



**Invitation for Expression of Interest (IEOI) for the supply of a Floating Storage and Regasification Unit (FSRU) for the Alexandroupolis Independent Natural Gas System (Alexandroupolis INGS) Project**

**CLARIFICATION NO. 2**

NO	CLARIFICATION	COMPANY RESPONSE
1	<p>CONTRACTOR wishes to clarify whether the submitting entity for the EOI can utilise the financials and experience of its parent company ("Interested Party") to meet the eligibility criteria (technical and economic / financial).</p>	<p><b>Confirmed</b> The submitting entity for the EOI can utilise the financials and experience of its parent company ("Interested Party") to meet the eligibility criteria (technical and economic / financial).</p>
2	<p>At Section IV (1) 'Eligibility and Qualitative Criteria', reference is made to the requirement for a Sworn Statement stating that the Interested Party does not fall under any of the Grounds for Exclusion set out under Section III. 2.1.</p> <p>Section III. 2.1.2; 2.14. and 2.1.5 actually refer to conclusions that may be made by the COMPANY. It is not possible for the CONTRACTOR Sworn Statement to attest to what the COMPANY may conclude.</p> <p>We would therefore like to clarify whether it would be sufficient for the Sworn Statement to refer to the Grounds for Exclusion in 2.1.1 and 2.1.3 only.</p>	<p>The Sworn Statement requested in Section IV par. (1) b should not attest the <i>conclusions</i> that may be made by the COMPANY but the fact that the Interested Party is not into a situation that constitutes a Ground of Exclusion, as the Grounds of Exclusion are provided in Section III. par. 2.1. of the EoI. <u>It should be stressed that the Sworn Statement should cover <b>all</b> Grounds of Exclusion.</u></p> <p>Therefore, the Sworn Statement should read as follows:</p> <p>"I, the undersigned [<b>•</b>] (<i>name of Interested Party's representative</i>), acting as legal representative of [<i>Interested Party</i>] hereby declare/state that [<i>Interested Party</i>] does not fall under any of the Grounds for Exclusion set out under section III. 2.1. of the Invitation for Expression of Interest and specifically:</p> <ul style="list-style-type: none"> <li>- no administrative, management or supervisory body of [<i>Interested Party</i>] neither any person with powers of representation, decision or control therein has been the</li> </ul>



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subject of a conviction by final judgement for one of the following reasons: *[a-f of Section III, par. 2.1.1 of the Eoi to be included here];*

- *[Interested Party]* is not in breach of its obligations relating to the payment of taxes or social security contributions where this has been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of *[•]* (country in which the *Interested Party* is established);
- *[Interested Party]* is not bankrupt nor is it the subject of insolvency or winding-up proceedings, where its assets are being administered by a liquidator or by the court, where it is an arrangement with creditors or where its business activities are suspended, nor is it in any analogous situation arising from a similar procedure under national laws and regulations;
- *[Interested Party]* is not guilty of grave professional misconduct, which renders its integrity questionable; and
- *[Interested Party]* has not entered into any agreements with other Interested Parties (as defined in the Eoi) aimed at distorting competition or where the conflict of interest cannot be effectively remedied by other less intrusive measures."