

APPENDIX IV – COVENANT OF INTEGRITY

Name of the Tenderer: _____

Seat of the Tenderer: _____

OIB of the Tenderer: _____

Date: _____

As a tenderer in the public procurement procedure, we declare that neither _____ (name of the tenderer; hereinafter "**Company**"), nor responsible persons, employees, representatives, agents, or any other person acting on behalf of or for the account of the Company, or acting with the consent of the Company, have been engaged in any prohibited activity, as defined below, in connection with any tendering procedure or during the execution of a contract for the performance of works or the delivery of goods or services, and we undertake to inform you of any involvement of the mentioned persons in prohibited activities without delay upon learning of such a case.

We declare that we agree to the implementation of a revision of the entire tendering procedure by the Purchaser or independent experts appointed by him and that we accept all responsibility for violations of the obligations assumed by this Covenant and the contract.

For the purpose of this Covenant:

- "prohibited activity" means undertaking or participating in undertaking corrupt or fraudulent practices, threats or money laundering; prohibited activity includes inciting such activity and assisting in such activity;
- "*corrupt practices*" means offering, promising or giving any undue reward, gift or other material or non-material gain, regardless of value, to an official or responsible person, employee, representative, agent or any other person who can influence the decision-making of the Purchaser, with the aim of obtaining or retaining business, or acquiring or retaining any undue advantage; corrupt practices include mediation in offering, promising or giving a reward, gift or other benefit under the specified conditions;
- "fraudulent practices" means misleading anyone in connection with the procurement procedure or the performance of a contract by misrepresenting or concealing facts with the aim of obtaining or retaining an undue advantage; this practice also includes agreements between tenderers contrary to regulations concerning the protection of market competition;
- "*threat*" means a threat to an official or responsible person, employee, representative, agent or any other person who may influence the decision-making of the Purchaser, with such malice as to intimidate or disturb them, in connection with the procurement procedure or the execution of a contract;
- "*money laundering*" means the concealment or false representation of the illegal origin of the material gain achieved by a criminal act;
- "*Purchaser*" means the person designated as such in the Procurement documents or in the contract;
- "*tenderer*" means an economic operator as defined by the applicable Public Procurement Act;
- "*official person*" means an official person as defined by the applicable Criminal Code;
- "*responsible person*" means a responsible person as defined by the applicable Criminal Code.

Tenderer

(signature of an authorised person)