

Statement of Environmental and Social Integrity, Eligibility, and Commitment

Title of the call for tenders: _____ (the
"Contract")

Published by: _____ (the
"Client")

1. We acknowledge and accept that the French Development Agency (AFD) only finances the Client's projects on its own terms which are determined by the Financing Agreement that binds it to the Client. Consequently, there can be no legal relationship between AFD and our company, our group and our subcontractors. The Contracting Authority retains exclusive responsibility for the preparation and implementation of the procurement process and their subsequent performance.
2. We certify that we are not, and that none of the members of our group and our subcontractors are, in any of the following cases:
 - 2.1) be in a state of or have been the subject of bankruptcy, liquidation, judicial settlement, safeguard, cessation of activity or be in any similar situation resulting from proceedings of the same nature;
 - 2.2) have been convicted within the last five years by a judgment having the force of res judicata in the country where the Project is carried out for one of the acts referred to in Articles 6.1 to 6.4 below or for any offence committed in the context of the award or performance of a contract¹;
 - 2.3) be included on the Financial Sanctions Lists adopted by the United Nations, the European Union and/or France, in particular in the fight against the financing of terrorism and against breaches of international peace and security;
 - (2.4) in professional matters, having committed serious misconduct in the last five years in connection with the award or performance of a contract;
 - 2.5) have not fulfilled our obligations relating to the payment of social security contributions or our obligations relating to the payment of our taxes in accordance with the legal provisions of the country in which we are established or those of the country of the Employer;
 - 2.6) have been convicted for less than five years by a judgment having the force of res judicata for one of the acts referred to in Articles 6.1 to 6.4 below or for any offence committed in the context of the award or performance of a contract

¹ In the event of such a conviction, you can attach to this Declaration of Integrity additional information that will allow you to consider that this conviction is not relevant in the context of the contract financed by AFD.

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(2.7) be subject to an exclusion decision issued by the World Bank, as of 30 May 2012, and as such be listed at the e-mail address <http://www.worldbank.org/debarr>²;

2.8) made false statements by providing the information required in the procurement process.

3. We certify that we are not, and that none of the members of our group and our subcontractors are, in any of the following situations of conflict of interest:

3.1) shareholder controlling the Contracting Authority or subsidiary controlled by the Contracting Authority, unless the resulting conflict has been brought to the attention of the AFD and resolved to its satisfaction.

3.2) have a business or family relationship with a member of the Client's services involved in the selection process or the control of the resulting contract, unless the resulting conflict has been brought to the attention of AFD and resolved to its satisfaction;

3.3) control or be controlled by another bidder, be under the control of the same company as another bidder, receive from another bidder or award to another bidder directly or indirectly subsidies, have the same legal representative as another bidder, directly or indirectly maintain contacts with another bidder allowing us to have and give access to the information contained in our bids to influence them, or to influence the decisions of the Contracting Authority;

3.4) be engaged for a consulting assignment which, by its nature, may prove incompatible with our missions on behalf of the Client;

(3.5) in the case of a procedure for the award of a works or supply contract,

i. have prepared ourselves or have been associated with a consultant who has prepared specifications, plans, calculations and other documents used in the relevant competitive bidding process;

ii. be ourselves, or one of the firms with which we are affiliated, recruited, or to be recruited, by the Employer to supervise or control the work under the Contract.

4. If we are a public institution or a public company, we certify that we enjoy legal and financial autonomy and that we are managed according to the rules of commercial law³.

5. We undertake to communicate without delay to the Contracting Authority, who will inform the AFD, any change in situation with regard to points 2 to 4 above.

6. In the context of the award and performance of the Contract:

² In the event of such an exclusion decision, you may attach to this Declaration of Integrity additional information that will allow you to consider that this exclusion decision is not relevant in the context of the contract financed by AFD.

³ Article to be deleted, if necessary, in the case of a contract concluded with a public company without a call for competition.

6.1) We have not committed and will not commit any unfair tactic (act or omission) intended to deliberately deceive others, to intentionally conceal elements from them, to surprise or vitiate their consent or to circumvent legal or regulatory obligations and/or to violate its internal rules in order to obtain an improper benefit.

6.2) We have not committed and will not commit any unfair practice (act or omission) contrary to our legal or regulatory obligations and/or internal rules in order to obtain an improper benefit.

6.3) We have not promised, offered or granted and we will not promise, offer or grant, directly or indirectly, to (i) any person holding a legislative, executive, administrative or judicial office within the Employer's State, whether appointed or elected, whether permanent or not, whether remunerated or unpaid and at any hierarchical level, (ii) any other person who performs a public function, including for a public body or a public enterprise, or who provides a public service, or (iii) any other person defined as a public official in the State of the Employer, an undue advantage of any kind, to himself or to another person or entity, in order that he performs or refrains from performing an act in the exercise of his official duties.

6.4) We have not promised, offered or granted and we will not promise, offer or grant, directly or indirectly, to any person who runs or works for a private sector entity, in any capacity, any undue advantage of any kind, for himself or for any other person or entity, so that he or she performs or refrains from performing an act in violation of his or her legal, contractual or professional obligations.

6.5) We have not committed and will not commit any act likely to influence the Procurement process to the detriment of the Contracting Authority and, in particular, any Anticompetitive Practices having as their object or effect the prevention, restriction or distortion of competition, in particular by tending to limit access to the Market or the free exercise of competition by other companies.

6.6) We, or any of the members of our group, or any of the subcontractors will not acquire or supply equipment and will not intervene in sectors under the embargo of the United Nations, the European Union or France.

6.7) We undertake to respect and ensure that all our subcontractors comply with the environmental and social standards recognized by the international community, including the fundamental conventions of the International Labour Organization (ILO) and the international conventions for the protection of the environment, in accordance with the laws and regulations applicable to the country in which the Contract is performed. In addition, we are also committed to implementing environmental and social risk mitigation measures as defined in the Environmental and Social Management Plan or, where applicable, in the Environmental and Social Impact Statement provided by the Employer.

7. We, the members of our consortium and our subcontractors authorise AFD to examine the documents and accounting documents relating to the award and performance of the Contract and to submit them for verification to auditors

appointed by AFD.

Name: _____ As : _____

Signature: _____

Duly authorized to sign the tender for and on behalf of⁴ _____

As of: _____ Day of: _____

⁴ In the case of a grouping, enter the name of the group. The person signing the bid on behalf of the Bidder will attach to the Bid the Power of Attorney granted by the Bidder.