

"ATTACHMENT II

ECONOMIC PROPOSAL MODEL

I, Mr / Ms _____ with address at _____ (_____) street _____
 _____ nº _____ DNI/NIE [National ID document/Foreigner ID document] nº _____
 _____, acting in my own name (or in representation of the company _____
 _____ with NIF [Tax ID Number] nº _____ and business address at _____
 _____), and corresponding to the notice published in the contractor profile in
 the PLCSP [Spanish acronym, Public Sector Procurement Platform] and in the OJEU [Official Journal of
 the European Union] (when applicable or the procurement entity considers it convenient) _____
 _____ dated _____, and informed of the procurement conditions _____
 _____ (object of the contract) with file nº _____, agree to
 carry out its execution for the amount of _____ (in numbers), excluding Value Added Tax.

This amount will increase by _____% for the concept of Value Added Tax, which comes to a total
 value of € _____.

All of this in compliance with the specific administrative clauses and technical prescriptions, the
 content of which I understand and accept unreservedly, and in particular aware of the obligations
 concerning environmental protection, labour protection, labour conditions and workplace risk
 prevention contained in all applicable legislation in matters of labour, social security, social integration of
 disabled persons and workplace risk prevention, and that the offer made cannot justify an economic,
 organisational, technical or production cause for the modification of the aforementioned obligations, I
 pledge to certify compliance of the aforementioned obligation to the procurement entity, whenever
 required to do so, at any time during the validity period of the contract.

In _____, on the ____ of _____ of _____ (issued within the proposal
 presentation period) (signatory's advanced electronic signature)

María del Carmen Moreno Fernández
 Traductora-Intérprete Jurada de inglés
 N°. 5153

ATTACHMENT III

AFFIDAVIT OF LIABILITY

MANDATORY COMPLETION

To be included in File-Envelope 1

PART I: INFORMATION REGARDING THE PROCUREMENT PROCEDURE AND THE ADJUDICATING POWER.

The information required in Part I shall be indicated by the procurement entity. If it is not provided, this information must be supplied by the economic operator. All remaining information, in all other parts of the Affidavit of Liability, must be supplied by the economic operator.

A: INFORMATION REGARDING PUBLICATION

In the case of procurement procedures in which a call for tender has been published in the Official Journal of the European Union, reference of the pertinent notice published in the Official Journal of the European Union:

1. OJEU S number [], dated [], page [....].

2. NUMBER OF NOTICE IN THE OJS: [] [] [] [] /S [] [] [] [] - [] [] [] [] - [] [] [] []

If there is no call for tender in the Official Journal of the European Union, or if there is no mandate to publish in that medium, the adjudicating power must supply the information that allows for the irrevocable identification of the procurement procedure (e.g. the national publication reference).

B: PROCURER'S IDENTIFICATION¹.

3. OFFICIAL NAME: []

4. COUNTRY: []

C: INFORMATION REGARDING THE PROCUREMENT PROCEDURE.

5. TITLE: []

6. BRIEF DESCRIPTION:² []

7. FILE REFERENCE NUMBER assigned by the adjudicating power:³ []

¹ The information appearing in Section 1, Item I.1 of the pertinent notice must be copied. In case of joint procurement, please indicate the names of all the procurers.

² See Items II.1.1 and II.1.3 of the pertinent notice.

³ See Item II.1.1 of the pertinent notice.

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de Inglés
Nº. 5153

PART II: INFORMATION ABOUT THE ECONOMIC OPERATOR.**A: INFORMATION ABOUT THE ECONOMIC OPERATOR.**

| Identification: | Answer: |
|---|------------------------------------|
| 8. Name: | [.....] |
| 9. VAT number, if applicable: | [.....] |
| 10. If there is no VAT number indicate, if applicable, when required, another national identification number. | [Company's NIF, NIE, VIES or DUNS] |
| 11. Postal address: | [.....] |
| 12. Contact Person or persons: ⁴ | [.....] |
| 13. Telephone: | [.....] |
| 14. Email: ⁵ | [.....] |
| 15. Fax: | [.....] |
| 16. Internet address (website address) (if applicable): | [.....] |
| General Information: | Answer: |
| 17. Is the economic operator a micro-enterprise, a small or a medium business? ⁶ | [] YES [] NO |
| 18. Is the economic operator a newly created company? ⁷ | [] YES [] NO |

⁴ Repeat the relevant information for the contact persons as many times as necessary.

⁵ This must be an authorised email address and, if possible, the same email address authorised when registering the economic operator in the PLCSP.

⁶ See the Commission's Recommendation dated May 6, 2003, regarding the definition of micro-enterprises, small and medium businesses [OJ L 124 dated 20.5.2003, p. 36]. This information is requested solely for statistical purposes.

Micro-enterprise: company with under 10 employees, with an annual business volume or total annual balance not exceeding 2 million EUR.

Small business: company with under 50 employees, with an annual business volume or total annual balance not exceeding 10 million EUR.

Medium business: company that is not a micro-enterprise or a small business, with under 250 employees, and with an annual business volume not exceeding 50 million EUR or total annual balance not exceeding 43 million EUR.

⁷ Defined in the LCSP [Spanish acronym, Public Service Procurement Law] 9/17 as a company created under 5 years ago.

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés

Nº. 5153

| | |
|---|--|
| <p>19. Solely in case of reserved procurement: is the economic operator a sheltered workshop or social company,⁸ or is the work to be carried out in the framework of sheltered labour programmes?</p> <p>In case of affirmative answer,</p> <p>20. What is the corresponding percentage of disabled or disadvantaged workers?</p> <p>21. If necessary, specify what category or categories the disabled or disadvantaged workers in question belong to.</p> | <p>[] YES [] NO</p> <p>[.....%]</p> <p>[.....]</p> |
| <p>22. If applicable, does the economic operator appear on an official list of authorised economic operators or have a valid equivalent certificate (for example, in the framework of an autonomous or national (pre)classification system)?</p> | <p>[] YES [] NO [] Not applicable</p> |
| <p>23. If affirmative:</p> <p>Please answer the remaining questions in this Section, in Section B and, when applicable, in Section C of this Part and, in any case, complete and sign Part IV.</p> <p>a) Indicate the name of the list or certificate and the pertinent registration or certification number:</p> <p>b) If the registration authorisation or the certificate are available in electronic format, please indicate:</p> <p>c) Indicate the references on which the registration or certification is based and, if applicable, the classification obtained on the official list:⁹</p> | <p>a) [.....]</p> <p>b) [website address, issuing authority or entity, exact reference of the documentation]:</p> <p>c) [.....]</p> <p>d) [] YES [] NO</p> |

⁸ In other words, one whose main goal is the social and professional integration of disabled or disadvantaged persons.

⁹ The references and classification, if applicable, appear on the certification.

| | |
|---|---|
| d) Does the registration or certification include all the required selection criteria? | |
| <ul style="list-style-type: none"> Can the economic operator present a certificate regarding the payment of its social security contributions and taxes, or provide information that allows the adjudicating power to obtain it directly through the national database of any Member State, which can be consulted for free? <p>If the pertinent information is available in electronic format, please indicate:</p> | <p>e) <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>[website address, issuing authority or entity, exact reference of the documentation]:</p> |
| Form of Participation: | Answer: |
| 24. Is the economic operator participating in the procurement procedure with others in a temporary joint venture? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| If affirmative, please ensure that the other interested parties present a separate Affidavit of Liability. | |
| <p>25. If affirmative:</p> <ul style="list-style-type: none"> Indicate the function of the economic operator within the group (leading party, responsible for specific tasks, etc.). Identify the other economic operators participating jointly in the procurement procedure. If applicable, name of the participating group: | <p>— [.....]</p> <p>— [.....]</p> <p>— [.....]</p> |
| Lots: | Answer: |
| 26. If applicable, indicate the lot or lots regarding which the economic operator wishes to present an offer. | <input type="checkbox"/> |

B: INFORMATION ABOUT THE ECONOMIC OPERATOR'S REPRESENTATIVES.

If applicable, indicate the name and address of the person or persons authorised to represent the economic operator for the effects of this procurement procedure.

| Representation, if applicable: | Answer: |
|--|--------------------|
| 27. Name and surnames: | [.....] |
| 28. Together with the date and place of birth, if applicable: | [.....] [.....] |
| 29. Position/Capacity in which he/she acts: | [.....] |
| 30. Postal address: | [.....] |
| 31. Telephone: | [.....] |
| 32. Email: | [.....] |
| 33. Provide detailed information about the representation (its forms —joint, several—, scope, purpose...): | [.....] |

C: INFORMATION ABOUT RELIANCE ON THE CAPABILITIES OF OTHER ENTITIES.

| Resource: | Answer: |
|---|---|
| 34. Is the economic operator relying on the capabilities of other entities to satisfy the selection criteria set out in Section IV? | [] YES [] NO If affirmative, the compromise referred to in Article 75.2 of the LCSP 9/17 must exist, which will be demanded of whomever presents the best offer, as established in Article 145 of the LCSP 9/17. |
| 35. In case the technical or professional solvency required is related to academic or professional titles, or professional experience, indicate the percentage of the | [] % |

If affirmative, provide a separate Affidavit of Liability, including the information required in Sections A and B of this Part and Part III for each of the entities involved, duly completed and signed by the entities in question.

