European Single Procurement Document (ESPD)

Part I: Information concerning the procurement procedure and the contracting authority or contracting entity

Information about publication

For procurement procedures in which a call for competition has been published in the Official Journal of the European Union, the information required under Part I will be automatically retrieved, provided that the electronic ESPD-service is used to generate and fill in the ESPD. Reference of the relevant notice published in the Official Journal of the European Union:

Received notice number

2019/S 243-596694

Notice number in the OJS:

-

OJS URL

National Official Journal

-

In case publication of a notice in the Official Journal of the European Union is not required, please give other information allowing the procurement procedure to be unequivocally identified (e. g. reference of a publication at national level)

Identity of the procurer

Official name:

Zavod Republike Slovenije za blagovne rezerve

Country:

Slovenia

Information about the procurement procedure

Type of procedure

Open procedure

Title:

Exchange of oil products

Short description:

The subject-matter of the public procurement is the replacement (exchange) of the petroleum products as set forth below : o The sale of app. 30,488 cbm of diesel fuel and o The purchase of app. 31,000 of diesel fuel.

File reference number attributed by the contracting authority or contracting entity (if applicable):

-

Part II: Information concerning the economic operator

A: Information about the economic operator

Name:

-

Street and number:

-

Postcode:

-

City:

-

Country:

Internet address (web address) (if applicable):

-

E-mail:

-

Telephone:

-

Contact person or persons:

-

VAT number, if applicable:

-

If no VAT number is applicable, please indicate another national identification number, if required and applicable

-

Is the economic operator a Micro, a Small or a Medium-Sized Enterprise?

❍ Yes

❍ No

Only in case the procurement is reserved: is the economic operator a sheltered workshop, a 'social business' or will it provide for the performance of the contract in the context of sheltered employment programmes?

❍ Yes

❍ No

What is the corresponding percentage of disabled or disadvantaged workers?

-

If required, please specify which category or categories of disabled or disadvantaged workers the employees concerned belong to?

-

If applicable, is the economic operator registered on an official list of approved economic operators or does it have an equivalent certificate (e.g. under a national (pre)qualification system)?

❍ Yes

❍ No

- Please answer the remaining parts of this Section, Sections B and, where relevant, C of this Part, complete Part V, where applicable, and, in any case, fill in and sign Part VI.

a) Please provide the name of the list or certificate and the relevant registration or certification number, if applicable:

-

b) If the certificate of registration or certification is available electronically, please state:

-

c) Please state the references on which the registration or certification is based, and, where applicable, the classification obtained in the official list:

-

d) Does the registration or certification cover all of the required selection criteria?

❍ Yes

❍ No

- In addition, please complete the missing information in Part IV, Sections A, B, C or D as the case may be ONLY if this is required in the relevant notice or procurement documents

e) Will the economic operator be able to provide a certificate with regard to the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtaining it directly by accessing a national database in any Member State that is available free of charge?

❍ Yes

❍ No

If the relevant documentation is available electronically, please indicate:

-

Is the economic operator participating in the procurement procedure together with others?

❍ Yes

❍ No

- Please ensure that the others concerned provide a separate ESPD form.

a) Please indicate the role of the economic operator in the group (leader, responsible for specific tasks...):

-

b) Please identify the other economic operators participating in the procurement procedure together:

-

c) Where applicable, name of the participating group:

-

Where applicable, indication of the lot(s) for which the economic operator wishes to tender:

-

B: Information about representatives of the economic operator #1

- Where applicable, please indicate the name(s) and address(es) of the person(s) empowered to represent the economic operator for the purposes of this procurement procedure:

First name

-

Last name

-

Date of birth

-

Place of birth

-

Street and number:

-

Postcode:

-

City:

-

Country:

E-mail:

-

Telephone:

-

Position/Acting in the capacity of:

-

If needed, please provide detailed information on the representation (its forms, extent, purpose ...):

-

C: Information about reliance on the capacities of other entities

Does the economic operator rely on the capacities of other entities in order to meet the selection criteria set out under Part IV and the criteria and rules (if any) set out under Part V below?

