**FORM 1**

BIDDER

……………………………

(Denomination / name)

**OFFER FORM**

To .............................................................................................

(Name of the contracting authority and full address)

Dear Sirs,

1. Examining the invitation of participation we the undersigned …………..................... , representatives of bidder ……………… .......................................... / (bidder denomination / name), we offer to provide ***“Credit rating services”*** for CNTEE TRANSELECTRICA SA, for the total amount of ………………. EURO, to which VAT is added amounting to ......... EURO.
2. We commit **not to** include in the contract and **not to** request other prices than those mentioned in our financial offer.
3. We commit to maintain this offer valid for 60 days᾽ interval, namely until ……………… / (day, month, year); the offer will remain obligatory to us and can be accepted any time before expiry of its validity term.
4. Mention should be made we do not submit alternative offer.
5. We understand you are not obliged to accept the offer with the lowest price or any other offer you might receive.

Date …….................

[*Clear name and surname and signature*] ………………..............................................., in capacity ........................... legally authorised to sign the offer for and on behalf of ………………...................................... [*Denomination / name of the economic operator*]

**Annex to Form 1**

|  |  |  |
| --- | --- | --- |
| **Deliverable item** | **Price in EURO, VAT free** | **Price in EURO with VAT** |
| Initial credit rating of issuer Transelectrica for the first contractual year (private point-in-time rating) |  |  |
| Updated rating revaluating the credit rating of issuer Transelectrica for the first contractual year (rating monitoring) |  |  |
| Updated rating whereby it will evaluate the credit profile of Transelectrica in the second contractual year |  |  |
| **TOTAL CONTRACTUAL PRICE** |  |  |

Date …….................

[*Clear name and surname and signature*] ………………..............................................., in capacity of .......................................... legally authorised to sign the offer for and on behalf of …………...................................................... [*Denomination / name of the economic operator*]

**FORM 2**

*ECONOMIC OPERATOR*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Denomination / name)

**STATEMENT**

The undersigned .................................................. [*insert the name of the economic operator – legal person*], in capacity of bidder to the procedure organised by CNTEE TRANSELECTRICA SA in view of procuring ***“Credit rating services”***, Code CPV66171000-9**,** on ............................. [*insert the date*],

Do declare on my own account:

1. I have carried out the payment liabilities of taxes, charges and social insurance contributions to the budgets composing the general consolidated budget in accordance with the legal provisions applicable by the requested date ..................... .
2. When elaborating the offer I took into account all the relevant obligations in environmental, social and work relation terms;
3. I am not under insolvency procedure or liquidation, under judiciary supervision, or about to end my activity;
4. I have not committed any serious professional violation, which brings my integrity in question;
5. I did not previously participate in the preparation of the granting procedure which has led to distorted competition, and such situation cannot be remedied by other less severe measures;
6. I have not severely or repeatedly trespassed the main obligations devolving to me under any public procurement contract, and such transgressions did not lead to the anticipated termination of that contract, to paying damages or other similar penalties;
7. Our company does not participate into the verification / assessment of participation requests / offers from persons holding social participations, interest quotas, shares from the subscribed capital of one of the bidders / candidates, supporting third parties or proposed subcontractors or of persons that are members in the administration board / managerial or supervisory body of one of the bidders / candidates, supporting third parties or proposed subcontractors;
8. Our company does not participate in the verification / assessment of participation requests / offers from a person that is husband/wife, kinsperson or marriage relative up to the second degree inclusive, of persons that are members in the administration board / managerial or supervisory body of one of the bidders / candidates, supporting third parties or proposed subcontractors;
9. Our company has no members in the administration board / managerial or supervisory body and/or no shareholders or significant associates being persons that are husbands/ wives, kinspersons or marriage relatives up to the second degree inclusive or that have trading relations with persons that are decision-makers in the contracting entity or with the procurement service supplier involved in the granting procedure;
10. Our company has no persons that are husbands/wives, kinspersons or marriage relatives up to the second degree inclusive or are under trading relations with the decision-makers of the contracting entity or the procurement service supplier involved in the granting procedure.