Consider that you must also include technical personnel and technical organisations that are not directly integrated into the economic operator's company, and especially those responsible for quality control

and, when it comes to public works contracts, the technical personnel or technical organisations the economic operator has available for the execution of the work.

As long as it is permanent in relation to the specific capability or capabilities on which the economic operator relies, include the information required in Part IV for each of the entities in question.¹⁰

D: INFORMATION RELATED TO THE SUBCONTRACTORS ON WHOSE CAPABILITIES THE ECONOMIC OPERATOR DOES NOT RELY.

This Section will only be completed if the adjudicating power expressly requires this information.

| Subcontracting: | Answer: |
|---|---|
| 36. Does the economic operator have the intention of subcontracting some part of the contract to third parties? | <p>[] YES [] NO</p> <p>In the affirmative case, and to the extent that this information is known, list the planned subcontractors:</p> <p>[]</p> |

If the adjudicating power expressly requires this information, in addition to what has been considered in this Section, provide the information required in Sections A and B of this Part and Part III for each of the subcontractors, or for each of the subcontracting categories.

¹⁰ For example, when they are technical organisms in charge of quality control, Part IV, Section C, Item 3.

Maria del Carmen Moreno Fernández

Traductora-Intérprete Jurada de inglés

Nº. 5153



PART III: MOTIVES FOR EXCLUSION.

A: MOTIVES RELATED TO CRIMINAL CONVICTIONS.

Article 71 of the LCSP 9/17 establishes the bans on procurement, and for contracts subject to harmonised regulation, also consider Article 57, Section 1 of Directive 2014/24/EU, which establishes the following motives for exclusion:

1. Participation in a criminal organisation.¹¹
2. Corruption.¹²
3. Fraud.¹³
4. Terrorism crimes or crimes related to terrorist activities.¹⁴
5. Money laundering or terrorist financing.¹⁵
6. Child labour and other forms of human trafficking.¹⁶

| Motives related to criminal convictions for the motives listed in Article 71 of the LCSP 8/17 and 57, Section 1, of the Directive: | Answer: |
|---|---|
| 37. Has the economic operator itself, or any person that belongs to its administrative, direction or supervisory body, or who has powers of representation, decision or control in it, been the | <p>[] YES [] NO</p> <p>If the pertinent information is available in electronic format, please indicate:</p> |

11 As defined in Article 2 of Council Framework Decision 2008/841/JHA, dated October 24, 2008, on the fight against organised crime (OJ L 300 dated 11.11.2008, p. 42).

12 As defined in Article 3 of the Convention on the fight against corruption involving EU officials or officials of EU countries (OJ C 195 dated 25.6.1997, p. 1), and in Article 2, Section 1 of Council Framework Decision 2003/568/JHA, dated July 22, 2003, on the fight against corruption in the private sector (OJ L 192 dated 31.7.2003, p. 54). This motive for exclusion also considers corruption as defined in the national legislation of the adjudicating power or the economic operator.

13 In the sense of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ e 316 dated 27.11.1995, p. 48).

14 As defined in Council Framework Decision, dated June 13, 2002, on the fight against terrorism (OJ L 164 dated 22.6.2002, p. 3). This motive for exclusion also considers incitement or complicity in the commission of a crime, or the attempt to commit one, as set forth in Article 4 of the aforementioned Framework Decision.

15 As defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council, dated October 26, 2005, on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309 dated 25.11.2005, p. 15).

16 As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council, dated April 5, 2011, on preventing and combatting trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101 dated 15.4.2011, p. 1).

| | |
|---|--|
| object of, for any of the motives listed above, of a final conviction that has been issued in, maximum, the five previous years, or one that has directly established a period of exclusion that is still applicable? | (website address, issuing authority or entity, exact reference of the documentation): ¹⁷ |
| <p>38. If affirmative, indicate:¹⁸</p> <ul style="list-style-type: none"> ➤ Date of the conviction, specifying which of points 1 to 6 it relates to, and the reasons for the same: ➤ Identification of the person convicted: ➤ In the measure established in the conviction itself: | <ul style="list-style-type: none"> • Date: [], point(s) [], reason or reasons: [] • [.....] • Duration of the exclusion period [] and points it is related to []: <p>If the pertinent information is available in electronic format, please indicate: [website address, issuing authority or entity, exact reference of the documentation]:¹⁹</p> |
| 39. In case of conviction, has the economic operator adopted measures to prove its credibility despite the existence of a pertinent motive for exclusion ²⁰ ("self-correction")? | [] YES [] NO |
| 40. In the affirmative case, describe the measures adopted: ²¹ | [.....] |

¹⁷ Repeat as many times as necessary.

¹⁸ Repeat as many times as necessary.

¹⁹ Repeat as many times as necessary.

²⁰ In compliance with national dispositions and considering Article 57, Section 6 of Directive 2014/24/EU, in this case for contracts subject to harmonised regulation.

²¹ The explanation must prove the adequacy of the measures adopted, taking into account the nature of the crimes committed (one-time, reiterated, systematic, etc.).

B: MOTIVES RELATED TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS.

| Payment of taxes or social security contributions: | Answer: | |
|---|--|--|
| 41. Has the economic operator met all its obligations related to the payment of taxes or social security contributions, both in the country where it is established and in the Member State of the adjudicating power, if it does not coincide with the country of establishment? | [] YES [] NO | |
| | Taxes | Social Contributions |
| 42. If negative, indicate: | | |
| A. Country or Member State involved: | • [.....] | • [.....] |
| B. How much is the amount in question? | • [.....] | • [.....] |
| C. How has this non-compliance been established? | | |
| — Through an administrative or judicial resolution: | c1) [] YES [] NO | c1) [] YES [] NO |
| • Is this resolution firm and binding? | • [.....] | • [.....] |
| • Indicate the date of conviction or resolution. | • [.....] | • [.....] |
| • In case of conviction, and as long as it is established directly in the same, duration of the exclusion period. | c2) [.....] | c2) [.....] |
| — By other means. Specify: | | |
| D. Has the economic operator met its obligations through payment or binding agreement with the goal of paying the taxes or social security contributions owed, including, if applicable, the interests accrued, or the fines imposed? | d) [] YES [] NO If affirmative, specify: [.....] | d) [] YES [] NO If affirmative, specify: [.....] |

Maria del Carmen Moreno Fernández

Traductora-Intérprete Jurada de inglés

Nº. 5153

| | | |
|---|---|--|
| | | |
| 43. If the documentation related to the payment of taxes or social security contributions is available in electronic format, please indicate: | [website address, issuing authority or entity, exact reference of the documentation]: ²² | |

C: MOTIVES RELATED TO INSOLVENCY, CONFLICTS OF INTERESTS OR PROFESSIONAL MISCONDUCT.²³

For contracts subject to harmonised regulation, for the effects of the present procurement, some of the following motives for exclusion may have been defined more precisely in national legislation, in the pertinent notice, or in the procurement conditions. Thus, national legislation may, for example, establish that the concept of "gross professional misconduct" includes several different forms of behaviour.

| | |
|--|----------------|
| Information related to any possible insolvency, conflict of interests or professional misconduct: | Answer: |
| 44. Has the economic operator et all its obligations in the areas of labour, social, environmental and industrial legislation? ²⁴ | [] YES [] NO |

²² Repeat as many times as necessary.

²³ See Article 71 of the LCSP 9/17, Article 34.3 of the Ley 21/92, de industria [Law 21/92, on industry], dated July 16, and if the contract is subject to harmonised regulation, also Article 57, Section 4 of Directive 2014/24/EU.

²⁴ As defined, for the effects of the present procurement, in national legislation, in the pertinent notice or in the procurement conditions, or in Article 18, Section 2 of Directive 2014/24/EU, if the contract is subject to harmonised regulation.



| | |
|--|---|
| | <p>If negative, has the economic operator adopted measures to prove its credibility despite the existence of this motive for exclusion ("self-correction")?</p> <p>[] YES [] NO</p> <p>If it has, describe the measures adopted:</p> <p>[.....]</p> |
|--|---|

| | |
|--|--|
| <p>45. Is the economic operator in any of the following situations?</p> <ul style="list-style-type: none"> • Bankruptcy. • Subject to a process of insolvency or liquidation. • In any analogous situation resulting from a procedure of the same nature in force in national legal and regulatory provisions.²⁵ • Its assets are being administered by a liquidator or by a court. • Its business activities have been suspended. <p>46. If affirmative:</p> <ul style="list-style-type: none"> • Specify: • Indicate the motives for which the economic operator is capable of executing the contract, considering applicable national provisions and measures regarding the continuation | <p>[] YES [] NO</p> <p>— [.....]</p> <p>— [.....]</p> <p>[website address, issuing authority or entity, exact reference of the documentation]: [.....] [.....] [.....]</p> |
|--|--|

²⁵ See national legislation, the pertinent notice or the procurement conditions.

