**INTERNATIONAL TENDER (IT)**

**INTERNATIONAL TENDER Title**: Turnkey Basis Delivery of IVD flow cytometer (for in vitro diagnostics) semi-automatic, comes as the set, with required specialized software for clinical analysis, reagents for IVD flow cytometer for laboratory diagnostics of onco-hematological diseases to KYIV REGIONAL CHILDREN HOSPITAL, 83 Khreshchatyk str., Boyarka, Kyiv Oblast, 08151 Ukraine

**INTERNATION TENDER Number**: **PRF\_UKR\_25\_026\_LV**

**Date of Issue**: February 24th, 2025

**Date of Closing:** March, 11th, 2025 15:00 UTC +2

**Contact for questions**: [tenderasb@asb.org.ua](mailto:tenderasb@asb.org.ua)

Annex No. 3.

Declaration for Candidates and Tenderers

I/we hereby declare that [**full name of the Candidate, Tenderer etc**], established in [**city and country of establishment**] agrees to participate in the preparation of **INTERNATIONAL TENDER PRF UKR\_25\_026\_LV**  in observance of the principles and declarations made hereunder and is fully aware that any failure to comply thereto could lead to its exclusion from the **INTERNATIONAL TENDER PRF UKR\_25\_026\_LV and to the rejection of its [bid/tender].**

I/we hereby declare that **[full name of the Candidate, Tenderer etc**] shall carry out its duties to the highest professional standards in the best interests of the Contracting Authority with no consideration linked to possibilities for future contracts and that it observes the following principles and minimum standards throughout its commercial and procurement activities and has procedures in place to ensure that respect for these principles and standards is upheld by its staff and contractors:

**LABOUR STANDARDS**

Employment is freely chosen.

a. There is no forced, bonded or involuntary prison labor.

b. Workers are not required to lodge `deposits' or their identity papers with the employer and are free to leave their employer after reasonable notice.

Freedom of association and the right to collective bargaining are respected.

a. Workers, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively.

b. Where the right to freedom of association and collective bargaining is restricted under law, the employer facilitates, and does not hinder, the development of parallel means for independent and free association and bargaining.

Working conditions are safe and hygienic.

a. A safe and hygienic working environment shall be provided. Adequate steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work.

b. Access to clean toilet facilities and potable water, and, if appropriate, sanitary facilities for food storage shall be provided.

c. Accommodation, where provided, shall be clean, safe, and meet the basic needs of the workers.

Child Labor shall not be used.

a. The International Labor Organization ("ILO") defines “child labor” as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and

- interferes with their schooling by depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

b. There shall be no recruitment of children and children under 18 years of age shall not be employed at night or in hazardous conditions, including any work which is likely to jeopardize children’s physical, mental or moral health, safety or morals. This shall be ensured in terms of the *ILO Convention No. 182 on the Worst Forms of Child Labor, 1999 and the ILO Convention No. 138 on the Minimum Age for Admission to Employment and Work, 1973.*

Living wages are paid

a. Wages and benefits paid for a standard working week meet, at a minimum, national legal standards or industry benchmarks, whichever is higher.

b. In any event wages should always be high enough to meet basic needs and to provide some discretionary income.

Working hours are not excessive

a. Working hours comply with national laws and benchmark industry standards.

b. In any event, workers shall not on a regular basis be required to work in excess of 48 hours per week and shall be provided with at least one day off for every 7-day period on average.

c. Overtime shall be voluntary, shall not exceed 12 hours per week, shall not be demanded on a regular basis and shall always be compensated at a premium rate.

No discrimination is practiced.

There is no discrimination in hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.

Regular employment is provided.

To every extent possible work performed must be on the basis of a recognized employment relationship established through national law and practice.

No harsh or inhumane treatment is allowed.

Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation shall be prohibited.

**ENVIRONMENTAL STANDARDS**

Suppliers should as a minimum comply with all statutory and other legal requirements relating to the environmental impacts of their business and should aim to address at least the following:

Waste Management.

Waste is minimized and items recycled whenever this is practicable. Effective controls of waste in respect of ground, air, and water pollution are adopted. In the case of hazardous materials, emergency response plans are in place.

Packaging and Paper.

Undue and unnecessary use of materials is avoided, and recycled materials used whenever appropriate.

Conservation.

Processes and activities are monitored and modified as necessary to ensure that conservation of scarce resources, including water, flora and fauna and productive land in certain situations.

Energy Use

All production and delivery processes, including the use of heating, ventilation, lighting, IT systems and transportation, are based on the need to maximize efficient energy use and to minimize harmful emissions.

**TRANSPORT & CARGO STANDARDS**

Any transport services shall be provided by a company which adheres to the highest possible safety and employment standards and which commits to respect human rights and observe international humanitarian law. It is preferred that the company can demonstrate it has an effective ethical policy in place, particularly if the company is a broker or freight-forwarder, in order to ensure that standards are met. If the supplier of the goods is arranging transport then the supplier should ensure that transport services also meet these standards.[[1]](#footnote-2)

Where air transport is required, preference shall be given to providers who are not on the EU Safety Ban List[[2]](#footnote-3) and whose aircraft are registered in countries which meet the International Civil Aviation Organization's standards.

The supplier shall not engage the services of a transport provider known to also transport illicit or illegal goods such as narcotics or to transport arms, ammunition or other conflict-sensitive materials to or from territories subject to a UN or EU embargo.

The supplier shall not engage in the sale or transport of arms or conflict-sensitive supplies to governments which systematically violate the human rights of their citizens; or where there is internal armed conflict or major tensions; or where the sale of arms may jeopardise regional peace and security.

**CONFIDENTIALITY**

The Candidate/Tenderer agrees to hold in trust and confidence any information or documents disclosed to it, discovered by it or prepared by it in the course of or as a result of its participation in the above-mentioned procurement procedure, and agrees that it shall be used only for the purposes of this procedure.

- ELIGIBILITY UNDER EU FINANCIAL RULES

- EXCLUSION CRITERIA

I/we furthermore hereby declare that [**full name of the Candidate, Tenderer etc.**]

(a) is not subject to any conflict of interest in the ongoing procurement procedure for this contract [**INTERNATIONAL TENDER PRF UKR\_25\_026\_LV** with other commitments or contracts recently concluded or to be concluded either individually or through any consortium to which it might belong or through any subsidiary or related company;

(b) is not bankrupt or being wound up or having its affairs administered by the courts. It has not entered into an arrangement with creditors or suspended business activities and is not the subject of proceedings concerning those matters. Neither is it in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

(c) has never been convicted of any offence concerning its professional conduct by a judgment which has the force of res judicata;

(d) has never been proven guilty of any grave professional misconduct;

(e) has never failed to fulfil its obligations relating to the payment of social security contributions or the payment of taxes in accordance with the applicable legal provisions;

(f) has never been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization or any other illegal activity, including coercive or collusive activities, detrimental to the EU's financial interests;

(g) is not currently subject to any administrative penalty imposed by an EU funded donor for (i) being found guilty of misrepresentation in supplying the information required as a condition of participation in a procurement procedure or failing to supply this information; or (ii) being declared in serious breech of its obligations under any contract covered by the EU budget.

Signed on ……………., at ………………………..

Name: ……………………………...……Signature: ……………………………………

1. More resources available at: <http://www.ethicalcargo.org/> [↑](#footnote-ref-2)
2. <http://ec.europa.eu/transport/air-ban/list_en.htm> [↑](#footnote-ref-3)