the requirements set out in the contract notice or in the procurement documents by its managerial staff. ISO Certificates and Engineering Certificates for Authorized Service.	ISO Certificates and Engineering Certificates for an Authorized Service.
	<i>Is this information available free of charge to the authorities from a national database?</i>	☒ Yes To be filled in by the economic operator: text the internet address, issuing authority or issuing body. The exact reference of the documentation.
	<i>If the contracting authority or the contracting entity requires the submission of some forms in the contract notice, please provide the forms requested in the contract notice.</i>	

	Number of managerial staff members	
	The number of managerial staff members of the economic operator over the past three years was as follows.	2017 – 7 2018 – 5 2019 – 5
	<i>If the contracting authority or the contracting entity requires the submission of some forms in the contract notice, please provide the forms requested in the contract notice.</i>	

Part V - General guidelines for all selection criteria

Part V – shall be completed online by the contracting authority, the contracting entity and the economic operators and shall include.

A.	Compliance with all selection criteria:	
	Will the economic operator be able to provide the forms, certificates, opinions and other documents indicated in the contract notice, or to provide information enabling the contracting authority or the contracting entity to obtain such documents, directly by accessing a national database in any State, available free of charge? Deadline (upon request)	☒ Yes
	<i>Is this information available free of charge to the authorities from a national database?</i>	☒ Yes To be filled in by the economic operator: text the internet address, issuing authority or issuing body. The exact reference of the documentation.

Part VI - Preselection of qualified candidates for the restricted tender procedure, negotiation, competitive dialogue and innovation partnership

Part VI shall be completed online by the contracting authority, the contracting entity and the economic operators and shall include.

The economic operator declares that: It fulfills the applicable objective and non-discriminatory criteria or rules for limiting the number of candidates in the following manner:	
The economic operator declares that: It has certificates or other forms of supporting documents as required by the relevant contract notice:	
<i>Is this information available free of charge to the authorities from a national database?</i>	☒ Yes To be filled in by the economic operator: text the internet address, issuing authority or issuing body. The exact reference of the documentation.

Part VII - Final statements

The economic operator states that the information listed in Parts II to VI above is accurate and correct and that it has been provided with full knowledge of the consequences of serious cases of false declarations.

The economic operator shall officially declare that it may, upon request and without delay, provide the certificates and other forms of documentary evidence referred to, unless:

1. The contracting authority or the contracting entity shall be able to obtain the supporting documents in question directly by accessing a relevant database which is available free of charge, and shall be granted access to that information where necessary.

The economic operator declares officially that it agrees that the **Customs Service**, as described in Part I, Section A, will have access to the supporting documents relating to the information it has provided in this European Single Procurement Document for the purpose no. **OCDS-B3WDP1-MD-1605182318039**.

Name: Marc Stockings
Position: Contracts Manager, EMEA
Date: November 16, 2020
Place: Cambridge, United Kingdom