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés

Nº. 5153

| | |
|--|---|
| of activities in these circumstances? ²⁶ | |
| 47. If the pertinent documentation is available in electronic format, please indicate: | |
| 48. Has the economic operator pled guilty to gross professional misconduct? ²⁷ | [] YES [] NO |
| If affirmative, specify: | [.....] |
| | If affirmative, has the economic operator adopted self-correction measures? [] YES [] NO If it has done so, describe the measures adopted: [.....] |
| 49. Has the economic operator entered into agreements with other economic operators with the purpose of distorting competition ? | [] YES [] NO |
| If affirmative, specify: | [.....] |
| | If affirmative, has the economic operator adopted self-correction measures? [] YES [] NO If it has done so, describe the measures adopted: [.....] |
| 50. Is the economic operator aware of any conflict of interests ²⁸ due to its participation in the procurement procedure? | [] YES [] NO |
| If affirmative, specify: | [.....] |

²⁶ It is not necessary to provide this information if the exclusion of the economic operators in one of the assumptions considered in letters a) to f) has a mandatory nature in virtue of applicable legislation, with no possible exception, even if the economic operator is in conditions to execute the contract.

²⁷ If applicable, see the definitions in national legislation, the pertinent notice, or the procurement conditions.

²⁸ As defined in national legislation, the pertinent notice or the procurement conditions.

| | |
|--|---|
| <p>51. Is the economic operator involved in one of the causes for incompatibility and/or conflict of interests stated in Ley 1/2014, de regulación del estatuto de los cargos públicos del Gobierno y la Administración de la Comunidad Autónoma de Extremadura [Law 1/2014, on the regulation of the statute of public offices in the Extremadura Autonomous Community Government and Administration], dated February 18?</p> | <p>[] YES [] NO</p> |
| <p>If affirmative, specify:</p> | <p>[.....]</p> |
| <p>52. Has the economic operator or another company related to the economic operator advised or intervened in any other way in the preparation of pre procurement procedure? (Article 70 of the LCSP 9/17)</p> | <p>[] YES [] NO</p> |
| <p>If affirmative, specify:</p> | <p>[.....]</p> |
| <p>53. Has the economic operator experienced the early cancellation of a prior public contract or a prior concession contract, or the imposition of damages or other comparable sanctions related to that prior contract?</p> | <p>[] YES [] NO</p> <p>[.....]</p> <p>If affirmative, has the economic operator adopted self-correction measures?</p> <p>[] YES [] NO</p> <p>If it has done so, describe the measures adopted:</p> <p>[.....]</p> |
| <p>54. Has the economic operator:</p> <ul style="list-style-type: none"> • Been declared guilty of gross misrepresentation when providing information required to verify the existence of motives for exclusion or compliance with selection criteria, • Hidden this information, • Been able to present, without delay, the justification documents required by the adjudicating power, and | <p>[] YES [] NO</p> <p>[] YES [] NO</p> <p>[] YES [] NO</p> <p>[] YES [] NO</p> |

- Attempted to unduly influence the decision-making process of the adjudicating power, obtain confidential information that could confer it undue advantages in the procurement procedure, or negligently provided misleading information that could have a significant influence on the decisions related to exclusion, selection or adjudication?

D: OTHER MOTIVES FOR EXCLUSION THAT COULD BE CONSIDERED IN THE NATIONAL LEGISLATION OF THE MEMBER STATE OF THE ADJUDICATING POWER.

| Purely national motives for exclusion: | Answer: |
|---|--|
| 55. Has the economic operator been affected by any of the purely national motives for exclusion (bans on procurement) specified in the pertinent notice or the procurement conditions? | [] YES [] NO |
| 56. If the documentation required in the pertinent notice or the procurement conditions is available in electronic format, please indicate: | (website address, issuing authority or entity, exact reference of the documentation): [.....] [.....] [.....] ²⁹ |
| 57. If any of the purely national motives for exclusion is applicable, has the economic operator adopted corrective measures? | [] YES [] NO |
| 58. If it has done so, describe the measures adopted: | [.....] |

²⁹ Repeat as many times as necessary.

PART IV: SELECTION CRITERIA.

Regarding the selection criteria (Section α or Sections A to D of this Part, the economic operator states that:

α : GLOBAL INDICATION RELATING TO ALL SELECTION CRITERIA.

The economic operator must only complete this Section (alpha or " α "), considering points 5, 6 and 7 of the characteristic summary table (henceforth CST), which collects all the requirements related to SUITABILITY, ECONOMIC AND FINANCIAL SOLVENCY, TECHNICAL AND PROFESSIONAL SOLVENCY, QUALITY ASSURANCE SYSTEMS AND ENVIRONMENTAL MANAGEMENT NORMS, omitting any other Section of this Part IV, unless the procurement entity, in point 14 of the CST, "*To be included in FILE-ENVELOPE 1*", indicates specifically that Sections A to D of this part of the Attachment must be completed.

| 59. Meets all the selection criteria: | Answer: |
|---|--|
| Meets all the selection criteria required in points 5, 6 and 7 of the characteristic summary table: | <input type="checkbox"/> YES <input type="checkbox"/> NO |

A: SUITABILITY.

The economic operator must only complete this Section when the procurement entity indicates it in point 14 of the CST, "*To be included in FILE-ENVELOPE 1*".

| 60. Suitability: | Answer: |
|--|--|
| It is registered in a professional or commercial registry in the Member State where it is established: ³⁰ | [.....] |
| If the pertinent documentation is available in electronic format, please indicate: | (website address, issuing authority or entity, exact reference of the documentation): [.....] [.....] [.....] |

³⁰ As considered in Attachment IV of Directive 2014/24/EU; economic operators from certain Member States may have to meet other requirements established in the aforementioned Attachment.

| | |
|---|---|
| <p>In the case of service and supply contracts:</p> <p>Is it necessary to have a specific authorisation or be affiliated to a certain organisation to provide the service or the supplies in question in the country where the economic operator is established?</p> <p>If the pertinent documentation is available in electronic format, please indicate:</p> | <p>[] YES [] NO</p> <p>If affirmative, specify the authorisation or affiliation, and indicate whether the economic operator meets this requirement:</p> <p>(website address, issuing authority or entity, exact reference of the documentation):</p> <p>[.....] [.....] [.....]</p> |
|---|---|

B: ECONOMIC AND FINANCIAL SOLVENCY.

The economic operator must only complete this Section when the procurement entity indicates it in point 14 of the CST, "To be included in FILE-ENVELOPE 1".

| 61. Economic and financial solvency: | Answer: |
|--|---|
| <p>1a) Its ("general") annual business volume during the number of fiscal years required in the pertinent notice or the procurement conditions is the following:</p> <p>and/or</p> <p>1b) Its average annual business volume during the number of fiscal years required in the pertinent notice or the procurement conditions is the following:³¹</p> <p>If the pertinent documentation is available in electronic format, please indicate:</p> | <p>Fiscal year: [.....] Business volume: [.....][.....] currency</p> <p>Fiscal year: [.....] Business volume: [.....][.....] currency</p> <p>Fiscal year: [.....] Business volume: [.....][.....] currency</p> <p>(number of fiscal years, average business volume):</p> <p>[.....], [.....] [.....] currency</p> <p>(website address, issuing authority or entity, exact reference of the documentation):</p> <p>[.....] [.....] [.....]</p> |

³¹ Only if the pertinent notice or the procurement conditions allow it.

| | |
|---|---|
| <p>2a) Its ("specific") annual business volume during the number of fiscal years required in the activity field covered by the contract and specified in the pertinent notice or the procurement conditions is the following:</p> <p>and/or</p> <p>2b) Its average annual business volume in the field and during the number of fiscal years required in the pertinent notice or the procurement conditions is the following:³²</p> <p>If the pertinent documentation is available in electronic format, please indicate:</p> | <p>Fiscal year: [.....] Business volume: [.....][.....] currency</p> <p>Fiscal year: [.....] Business volume: [.....][.....] currency</p> <p>Fiscal year: [.....] Business volume: [.....][.....] currency</p> <p>(number of fiscal years, average business volume):</p> <p>[.....], [.....] [.....] currency</p> <p>(website address, issuing authority or entity, exact reference of the documentation):</p> <p>[.....] [.....] [.....]</p> |
| <p>3) If the information about the (general or specific) business volume is not available for the whole period considered, indicate the date of the company's creation or of the economic operator's start of activities.</p> | <p>[.....]</p> |
| <p>4) Regarding the financial ratios³³ specified in the pertinent notice or the procurement conditions, the economic operator states that the real value of the required ratio(s) is the following:</p> <p>If the pertinent documentation is available in electronic format, please indicate:</p> | <p>(indication of the required ratio —ratio between x and y³⁴— and the value):</p> <p>[.....], [.....]³⁵</p> <p>(website address, issuing authority or entity, exact reference of the documentation):</p> <p>[.....] [.....] [.....]</p> |
| <p>5) The insured amount in the professional risk indemnity insurance of the economic operator is the following:</p> | <p>[.....][.....] currency</p> |

³² Only if the pertinent notice or the procurement conditions allow it.

