# Annex 2: CONFLICT OF INTEREST DECLARATION

##### **INSTRUCTIONS TO BIDDERS**

What is a conflict of interest?

A conflict of interest may arise from economic or commercial interests, political, trade union or national affinities, family, cultural or sentimental ties, or **any other type of relationship or common interest between the bidder and any person connected with the contracting authority** (SPC staff member, consultant or any other expert or collaborator mandated by SPC).

Always declare a conflict

The existence of a potential or apparent conflict of interest does not necessarily prevent the bidder concerned from taking part in a tender process. **However, the declaration of the existence of such a conflict by the persons concerned is essential and allows SPC to take appropriate measures to mitigate it and prevent the associated risks.**

Bidders are therefore invited to declare any situation, fact or link which, to their knowledge, could generate a real, potential or apparent conflict of interest.

Declaration at any time

Conflicts of interest may arise at any time during the procurement process or the implementation of a contract (e.g. new partner in the project) or as a result of a change in personal life (e.g. marriage, inheritance, financial transaction, creation of a company). If such a relationship is found and could be perceived by a reasonable person as likely to influence a decision, a declaration of the situation is necessary. In case of doubt, a conflict situation must be declared.

Declaration for any person involved

A declaration must be completed for each person involved in the tender (principal representative of the bidder, possible subcontractors, consultant, etc.)

Failure

Failing to declare a potential conflict of interest may result in the bidder being refused a contract or placed on SPC's list of non-responsible suppliers.

##### **DECLARATION**

I, the undersigned, *[name of the representative of the Bidder]*, acting in the name and on behalf of the company *[name of the company]*, declare that:

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|  | To my knowledge, I am not in a conflict-of-interest situation |
|  | There is a potential conflict of interest with regard to my *[Choose an item]*. relationship with *[name of the person concerned]* in his or her capacity as [*position/role/personal or family link with the person concerned]*, although, to the best of my knowledge, this person is not directly or indirectly involved in any stage of the procurement process |
|  | I may be in a conflict of interest with regard to my *[Choose an item]* relationship with *[name of the person concerned]* in his or her capacity as [*position/role/personal or family link with the person concerned]*, as this person is, to the best of my knowledge, directly or indirectly linked to the procurement process |
|  | To my knowledge, there is another situation that could potentially constitute a conflict of interest:  *[Describe the situation that may constitute a conflict of interest]* |

In addition, I undertake to:

* declare, without delay, to SPC any situation that constitutes a potential conflict of interest or is likely to lead to a conflict-of-interest;
* not to grant, seek, obtain or accept any advantage, whether financial or in kind, to or from any person where such advantage constitutes an unfair practice or an attempt at fraud or corruption, directly or indirectly, or constitutes a gratuity or reward related to the award of the contract;
* to provide accurate, truthful and complete information to SPC in connection with this procurement process.

I acknowledge that I and/or my company and/or my business partners who are jointly and severally bidding on the **RFP** *[SPC Reference]* may be subject to sanctions such as being placed on SPC's list of non-responsible vendors, if it is established that false statements have been made or false information has been provided.

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| **For the Bidder:** *[insert name of the company]* |
| Signature:  Name of the representative: *[insert name of the representative]*  Title: *[insert Title of the representative]* |
| Date: *[Click or tap to enter a date]* |