

GENERAL CONDITIONS OF ELIGIBILITY and EXCLUSION

1) Corruption, fraud, collusion or coercion

PUI may reject any proposal or terminate any contract for the provision, purchase of goods or services if one or more of the mentioned practices are found to be used by the contractor:

- Corruption practice is defined as offering, giving, receiving or soliciting, directly or indirectly, anything of value to improperly influence the activities of the contracting authority;

- Fraudulent practice is any act or omission, including a misrepresentation, which knowingly or not misleads, or attempts to mislead, the contracting authority in order to obtain a financial or other advantage or to avoid an obligation;

- Collusion is a secret agreement between two or more tenderers or candidates, the purpose of which is to artificially alter the outcome of the procurement procedure in order to obtain a financial or other advantage;

- Coercive practice is to prejudice or harm, or threaten to prejudice or harm, directly or indirectly, any person involved in the procurement process with a view to improperly influencing their activities.

2) Exploitation of child labour and non-respect of social rights and basic working conditions

PUI, as specified in its charter and internal regulations, fully complies with the International Convention on the Rights of the Child. We would like to draw the attention of our potential suppliers to article 32 of this convention, which states that children shall not be subjected to work that may jeopardise their right to education or have adverse effects on their health, growth or human development.

Suppliers are clearly told that they are not allowed to employ or use children under the age of 18 for the implementation of the entire contract. Furthermore, the supplier commits to respecting working conditions for its employees based on international labour standards and regulations. PUI expects its potential suppliers to comply with their social security and tax obligations in accordance with the applicable legislation. Potential suppliers undertake and guarantee that neither their organization nor any of its subcontractors are involved in illegal activities of any kind or contribute to the financing of terrorism and money laundering in any form. PUI requires its potential suppliers and subcontractors to take the necessary measures to prevent situations or cases of sexual abuse and exploitation. PUI reserves the right to reject the application and/or terminate the contract if the supplier does not comply with these principles.

3) Ineligibility criteria

Candidates or tenderers must not be subjected to any of the following cases:

- They are bankrupt or being under bankruptcy procedure, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

- They have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;

- They have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;

- 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 of the contracting authority or those of the country where the contract is to be performed;

- They have been the subject of a judgment 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;

- Following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

- Candidates or tenderers must certify by any appropriate means that they are not in one of the situations listed above.

4) Causes of exclusion

Contracts shall not be awarded to candidates or tenderers who, during the procurement procedure :

- Do not meet the technical expectations set out in the request
- Are in a situation of conflict of interest;
- Are guilty of misrepresentation in providing the information required by the humanitarian organisation for participation in the contract or fail to provide such information.

5) Transparency clause

As a humanitarian organization, PUI requires that the supplier/tenderer comply with the basic standards of transparency in the procurement process related to the future contract. The supplier undertakes to provide full right of access to premises and documents, including documents, decisions and evidence relating to the procurement, whether these belong to the humanitarian organisation or to one of its contractors.

Read and approved,

Name

Signature

Stamp