³³ For example, the ratio between assets and liabilities.

³⁴ For example, the ratio between assets and liabilities.

³⁵ For example, the ratio between assets and liabilities.

| | |
|---|---|
| If this information is available in electronic format, please indicate: | (website address, issuing authority or entity, exact reference of the documentation): [.....] [.....] [.....] |
| 6) Regarding the rest of the financial or economic requirements that, if the case may be, are specified in the pertinent notice or the procurement conditions, the economic operator states that: If the corresponding documentation that, if the case may be, is specified in the pertinent notice or the procurement conditions, is available in electronic format, please indicate: | [.....] (website address, issuing authority or entity, exact reference of the documentation): [.....] [.....] [.....] |

C: TECHNICAL AND PROFESSIONAL CAPABILITIES.


The economic operator must only complete this Section when the procurement entity indicates it in point 14 of the CST, "To be included in FILE-ENVELOPE 1".

| 62. Technical and professional capabilities: | Answer: | | | | | | | | |
|---|---|-------------|---------------|-------|---------------|--|--|--|--|
| 1a) Only for public works contracts: During the reference period, the economic operator has carried out the following works of the specific type: If the pertinent documentation related to the satisfactory execution and conclusion of the most important works is available in electronic format, please indicate: | <p>Number of natural years (this period is specified in the pertinent notice or the procurement conditions): [.....]</p> <p>Works: [.....]</p> <table border="1"> <thead> <tr> <th>Description</th> <th>Value</th> <th>Dates</th> <th>Beneficiaries</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>(website address, issuing authority or entity, exact reference of the documentation): [.....] [.....] [.....]</p> | Description | Value | Dates | Beneficiaries | | | | |
| Description | Value | Dates | Beneficiaries | | | | | | |
| | | | | | | | | | |

Maria del Carmen Moreno Fernández

Traductora-Intérprete Jurada de inglés

Nº. 5153



| <p>1b) For public supply contracts or public service contracts:</p> <p>During the reference period,³⁶ the economic operator has performed the following main deliveries of the specified type of provided the following main services of the specified type: When making the list, indicate the values, the dates and the public or private beneficiaries.³⁷</p> | <p>Number of natural years (this period is specified in the pertinent notice or the procurement conditions):</p> <p>[.....]</p> <table border="1" data-bbox="798 593 1396 705"> <thead> <tr> <th>Descrip tion</th> <th>Values</th> <th>Dates</th> <th>Benefic iaries</th> <th>CPV codes</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> | Descrip tion | Values | Dates | Benefic iaries | CPV codes | | | | | |
|---|---|-----------------|-------------------|--------------|-------------------|--------------|--|--|--|--|--|
| Descrip tion | Values | Dates | Benefic iaries | CPV codes | | | | | | | |
| | | | | | | | | | | | |
| <p>2) It can rely on the following technical personnel or technical organisations,³⁸ especially those responsible for quality control:</p> <p>In the case of public works contracts, the economic operator may resort to the following technical personnel or technical organisations to carry out the works:</p> | <p>[.....]</p> <p>[.....]</p> | | | | | | | | | | |
| <p>3) It employs the following technical facilities and measures to guarantee quality, and has the following resources for study and research available:</p> | <p>[.....]</p> | | | | | | | | | | |
| <p>4) It can employ the following supply chain management and tracking systems during the execution of the contract:</p> | <p>[.....]</p> | | | | | | | | | | |
| <p>5) When the products or services to be provided are complex or, exceptionally, in the case of products or services that are necessary for a particular purpose:</p> <p>Will the economic operator authorise the verification³⁹ of its production capacity or its technical capabilities and, if applicable, the resources for study and research it has available, as well as the quality control measures it will</p> | <p>[] YES [] NO</p> | | | | | | | | | | |

³⁶ The adjudicating powers may demand up to three years and accept experience dating back more than three years.

³⁷ In other words, all the beneficiaries must be listed, and the list must include both public and private clients of the supplies or services in question.

³⁸ When this refers to technical personnel or technical organizations that are not directly part of the economic operator's company, but on whose capabilities the latter relies, as indicated in Part II, Section C, Affidavits of Liability must be completed separately.

³⁹ Verification will be carried out by the adjudicating power or in its name, when it authorises this, by a competent official organisation from the country where the supply or service provider is located.

| | |
|--|---|
| apply? | |
| <p>6) The people indicated below hold the following academic and professional certifications:</p> <ul style="list-style-type: none"> The service provider or contractor itself and/or (depending on the requirements set by the pertinent notice or procurement conditions): Its executive staff: | <ul style="list-style-type: none"> [.....] [.....] |
| <p>7) The economic operator can apply the following environmental management measures when executing the contract:</p> | [.....] |
| <p>8) The average annual workforce of the economic operator and the number of its executives for the past three years was the following:</p> | <p>Year, annual average workforce:</p> <p>[.....],[.....]</p> <p>[.....],[.....]</p> <p>[.....],[.....]</p> <p>Year, number of executives:</p> <p>[.....],[.....]</p> <p>[.....],[.....]</p> <p>[.....],[.....]</p> |
| <p>9) The economic operator will have the following machinery, material and technical equipment to execute the contract:</p> | [.....] |
| <p>10) The economic operator has the possible plan to subcontract⁴⁰ the following part of the contract:</p> | [.....] |
| <p>11) For public supply contracts:</p> <p>The economic operator will provide the required samples, descriptions or photographs of the products to be supplied, with no need to add certificates of authenticity.</p> <p>When applicable, the economic operator</p> | <p>[] YES [] NO</p> <p>[] YES [] NO</p> |

⁴⁰ Consider that, if the economic operator has decided to subcontract a part of the contract and counts on the subcontractor's capabilities to carry out that part of the contract, a separate Affidavit of Liability must be completed for that subcontractor (see Part II, Section C, above).

| | |
|--|---|
| likewise declares that it will provide any required certificates of authenticity. If the pertinent documentation is available in electronic format, please indicate: | (website address, issuing authority or entity, exact reference of the documentation): [.....] [.....] [.....] |
| 12) For public supply contracts: Can the economic operator present appropriate certificates issued by official services or institutes in charge of quality control , of recognised expertise, proving the conformity of the products, in perfect detail with references to the specifications or technical norms, as requested in the pertinent notice or the procurement conditions? If the answer is negative , please explain why and indicate what other means of verification can be provided. If the pertinent documentation is available in electronic format, please indicate: | [] YES [] NO [.....] (website address, issuing authority or entity, exact reference of the documentation): [.....] [.....] [.....] |

D: QUALITY ASSURANCE SYSTEMS AND ENVIRONMENTAL MANAGEMENT NORMS.