❍ Yes

❍ No

- Please provide a separate ESPD form setting out the information required under 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 this should also include any technicians or technical bodies, not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, the technicians or technical bodies upon whom the economic operator can call in order to carry out the work.
  Insofar as it is relevant for the specific capacity or capacities on which the economic operator relies, please include the information under Parts IV and V for each of the entities concerned.

D: Information concerning subcontractors on whose capacity the economic operator does not rely

- (Section to be filled-in only if this information is explicitly required by the contracting authority or contracting entity.)

Does the economic operator intend to subcontract any share of the contract to third parties?

❍ Yes

❍ No

If yes and in so far as known, please list the proposed subcontractors:

-

- If the contracting authority or contracting entity explicitly requests this information in addition to the information under Part I, please provide the information required under Sections A and B of this Part and Part III for each of the (categories of) subcontractors concerned.

Part III: Exclusion grounds

A: Grounds relating to criminal convictions

Article 57(1) of Directive 2014/24/EU sets out the following reasons for exclusion

Participation in a criminal organisation

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation,

decision or control therein been the subject of a conviction by final judgment for participation in a criminal organisation, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

Your answer?

❍ Yes

❍ No

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Corruption

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for corruption, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, OJ C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator. "

Your answer?

❍ Yes

❍ No

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Fraud

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for fraud, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48).

Your answer?

❍ Yes

❍ No

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Terrorist offences or offences linked to terrorist activities

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for terrorist offences or offences linked to terrorist activities, by a conviction

rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision.

Your answer?

❍ Yes

❍ No

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Money laundering or terrorist financing

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for money laundering or terrorist financing, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

Your answer?

❍ Yes

❍ No

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Child labour and other forms of trafficking in human beings

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for child labour and other forms of trafficking in human beings, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

Your answer?

❍ Yes

❍ No

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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B: Grounds relating to the payment of taxes or social security contributions

Article 57(2) of Directive 2014/24/EU sets out the following reasons for exclusion

Payment of taxes

Has the economic operator breached its obligations relating to the payment of taxes, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?

Your answer?

❍ Yes

❍ No

Country or Member State concerned

Amount concerned

-

Has this breach of obligations been established by means other than a judicial or administrative decision?

❍ Yes

❍ No

If this breach of obligations was established through a judicial or administrative decision, was this decision final and binding?

❍ Yes

❍ No

Please indicate the date of conviction or decision

-

In case of a conviction, insofar as established directly therein, the length of the period of exclusion

-

Please describe which means were used

-

Has the economic operator fulfilled its obligations by paying or entering into a binding arrangement with a view to paying the taxes or social security contributions due, including, where applicable, any interest accrued or fines?

❍ Yes

❍ No

Please describe them

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Payment of social security

Has the economic operator breached its obligations relating to the payment social security contributions, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?

Your answer?

❍ Yes

❍ No

Country or Member State concerned

Amount concerned

-

Has this breach of obligations been established by means other than a judicial or administrative decision?

❍ Yes

❍ No

If this breach of obligations was established through a judicial or administrative decision, was this decision final and binding?

❍ Yes

❍ No

Please indicate the date of conviction or decision

-

In case of a conviction, insofar as established directly therein, the length of the period of exclusion

-

Please describe which means were used

-

Has the economic operator fulfilled its obligations by paying or entering into a binding arrangement with a view to paying the taxes or social security contributions due, including, where applicable, any interest accrued or fines?

❍ Yes

❍ No

Please describe them

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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C: Grounds relating to insolvency, conflicts of interests or professional misconduct

Article 57(4) of Directive 2014/24/EU sets out the following reasons for exclusion

Breaching of obligations in the field of environmental law

Has the economic operator, to its knowledge, breached its obligations in the field of environmental law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

Your answer?

❍ Yes

❍ No

Please describe them

-

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

❍ Yes

❍ No

Please describe them

-

Breaching of obligations in the field of social law

Has the economic operator, to its knowledge, breached its obligations in the field of social law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

Your answer?

❍ Yes

❍ No

Please describe them

-

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

❍ Yes

❍ No

Please describe them

-

Breaching of obligations in the fields of labour law

Has the economic operator, to its knowledge, breached its obligations in the field of labour law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

Your answer?