At the same time I declare on my own account, pending sanction applied for false public documents that I have not been condemned by final judgment of a law court for:

1. Constituting an organised delinquent group, provided in article 367 of Law 286/2009 regarding the Criminal Code, with later amendments and additions;
2. Corruption offences provided in articles 289-294 of Law 286/2009, with later amendments and additions, and transgressions assimilated to corruption offences provided in articles 10-13 of Law 78/2000 to prevent, discover and punish corruption deeds, with later amendments and additions;
3. Offences against the European Union᾽ financial interests provided in article 18^1-18^5 of Law 78/2000, with later amendments and additions;
4. Terrorism deeds provided in articles 32-35 and articles 37-38 of Law 535/2004 regarding prevention and fight against terrorism, with later amendments and additions;
5. Money laundry provided in article 29 of Law 656/2002 to prevent and punish money laundry and to institute prevention measures fighting against terrorism financing, republished, with later amendments, or terrorism financing provided in article 36 of Law 535/2004, with later amendments and additions;
6. Traffic and abuse of vulnerable persons provided in articles 209-217 of Law 286/2009, with later amendments and additions;
7. Fraud, in the sense of article 1 from the Convention regarding protection of financial interests of the European Communities of 27 November 1995.

I the undersigned declare the information supplied is complete and accurate in each detail and I understand the contracting entity is entitled to request any proving documents we might have with a view to verify and confirm the statements.

I understand in case this statement does not comply with reality I am liable of violating the provisions of criminal legislation regarding false statements.

Bidder, Date

...............

*[Clear name and surname and signature]*

Representative / Legal representative

**FORM 3**

*ECONOMIC OPERATOR*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Denomination / name)

**CERTIFICATE**

**Of participation to the procurement procedure with independent offer**

I. I / We the undersigned, ........................., representative(s) / legal representative(s) of ..............................................................................................................., bidder / association participating in the procurement procedure **“*Credit rating services*”**, organised by CNTEE TRANSELECTRICA SA on ........................,

Certify hereby the information contained is true and complete in all respects.

II. Hereby certify on behalf of ....................................................................... the following:

1. I / We have read and understood the content of this certificate;

2. I / We agree with our disqualification from the public procurement procedure in case what I / we have declared is proved untrue and/or incomplete in any respect;

3. Each signature provided in this document represents the person designated to submit the participation offer, including as regards the terms contained therein;

4. In the sense of this certificate, by competitor is understood any natural or legal person, other than the bidder on whose behalf we execute this certificate providing an offer in the same public procurement procedure or might make an offer, as it complies with the participation terms;

5. The submitted offer was devised and formulated independently of any competitor, without any consultation, communications, understandings or arrangements with such;

6. The submitted offer does not contain items derived from competitor understandings with respect to prices/tariffs, their calculation methods/formulas, our intention to make or not an offer under the respective procedure or our intention to include in such offer items which, by their nature, have no relation with the object of such procedure;

7. The submitted offer does not contain items derived from competitor understandings with respect to the quality, quantity, particular specifications of the offered products or services;

8. The offer details have not been communicated, directly or indirectly, to any competitor before the official public opening date, notified by the contractor.

III. Pending the sanctions provided in applicable legislation I / we declare what has been registered in this certificate is true and wholly compliant with reality.

Bidder, Date

...............

*[Clear name and surname and signature]*

Representative / Legal representative

*ECONOMIC OPERATOR*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Denomination / name)

**ACCOMPANYING LETTER**

To: **CNTEE TRANSELECTRICA SA**

In reply to the participation invitation number ................................. of ..................................... with respect to the application of the **“*Credit rating services*”** procurement procedure

We ........................................... hereby transmit the following documents:

a) Offer;

b) Documents accompanying the offer.

We hope our offer is adequate and will comply with the requirements.

|  |  |
| --- | --- |
| **Name of economic operator** | **Contact data of the economic operator – address, phone, fax, email, contact person** |
|  |  |

Filling in date ................................................

Economic operator

Representative / Legal representative

*[Clear name and surname and signature]*

.....................................