The economic operator must only complete this Section when the procurement entity indicates it in point 14 of the CST, "To be included in FILE-ENVELOPE 1" and, only when the contract is subject to harmonised regulation and the application of quality assurance systems or environmental management norms is required (point 5.3 of the CST).

| Quality control systems and environmental management norms: | Answer: |
|---|---------|
| 63. Will the economic operator be able to present certificates issued by independent organisations verifying that it complied with all required quality | |

| | |
|--|--|
| assurance norms, particularly in matters of accessibility for people with disabilities? | [] YES [] NO |
| 64. If the answer is negative, please explain why and specify what other means of verification it has for its quality assurance system: | [.....] [.....] |
| 65. If the pertinent documentation is available in electronic format, please indicate: | (website address, issuing authority or entity, exact reference of the documentation): [.....] [.....] [.....] |
| 66. Will the economic operator be able to present certificates issued by independent organisations verifying that it complied with all required environmental management systems or norms? | [] YES [] NO |
| 67. If the answer is negative, please explain why and specify what other means of verification it has for its environmental management systems or norms: | [.....] [.....] |
| 68. If the pertinent documentation is available in electronic format, please indicate: | (website address, issuing authority or entity, exact reference of the documentation): [.....] [.....] [.....] |

PART V: ACCREDITATION OF OTHER CIRCUMSTANCES DEMANDED BY THE ADJUDICATING ENTITY.

| | |
|--|--|
| Belonging to a corporate group. | Answer: |
| 69. The economic operator I represent (indicate a or b): | <input type="checkbox"/> a) Does not belong to any corporate group. <input type="checkbox"/> b) Belongs to a corporate group called: _____, made up of the following companies (indicate all the companies in the group). |
| | In case option b) was selected, you must indicate: <input type="checkbox"/> None of the companies in the Group that fall into any of the assumptions of Article 42.1 of |

| | |
|--|--|
| | <p>the Código de Comercio [Code of Commerce]⁴¹ are participating in the tender.</p> <p><input type="checkbox"/> Other companies in the Group that fall into any of the assumptions of Article 42.1 of the Código de Comercio are participating in the tender (indicate the names of the other companies):</p> |
| Preference in adjudication, in case of tie. | Answer: |
| <p>70. The economic operator meets the legal requirements necessary for preference in adjudication to apply in its favour, in case of tie:</p> | <p>[] YES [] NO</p> <p>If affirmative, indicate which of the following criteria the economic operator meets:</p> <p><input type="checkbox"/> Company with other 2% of workers with a disability. - Percentage of workers with a disability: ____%.</p> <p><input type="checkbox"/> Reintegration business, in accordance with Ley 44/2007 [Law 44/2007], dated December 13.</p> <p><input type="checkbox"/> Socially responsible business, according to Ley 15/2010 [Law 15/2010], dated December 9.</p> <p><i>(In case nothing is ticked in this portion, we will consider that the economic operator does not meet the necessary legal requirements to make it eligible for preference in adjudication.)</i></p> |
| Confidentiality. | Answer: |
| <p>71. The economic operator states that the documents and data presented that are considered confidential in nature are the following:</p> | <p>[List of confidential documents and data]</p> <p>And for the following reasons: [....]</p> <p><i>(In case nothing is ticked in this portion, the document presented by the bidder will be considered not to be confidential in nature.)</i></p> |

⁴¹ Indicate the lot in case of a call for tender by lot.

PART VI: FINAL DECLARATIONS.

The undersigning formally declare that:

- a) In the case of a foreign company, it will submit to the jurisdiction of the Spanish Courts and Tribunals at any level, for any and all incidents that may arise, directly or indirectly, from the contract, and expressly renounce the jurisdiction of any foreign court that may correspond them.
- b) For matters related to the workplace integration of people with disabilities, the company complies with the dispositions of Article 42.1 of Real Decreto Legislativo 1/2013 [Royal Legislative Decree 1/2013], dated November 29, approving the Texto Refundido de la Ley General de derechos de las personas con discapacidad y de su inclusión social [Consolidated Text of the General Law on the rights of people with disabilities and their social inclusion].⁴²
- c) For matters of equality between men and women, the company complies with the dispositions of Article 45 of the Ley Orgánica 3/2007, para la igualdad efectiva de mujeres y hombres [Organic Law 3/2007, for the effective equality between women and men],⁴³ dated March 22.
- d) In matters of workplace health and safety:
 - The economic operator complies with all current regulations in matters of prevention.
 - The economic operator's employees have received training and information regarding the prevention of workplace risks for the development of the contracted activities.
 - The economic operator's employees have received the necessary personal protection equipment and have been informed regarding the conditions of its use and mandatory nature of its use.
 - The economic operator's employees are competent in matters of health monitoring (Article 22 of Ley 31/1995, de prevención de Riesgos Laborales [Law 31/1995, on the prevention of Workplace Risks], dated November 8, for the contracted activities.
 - Compliance of the work equipment to be used for the contracted services with all applicable regulations.
 - It will provide a risk evaluation and plan for preventive activities corresponding to the contracted activity, specifically including the risks that could be incurred by junta de Extremadura [Government of Extremadura] workers and third parties, as well as preventive

⁴² Only if proposed as successful bidder, and having decided on compliance with the legally established alternative measures, an authentic copy of the Certificate of Exceptionality and an affidavit with the specific measures applied to this effect shall be required. For the rest of the assumptions, the final declaration in this Part of the present Attachment shall suffice.

⁴³ In case the economic operator must have a plan for equality in compliance with the dispositions of Article 45.2 of the Ley Orgánica 3/2007, para la igualdad efectiva de mujeres y hombres, dated March 22, it must consider what is established in the twelfth transitory disposition ("Aplicación paulatina de los artículos 45 y 46 en redacción por el Real Decreto-ley 6/2019, de 1 de marzo, de medidas urgentes para garantía de igualdad de trato y de oportunidades entre mujeres y hombres en el empleo y la ocupación" [Gradual application of Articles 45 and 46 in the text of the Royal Decree-Law 6/2019, dated March 1, on urgent measures to guarantee equality in treatment and opportunities between men and women in the employment and the workplace]) of said organic Law.

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés

Nº. 5153

measures to avoid these, and deliver this before the start of the same, with copy to the centre where the contracted services are to take place.

- It will update all the previous information when there are changes in the contracted activities or other changes relevant for the effects of prevention.
- In case of subcontracting of services, it will demand certification of compliance with the above terms from the subcontracting companies, to be delivered to the Junta de Extremadura.

The undersigning formally declare(s) that the information provided in Parts II-V is accurate and truthful, and has been provided with the full awareness of the consequences of a gross misrepresentation.

The undersigning formally declare(s) that he/she/they may provide all required certificates and other types of documental evidence without delay, when requested, except in case:

1. the adjudicating power has the possibility of obtaining the supporting documents in question directly, accessing a national database or one belonging to any Member State, that can be consulted free of cost,⁴⁴ or
2. from on October 18, 2018,⁴⁵ the adjudicating power is already in possession of the documents in question (only for contracts subject to harmonised regulation).

The undersigning formally consent(s) to provide [indicate the adjudicating power as it appears in Part I, Section B] access to all supporting documents for the information provided in [indicate the pertinent Part/Section/point(s)] of the present Affidavit of Liability, for the effects of [indicate the procurement procedure: (brief description, publication reference in the Official Journal of the European Union, reference number)].

Date, location and advanced electronic signature(s): [.....]

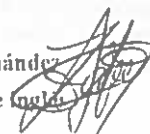
⁴⁴ As long as the economic operator has provided the necessary information (website address, issuing authority or entity, exact reference of the documentation) to allow the adjudicating power to do so. If necessary, it must provide the appropriate consent to grant access to the database.

⁴⁵ Depending on the application, at a national level, of Article 59, second paragraph, of Directive 2014/24/EU.

María del Carmen Moreno Fernández

Traductora-Intérprete Jurada de Inglés

Nº. 5153



ATTACHMENT IV

AFFIDAVIT OF LIABILITY MODEL FOR THE VALIDITY OF THE INFORMATION REGISTERED IN THE REGISTRO OFICIAL DE LICITADORES DE LA COMUNIDAD AUTÓNOMA DE EXTREMADURA [OFFICIAL BIDDER REGISTRY OF THE AUTONOMOUS COMMUNITY OF EXTREMADURA], IN THE REGISTRO OFICIAL DE LICITADORES Y EMPRESAS CLASIFICADAS DEL SECTOR PÚBLICO [OFFICIAL REGISTRY OF BIDDERS AND CLASSIFIED PUBLIC SECTOR COMPANIES], OR IN A NATIONAL DATABASE OF A EUROPEAN UNION MEMBER STATE.⁴⁶

I, Mr / Ms _____ with DNI / NIE [National ID Document / National Foreigner's Document] nº _____, in my own name or in representation of the company _____, with NIF [Tax ID Number] _____, registered in _____ (*Registro oficial de licitadores de Extremadura, Registro oficial de Licitadores y Empresas Clasificadas del Sector Público, or the name of the national database of the European Union Member State in which the company is registered*), with file nº _____.

DECLARE

☐ That the information about this company in the Registry of Bidders or national database of a European Union Member State has not been altered under any circumstance, and that it corresponds to the Registration or database certificate issued on the date _____, accompanying this Affidavit.

☐ That the information about this company in the Registry of Bidders or national database of a European Union Member State has been altered in the way indicated below, as certified by the documents attached, with the remaining information having suffered no alteration regarding the contents of the Registration or database Certificate dated _____.

Information altered:

-

-

Supporting documentation attached:

-

-

In _____, on the ____ of _____ of _____ (*issued within the proposal presentation period*) (*advanced electronic signature of declarant*).

⁴⁶ In case a bidder is registered or included in a national database of a European Union Member State, such as a virtual company file, an electronic document storage system or a pre-qualification system, it must be accessible at no cost for the procurement entity.