❍ Yes

❍ No

Please describe them

-

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

❍ Yes

❍ No

Please describe them

-

Bankruptcy

Is the economic operator bankrupt? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

❍ Yes

❍ No

Please describe them

-

Indicate reasons for being able nevertheless to perform the contract

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Insolvency

Is the economic operator the subject of insolvency or winding-up? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

❍ Yes

❍ No

Please describe them

-

Indicate reasons for being able nevertheless to perform the contract

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Arrangement with creditors

Is the economic operator in arrangement with creditors? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

❍ Yes

❍ No

Please describe them

-

Indicate reasons for being able nevertheless to perform the contract

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Analogous situation like bankruptcy under national law

Is the economic operator in in any analogous situation like bankruptcy arising from a similar procedure under national laws and regulations? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

❍ Yes

❍ No

Please describe them

-

Indicate reasons for being able nevertheless to perform the contract

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Assets being administered by liquidator

Are the assets of the economic operator being administered by a liquidator or by the court? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

❍ Yes

❍ No

Please describe them

-

Indicate reasons for being able nevertheless to perform the contract

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Business activities are suspended

Are the business activities of the economic operator suspended? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

❍ Yes

❍ No

Please describe them

-

Indicate reasons for being able nevertheless to perform the contract

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Guilty of grave professional misconduct

Is the economic operator guilty of grave professional misconduct? Where applicable, see definitions in national law, the relevant notice or the procurement documents.

Your answer?

❍ Yes

❍ No

Please describe them

-

Have you taken measures to demonstrate your reliability ("Self-Cleaning")

❍ Yes

❍ No

Please describe them

-

Guilty of misinterpretation, withheld information, unable to provide required documents and obtained confidential information of this procedure

Can the economic operator confirm that:

a) It has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria,

b) It has withheld such information,

c) It has not been able, without delay, to submit the supporting documents required by a contracting authority or contracting entity, and

d) It has undertaken to unduly influence the decision making process of the contracting authority or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award?

Your answer?

❍ Yes

❍ No

D: Purely national exclusion grounds

Do the purely national grounds of exclusion, which are specified in the relevant notice or in the procurement documents, apply?

Purely national exclusion grounds

Other exclusion grounds that may be foreseen in the national legislation of the contracting authority's or contracting entity's Member State. Has the economic operator breached its obligations relating to the purely national grounds of exclusion, which are specified in the relevant notice or in the procurement documents?

Your answer?

❍ Yes

❍ No

Please describe them

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes
❍ No

URL

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Reference/Code

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Issuer

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Part IV: Selection criteria

A: Suitability

Article 58(2) of Directive 2014/24/EU sets out the following selection criteria

Enrolment in a trade register

It is enrolled in trade registers kept in the Member State of its establishment as described in Annex XI of Directive 2014/24/EU; economic operators from certain Member States may have to comply with other requirements set out in that Annex.

Your answer?

❍ Yes
❍ No

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes
❍ No

URL

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Reference/Code

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Issuer

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B: Economic and financial standing

Article 58(3) of Directive 2014/24/EU sets out the following selection criteria

Other economic or financial requirements

Concerning the other economic or financial requirements, if any, that may have been specified in the relevant notice or the procurement documents, the economic operator declares that:

Please describe them

-

Is this information available at no cost to the authorities from an EU Member State database?

❍ Yes

❍ No

URL

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Reference/Code

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Issuer

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Finish

Part VI: Concluding statements

The economic operator formally declares that the information stated under Parts II - V above is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.

The economic operator formally declares to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where:

a) The contracting authority or contracting entity has the possibility of obtaining the supporting documentation concerned directly by accessing a national database in any Member State that is available free of charge (on condition that the economic operator has provided the necessary information (web address, issuing authority or body, precise reference of the documentation) allowing the contracting authority or contracting entity to do so. Where required, this must be accompanied by the relevant consent to such access), or

b) As of 18 October 2018 at the latest (depending on the national implementation of the second subparagraph of Article 59(5) of Directive

2014/24/EU), the contracting authority or contracting entity already possesses the documentation concerned.

The economic operator formally consents to the contracting authority or contracting entity as set out in Part I, gaining access to documents supporting the information, which has been provided in Part III and Part IV of this European Single Procurement Document for the purposes of the procurement procedure as set out in Part I.

Date, place and, where required or necessary, signature(s):

Date

-

Place

-

Signature