ATTACHMENT V

RESOURCE ALLOCATION PLEDGE MODEL

All bidders, national or foreign, in addition to certifying their solvency or, if the case may be, classification, must certify their commitment to the allocation of the following resources, for the effects of their admission in the contract adjudication procedure.

I, Mr / Ms _____ with DNI / NIE [National ID Document / National Foreigner's Document] nº _____, in my own name or in representation of the company _____ with NIF [Tax ID Number] _____, acquire the following commitments regarding the allocation of resources for the execution of the contract:

1. Pledge to allocate human resources:

•
•
•

2. Pledge to allocate material resources:

•
•
•

These human and material resources form part of the proposal presented by the bidders and, therefore, of the contract signed with the adjudicator. For this reason, they must be retained by the bidding company throughout the whole period of execution of this contract. Any variation related to them must be communicated to this procurement entity. Failure to comply could be cause for cancellation of the contract (Article 211.1.f) of the LCSP 9/17) and/or the imposition of fines according to Attachment I (Article 192.2 of the LCSP 9/17 and 16 of the LCPSREx [Spanish acronym, Law on socially responsible public procurement of Extremadura]).

In _____, on the ____ of _____ of _____ (issued within the proposal presentation period) (advanced electronic signature of declarant).

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés
Nº. 5153

ATTACHMENT VI

TEMPORARY JOINT VENTURE CONSTITUTION PLEDGE MODEL

I, Mr / Ms _____, of age and with DNI / NIE [National ID Document / National Foreigner's Document] nº _____, in my own name or in representation of the company _____, with business address at _____ and NIF [Tax ID Number] _____, appearing as _____, under my personal responsibility.

I, Mr / Ms _____, of age and with DNI / NIE [National ID Document / National Foreigner's Document] nº _____, in my own name or in representation of the company _____, with business address at _____ and NIF [Tax ID Number] _____, appearing as _____, under my personal responsibility.

Agree to constitute a temporary joint venture between companies and/or businesspeople, in compliance with the stipulations of the LCSP 9/17, in order to participate in the bid for tender for the procurement of the file (*indicate the file*).

In case we are the successful bidders, we agree to formalise the aforementioned venture through public deed. The participation of each member in the joint venture is as follows:

_____ XX%

_____ XX%

We nominate _____ as the representative of the aforementioned joint venture.

In _____, on the ____ of _____ of _____ (*issued within the proposal presentation period*) (*advanced electronic signature of the legal representatives of the participants in the joint venture*).

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés
Nº. 5153



ATTACHMENT VII

INTEGRATION OF SOLVENCY WITH EXTERNAL RESOURCES PLEDGE MODEL

(If there is reliance on the solvency or resources of several entities, an affidavit following the present model must be completed for each of the entities placing their solvency or resources at the disposal of the bidder.)

I, Mr / Ms _____, of age and with DNI / NIE [National ID Document / National Foreigner's Document] nº _____, in my own name or in representation of the company _____, with business address at _____ and NIF [Tax ID Number] _____, in order to participate in the bid for tender for the procurement of the file *(indicate the file)*.

And

I, Mr / Ms _____, of age and with DNI / NIE [National ID Document / National Foreigner's Document] nº _____, in my own name or in representation of the company _____, with business address at _____ and NIF [Tax ID Number] _____.

Agree, in compliance with the stipulations of Article 75 of the LCSP 9/17:

- That the solvency or resources made available by entity _____ in favour of entity _____ are the following:
 -
 -
- That during the entire execution of the contract, the solvency or resources described in this pledge will be effectively available.
- That the effective availability of the above described solvency or resources will not be subject to any condition or limitation.

In _____, on the ____ of _____ of _____ *(issued within the proposal presentation period) (advanced electronic signature of the legal representatives of both entities).*

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés

Nº. 5153

ATTACHMENT VIII

PROCESSOR CONTRACT MODEL FOR PERSONAL DATA PROTECTION BY THE BIDDER

1. Subject of the data processing.

Through the present clauses, Mr /Ms _____, of age and with NI / NIE [National ID Document / National Foreigner's Document] nº _____, acting in representation of *(Junta de Extremadura, Department —the entity responsible for handling the data)* with address at *(location)* and CIF [Tax ID Code] *(identification code)*, henceforth the PROCESSING CONTROLLER or CONTROLLER,

AUTHORISES

Mr / Ms _____, of age and with DNI / NIE [National ID Document / National Foreigner's Document] nº _____, in his or her own name or in representation of the company _____, with business address at _____ and NIF [Tax ID Number] _____, as DATA PROCESSOR or PROCESSOR in charge of processing the personal data required to provide the service specified below.

Processing will consist of:

(detailed description of the service and processing, specified according to the stipulations of Article 28.3 of the GDPR, the nature, purpose and object of the processing)

Personnel authorised by the bidding company, in order to provide the services established in the procurement conditions, may process personal data, always considering, during the performance of their duties, the principles of ethics, professionalism, confidentiality, and responsibility. Personal data must only be processed by authorised personnel, and with the sole purpose of executing the contracted task.

If, as a consequence of the execution of the contract, it were necessary at some moment to modify the stipulations of this contract, the bidder will reasonably request it and indicate the changes it requests. If the CONTROLLER agrees with the request, he or she will issue an updated contract, so the same will always reliably reflect the processing details.

2. Identification of the information affected.

For the execution of the functions derived from its compliance with the subject of this task, the processing CONTROLLER entity places at the disposal of the _____ entity the information described below:

a)

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés
Nº. 5153



b)

3. Duration.

The duration of the present contract (*shall be _____ / or will be contingent on the service provision contract*).

4. Security measures.

The data must be protected using the measures necessary to prevent the data from losing their reasonable confidentiality, availability, integrity, authenticity and traceability of the information. According to the risk assessment performed, the following security measures, at the very least, must be implemented:

(select the option(s) that apply or establish those considered necessary)

- a) The pseudonymisation and encryption of personal data.
- b) The capability to guarantee the permanent confidentiality, integrity, availability and resiliency of the processing systems and services.
- c) The capacity to restore availability and access to personal data in case of physical or technical incident.
- d) In general, all personnel from a third party with access to the information must comply with the following norms:
 - 1. Exclusively access the information systems using the authorised means and access.
 - 2. Protect the confidentiality of the information from any unauthorised revelation.
 - 3. Protect the integrity of the information they have access to in the scope of their service provision.
 - 4. Protect the information and the information systems from any unauthorised alteration.
 - 5. All third-party employees must consider themselves responsible for the personal custody of the credentials they have been assigned to access the information system resources. These credentials must never be provided to other third parties, whether or not they are employees of the third party, and the holders of the same must be solely responsible for the use made of them.
 - 6. Additionally, the third party must implement control measures to guarantee the supervision of the actions of its employees.
- e) The processor personnel carrying out their functions at the facilities of the CONTROLLER must know and comply with the security measures established in the "*Manual de responsabilidades de Seguridad de la Información para usuarios*" [User Manual on Information Security Responsibilities]. The PROCESSOR is responsible for distributing, when necessary, this manual to its employees.
- f) In any computer equipment, property of the third party, used to store, process or access

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés

Nº. 5153

information, the first party must apply the security measures necessary to guarantee the confidentiality, integrity and availability of the information. At the very least, the third party must apply the following security measures:

1. Protection against malicious code: all equipment must have antivirus and malware protection software, updating automatically and permanently.
 2. Access control: all the equipment must employ measures to ensure that only authorised personnel may access them.
 3. Terminal blocking: the terminals must not be left unattended unless the user session has been blocked previously, in order to avoid unauthorised access. Automatic blocking after a period of inactivity must also be activated.
 4. System updating: all computer equipment must be up to date with the latest available updates and security patches.
 5. Safeguard information: security copy and information recovery systems must be implemented.
 6. Privileges: users must not be allowed to disable or uninstall the security protections installed on the equipment.
 7. The CONTROLLER reserves the right to demand the implementation of additional security measures it considered necessary on the third party's computer equipment.
- g) In facilities where information is stored or processed, the bidder must implement physical, environmental and access control security measures, and all its personnel must actively participate in the implementation of and compliance with these measures.
- h) When it is necessary to extract personal data from the location where it is processed, whether by physical or electronic means, the possibility of using an encryption method to guarantee confidentiality must be considered.
- i) Periodically, a security copy will be made onto a second storage device, different from the one used for daily work. The copy will be stored in a safe place, different from the one where the equipment with the original files is housed, in order to enable the recovery of the personal data in case of loss of information.
- j) The regular process of verification, evaluation and assessment of the efficiency of the technical and organisational measures to guarantee security in the processing.

The successful bidder shall not refuse to implement or suppress these measures without employing risk analysis or impact evaluation unless it has the express authorisation of the CONTROLLER.

To these effects, the successful bidder's personnel must follow the security measures established by the processing CONTROLLER, and must not perform processes different from those defined.

The CONTROLLER reserves the right to demand that the third party apply additional security measures when the information security requirements applicable to the service require it.

5. Disposition of the data once the service has ended.

Once the task has ended, the successful bidder must:

(select the option applicable —the processing controller may require that the processor implement option b) instead of a) or c) below)

- a) Return the personal data to the processing CONTROLLER and, if applicable, the storage device containing them, once the service provision has ended. This return must include the mandatory total deletion of all existing data in the computer systems used by the PROCESSOR. The PROCESSOR may preserve a copy with the data duly blocked, as long as liabilities may derive from the execution of the service or to comply with the periods of guarantee and maintenance. In cases where this is necessary, security levels in line with the nature of the information stored must be guaranteed.
- b) Return, to the person appointed in writing by the processing CONTROLLER, all personal data and, if applicable, the storage devices containing them, once the service provision has been completed. This return must include the mandatory total deletion of all existing data in the computer systems used by the PROCESSOR. However, the PROCESSOR may preserve a copy with the data duly blocked, as long as liabilities may derive from the execution of the service or to comply with the periods of guarantee and maintenance. In cases where this is necessary, security levels in line with the nature of the information stored must be guaranteed.
- c) Destroy the data, once the service provision has ended. Once destroyed, the PROCESSOR must certify their destruction in writing and deliver the certificate to the CONTROLLER. The PROCESSOR may preserve a copy with the data duly blocked, as long as liabilities may derive from the execution of the service or to comply with the periods of guarantee and maintenance. In cases where this is necessary, security levels in line with the nature of the information stored must be guaranteed.

6. Obligations of the processor.

The PROCESSOR and all its personnel are obliged to:

(select or remove those that apply in function of the type and nature of the data processing to be performed)

- a) Use the personal data that are the subject of this contract, or those collected for their inclusion, only for the subject purpose of this task. In no case may the data be used for personal purposes.
- b) Treat the data according to the instructions of the CONTROLLER, even regarding international data transfer; if the PROCESSOR must transfer personal data to a third country or an international organisation, under any applicable Laws of the European Union or Member State, the CONTROLLER must be given prior notification of this legal requirement, unless the Law forbids it for important public interest reasons.

If the PROCESSOR considers that some of the instructions contravene applicable norms on

matters of data protection, the CONTROLLER must be informed immediately.

- c) Maintain, in writing, a record of all the categories of processing activities performed on behalf of the CONTROLLER, containing:
 - 1. The name and contact information of the processor or processors and each controller on behalf of whom the processor acts.
 - 2. The categories of processing performed on behalf of each controller.
 - 3. A general description of the appropriate technical and organisations security measures that are being implemented.
- d) Not communicate the data to third parties, unless the express authority of the CONTROLLER has been provided, under the legally admissible provisions.
- e) Subcontracting:
 - 1. If the PROCESSOR wishes to fully or partially subcontract the processing of personal data, this must be communicated previously, in writing, to the CONTROLLER, indicating the services that are to be subcontracted and clearly and unequivocally identifying the subcontractor company and its contact information. Subcontracting may take place if the CONTROLLER does not declare opposition within the term of 10 workdays.
 - 2. The subcontractor, who will also have the condition of processor, is likewise obligated to comply with the obligations established in this document for the PROCESSOR and the instructions provided by the processing CONTROLLER.
 - 3. It corresponds to the PROCESSOR to formalise a data processing contract with the subcontractor in terms no less restrictive than those stipulated in the present contract, and that contract will be placed at the disposal of the processing CONTROLLER.
 - 4. In case of noncompliance by the subcontractor, the initial PROCESSOR shall still be fully responsible, with regard to compliance of its obligations, before the processing CONTROLLER.
- f) Maintain the duty of secrecy regarding the personal data it has had access to under the present task, even after the contract has ended.
- g) Guarantee that the persons authorised for data processing are committed, expressly and in writing, to respect confidentiality and comply with the corresponding security measures, of which they must be conveniently informed.

The duty of secret and confidentiality regarding personal data to which they have had access in virtue of the present task will last indefinitely.
- h) Maintain the supporting documentation of its compliance with the obligation established in the previous item at the disposal of the CONTROLLER.
- i) Guarantee the necessary training in matters of personal data protection for the people authorised to process personal data, and in particular the specific or special aspects that apply

based on the nature of the services provided.

- j) When an affected person exercises a right (*of access, rectification, suppression and opposition, process limitation, data portability and to not be subject to automated individual decisions, or other rights recognised by all applicable regulations*) before the PROCESSOR, this must be communicated by email to the address indicated by the CONTROLLER. This communication must be immediate, and within a period of 24 hours after receiving the request, together, if applicable, with other information that may be relevant to resolving the request, and including the valid identification of the person making the request.

The CONTROLLER will be assisted by the PROCESSOR, insomuch as possible, so it may comply and respond to the exercise of right by an affected person.

- k) Right to information:

The PROCESSOR, at the moment the data is collected, must provide the information related to the processing of data that will be performed. The text and the format in which this information will be provided must be agreed on with the CONTROLLER before the start of data collection.

- l) Notification of data security breaches.

The PROCESSOR will notify the processing CONTROLLER with no undue delay and in a maximum period of 48 hours, to the email indicated by the CONTROLLER, of any breaches it is aware of to the security of the personal data in its care, together with all the relevant information for the documentation and communication of the incident.

Notification to the CONTROLLER shall not be necessary when it is unlikely that the security breach constitutes a risk to the right and liberties of natural persons.

The following information, as a minimum, will be provided:

1. Description of the nature of the personal data security breach, including, when possible, the categories and approximate number of affected interested parties, and the categories and approximate number of personal data registrations affected.
2. Contact details for the contact person to obtain more information.
3. Description of the possible consequences of the personal data security breach.
4. Description of the measures adopted or proposed to correct the personal data security breach, including, if applicable, the measures adopted to mitigate possible negative effects.

If it is not possible to provide the information simultaneously, and in the measure that it is not possible, the information will be provided gradually with no undue delay.


The PROCESSOR shall assist the CONTROLLER with all the information at its disposal, in communicating the security breach to the interested parties, when it is likely that the breach implies a high risk for their rights and liberties.

The PROCESSOR, at the request of the CONTROLLER, will communicate, as quickly as possible and with all the information at its disposal, the data security breach to the interested parties,

Maria del Carmen Moreno Fernández

Traductora-Intérprete Jurada de inglés

Nº. 5153



when it is likely that the breach implies a high risk for the rights and liberties of natural persons. This communication must be made in clear and simple language, and it must include the elements that, in each case, the CONTROLLER requires and, at a minimum:

- The nature of the data breach.
 - Contact details for the CONTROLLER or the PROCESSOR, where they may obtain more information.
 - Possible consequences of the personal data security breach.
 - Measures adopted or proposed by the CONTROLLER to remedy the security breach, including, if applicable, the measures adopted to mitigate the possible negative effects.
- m) Place at the disposal of the processing CONTROLLER all the information necessary to prove compliance with its obligations, as well as for the performance of audits or inspections carried out by the CONTROLLER or another auditor authorised by the same.

7. Obligations of the processing controller.

It corresponds to the processing CONTROLLER to:

- a) Provide the PROCESSOR with the data necessary for it to provide the service.
- b) Cancel the data when they are no longer necessary for the purpose for which they were collected, except when they are to be preserved to certify the commission of acts attempting against the integrity of persons, property or facilities.
- c) Ensure, previous to and throughout the processing, compliance with the norms in matters of data protection by the PROCESSOR.
- d) Supervise the processing, including performing inspections and audits.

8. Rights of the subject of the data.

All the PROCESSOR's personnel shall be informed about the procedure, if applicable, to address the rights of the interested parties, clearly defining the mechanisms through which these can be exercised, and considering the following:

- a) The interested parties may exercise, in the terms established by applicable legislation, their rights to access, rectification and suppression of data, as well as to request the limiting of the processing of their personal data, oppose the same, or request the portability of their data, by sending written communication to the processing CONTROLLER to the specified addresses.
- b) They may contact data protection delegates at the following address: contratacion@extremaduraavante.es, or present a complaint before the Agencia Española de Protección de Datos [Spanish Data Protection Agency] or another competent authority.
- c) The obligation to address these rights corresponds to the CONTROLLER.
- d) If the request is received by the PROCESSOR related to the processing performed on behalf of

María del Carmen Moreno Fernández

Traductora-Intérprete Jurada de inglés

Nº. 5153

the CONTROLLER, the PROCESSOR has the obligation to convey the request to the latter in a period within 24 hours of having received it, accompanied by all pertinent information at its disposal.

- e) The CONTROLLER will identify the actions that must be performed based on requests by interested parties, which will then be communicated to the PROCESSOR.

For the right to access, the PROCESSOR will proceed to provide the interested party data in its power to the CONTROLLER.

For the right to rectification, the modification of the interested party data that are inexact or incomplete will proceed, considering the purpose of the processing.

For the right to suppression, the interested party's data shall be suppressed when they express their refusal or opposition to the processing, and there is no legal impediment to doing so.

- f) Personal data security breaches. When personal data security breaches occur, such as, for example, the theft of or undue access to the same, the CONTROLLER will be immediately notified of the circumstances, including all the information necessary to clarify the facts. The CONTROLLER shall receive support for notifying the Agencia Española de Protección de Datos of the breach, considering the information at the disposal of the PROCESSOR.

- g) The exercise of rights will require prior presentation, by the interested party, of a copy of his or her DNI [National ID Document] or another identifying document.

- h) The PROCESSOR has the obligation of informing any interested party of the following circumstances:

1. List of typologies of personal data it processes.
2. Purpose for which they have been collected.
3. Identification of the recipient of the data.
4. Preservation period for the data.
5. Identity of the CONTROLLER before which they can present a request to rectify, suppress or oppose the processing.
6. Contact data for the Data Protection Delegate.

9. Audit.

The CONTROLLER may demand from the successful bidder any evidence of compliance with all applicable legislation, according to the stipulations by both parties, as well as the security requirements imposed by the CONTROLLER. To this effect, the CONTROLLER reserves the exercise of the following rights:

- a) Review or audit the Security of Information safeguarding mechanisms that have been implemented by the successful bidder and that are related or involved with the systems used to

provide the contracted service.

- b) Review or audit compliance by the successful bidder with applicable legislation in accordance to the contracts signed by both parties.
- c) Request, from the successful bidder, the documents derived from the auditing processes it has carried out, as well as any other evidence of compliance with the applicable legal framework and with the requirements imposed by the present task.
- d) Request the implementation of any organisational, technical or legal measure it considers adequate to guarantee Security of Information.

In order to facilitate the exercise of the aforementioned right by the CONTROLLER, the successful bidder agrees to enable and actively participate in the development of the activities described above.

10. Documented communications.

In compliance with the principle of proactive responsibility, the parties provide, for the effects of documenting their communications, the addresses stated in the preamble of the contract.

— **PROCESSING CONTROLLER** (include email address)

— **PROCESSOR** (include email address)

11. Responsibilities.

The responsibilities of the Processing CONTROLLER established in all applicable regulations fall on the procurement entity, while the successful bidder is the party shall hold those established for the PROCESSOR. If the latter uses the data for another purpose, communicate them or use them in violation of the stipulation of the present contract and/or applicable regulations, it will also be considered processing CONTROLLER, and answer, in this case, for the infractions which it personally incurred.

The processing CONTROLLER shall be exempt from any liabilities that could arise from the violation, by the PROCESSOR, of the stipulations of the present contract, as well as the provisions of the LOPDGGD [Spanish acronym, Organic Law on Data Protection and Digital Rights Guarantee] and the GDPR, in which case the latter will answer for the infractions in which it could have incurred, as well as any demand for compensation any interested party may lodge before the controlling authority or the courts.

In witness thereof, the present contract is signed by duplicate in _____ on the ____ of _____ of 202_.

PROCESSING CONTROLLER

Signed: _____

PROCESSOR

Signed: _____

Maria del Carmen Moreno Fernández

Traductora-Intérprete Jurada de inglés

Nº. 5153

ATTACHMENT IX

OTHER AUTOMATICALLY QUANTIFIABLE CRITERIA

I, Mr / Ms _____, with DNI [National ID Document] nº _____,
acting in my own name (or in representation of the company
_____), in relation with procurement file
_____, AGREE to carry out its execution, incorporating the measures
quotes in each of its categories, which are listed below:

OTHER AUTOMATICALLY QUANTIFIABLE CRITERIA.

| CRITERIA | | |
|----------|------------------------------|-----------------------------|
| | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

The bidder will adapt the specific table to the Quantifiable Criteria established in the Characteristic Summary Table.

In _____, on the ____ of _____ of _____ (issued within the proposal presentation period) (advanced electronic signature of declarant)."

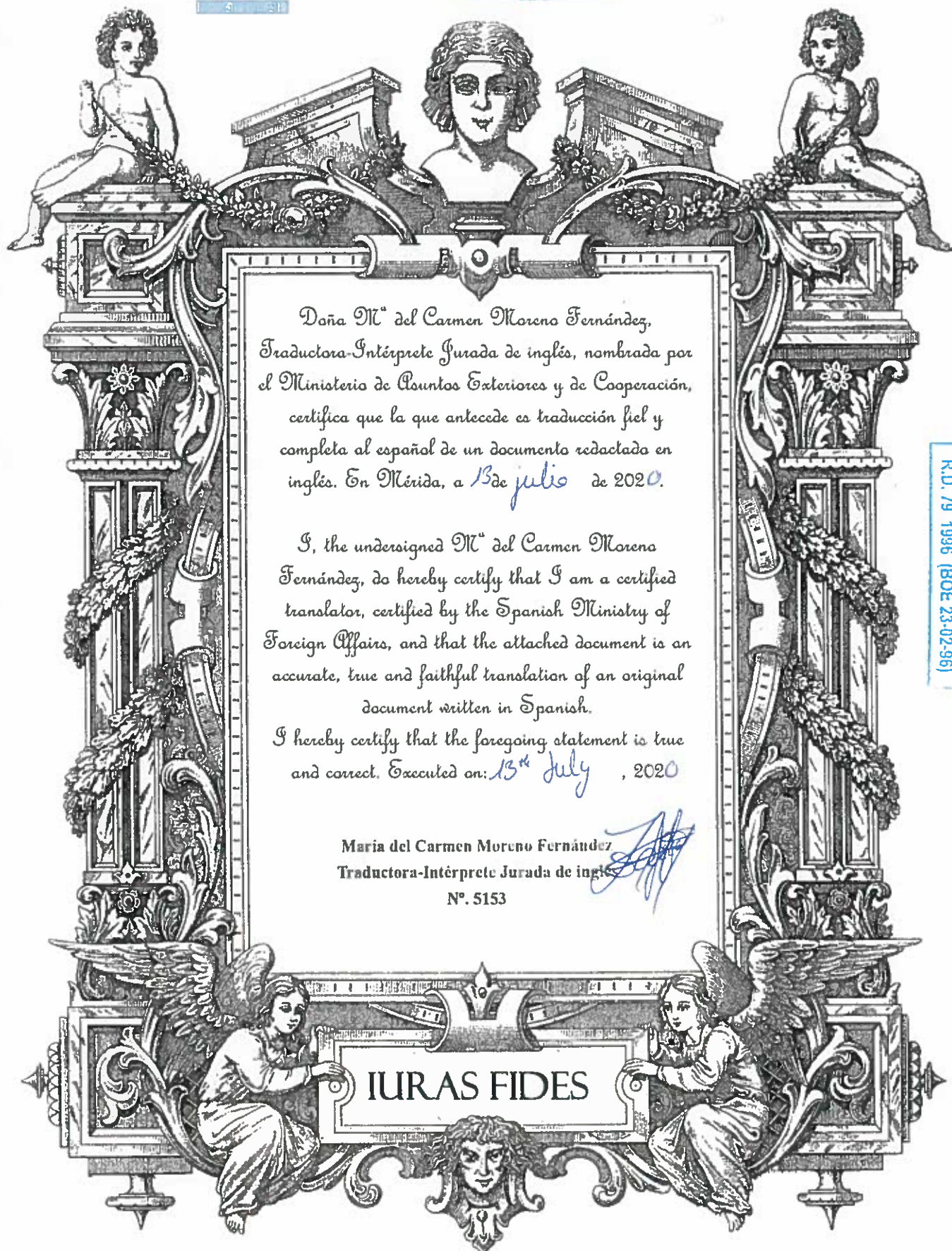
María del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés
Nº. 5153





000589359

CLASE 8.^a



Doña M^{ra} del Carmen Moreno Fernández,
Traductora-Intérprete Jurada de inglés, nombrada por
el Ministerio de Asuntos Exteriores y de Cooperación,
certifica que la que antecede es traducción fiel y
completa al español de un documento redactado en
inglés. En Mérida, a 13 de julio de 2020.

I, the undersigned M^{ra} del Carmen Moreno
Fernández, do hereby certify that I am a certified
translator, certified by the Spanish Ministry of
Foreign Affairs, and that the attached document is an
accurate, true and faithful translation of an original
document written in Spanish.

I hereby certify that the foregoing statement is true
and correct. Executed on: 13th July, 2020

Maria del Carmen Moreno Fernández
Traductora-Intérprete Jurada de inglés
Nº. 5153

TRADUCCIÓN JURADA
EXENTA DE LEGALIZACIÓN
R.D. 79 1996 (BOE 23-02-96)

